CIVIC NATURE:
Place, Values, and the Environmental Transformations
of Early Nineteenth Century Boston

Master’s Thesis

Presented to

The Faculty of the Graduate School of Arts and Sciences
Brandeis University
Department of History
Brian Donahue, Advisor

In Partial Fulfillment
of the Requirements for the Degree

Master of Arts
in
History

by
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May 2014
Acknowledgments

In the short time I’ve been a graduate student, I have leaned on the support of others much more than I ever could have expected. My mentor Brian Donahue has aided me immensely with his patient and steadfast guidance on this project and in my coursework. Perhaps more important, as a model of principled humility he has led me away from environmental pessimism toward a fuller understanding of what it means to be a responsible and informed cohabitant of our world. I am also grateful to Michael Willrich for his kind help in the eleventh hour which was essential during the final stages of this project. Additionally, I am fortunate to have entered into a community of passionate, driven and friendly graduate students. Without the ready camaraderie and sincere friendship of Phil Wight, Kyle Romero, Jodie Austin, and Steve Pieragastini, I probably would have been hosed long before I made it this far. Additionally, I owe countless drinks to several friends from the Merrimack Valley, particularly T.J. Hatem and Brian Babikian, who have been understanding, sympathetic, and have kept reaching out despite all the times I’ve neglected them this past year. Finally, I drew so much confidence and drive from the constant encouragement and support of my family. Christine and Kevin, Patrick and Briana, you’ve each kept me going in your own unique, loving way.

Thanks so much, one and all.
This study examines the environmental transformations of Boston, Massachusetts, in the early nineteenth century to assess the perceived separation between urban and natural environments. Romanticism, a dominant theme of 19th century environmental thought, typically presumed a separation between cities and nature: for example nature had to be brought in to the city through parks and rural cemeteries. However, many environmental historians have found this assumed separation to be false by showing, for instance, the unexpected agency of nature in built environments or the economic dependence of cities on natural and rural hinterlands. This paper instead analyzes the problem from the angle of civic ideology. By examining the popular discourse surrounding three major issues concerning environmental change in Boston – the filling of Mill Pond, the reduction of Beacon Hill’s summit, and the proposed housing development on the mud flats at the bottom of Boston Common (now the Public Garden) – this
paper finds that Boston’s residents democratically exercised common property rights to achieve the best public good. In the debates that determined how best to use this property, people who fought to preserve these places claimed that these natural areas were essential components of Boston’s civic identity, proclaiming a love of civic place premised on non-instrumental valuations of nature. These Bostonians displayed an intimate connection to nature in the city that was often couched in romantic language but fused love of nature with love of city, therefore making no presumed distinction between the two and displaying an impulse to appreciate nature that has usually been conceived as accessible only outside urban settings.
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Introduction

In 1838, an anonymous author calling himself “A Friend of Improvement” published a short book that reflected on the Boston Common and the importance of the city’s green space. The overall aim of *Boston Common, or Rural Walks in Cities* was to ensure access to refined forms of recreation such as quiet walks and the study of horticulture against greedy developers who were building the city up with no regard for the common man. The Boston Common was essential to the author’s cause because it acted as an easily accessible space of relief from the artificial city. With florid language, he wrote that “we need [something] to remind us that the world in which we live is not, like the little world of our city, one of our own contriving.” In the city, “the awe with which the sublime solitude of the wilderness inspires us…dies away.” According to this author, the “intense love of beauty” was a way to “discover, behind the veil of nature, the hand of the Author of beauty, and adore him.” Located in the center of Boston, the Common provided a route to sublime awe, and the “Friend of Improvement” supposed that those who created the Common “must have felt these truths… when they gave it as a sacred inheritance.” As an avenue to the awe of nature and an antidote to the artificial city, the author reflected further that “this is consecrated ground. That spirit which has torn our green hills from their bases, and sold them for gain, may never invade this abode of peace.” Designating the Common as a consecrated place protected from the avarice of capitalist gain, the author equated it to Boston’s green hills, glacial moraines which in decades past had been dug down and used
for fill as Boston grew out into the waters that surrounded it. Those had been violated by greed, but the Common, this sacred inheritance, was immune to the exploitive spirit of the economy.¹

The romanticism expressed in *Boston Common: or Rural Walks in the City* is a well-studied sentiment of the 19th century – a counterforce to the competition, chaos, and greed that marked an industrializing society. With a view to wilderness and the rural as Godly refuges, the romantic movement set out to preserve and improve city green space to provide access to such wildness, producing a balance between the anxiety-producing commercial city and the calmness imparted by appreciation of picturesque nature.² The romantic sentiment takes part in the middle landscape ideology, a prevailing explanation of how 19th century American culture interfaced with the environment – the idea that some ideal mix of human artifice and nature could produce an improved society that retains fulfilling pastoral lifestyles in the face of distressing technological progress. Leo Marx in his seminal study of the middle landscape and pastoralism claims that the middle landscape concept is not limited to the 19th century romanticism, writing that the “motif, like a number of other conventions used by romantic writers, proves to be a modern version of an ancient literary device. It is a variation upon the contrast between two worlds… which has been used by writers working in the pastoral mode since the time of Virgil.”³ After exploring Virgil’s first *Eclogue*, “The Dispossessed,” Marx concludes that “the pastoral ideal… is located in a middle ground somewhere ‘between,’ yet in transcendent relation to, the opposing forces of civilization and nature.”³ Thus, the middle landscape, as explained by Marx is

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¹ ‘A Friend of Improvement,’ *The Boston Common, or Rural Walks in Cities*, (Boston: George W Light, 1838) 13-14.
an attempted resolution to what might be a timeless tension between the man-made and the natural.

Under the category of the middle landscape, romanticism therefore conveys an ideological separation between civilization and nature, as if the city must be balanced by antithetical nature. This assumed separation between nature and culture has received much scrutiny from environmental historians. For example, Ari Kelman in his study of New Orleans argues that “reports of the deaths of public space and so-called nature in US cities are exaggerated.” Kelman shows that the Mississippi River was “both a natural artifact and a cultural form” that “shaped New Orleans.” Kelman thus sees middle landscapes, which can be characterized as a cultural form, as obfuscating the city’s connection with nature. For example Audubon Park offered New Orleanians a healthy recreational environment, ‘lungs for the city,’ while assisting in the process of compartmentalizing urban spaces into zones for commerce and recreation, work and residence, nature and culture. At first, the park served as an accidental boundary between the city and its river, keeping New Orleanians away from the waterfront, an unintended consequence of spatial reform. In time, though, the parks planners chose actively to separate their ‘pristine’ environment from the industrial activities at the waterfront, planting tall shrubs to serve as ‘natural’ borders, hiding the unsightly belt line’s tracks at the park’s rear. The waterfront would be the locus of commerce in the city, while the park would offer an antidote for the hardships of urban living. People visiting the park were content to feel far removed from the waterfront, even though they stood only a stone’s throw from the Mississippi and its port.

