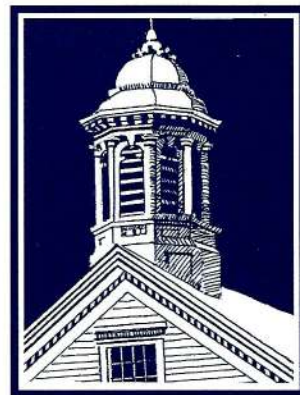


the CASTINE VISITOR

CASTINE HISTORICAL SOCIETY NEWSLETTER

Winter 2011

vol. 21 no. 3



“THIS SMALL INCIDENT OF FRIENDSHIP . . .”

Editors' note: *A typewritten copy of this letter was recently found in the CHS archives. Frank Hatch was not the first Castiner to visit the town of St. Castin in France, nor was he the last, but his letter is an example of the spirit of visits by more recent generations.*

To the churches of Castine, Maine

On June 13, 1959, I visited the settlement of St. Castin in France. This little community, near Pau on the Spanish border, is named for the Castin family. Its identity has been handed down to us at Castine, Maine by our distinguished citizen, Baron Castin. St. Castin is a pretty little settlement built around a small church. Its population consists of 250 inhabitants of surrounding farms. There is no town center and no public buildings other than the church.

My mission there was to learn what I could about the background of the Baron. I am happy to say that I found the foundation of the old chateau and many other interesting facts in connection with the family.

Perhaps the highlight of my visit was a meeting with the curé of the local church. He lives in a neighboring town and ministers to three parishes. After my visit at the church at St. Castin I returned to Mourlas where I found him in his little parish house. His name is Jean Hourcade. He made me most welcome, and, though he spoke no English, I was able to explain my mission with the help of a young Englishman who accompanied me.

In the name of the inhabitants of Castine, Maine, I made a contribution to the church at St. Castin. The Curé asked me if I would write a message to his parishioners which he might read at morning mass. This I did, as follows:

To you good people, our friends of St. Castin, I bring greetings from your brothers and sisters in the small town of Castine, Maine. Our town was named for the Baron

de St. Castin, who came from your country to live with us for the greater part of his life. I have visited your lovely church and have walked through your beautiful fields and lanes. May God bless you all.

Abbé Hourcade then sat down and wrote a message for me to take back to the inhabitants of Castine, Maine. I enclose a photostatic copy of this. A simple translation is as follows:

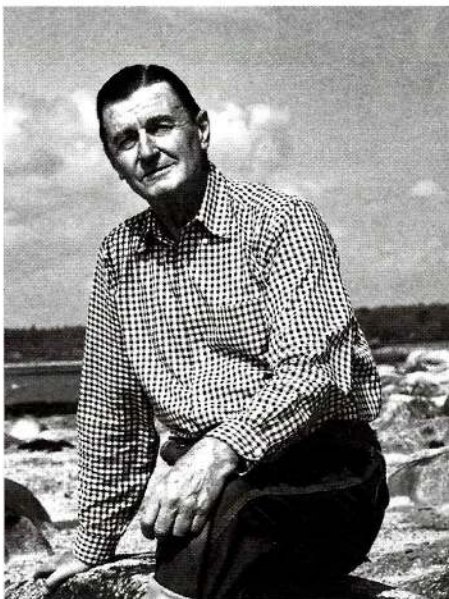
The inhabitants of St. Castin, a tiny village of 250 souls in the district of the lower Pyrenees, has been touched by the visit of Monsieur Hatch and very moved by his gesture of friendship toward the church. They hope again to have occasion to meet other inhabitants of Castine, Maine and keep alive the memory of Baron de St. Castin.

*Abbé Jean Hourcade
Curé de St. Castin
June 13, 1959*

Following this little procedure, the Curé asked me if I could play the piano and perhaps sing him a song typical of our country. I wish that I could have translated the lyrics of “Windmill Hill” and “Oakum Bay” adequately but he seemed pleased and appreciative to hear them in English.

In conclusion he walked with me through his garden and we both remarked on the beauty of the rolling countryside where haying was in progress. He then showed me the Mourlas church, close at hand, and we parted with a smile and a firm handshake.

Perhaps this small incident of friendship betwixt our two villages is worthy of record.