While the river was being used commercially, the urban population shifted its relationship with nature toward the planned landscape of the park. But the river, a more authentic form of nature,

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5 Ibid, 7-8.
6 Ibid, 156.
would go on to reassert itself with catastrophic flooding. The middle landscape thus represents a misconception which Kelman argues against, that “cities are solely an expression of human culture, antithetical to the natural world.” Kelman suggests that “instead of opposing cities and their nonhuman surroundings,” his study shows “that New Orleans’s waterfront represents a mingling of built and natural environments,” the word natural here referring to the River rather than the pretensions of a middle landscape. The ‘nature’ of the middle landscape is a concept that presumes real nature, such as the river, has receded from the city and must be reintroduced or preserved through human improvements such as landscape architecture. To the contrary, Kelman argues that nature, both as a social construct and a brute causal force has played a constant role in the history of New Orleans.

This false separation of humans from nature and the trouble with blending the man-made with the natural are problems explored by other historians as well. Mathew Klingle shows in his study of Seattle that efforts to transform the environment often caused social problems. Engineers and landscape architects “shared one critical assumption: a sense that nature altered was nature perfected and society harmonized… yet for all of their triumphs the engineers and park builders… had created a city of poisoned waters, wounded lands, and social conflicts.” Efforts to control nature, Klingle argues, are often met with the unexpected agency of nature. Altering nature “had crafted hybrid landscapes, neither fully natural nor fully under human control.” Similarly, Richard White’s *Organic Machine* concludes that the story of the Columbia River, dammed and its salmon population taken under the control of scientific hatcheries, might be regarded as “a cautionary tale of the need to leave nature alone. But to do so is to lose the

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8 Ibid, 106
central insight of the Columbia: there is no clear line between us and nature.”⁹ Just as convincingly, in *Nature’s Metropolis* William Cronon traced the economic journeys of commodified nature into and out of Chicago to argue that the city and its hinterlands “can only exist in each others’ presence.”¹⁰

These analyses present the culture-nature divide as a false assumption which historians seek to dispel by studying economic interdependence or nature as a causative force. However, by examining the discourse over civic values and community that Bostonians carried out when considering the early physical transformations of their urban landscape, I hope to show that the above dichotomous assumption has not been universally held. While romanticism generally observes nature as an antithesis to urban culture in general and industrial ways of life in particular, the romantic flourish of *Boston Common, or Rural Walks in Cities* actually obscures the tradition of urban thought that the book was written in. Bostonians of the early 19th century valued the city’s natural environment in a way that facilitated romanticism but was not defined by it.

By examining environmental transformations that took place in Boston and the debates that accompanied them, this study will show how Bostonians formed intimate connections with nature in an urban setting. These connections become especially visible through the lens of collective property rights. Boston’s origin as a town, ruled by direct democracy, is essential to understanding how Bostonians valued their environment. Under town government, voting inhabitants possessed direct control over town property and sought to utilize and dispose of it in the best interest of the whole community. As Lawrence Kennedy has explained, to facilitate the growth of Boston, the town adopted “a distinct pattern in which the public and private sectors

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collaborated,” allowing Boston as early as the 1600s to incentivize private development by offering town land, usually in exchange for community benefits such as economic growth and provisions for corn, wheat, and cereal mills. Kennedy claims that by the early 18th century, private developers essentially controlled the town meeting, “using it to advance their goals, making certain that the town authorized and subsidized their individual or collective actions by granting publicly owned land.” However, in carrying this out such developers nevertheless had to gain the permission of the town and it was not always easy. As Brian Donahue observes, the history of Boston has a constant tension running through it: “the always unequal contest between the push of private economic growth, and the corresponding pull to restrain or guide that growth to serve larger interests, such as public health or the beauty of civic space.”

Particularly contentious transformations of Boston’s environment reveal this tension. In 1804 private developers sought to fill and develop the Mill Pond, a cove that separated Boston’s North and West ends and is now home to North Station and the so-called Bulfinch triangle, composed of Causeway, Merrimac, and North Washington streets. It took over three years to convince the townspeople to approve it, as inhabitants asserted the town’s property rights and displayed an aversion to private interests for fear that public property would be given up for private gain without proportionate common benefit. Filling the large basin entailed a second environmental transformation that also spurred controversy: the reduction of Boston’s famed Beacon Hill. The top of the hill was a popular spot to visit, held as town property until 1811 when the neighboring Hancock heirs bought the area from Boston, removed the towering

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12 Ibid, 20

monument at its pinnacle that commemorated the Revolutionary War, and carted the hill’s summit away to be sold as fill.\textsuperscript{14}

While the townspeople had originally used the area to pay respect to an event important to both their own and the nation’s history, their part of the hill was sold to pay down the town’s debt. The Beacon Hill episode thus reveals a second tension within the first. As townspeople sought to exercise their property rights in town land to the best interest of Boston, markedly different ideas about the town’s best interest existed. Seeing town debt as a serious danger to Boston, the town sold Beacon Hill despite the beauty and patriotic symbolism many Bostonians perceived it to hold. This split in how people valued town property can best be described as a distinction between instrumental and intrinsic value. While those who wanted to sell the hill for debt valued the hill monetarily and disposed of it toward a separate end – paying down debt – others viewed the hill as having value in itself, for its beauty as well as its historic and civic symbolism.

Unsurprisingly, neighboring land owners were less than happy over the hill’s reduction and sued when their own property was damaged in the process of digging it down. Not only did the legal cases that resulted from the Hill’s transformation show no difference in rights between private ownership and the collective ownership of Boston’s inhabitants, but they also displayed a third tension closely related to the second – a distinction between two rights held in property: the right to “quiet enjoyment” of a place without disturbance from others and the right to use one’s property to the self-determined best advantage. Though these rights are not mutually exclusive, they were in tension with one another. When the opportunity came to develop housing on the

\textsuperscript{14} Though according to ‘fair use’ guidelines I cannot reproduce them in this thesis, high quality maps to aid in understanding the old form of Boston can be found at this web address: \url{http://mappingboston.com/html/explore.htm}. The fourteenth and fifteenth maps listed there, Osgood Carleton’s 1800 map “A New Plan of Boston from Actual Surveys” and G.W. Boynton’s 1838 “Boston,” are particularly useful for this study, giving a good sense of the before and after effect of the land transformations discussed.
mud flats that sloped into the Back Bay’s waters at the bottom of the Boston Common, much of the ensuing debate took shape around this third tension within the framework of collective rights as well as instrumental and intrinsic valuations of Boston’s nature. One side wanted to utilize the land to pay down city debt, the other did not want their enjoyment of the Common infringed upon by nearby buildings. But both sides wanted to protect the public good against private avarice. As with Mill Pond and Beacon Hill, an aversion to private interests played a significant role in the debate, but the mud flat controversy had the added complication of deep distrust toward government officials and a vigorous insistence on citizens’ property rights over the land. Those who opposed developing the mud flats argued for the intrinsic worth of the Common: its aesthetic qualities, the fulfillment of recreating there, and its essentiality to the civic pride of Boston. Unlike Beacon Hill, this time the majority of voters agreed that this piece of civic nature should remain undisturbed.

The area became the Public Garden in 1839, but the City Council’s repeated efforts to sell the land persisted until 1850. Bostonians collectively refused, and eventually the state legislature passed an act permanently banning development on the Public Garden which citizens ratified by a margin of 6,287 to 99. As Bostonians defended the Public Garden, they continued to show a distrust of private interests and the City Council, asserting the area’s benefits to public health and the importance of this “sacred inheritance” to civic patriotism. They also used romantic language to reveal that the same innate influence of nature thought to exist only outside the city was readily accessible and widely evident within Boston. Even by this time, Beacon Hill’s lost summit remained relevant in discussions of the civic good and its loss was still

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evaluated on intrinsic and instrumental grounds. Indeed, reflections on natural cornerstones of the urban community often conflated the virtues of nature with the virtues of the city.

Studying the tradition of common ownership held by Bostonians with a focus on the intrinsic side of the competitions over the value of this property shows that many Bostonians directly related to their environment by perceiving these areas’ special significance as natural places essential to the civic community. The role of collective ownership compelled many Bostonians to reflect on why they valued the places they adored. They revealed that these natural places conveyed non-economic benefits to the community, whether it was the fresh breezes that blew off Mill Pond, the proud historical self-identity of Beacon Hill, or the democratic access to the pleasures of the Common. At the same time these places were seen as insulated from the market economy they were also known to be under threat from speculative interests. The collective rights that Bostonians held over the common property, the dialogue over the best exercise of those rights, and the democratic assertions of intrinsic value show that Boston’s citizens had an intimately fulfilling connection with the nature of their hometown.

The philosopher Francis Conroy has argued that instrumental and intrinsic valuations of the environment generally lead to two relations with place observable in cultural traditions, the first he calls “places where we are interchangeable parts” and the second is simply called “home.” With the market economy’s exploitative utilitarianism, American culture has tended toward making people interchangeable parts in the places they live. Exploring the alternative relation to place, home, Conroy cites the farmer-poet Wendell Berry who describes community as “the commonwealth and common interests… of people living together in a place and wishing to continue to do so.” Further, Berry writes that community is based on locality, and that “community, of course, is an idea that can extend itself beyond the local, but it does so only
metaphorically.” Therefore, according to Berry it is imperative that we do “everything possible to provide ordinary citizens the opportunity to own a small, usable share of the country.” Against the dehumanizing thrust of utilitarian economics, Berry aspires for small communities that can direct themselves toward their own perceived common good. With this would come an intense appreciation of place and a strong cohesive sense of community. Against the thrust of utilitarian economics, Berry aspires for small communities that can direct themselves toward their own perceived common good. With this would come an intense appreciation of place and a strong cohesive sense of community.16 Bostonians of the early 19th century, with their participatory control over common property, their wariness of private interest exercised at the expense of the common good, and the love of place they expressed as they defended the intrinsic worth of environmental features within Boston, formed powerful personal connections to the natural places that they considered essential to their civic community.

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I: The People’s Environment

A clear picture of the environmental property rights and attitudes that Bostonians had can be drawn by looking at the founding of the Mill Pond Corporation in 1804 which aimed to repurpose the cove that once existed where North Station stands today. Dammed in the 17\textsuperscript{th} century, the Town of Boston had previously allowed proprietors use of the pond on the condition that they build a dam to power grist mills.\textsuperscript{17} But by the late 18\textsuperscript{th} century, the pond’s waters were frequently littered with trash and animal carcasses. In response to the pollution, the Town voted to form a Board of Health and soon after passed a law that appointed a Health Officer who “as part of his duty” would prevent carcasses and “other nuisances” from being thrown into the Mill Pond “in order that the health of the Inhabitants may be promoted.”\textsuperscript{18} The health officer apparently was ineffective, and in 1804 the pollution problem received a new, private solution when a group of developers and proprietors headed by Harrison Gray Otis formed the Mill Pond Corporation (MPC) and proposed filling the pond to make new land for the growing town. Historian Lawrence Kennedy explains that “Otis sweetened his plan by promising to use only gravel from Beacon Hill to fill in the Mill Pond and by persuading six of Boston’s leading physicians to attest to the healthfulness of the idea.”\textsuperscript{19} Opposition to the plan was strong. Over 100 inhabitants who lived around the pond signed a remonstrance rejecting the proposal. They countered the health claims of the proprietors by stating their belief that they were as healthy as

\textsuperscript{17} Lawrence Kennedy, Planning the City upon a Hill: Boston since 1630, (Amherst MA: University of Massachusetts Press, 1992), 17.
\textsuperscript{18} A Volume of Records Relating to the Early History of Boston (Volume 35), (Boston: Municipal Printing Office, 1905), 37.
\textsuperscript{19} Kennedy, Planning the City upon a Hill, 38.
citizens in any other part of the town. Subscribing to the miasma theory of disease, they credited their health to the “refreshing breezes” that blew off the water and insisted that the problem with dead animals could be solved simply through the “efforts of a vigilant police officer.” They also expressed little faith for the completion of the project, in part because of the “scarcity of earth,” and predicted that the attempt would end in a replacement of fresh ocean water with stagnant water conducive to disease. Yet practical disagreements over how best to protect public health were not the only stakes of the argument.\textsuperscript{20}

An 1804 letter to the \textit{Columbia Centinel} observed that the poor benefitted greatly from having easy access to the mills. More than that, “it is universally allowed that under providence, Boston is indebted to its peninsular situation for that larger share of general health than is enjoyed by the adjacent towns.” This peninsular shape and the wide exposure to “salubrious” sea breezes purportedly induced health, but importantly this writer credited God for this situation and contrasted it to speculative commercial interests. “I do hope… that in this age of speculation, the inhabitants of this favored town will appreciate this gift of GOD, as that neither the Mill Pond or Common may ever be encroached upon for any purpose other than their present use.”\textsuperscript{21} Because God had provided this goodness, the writer believed that the Mill Pond should remain undisturbed, especially by private financial interests. After three years of many inconclusive debates at town meetings over filling Mill Pond, a writer to the \textit{New England Palladium} voiced a similar argument. The writer, identifying himself only as “A Citizen,” made his case against the Mill Pond project by connecting it to the city’s hills whose dirt would be used for the project. The writer presented Boston’s three hills as providing benefits to the city based on their natural qualities, “their threefold capacity of healthfulness, beauty, and defence.” The writer did little to

\textsuperscript{20} “For the Boston Gazette: Mill Pond,” \textit{The Boston Gazette}, March 12, 1804, 2.
\textsuperscript{21} “Mill Pond,” \textit{Columbian Centinel}, February 25, 1804, 1.
argue for the hills’ beauty, perhaps assuming that it was self-evident but the gradual slopes of the 
hills made it so every rainfall could “completely cleanse our streets.” In addition, the letter noted
the opportunities that the hills provided for tactical defense, as the three hills are “placed in a
triangular situation, calculated in the best possible manner for our defense against invading foes
either by land or water.” The use of the term calculated indicates the writer’s full faith in the
planned creation of the landscape. He wrote:

can we suppose it an accident that forty-four acres of surface
water, so near us, should be inclosed by so short a barrier as one
quarter part its circumference, and two-thirds as much more might
have been inclosed by setting this barrier a little further towards
the channel, without increasing the distance? – but shall we not
suppose, rather, that infinite wisdom (to say the least) foreseeing
the great increase and collection of his rational offspring to this
favored spot, provided for their exigencies?