Frank Hatch in the 1950s

CHS archives

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2011-2012**

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**The Castine Historical
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welcomes the following
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**Thanks and recognition
are extended to those who
have recently added to
our collections**

David Austin
Bangor Public Library
Elaine Betts
Cynthia Boyer
Ben Conant
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Sally Foote
Harold Hatch
Beverly Farnham Henry
Wendy Knickerbocker
Ann Miller and family
William Murtagh
Anette Rodrigues
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Carolyn Ulrich
David Unger
Carolyn W. Weiss
Dianne Yates

The Castine Historical Society actively collects photographs, papers, maps, memorabilia and artifacts to document life in Castine and the Bagaduce River area. If you want to donate something you think is worth preserving, please contact Paige Lilly at (207) 326-4118 or curator@castinehistoricalsociety.org. Either we will add your material to our collection or suggest a more appropriate institution for you to contact.



The mission of the Castine Historical Society, a 501(c)(3) nonprofit organization, is to collect, preserve, protect, and make available a variety of materials that illuminate the historical development of the Castine-Bagaduce River Area from its beginnings to the present.

The Castine Visitor is published three times a year by the Society for its members and friends.

Lynn H. Parsons &
Anne H. Parsons.....Editors

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www.castinehistoricalsociety.org

**Castine
Historical Society**

LETTER FROM THE PRESIDENT

As incoming president, and on behalf of the Society, I thank outgoing President Michael Coughlin for his years of leadership and dedication. Moreover, his carpentry skills proved invaluable when setting up our exhibits. Mike, with some persuasion, will provide continuity by serving as a member of the Board for another year. I would also like to acknowledge Michael Morrison and Ruth Basile for their service on the Board. Mike's contributions as treasurer helped guide us through important years of growth and acquisition. Ruth's knowledge of the town and its people was most helpful in planning the 2011 Summer Exhibit. I extend a hearty welcome to Carol Adams as a new member of the Board.

I am pleased to announce that Paige Lilly, our part-time Curator, will become our first full time employee beginning January 2012. Her curatorial abilities are a great asset to the Society. Paige also works closely with various Board committees and with the many volunteers who play an essential role in our day-to-day activities, especially during the busy months of July and August.

All of our activities are free, open to the public, and designed to illuminate the rich history of the Castine-Bagaduce River area. The proceeds from many of our events often support town projects.

The well-received summer exhibit *History and Hearsay: Tales of Castine Homes* was visited by more than 1,500 people and to our surprise one of these visitors, a former Castine resident, recognized himself at age twelve in a picture from our archives. He was willing to share his experiences as a young boy in Castine and we now have a video taped interview of his recollections in our oral history collection.

The third annual Deborah Pulliam Lecture was presented by Annette Gordon-Reed, Professor of Law and History at Harvard University. She won the 2009 Pulitzer Prize in History for her book *The Hemingses of Monticello: An American Family* and was awarded a MacArthur Fellowship in 2010.

Thanks to the efforts of the many volunteers who assisted with the hanging and displaying of the art and providing refreshments for the opening reception, the Castine Historical Society's Twelfth Art Show and Sale was very successful. Sales from this cooperative venture raised over \$9,000, which will support our educational programs. In addition, \$13,000 was generated for the artisans, many of whom are local residents.

In September, the Society and the Maine Maritime Academy co-sponsored the premier performance of "The Hessian Officer in America," which was written in 1783. Anette R. Rodrigues, German Instructor at University of Maine, provided the English translation. Over one hundred people viewed the performance at Delano Auditorium, and the cast and many others enjoyed a reception at the Abbott School following the event. The \$500 collected in donations will benefit the Emerson Hall Restoration Project.

The Castine Historical Society continues to flourish and grow as a vibrant part of the cultural and educational landscape of the community. Of course this would not be possible without your continued support through volunteerism, the membership drive, and the annual appeal.

Marcia Mason

"THE RIVIERA CAN'T HOLD A CANDLE TO THE CASTINE SWIMMING POOL"

Lynn Parsons

The limousines and old jalopies come to share the breezes cool . . .

The Riviera can't hold a candle to the Castine Swimming Pool.

So sang Frank Hatch in the 1950s.¹ Conventional wisdom has it that the Castine Swimming Pool on Wadsworth Cove Road was built in 1934 as a "WPA project." The WPA, or Works Progress Administration, was one of the many "alphabet agencies" set up during President Franklin Roosevelt's "New Deal" to combat the Great Depression. In this case the conventional wisdom may be only half right. The initial construction of the pool indeed began in the summer of 1934, but according to the Selectmen's Minutes of Castine's town meetings, the agency in question was not the WPA, but the CWA, or Civil Works Administration.

The difference between the two is important. WPA workers were paid directly by the federal government, while the CWA appropriated federal funds to private firms who then used them to provide temporary employment. At a special town meeting called for March 2, 1934, Castine's citizens voted to accept a plan for a pool as approved by the "CWA so called." The exact amount provided by the "CWA so called" remains a mystery. The same town meeting voted to accept property deeds from Warren P. Hooper and William H. Bevan "on such land as

may be necessary for construction of a swimming pool." After that they voted to raise \$1000 for "construction of a swimming pool and necessary pipes and outlets and grading of ground and road."²

One thousand dollars was a lot of money to be appropriated by a small town in the midst of the Great Depression. Castine's Town Report for 1933-34 tells us that in 1933 no less than twenty families, representing some fifty-five individuals, received "400 pounds of pork, 110 pounds of smoked pork, 1 case fresh beef in cans [?], [and] one carton butter" from the Federal Relief Administration. The foods, the selectmen assured the citizens, "are given without charge: just ask any of the selectmen."

The total cost of the pool for the town was a little more than twice what was appropriated, (including dynamite, which cost \$115.43). There was no record of labor costs. Since the CWA was intended to

provide paid work for otherwise unemployed workers, a reasonable inference would conclude that the remaining amount was picked up by the CWA. But we cannot be



Town Celebration at the Swimming Pool, 1938 (?)

CHS archives

sure, short of consulting the records of the CWA, which are stored in the bowels of the National Archives in Washington.

Its design permitted the pool to be filled at high tide with a check valve to contain the water until time to empty it which would be done at low tide, with the cycle renewed six hours later.

According to our records, the pool had an official grand opening on July 4, 1935. It was placed under the supervision of the Public Grounds Committee, who reported that they had received favorable comments from various sources, which convinced them that "this civic property has been the means of

¹ From his CD "The Best of Frank Hatch," available from the Castine Historical Society, \$14.00. Most of the information contained herein is drawn from the Castine Selectmen's Minutes and the Annual Town Reports. Also, we have benefitted from reminiscences by Abbott Brownell, Sally Foote, Paul Gray, Liz Parish, Gil and Brooke Tenney, Peter Vogell and Scott Vogell.

² The deeds given by Hooper and Bevan were uncovered by Ms. Karen Motycka, Town Finance Officer. Both she and Ms. Susan Macomber, Town Clerk, were of great assistance in this project.

considerable added attraction to our community, especially to the summer schools for young people.”³

In 1937 the Public Grounds Committee proudly noted that the pool “which we are proud of and fortunate to have, has been given the very best of care and has been used a great deal more than ever before. The committee feels there is a great need for bath houses, and would like to have the citizens give this matter some thought before town meeting.” Accordingly, petitions were submitted to the Selectmen asking first that the Public Grounds Committee be expanded from three to five, and then adding an item to the warrant “to see if the town will vote to build bath houses at the Swimming Pool in Castine” not to exceed \$100. Both petitions carried.

One hundred dollars was hardly adequate to build bath houses, even in the 1930s. So the next day,

Castine’s citizens were asked to vote on whether the town would vote to raise more money for the pool, “said sum to be expended in connection with funds which it is proposed to obtain from the United States government under “PWA so called,” authorizing the Board of Selectmen to borrow \$1967.50. Seven months later, at a second special town meeting, the town voted to accept the offer of funding for constructing improvements to an “existing swimming pool” from the Federal Emergency Relief Administration of Public Works. The project was put out for bids; the successful bidder being the Rogers Construction Company of Bangor with a bid of \$2750. Despite the lateness of the season, construction was to begin immediately.

Although “bath houses” were not specifically mentioned as part of the “improvements” of 1938, they appear in the Town Report for 1938-39. No money was appropriated by the town for the pool in 1939, but the Report mentions a “Swimming Pool

Construction Account” and the sum of \$2841.50 being paid. How much of the bill was shared by the PWA and how much came from the town is not clear, but there can be no doubt that without PWA support in 1938-39, no bath houses would have been built. The Town Report for the following year (1939-40) shows a separate “Swimming Pool Account” that doled out \$638.42, the purpose for which again is not clear. As of 1940 the pool was in good shape.⁴

During the 1940s and 1950s the use of the Wadsworth Cove pool steadily increased. The Maine Maritime Academy began using it for lifesaving training and later the Ellsworth YMCA used it for swimming lessons. But funds for the pool began to diminish, as other needs, like the purchase and maintenance of the town’s wharf, competed for support.