The minute detail of the pond’s natural condition reflected a belief that God designed it exactly
this way with a plan in mind and indicated the cove and barrier island’s physical perfection. But
the writer went on to argue that “more than thirty thousand inhabitants are or may be supplied
from those mills with cheap, wholesome, nutritive bread, which is now used by citizens, the poor
especially, in a very extensive manner.” 22 The project, this Citizen concluded, is “frought with
incalculable mischief.” By basing their arguments on God and the idea that providence purposely
provided for health and sustenance, both these writers perceived an intrinsically valuable
environment that they believed should remain unchanged and uncorrupted by speculative
schemes.

While not all of the opposition invoked such divine purpose, a similarly distinct wariness
toward private commercial interests is observable throughout the debate. By May 25, 1807 a

6 “Mill Pond No. II.” New England Palladium, 7-31-1807, access by American Historical Newspapers, Readex
database
committee appointed by the town to consider the petition of the MPC had determined that “from a change of circumstances, the exaction of the condition upon which the [original] grant was made, has long ceased to be peculiarly important to the Town, and it is manifestly of subordinate consideration, to the great and prominent public advantages which would result from the contemplated improvements.”23 Filling the pond was justified on economic grounds, as the project would boost employment and provide new real estate to be sold, with profits split between the corporation and the town. But people were more concerned about their rights than the promise of employment and housing. A “Friend to the Interest of the Town” in the Chronicle had reminded readers on May 21 that the proprietors of the Mill Pond only had use of the area by the “indulgence of the town,” and the town had true ownership of the Pond. The MPC were “so much emboldened” as to essentially say “give it to us, and we will give you one twentieth part of what belongs to you!” The “Friend” reasoned that the pond would cost the proprietors far less to fill than what the land would be worth. It would be best instead for the Town to hold onto the property since its worth could only increase. He concluded by addressing his “fellow citizens” that “I hope you will not consent to surrender any right you may have in said property to the Petitioners, or any others concerted with them. Unless you think best to use it for the good of the town, keep it and in keeping your property inviolate, your children, or children’s children, will be enabled to pay off the growing debt of the town.” Assuming that some future need or benefit might better serve later generations, this writer thought it best for the Town to retain control over the Mill Pond property. Similar attention to inviolate rights to property was paid in a letter to the Courier on the day of the May vote, warning citizens of the committee’s forthcoming report. “In case their report is more favorable to the petitioners… I hope you reject it. The advocate of the

petitioners tells you that your rights in said property can be placed in a nutshell! – Turn out, and tell him you know otherwise, by dismissing him and company, and keeping your property undisturbed.” Emphasizing collective rights in the town’s property, these writers asserted that their best interest lay in leaving the pond as it was. On May 25, the Committee submitted its report to the town meeting, which voted to have it printed and distributed for further consideration among the inhabitants and to take the issue up at a future meeting.

Skepticism toward the MPC running high, citizens disbanded the Committee in a June town meeting and directed the Board of Selectmen to appoint a new committee to negotiate with the MPC “on such terms and conditions as they may judge most for the interest of the Town and... when duly ratified and confirmed by the Town... shall be binding forever upon all parties.” Leading up to the presentation of the new proposal, an advocate for the project in the Columbia Centinel insisted that “public improvements” were best carried out by private actors. “All the objects which have terminated in failure have owed their misfortune to that negligence of the public to its own interest.” Citing lower taxes and higher employment, the writer drummed up support and explicitly urged more people to attend the next meeting in which a new contract would be presented for a vote. With his faith that private interests serve the public good, he countered the assumptions of those who opposed the project. The writer also noted his disappointment in the treatment of the Committee on the Petition. “The most respectable citizens of the town have been shamefully neglected by the inhabitants at large, or treated with the most unmerited impoliteness by some persons who have attended town meetings.” Such a remark only

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25 Volume of Record 35, 216.
26 Volume of Records, 35, 217.
further underscores the currents of distrust running through the town toward both the MPC and the Committee who prepared the May report.\textsuperscript{27}

The new committee, on which only one member from the May committee remained, presented a new contract which was passed by a “vast majority” on August 3, 1807. While the promise of lower taxes, higher employment, and reduced filth no doubt played a role in the vote, it should be observed that the new contract differed significantly from the May proposal, assuring more power for the Town over the project. Adding to the new contract, the town put the whole cost of construction on the proprietors and set a time limit of twenty years for the completion of the project with severe financial penalties for failure. While the May proposal only reserved for the town “four lots of one hundred square feet each” of the roughly 60 acres of proposed new land, the August contract stipulated that one eighth of all made land would belong to the Town.\textsuperscript{28} Additionally, the May proposal stated that “all claims of abutters on the Pond be adjusted and settled in some satisfactory mode by the Proprietors,” but the new contract more explicitly protected the rights of the pond’s abutters. “All claims and controversies relative to abutters on the Pond [will] be settled by arbitration of rule of Court if they cannot be otherwise

\textsuperscript{27} “Local Miscellany: The Mill Pond Improvement,” \textit{Columbian Centinel}, August 1, 1807, 1.

\textsuperscript{28} This was calculated using the map in Nancy Seasholes, \textit{Gaining Ground: A History of Landmaking in Boston}, (Cambridge, MA: MIT Press, 2003), 72 as a guide and the “Area Finder” tool on mapdevelopers.com. Paste the web address below in browser to view modern-day map and outline:

http://www.mapdevelopers.com/area_finder.php?&points=%5B%5B42.365332031301826%5D%5B42.365300322725034%5D%5B42.36527805328369%5D%5B42.36460272998591%5D%5B42.36433915710545%5D%5B42.36381001561816%5D%5B42.36403350830078%5D%5B42.36244648527437%5D%5B42.36049299240112%5D%5B42.36285871424947%5D%5B42.3578966140747%5D%5B42.3641905124537%5D%5B42.35612635612488%5D%5B42.36529239557833%5D%5B42.35635702610016%5D%5B42.366536945361894%5D%5B42.35818629264832%5D%5B42.36783695829726%5D%5B42.35899095535278%5D%5B42.36743268886426%5D%5B42.35984926223755%5D%5B42.36604547004919%5D%5B42.3624885559082%5D%5D
satisfactorily adjusted.” This episode reflects the private-public partnership that Lawrence Kennedy argues “characterized Boston planning for centuries.” But the many long inconclusive debates and the overwhelming acceptance of the stronger contract also shows that the citizens of Boston had little faith in private actors to protect public interests. By asserting such control over the Mill Pond project, Bostonians asserted town rights in property and also expressed a distrust of private interests that framed the civic dialogue over environmental transformations of Boston of the early 19th century.