Inevitably the



pool began to suffer. In 1952, \$2500 had to be appropriated in order to pay for two hundred feet of pipe, repairing the diving tower, and new sand at the bottom of the pool. Volunteers now stepped forward to pick up where the town was leaving off. By 1954 the Public Grounds Committee was able to report that the pool, “thru the co-operation of the Civic Club and interested citizens, was cleaned up and made presentable for the season.”

Appropriations continued to dwindle through the 1950s, until 1958 when another crisis emerged and the newly-created Budget Committee recommended an allocation of \$1100. Neither the Town Report nor the Selectmen’s Minutes tell us what the money was needed for, but significantly, Article 37 on the warrant for Castine’s 1959 Annual Town Meeting was “To see if the Town will vote to authorize the Selectmen to appoint a Swimming Pool Committee of three (3) persons.” It passed.

As a general rule in public affairs, the appointment of an *ad hoc* committee is the sign of a

³ If the New Dealers in Washington thought that the CWA’s support for the pool would have any effect on Castine’s long-standing Republican commitment, they were sorely mistaken. In 1936 Castine voted against FDR, 231-88, with six votes for the Socialist ticket and one for the Communists.

⁴ Again, if the Democrats in Washington expected Castiners to be bribed by the pool, they were in for another disappointment. In 1940 Castine voted against FDR, 227-114, with the Socialist vote dropping to one, and the Communists holding steady at one.

problem, and the creation of a "swimming pool committee" in Castine was no exception. The membership of the committee is not known, but the Budget Committee pulled no punches in its report the following year. "The operation of the pool," it declared, "constitutes a hazard both to public health and financial obligation of the town. The possibility of disease, epidemics and physical injuries is serious if the use of the pool is continued as at present without man tight [?] fencing, gates and control of litter, and without sanitary rest rooms and dressing rooms, etc."

The town carried no liability insurance covering these hazards. The committee stated they had no knowledge of the cost of these measures, but advocated restricting the hours of the pool's use, providing for supervision, and acquiring liability insurance. If the town was not willing to do these things, the committee recommended the pool be "closed permanently." In response, the town voted \$550 "to take care of the Pool and also to provide Liability Insurance."

The Budget Committee's fears were a reflection of a heightened awareness of the dangers posed by public swimming pools, especially those posed by poliomyelitis, a disease that had yet to be conquered and was widely believed to be spread in those venues. Fears regarding the use of unsupervised diving towers like the one in Castine added to the concerns. In response, states and municipalities began to develop regulations governing the construction of pools open to the public. Eventually, the diving tower was taken down.

By the early 1960s it was evident that the problem of the pool's maintenance and the expenses involved were not going away. On May 17, 1963, townspeople were presented with four choices: 1) rebuild the pool, 2) repair the pool, 3) table the matter until the next annual meeting, or 4) close the pool. After extended discussion and the request for a written ballot, those present voted, 72-56 to repair the pool. They then voted to appropriate \$4200 to cover the costs, borrowing \$2000 and taking \$2200 from an anticipated surplus. That summer the pool was "repaired, chlorinated, and was in good use," at a cost of \$3749, thus saving some \$450.

Liability insurance on the pool was continued until 1966, when it seems to have been dropped, or at least it is no longer mentioned in the Town Report. Appropriations for the pool again started to dwindle, dropping to \$400 by 1970. Then the inevitable crisis arose. "Maximum recreational enjoyment was not

obtained from the swimming pool last summer," reported the Selectmen in 1971. The pipes had deteriorated, the pool was losing water, and repairs were unsuccessful. A new system was needed, they said, as well as a plan for "scraping the bottom at frequent intervals to permit the sun to dry out the muck."

The advent of the new federal revenue sharing program begun in 1972 came to the rescue, allowing new appropriations, cresting in 1974 at \$3000. The Selectmen confidently predicted that "A comprehensive plan is now being made for a more permanent improvement of the Swimming Pool." The plan, if it was ever drawn up, has been lost. Federal revenue sharing funds were deferred to other items, and the program itself was eliminated entirely by 1985. The warrant for the annual Town Meeting for 1986 lists no request for swimming pool funding.

But the pool still had support. In 1987, a group of citizens proposed an ambitious allocation of \$6500, "for the Rehabilitation of the Swimming Pool." But the rising costs of maintenance and the ending of revenue sharing had their effect. The Maine Maritime Academy had its own pool. The Budget Committee voted 5-1 against the proposal and the Selectmen opposed it as well. "Several people seemed to feel that there was no use in putting more money in the pool," reported the Town Clerk. New safety and sanitation regulations regarding municipal pools would require \$50,000, in the opinion of the Town Manager, "for liability insurance, life guards, fencing, toilets, etc., to do it right." The appropriation failed. No further funding for the pool has been made since then.

The pool's story reflects not only the history of Castine, but the changing nature of the world outside. What was easy, simple and cheap three generations ago has become difficult, complex and costly today. Castine's pool fell victim to those trends.

Today, recollections of the pool are mixed. Many longtime residents harbor fond memories about where they once learned to swim, dive, socialize, flirt, or simply bask in the summer sun. But some remember it, especially in its latter years, as requiring a thorough shower after use.

The road that once led past the pool still attracts picnickers and swimmers, but only on the Bay side. Yet, imaginative Castiners of a certain age might still hear Frank Hatch singing:

*Cocktails clink in beach cabanas, children swallow
green bananas,*

The Riviera can't hold a candle to the Castine Swimming Pool.

ISAAC PARKER, CASTINE'S FIRST CONGRESSMAN

Lynn Parsons
(with Sally Foote)

In July 1830, the newspapers in Boston noted the death of Massachusetts Chief Justice Isaac Parker, age sixty-two. In its obituary, the *Boston Daily Advertiser* observed that although Parker was a charitable and mild-mannered man, "he was inflexible in maintaining throughout his whole life, the political opinions, which, in youth, after deep reflection, he had adopted."¹ If the *Advertiser* was correct, and Parker's political opinions had been formed "in youth," we would have to turn to the first decade or so of his mature life, which would bring us to Castine, where Isaac Parker's career began.

Born in Boston in 1768, Parker attended Boston's Latin School and then entered Harvard College at the age of fifteen. There, according to one source, "he obtained a reputation as a good-natured but lazy young man."² He apparently withdrew from Harvard shortly after matriculation, but returned with a new attitude and graduated with high honors in 1786. Admitted to the Massachusetts bar in 1789, he eventually found his way to the frontier town of Penobscot in the District of Maine.

Although he was only twenty-two or twenty-three when he arrived in Penobscot,³ he had one distinct advantage. He was the only lawyer in Hancock County. As such, he rapidly attained prominence. He was elected Penobscot's representative to the Massachusetts state legislature in 1793, and when Castine was separated from Penobscot in 1796, he was ap-

pointed one of Castine's representatives to negotiate the terms and boundaries of the separation. He also acquired considerable real estate holdings, as well as at least one merchant vessel.

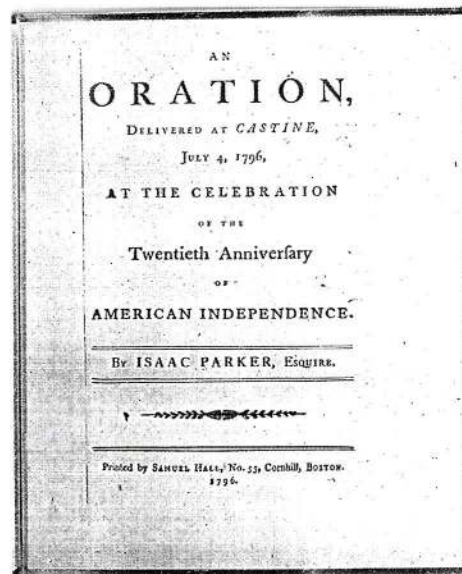
On July 4, 1796, on the twentieth anniversary of American independence, the twenty-eight-year-old Parker was asked to deliver the Fourth of July oration before the Artillery Company of Castine. In that same year, probably as result of that oration, he was a successful candidate for the United States Congress.