The conversion of a tidal inlet was not the only change that flowed from filling the Mill Pond. As historian Nancy Seasholes explains, the majority of the gravel for this project came from the local hills, including Beacon Hill which had been some sixty feet higher than it now is. The historic hill had been used since Boston’s colonial days to hold a beacon to warn of invasion. In 1789 the beacon was knocked over by a storm and through voluntary donations the Town replaced it with a monument: a Doric column with an eagle perched on top and four inscribed tablets at the base that commemorated the Revolutionary War. The writer to the New England Palladium on July 31 who opposed the Mill Pond project for its threat to “our beautiful hills” had good reason to fear. As early as 1806, the heirs of Governor Hancock were attempting to attain the town’s land on Beacon Hill that bordered their own inheritance. In late 1806, the Hancock heirs claimed ownership of the town’s land on the summit of the hill, and the town promptly hired lawyers to “defend the Town’s right to land on Beacon Hill against the claim of the Heirs of the late Governor Hancock.”

30 Kennedy, Planning the City, 12.
32 Nathaniel Dearborn, Boston Notions, (Boston: WD Ticknor & co, 1848), 19.
33 A Volume of Records relating to the Early History of Boston (Volume 33), (Boston: Municipal Printing Office, 1904), 325.
town records, the Board of Selectmen in May 1807 reported at the town meeting that “after all
the investigation in their power they find that the town has been possessed of a certain portion of
Beacon Hill from the earliest period of its settlement,” and the town subsequently voted to
“empower Agents to maintain and defend their right to said land and prosecute all
encroachments or trespasses.”

Hence just as in their arguments against the Mill Pond project,
townspeople asserted their rights to Town land but the Hancocks’ designs for Beacon Hill further
how townspeople valued the property they sought to protect.

They were wise to authorize such protection. Only a month after the August vote to fill
Mill Pond, the Town’s Selectmen and the Hancocks had a confrontation on Beacon Hill.

The Committee had repaired to Beacon Hill, and there met with
Ebenezer Hancock Esq. & John Hancock & Mr Samuel Spear who
appeared to claim and enter upon the enclosed part of the Hill in behalf of the Heirs of the late Governor Hancock… Hancock and
Spear each of them took a shovel full of Earth and threw it into the
Cart of Mr. James Bird – The Chairman then forbid them to
proceed and ordered them to withdraw in the name of the Town
and the Committee, taking each of them by the arm led them from
the enclosed part of the Hill into the Street & ordered them not to
enter again for any such purpose.

This episode of petty entitlement was apparently characteristic of the Hancocks, who habitually
dug and carted away Beacon Hill dirt whether they owned it or not. In 1810, the Hancocks
sought to legally buy the land at the top of the hill from the town. After a report regarding the
request was distributed to the town, a letter to the Boston Gazette on May 17 reminded readers of
the stakes of that day’s town meeting. “This day, at ten o’clock, the Committee appointed to
report as to the sale of this beautiful eminence, will execute their commission, and the town will

34 Volume of Records 35, 215-216.
35 Volume of Records 33, 350.
36 In later years, after they had already bought the summit of the hill from the town, the Hancocks continued to
trespass on land around the hill, whether it was the town’s remaining land to the north or private neighbors; they
were sued multiple times for carting away dirt from land that was not theirs and were represented in court by none
other than Harrison Gray Otis. See Volume of Records: Minutes of the Selectmen 1811-1817 (Volume 38), (Boston:
be called upon to decide, by their votes, whether this ornament to the town shall be demolished, and the monument, which has so long, and so conspicuously commemorated the glorious achievements of the heroes of our revolution, shall be swept away at a blow.”

The Hill and the monument therefore combined to be doubly valuable for beauty and patriotism, and widespread reluctance to sell off the Town’s part of the hill manifested itself at the town meeting as the motion to consider the Hancocks’ request was debated and put off for the next meeting, when on June 14 “after considerable debate,” citizens voted against selling the land to the Hancocks. Despite citizen’s reluctance to sell the land, the Hancocks apparently went there and dug anyways, as reported by the Board of Selectmen in November and December 1810, when a Committee found that the Town’s land “on the South west corner about fifteen feet at the extreme angle had been taken away by Messrs. Hancock.”

In the same year, the Town gave increasing consideration to its growing debt, and a Committee reported that the Beacon Hill land was, “at the lowest estimation,” worth $12,000, just less than one tenth of the town’s entire debt. The town accepted the report but stipulated that the lands mentioned could not be sold without a town meeting’s approval. A year later, the issue came up again, and a committee on the town’s finances argued that the interest due on the debt outweighed the benefit of holding onto the town’s lands, especially since some of it, including Beacon Hill, was in high demand. It “may be sold at as high a price as it will probably produce at any future day, especially when it be considered that it produces no income.” Convinced by the economic considerations of the report, the citizens of Boston voted to authorize a committee to auction off Beacon Hill and other parts of the town’s land in June

38 Volume of Records 35, 272.
39 Volume of Records 33, 457,462-463.
1811.\textsuperscript{41} The deed to the top of Beacon Hill was transferred to the Hancocks in the following August for only $9,300.\textsuperscript{42} Just as some had thought it best to hold onto the Mill Pond until it gained worth and could be applied toward debt, the Town reasoned that Beacon Hill was at its peak worth and therefore sold it to attain the best amount possible to pay down Boston’s debt.

However, some did not see selling Beacon Hill as being in the best interest of the Town. The sale and digging away of Beacon Hill inspired one commentator to contrast patriotism and beauty with a commercial ethos. In November of 1811, “U” wrote into the \textit{Weekly Messenger} to reflect on the diminishing hill and the deconstruction of its monument, considering it an instance of “the wreck of our civic institutions.” The writer considered the monument an especially important “relic” of the “glory and virtues” of Boston’s Revolutionary fathers. He then quoted at length the inscription from the eastern face of the monument:

\begin{quote}
Americans, 
While from this eminence 
Scenes of Luxuriant fertility, 
\textit{Of flourishing Commerce},
And the abodes of social happiness, 
Meet your view, 
Forget not those, 
Who, by their exertions, 
Have secured to you 
These blessings
\end{quote}

The writer made use of the inscription’s natural imagery to comment on the contemporary civic scene as he perceived it, launching into an attack against unnamed antagonists: “it is fortunate for those who would subdue our spirits as well as ruin our fortunes, that we are not frequently goaded to a recollection of what we once were by such memorials.” Just whom the writer’s

\textsuperscript{41} Ibid, 287-293.
patriotic disdain was aimed toward is uncertain, but his closing line sheds some light on the perceived threat. “It is fortunate for them… that we have now one eminence less that we used to have, from which we could see at a single glance a melancholy epitome of the calamities brought upon us by commercial restrictions.”