Seventeen ninety-six was a presidential election year, in which Vice President John Adams was opposed by the former secretary of state, Thomas Jefferson. Adams was supported by the Federalist party, dominated by the northern mercantile community, and in Massachusetts at least, the Congregational church.⁴ Like most of New England's lawyers, Parker was a Federalist. Federalists tended to be Anglophile in foreign affairs, conservative on most social questions, and suspicious of too much "democracy." Their opponents, calling themselves "republicans," tended to be sympathetic to France and its Revolution, drew much of their support from the South and northern areas remote from commerce, and from the non-Congregational "dissenting" religious denominations: Baptists, Methodists, and Roman

Catholics. Their candidate in 1796, Thomas Jefferson, was believed by many in New England to be not only a Francophile, but a closet atheist was well

Thus the young Parker, as he stood before the Castine Artillerymen, was faced with a dilemma. The Declaration being celebrated in 1796 was written by the man who he and most Federalists had come to see as a threat to the survival of the Republic. And at a time of rising tension between the United States and Revolutionary France, Federalists like Parker could not afford to pay too much attention to the "revolutionary" Declaration or its author.

Much of Parker's oration was standard patriotic fare, lambasting the British Empire for its abuse



¹ Quoted in Russell K. Osgood, "Isaac Parker: Republican Judge, Federalist Values," in *The History of the Law in Massachusetts: The Supreme Judicial Court, 1692-1992* (Boston, 1993), 157-58.

² Kevin R. Chaney, "Isaac Parker" in *American National Biography*, Vol. 19, 25.

³ We do not know exactly when Parker arrived in Penobscot. He is not listed in the 1790 census, but he must have arrived soon afterwards, possibly in that very year.

⁴ In 1798 Parker purchased pew no. 42 in the newly-refurbished meeting house on the common for \$45.00, and was appointed to the committee to arrange for the ordination of Rev. William Mason.

of its colonies and praising the heroes of 1776, especially George Washington. But he ignored entirely the “radical” Declaration of Independence, in favor of the more “conservative” U. S. Constitution, “acknowledged, in Europe as well as America, to be the most perfect system, which the ingenuity of man has yet devised.”

Parker warned the artillerymen that there was still danger to the Republic, both from the corruption of young people and neglect of the military at home, and from unnamed threats abroad. “The mild voice of peace,” he said, “may soon be succeeded by the tumult of war; and prudence requires a preparation for every event.” Should war come, he predicted, “our exposed and hitherto defenceless shores will once again be open to the ravages of a plundering enemy.” The “plundering enemy” Parker saw was not Great Britain, but France. He then made a passing reference to the Penobscot Expedition of 1779, and concluded with the hope that, should a second conflict occur, “the name of Penobscot will be rescued from dishonour, and history not be ashamed to admit it within its pages.”⁵

John Adams narrowly defeated Thomas Jefferson that year, and when Parker finally took his seat in the Fifth Congress in 1797, anti-French feeling had reached the boiling point. If Isaac Parker was not one to fan the flames, he certainly was not one to try to put them out.

Parker’s arrival in Philadelphia (where Congress was meeting while the new city of Washington was under construction) was delayed until November 1799, owing to the Massachusetts law that required a winning candidate to receive a majority of the votes cast. It required at least two run-off elections before Parker could take his seat.

As befitted a new member from a remote district, Congressman Parker spoke very little. When he did speak, it was always on the conservative side. When a group of Pennsylvania Quakers submitted a petition critical of American slavery, Parker joined with both northerners and southerners in dismissing their efforts as beyond the jurisdiction of Congress.

More significantly, Parker was among those a year later who voted for the infamous Alien and Sedi-

tion laws, empowering the president to expel foreigners (presumably Frenchmen or their Irish sympathizers) who were deemed a threat to national security, and allowing the prosecution of anyone guilty of issuing scandalous, false, or malicious statements against the government of the United States.⁶ The backlash against these laws is widely believed to have ensured the triumph of Thomas Jefferson over John Adams in the election of 1800.

But not in Massachusetts, the home state of both John Adams and Isaac Parker. After it was over, and Congress had adjourned in 1799, Parker returned to Castine to the cheers of his fellow Federalists in the artillery company. They held a dinner for him, followed by a series of toasts and gunfire, honoring President Adams (nine cheers and a gun), George Washington (nine more cheers and another gun), the Congress, the Alien Act, the Sedition Act, the Navy, the Commonwealth of Massachusetts, various cabinet members, and finally, for those who were still standing, the young women of Castine: “May they become the wives of Patriots, being lovers of patriotism” (6 cheers and a gun).⁷

Not everyone noticed in the same issue of the *Advertiser* that carried the account of the banquet, there was a small advertisement in which Isaac Parker put his Castine home up for sale: “The beauty of the situation and convenience of the building needs no remarks.” Parker acquired the northwest corner lot on what is now Court and Main Streets, eventually selling it to Job Nelson, a fellow Federalist and Hancock County Probate Judge, in 1800. He then moved to Portland, a much larger venue, where President Adams appointed him United States Marshal for the District of Maine. He held that office until 1803, when he and other Federalist appointees were dismissed by the Jefferson administration. Three years later Federalist Governor Caleb Strong appointed him Associate Justice of the Massachusetts Supreme Court. Upon the death of Chief Justice Theophilus

⁶ According to the record, Parker voted for the Alien Act on June 21, 1798, and for the Sedition Act on July 10, 1798. See *History of Congress, Fifth Congress, Third Session*, pp. 2028-29, and 2171. Joining him on the vote was Congressman and former General Peleg Wadsworth, of Penobscot Expedition fame.

⁷ *Castine Journal and Universal Advertiser*, March 27, 1799. Dr. Wheeler, in his *History of Castine*, 74, has Parker returning from the Massachusetts legislature in 1797, not Congress, in 1799. Mrs. Doudiet corrected the error in her *Majabigwaduce* (Castine, 1978), 44.

⁵ Isaac Parker, *An Oration, Delivered at Castine, July 4, 1796, at the Celebration of the Twentieth Anniversary of American Independence* (Boston, 1796), 9, 14.

Parsons in 1814, he was elevated to that post, which he held until his death in 1830.

But Castine had not seen the last of Isaac Parker. He returned in 1811 as one of three justices presiding over the murder trial of Ebenezer Ball. The case is well-known, if only for the fact that Ball was the first man to be hanged east of the Penobscot.⁸ He was on trial for the death of one John Downes, who had been killed while attempting a citizen's arrest on Ball near Calais in Washington County. That Ball was involved in Downes's death was not disputed: the question was whether his death had been the result of "malice aforethought." The jury nonetheless convicted Ball of first degree murder and sentenced him to be hanged.

Ball then appealed his conviction to Governor Elbridge Gerry, a Republican, who turned for guidance to the Supreme Court and Isaac Parker, the Federalist. Parker took the narrowest possible view of the grounds necessary to reduce a charge of murder to manslaughter. To reduce the charge, he told Gerry, would have the effect of giving license to any violent man "to take the lives of his pursuers as soon as they come within the reach of his shot."⁹ With that, the execution was re-scheduled, and occurred here in Castine on October 31, 1811.

Whether Parker's ruling in the Ball matter played any role in his elevation to the Chief Justiceship three years later can only be a matter of conjecture. Not only was he promoted, but in 1815 he was named the first Royall Professor of Law at Harvard College. It was not a teaching position, but a year later Parker laid before the Harvard Corporation a plan for a new Law School, which was subsequently adopted.

So long as Maine remained part of the state of Massachusetts, Parker as its Chief Justice had many occasions to visit Castine, the town of his youth. He was the presiding judge in the murder trial of a Penobscot Indian named Peol Sussep. The trial had attracted so many observers that it had to be moved across the Castine Town Common to the congregational Meeting House – now the site of the present-day Unitarian Universalist church.

As in the Ball case, the facts were not in dispute. Sussep had stabbed a bartender to death while intoxicated. Also, the choice before the jury was the same: guilty of murder or guilty of manslaughter? But the outcome was quite different. John Neptune, Chief of the Penobscots, pleaded on Sussep's behalf, concluding with a peroration asking for mercy, declaring that "The white men and red men must always be friends. The Great Spirit is our Father." The jury convicted Sussep of the lesser crime and he was sentenced to a year's imprisonment.¹⁰



Isaac Parker
Courtesy of Harvard Law School Library

Following the separation of the District of Maine into a new State in 1820, Massachusetts held a Constitutional Convention. Among the delegates chosen was ex-President Adams, who, in a symbolic gesture, was unanimously chosen to preside. Adams declined, and Parker was elected in his place.