The writer firmly believed that someone was benefitting from calamities visited upon the town and his focus on “commercial restrictions” suggests that he blamed greed first and foremost but also the townspeople’s economic appropriation of the hill which emphasized productivity over patriotism for a diminishing civic scene.

In subsequent years, the hill’s beauty and the monument’s patriotism were further conflated. An editorial note in The Yankee in 1813 said of Beacon Hill that “the eye has wept at the removal of this late beautiful mound, and the revolutionary soldier has often sighed as he stopped to contemplate and to wonder at the mournful razeure of the monument, the labors, the valor, and the victories of patriotism.” The editor directly related the hill’s beauty to the patriotic significance of its monument, so that the Hill in its natural qualities possessed as much innate value as the monument which it displayed. The Yankee symbolically expressed the demise of the hill. “Beacon Hill is sunk almost to a level with the common sewers. Language is inadequate to a comment on this profanation.”

Such lamentations display a perception of Beacon Hill as having had intrinsic value based on beauty and patriotism that had been profanely disrupted and defiled.

Taken together, the Mill Pond and Beacon Hill debates display not just an environmental concern over health and the public good. They also display an ideological relationship between collective rights in town property and non-instrumental valuations of that property that made little distinction between the civic and nature. The direct democratic form of town government was essential to exercising these rights and citizens debated passionately to determine the best

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44 “Beacon Hill,” The Yankee, June 18, 1813, 1.
course of action for the civic community. Many times, it was thought best to leave the property untouched, but the reasons to do so differed. While some saw untouched property as a future protection against town debt and economic troubles, others sought to keep their town property undisturbed because of principles of intrinsic worth. The belief that God had designed the Mill Pond for the specific purpose of serving the poor and the health of the town along with the respect for the patriotic symbolism that Beacon Hill held, in both its “eminent” beauty and its memorial to history, reveal that Boston’s townspeople regarded the town’s environment as a valuable component of their civic community which they sought to protect through collective property rights.

The shape of this collective right in town property can be shown by a major legal case regarding Beacon Hill’s reduction, in which the Massachusetts Supreme Judicial Court equated town property rights with private property rights. One of the better known depictions of Beacon Hill’s demise shows the hill with its monument in the background, a sheer drop to excavated ground in the foreground, and a house to the side, with a short patch of land held up by a retaining wall immediately in front of it. William Thurston had built the house in 1804, only two feet away from the line of the town’s property. When the Hancocks bought the town land in 1811 and dug away the earth to sell it as fill, the Thurston house’s foundation became exposed and the house had to be demolished. Thurston sued and a precedent setting case took place in 1815. The central principle at stake in the case was *sic utere tuo ut alienum non laedus*, “use your own so as not to injure another’s.” Thurston’s lawyers pointed to a common law case, *Slingsby vs Barnard*, in which property owners were held liable for digging a cellar that went close enough to their neighbor’s foundation to cause half the house to fall. The Massachusetts

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45 See “Beacon Hill, with Mr. Thurston’s House from Bowdoin Street,” at [http://www.masshist.org/database/588](http://www.masshist.org/database/588). The 1858 chromolithograph by J.H. Bufford was based on an 1811 drawing by J.R. Smith.
Supreme Court rejected this case as precedent because its case report was “very short and unsatisfactory,” and did not give enough circumstances to provide guidance in Thurston. The court cited the common law principle *sic utere* and explained that under that principle, “no man, having land adjoining to his neighbors which has been long built upon, shall erect a building in such manner as to interrupt the light or air of his neighbor’s house, or expose it to injury from the weather or to unwholesome smells.”

However, the Court held that Thurston’s house, only built in 1804, was not old enough to require such consideration. Further, the court used *sic utere* not to side with Thurston but with the Hancocks. The Court observed that the “proprietor of the land, unless restrained by covenant or by custom, has the entire dominion, not only of the soil, but of the space above and below the surface, to any extent he may choose to occupy it.”

While *sic utere* protected property holders against neighbors’ uses that would damage their own property, by putting his house so close to the property line Thurston “built at his peril; for it was not possible for him merely by building upon his own ground, to deprive the other party of such use of his as he should deem most advantageous.”

In other words, Thurston’s house could not prevent the Hancocks from using their property “for any lawful purpose” to whatever ends they deemed “most advantageous.” Further, the court recognized this same set of intensive rights under town ownership, explaining that the town’s use of the land as a memorial site “can have no influence upon the question, as the fee was in the town, without any restriction as to the manner in which the land should be used or occupied.”

Most importantly, when referring to the previous ownership of the land, the court did not cite the Town of Boston as owner, but rather

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48 Ibid, 203.

49 Ibid, 197
stated that “the inhabitants of the town of Boston were at the time the owners.” In this ruling, the Supreme Court showed that under the town form of government, the inhabitants of Boston collectively held the same form of intensive rights in town property as owners held in private property, illustrating the type of direct control that inhabitants exercised over properties such as the Mill Pond and Beacon Hill in democratic town meetings.

*Thurston* was also part of a larger legal transformation of *sic utere*. Where the principle originally protected the quiet enjoyment of property and the right to be undisturbed by others, economist Gerald Friedman explains that in the early 19th century, courts increasingly ruled that *sic utere*’s “injury [was] passive, reinterpreted to mean preventing property owners from using property.”50 The transformation of *sic utere* and its effect on property rights is clearly illustrated in another MSJC case regarding removal of soil from Beacon Hill. In May 1822, just five months after the Town of Boston voted to become a city, a city surveyor dug away parts of Walnut Street on Beacon Hill in order to “reduce the slope, which was so steep as to render it difficult to pass up and down the street with carts and carriages.” When the digging was finished, John Callender’s house sat a significant height above the surface of the new road and Callender had to erect a retaining wall “at great expense.”51 Callender sued the surveyor for damages, arguing that the 10th article of the Declaration of Rights of the Massachusetts Constitution gave him a right to be compensated for property appropriated toward public use. Citing the Thurston case, the surveyor’s counsel argued that the public owned the land in the street and the city had every right to dig down into it if they deemed it necessary. Going further, the defense argued that if surveyors were restricted by the abutting property owners, they could not properly carry out their

duties and “it will put a check on all improvements to our highways”\textsuperscript{52} Even though the court acknowledged Callender’s argument that property ownership extended to the middle of the street, it determined that “when rightfully laid out, [streets] are to be considered as purchased by the public of him who owned the soil, and by the purchase the right is acquired of doing every thing with the soil over which the passage goes.”\textsuperscript{53} Using the precedent that Thurston had set, Callender displays the further diminishment of the legal right to quiet enjoyment of property, as sic utere became open to public appropriation. Whereas Callender’s lawyers argued on the principle of “use your own property so as not to injure another,” the state Supreme Court judged that such injurious use was sometimes necessary to improve the public good. Callender would go on to be used as precedent by other courts to deny property owners compensation for damage done by public improvements.\textsuperscript{54}