As its presiding officer, Parker kept his conservatism to himself as much as possible, but was able to prevent any drastic changes in the Massachusetts Constitution. One of most contentious issues before the Convention was the privileged status of the Congregational church in Massachusetts. Parker and other conservatives were able to deflect attempts to completely disestablish the church, which would finally occur in 1833, three years after his death.

Parker's remains were originally interred at the graveyard at Copp's Hill overlooking Boston Harbor, but were later transferred to Mt. Auburn cemetery in Cambridge, presumably in order to be closer to Harvard College.

⁸ William L. Welch, "Hanging Ebenezer Ball," *Maine History*, June 2010, 151-167.

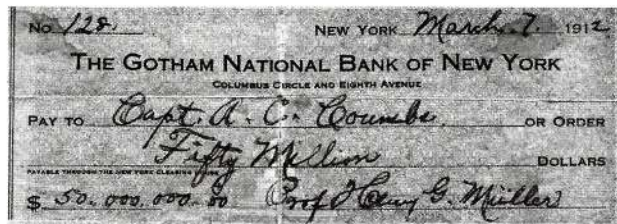
⁹ Welch, 162.

¹⁰ The Peol Sussep story is told by Frank Hatch in the *Saturday Review of Literature*, July 11, 1970.

Curator's Corner

Paige Lilly

A Fifty Million Dollar Joke



Gotham National Bank was in business in New York City 1910-1925 (photo courtesy of Marjorie Smith)

It appears to be a real check. It's made out in 1912 in the amount of Fifty Million Dollars payable to Captain A. C. "Gus" Coombs by a "Professor" Henry G. Müller. Marjorie Smith, Captain Coombs's granddaughter, brought it to our attention after she saw our 2011 exhibit "History and Hearsay," in which we implied that her grandfather had somehow blackmailed Captain Albion Bolan into giving him the property at 11 Court Street. On the contrary, she was sure that the Bolans and the Coombses were close friends and generous neighbors. She doesn't know who Professor Müller was but she has heard enough stories about Gus Coombs to know that the two men must have been sharing a joke when this check changed hands in 1912.

The tale of blackmail purported to explain the matching architecture of a garage and a house on two separate but adjoining Court Street lots. A poker game before the fireplace on "a dark and stormy night" at a Perkins Street cottage turned ugly, and someone was murdered. One of the players blackmailed the killer and was given the 11 Court Street house lot to keep quiet. As told to us the story did not name names, but the exhibit committee researched the ownership and found that Gus Coombs received the lot in 1901. The lot in question had been part of Colonel Bolan's land and stood next to his stable (now a home on Court

Street); and Bolan was known to have a gun collection. The research did not reveal any suspicious deaths around the same time.

Marjorie Smith wanted us to see the check because she couldn't believe – and didn't want anyone else to believe – that her grandfather could have been a criminal. Never cashed, the check was saved between the pages of a book discovered in the house at 11 Court Street. Marjorie also shared two photo albums full of images showing her grandfather and his family with the Bolan family within the years following the alleged murder/blackmail case. The albums are a rich documentation of life at the west end of Court Street and the Perkins Street waterfront.

So what really happened? We still don't know, but we've collected bits of information which may eventually tell the whole tale. Albion K. Bolan built his cottage, Agency, on the shore near the intersection of Tarratine Street and Perkins Street in 1893. Augustus "Gus" Coombs married Minnie Conners in 1895. In 1901, Gus and Minnie bought the land for their house on Court Street from Albion K. Bolan for one dollar. Their daughter Mary (Marjorie's mother) was five years old and their son William was born the next year. Bolan continued to own the property next door, which included the large stable for his horses, and the rest of his estate on the shore.

The photo albums show the Coombs children playing and posing in the yard at Agency Cottage on Perkins Street. Photos of Gus in the albums show him with Bolan family members and guests after fishing and hunting trips, posing on the cottage lawn, playing with pets, cutting the grass, and working with the Agency horses. It appears that Gus was caretaker of the cottage for Colonel Bolan around the turn of the 19th century and later for Mrs. Bertie Robinson who inherited the place after her uncle's death in 1905.

One logical explanation for the transfer of the property on Court Street is that it was compensation for Gus's service – he was a trusted friend and employee with a growing family. A

probable explanation for the blackmail story is that Castine folks who played poker in the early 20th century also enjoyed a good joke.



Gus Coombs in the middle of fishermen returning to the dock at the Bolan cottage. Gus may have been captain and guide. (photo courtesy of Marjorie Smith)

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