While Thurston shows the collective intensive rights of citizens over town property, the town alienated those rights when they voted for Boston to become a city. The City Charter gave to the city government “the care and superintendence of the public buildings, and the custody and management of all property of the City, to lease or sell the same,” thereby alienating their collective ownership rights over most city property. But they specifically excluded the Common and Faneuil Hall, retaining the collective ownership rights to it they held under the town form of government.\textsuperscript{55} Thus under the city government, there was nonetheless an expectation of intensive property rights over the Common. As with the Mill Pond and Beacon Hill, different people had different ideas about how to exercise their rights to the best advantage of the community. Some

\textsuperscript{52} Ibid, 430.
\textsuperscript{53} Ibid, 439.
\textsuperscript{55} Volume of Records 37, 258.
people thought it best to use town land for the economic health of the city while others valued it for its importance to the ideological fabric of the civic community and wanted to keep it as it was. While intensive property rights over the Common were retained for citizens, as the Callender case illustrated one’s quiet enjoyment of property could easily be disturbed for the public good. Determining the public good therefore became an important and contentious issue for citizens of the new city as they considered their urban environment, and the mud at the bottom of the Common would be their battleground.
II: The City’s Common Rights

Before the Back Bay neighborhood of Boston was created on filled land, the area that is now Boston’s Public Garden, on the west side of Charles Street opposite the Common, was a plain of mud. The southern part of these flats had been occupied by ropewalk buildings since 1794, when the town granted rights to use land for the ropewalks after fire had destroyed their operation on Fort Hill. In 1813, the Boston and Roxbury Mill Corporation (BRMC) was given rights to build a dam across the Back Bay under the condition that they build mills to replace those lost to the Mill Pond project. This project suffered many delays, and the dam’s construction only began in 1818 and was completed in 1821, giving structure to future landmaking projects. As David Hackett Fischer explains, by the 1820s the ropewalk proprietors saw they could make more profit selling the land to developers that winding rope and began seeking buyers. Many who sat on the city council were developers themselves, so they were quite interested in allowing the ropewalks to sell. But the town had only permitted the Ropewalks to set up on the flats to avoid another fire, the town’s grant to them was “for public safety, not for private gain.” Therefore, in 1824 Mayor Josiah Quincy sold loan certificates and bought out the rights, and Boston’s inhabitants were faced with the question of whether to sell the land for development or leave it as it was. The city council put their proposal on display at Faneuil Hall, promising tasteful brick houses to replace the mud. But those who opposed development contended that the flats were and always had been part of the Common and

57 Ibid, 155-160
therefore should not be sold by the City Council because it would change the character of the Common. Others, meanwhile, felt that the debt acquired by purchasing the rights all but required selling the land. Because of their direct property rights over the Common, the question could only be resolved by a democratic vote of the citizens. While the central question was whether the flats were to be sold by the City Council, the debate provides an opportunity to see how Bostonians regarded the Common and why they considered it so important.

Environmental historian Michael Rawson places the mudflats debate in a larger movement during the 1820s to remove labor from the relationship between citizens and the Common. In addition to recreational activities, the Common had originally been used to pasture cows, drill militias, and clean carpets, among other activities. But replacing this mixture of work and play in the first decades of the nineteenth century was the idea of refined recreation. An essential part of this refinement, Rawson claims, was the “appreciation of natural landscapes,” which developed along with romanticized depictions of nature as embodied by the Hudson River School of landscape art. Rawson characterizes the mudflat debate as a “test of how important such an intangible element of leisure enjoyment was to the population,” especially in the face of a project that “would bring so many other benefits to the community.” Rawson correctly presents the debate as largely class-based, claiming that the aesthetic argument was a tool of the well-to-do residents living around the Common who wanted to defend their property value by preserving the views of the water, a point proponents of development were quick to point out. But just as much as the anti-development advocates were accused of looking out for moneyed interests, so too were development proponents presumed to be defending the rich. The debate was not just about aesthetics, rather the debate constituted a community wide defense of citizens’

60 Ibid, 45.
61 Ibid, 48-49.
common property rights against perceived private and economic threats to the Common. Within this frame, the two sides displayed different ways of valuing the Common’s mudflats, instrumentally and intrinsically, with the latter seeing their rights as protecting a natural feature essential to Boston’s civic identity.

On May 24 1824 Mayor Josiah Quincy reported to the Boston City Council that he had reached an agreement with the Ropewalk Proprietors to buy out their rights to use the mud flats at the bottom of the common for $55,000. By early July, the City Council had taken out loans to cover the payments and began considering what should be done with the ropewalk land. The city council determined that the lands were the “unquestionable property of the city,” but they also acknowledged that they could not sell it immediately. “Although these lands, being flats and occupied by Ropewalks did not, at the time of adopting the city charter, probably enter into the scope of that intention which dictated… a prohibition of the sale of the Common, yet as legally they are part of the Common and [are under] that prohibition…it would be proper and is requisite that the deliberate and general wish of all citizens should be known on this subject.”  

The Council on July 15 called for a general meeting of the inhabitants to take place on Monday the 26th of July, to ask two questions: first, if the Council could sell the flats, and if sold, should a condition be attached that the Common itself “shall be forever hereafter kept open and free of buildings of any kind for the use of the citizens.” By requesting this authority, the City Council set off the first round of debates over the fate of the ropewalk lands.

On July 20, 1824, a letter to the Palladium, likely penned by local merchant Andrew Belknap, employed memories of Beacon Hill, its scenic beauty as well as its patriotic attributes, to defend the Common. The letter opened by reflecting how “we feel a satisfaction when we

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63 Ibid, 265-266
consider that the State to which we belong is one of the most important Members of the Union…we feel a degree of pride equaled by none but that of family or self love.” Next, the writer remembered back to his childhood, when he showed the town to his father’s visitors “from abroad” by bringing them up Beacon Hill to satisfy his “local pride” as they took in the view. Considering the beauty of the prospect and the monument which stood there, he reflected that “it would then have been sacrilege to hint at the possibility of destruction to this favorite spot.” Blending the natural – “one of the most beautiful mammelons that nature ever formed” – with the view of the town’s “edifices and publick buildings,” he formulated an unabashed love of local place. Establishing this, the argument turned a sharp eye toward the transformation of the town’s environment. “Beacon Hill is gone! …its loss is irretrievable. The ground of which it was composed has served to fill up what was formerly the mill pond, where many a vacant lot shews the advantage of the improvement.” Citing the Mill Pond project, which by this time had swallowed Beacon Hill as well as heaps of trash and organic waste, Belknap expressed dissatisfaction with the unfulfilled promises of that development project.64 Having reminded his readers of Beacon Hill’s importance to the city’s pride and the mount’s disgraceful final destination, he turned his focus to the plans for improving the flats, claiming that the “the Common, the boast of our ancestors, the glory of Boston,” was under threat. The writer thus invested the Common with the same value as Beacon Hill, a place with historical significance that he claimed produced a love of place only rivaled by self-love and family. But this extremely strong connection between citizen and place was at risk: “if you now assent to the projected improvements, a long time will not elapse before it will be seriously proposed to continue some of the principal streets across the Common…. Does anyone laugh at this as the idle vagary of a

64 Whitehill, Topographic History, 84. Whitehill explains that there was not much development in the area until the Railroad companies set up in the 1830s.
heated imagination? Let me ask, where is Beacon Hill?” Appealing to the past, Belknap also appealed personally to those who used the Common. “Let every Boston Boy who has raised a kite, kicked a football, or played at cricket on the Common, or who has skated on the Frog Pond, attend the meeting at Faneuil Hall – Let every Boston Girl who has promenaded the Mall, and enjoyed the refreshing coolness of an evening walk around the Common, insist upon her brother, lover, husband, to attend also.” Naming the types of people who he wants to vote, Belknap also named the types of activities that he believed the Common was meant for: recreation and enjoyment of nature. In short, the Common was under extreme risk, and the pride, history, and enjoyable memories of boyish play and refined enjoyment were all at stake.\textsuperscript{65} By equating the Common to Beacon Hill, Belknap continued the tradition of intrinsically valuing the city’s nature while expanding it into a more romantic language.

Even those who supported developing the flats understood the Common to have a sacred, untouchable quality to it, but this intrinsic value did not stop their instrumental assessment of the flats. Only one day after the \textit{Palladium} article ran, a “disinterested voter” wrote in to the \textit{Centinel} to state that “I never believed that the lands and flats to the westward of Charles-street were considered part of the Common, and therefore, building thereon cannot be considered an infringement on that sacred immunity of the City.” While agreeing that the Common was untouchable, he did not perceive it as being under threat because the mud flats were separate from the Common. The bigger issue, he felt, was that the $55,000 spent by the City in buying out the Ropewalk rights all but required that the city sell the land to pay off the debt, “which is now on interest and which, as a public burden, should be paid off as soon as possible.” Thus in the

best interest of the city, this writer suggested selling off the flats to pay down the debt. To end, the writer launched an argument against the rich and greedy:

> It is thought that much of the opposition to the permission to sell the lands… has originated in land speculators who are always on the alert and in large landowners who have projects of their own; and who know and feel, that the creation of two or three hundred House Lots, brought into competition with them, will lessen the price of their lands in the Market.

Assuming the Common to be untouchable, the letter denied the argument displayed in the *Palladium* that the Common itself was at stake. Instead, the *Centinel* writer believed that only private interest was at stake, and those who opposed development only hoped to prevent a reduction of their property value while the City was burdened with growing interest.  

Yet those who did not want to sell the flats also expressed concern for the city’s financial well-being. Another letter from July 21st, this one for *The Patriot*, made a similar argument against speculation, but perceived the City Council as overstepping its authority and taking risks with public money. Speaking in the collective, the letter stated that “we are opposed to giving to city authority any further control over public property,” citing the debt the City incurred as evidence the government’s runaway authority. “The government taxes the people not for the legitimate object of government but for the purposes of speculation. Whence do they derive the authority to borrow money on account of the people, to purchase lands and estates with a view to profit?” The letter sought to check the authority of the city, to “keep your government within the bounds of prudence,” because speculation carried risks of “loss as well as gain” and by speculating the city government might lead Boston into decline and ruin. Under the town form of government, Boston “withstood the shocks which prostrated cities,” and economic risk was largely avoided because “her growth was natural – She grew and increased in strength regularly

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upon her own resources.” This letter focused in on the proper role of public government by saying it should stay out of commercial speculation, suggesting Boston itself was headed for civic destitution if it did not avoid the market.67

A similar aversion to economics appeared in a July 23rd letter to the Palladium. Reflective of Carolyn Merchant’s assertion that romanticism was a feminized antithesis to industrialism, Andrew Eliot Belknap, responsible for what historian Michael Rawson calls a “one-man crusade” in the city’s newspapers against mudflat development, wrote to the New England Palladium and reached out directly “to the Ladies of Boston.”68 Reflecting on the town’s recent transformation into a city, Belknap wrote that “two brief years have barely elapsed since we consented to commit civic suicide, but it was not without a struggle, and in our last gasp we stipulated, or thought we did, that two beloved objects should be kept sacred.” Considering Faneuil Hall and the Common the last sacred remnants of Boston’s civic identity, and considering Boston itself to have actually lost its civic essence in becoming a city, Belknap presented economic considerations as a threat to the Common. The ‘Boston Boy’ asked the women of Boston to save the Common’s “pristine beauty,” since they “have a right to be consulted” when “plodding, calculating, pence counting, cold-hearted man, is ready to give up his enjoyments for the sake of thrift and economy, which in this instance, at least, is misplaced. Not so with the softer sex.”69 Contrasting the “pristine” with the economic, and specifically calling for feminized protection of the Common, this letter too shows the belief that the Common should be insulated from economic considerations.

67 “For the Boston Patriot: City Meeting,” Independent Chronicle and Boston Patriot, July 21, 1824, 1.
Finally, on July 24, the *Boston Patriot* ran three letters on the upcoming city meeting about the flats. Echoing arguments made before, the first letter complained of the obstructed view and then worried about the speculative turn the city government had taken. “A city corporation, designed for the purpose of civil rule, has assumed the authority of becoming land jobbers, speculators, schemers,” and Mayor Quincy “is pretty fond of exercising power, and will go beyond due limits, without being satisfied, for still the cry will be, like that of an avaricious man, give me more-more. Is he not too much of a schemer?” Stigmatizing the mayor as power-hungry schemer, the writer reveals anxiety about the municipal government. Similar to the letter that ran only a few days earlier in the *Patriot*, this one too reflected back to the Town, observing that “the town government left us free of debt, its expenses were confined within due bounds. The city government is plunging headlong into deep speculation.” The second letter in *The Patriot* also took aim at speculation but also emphasized class interests. “A Mechanic” wrote to say that he and others of his trade already “have too much unimproved land of their own” to support making more space for construction. Further, mechanics have “too much public spirit, I hope, to support it for any cause.” While the proposed development would have resulted in increased employment of engineers and laborers, this writer asserted that those who were the “most active advocates” of the project were purportedly “rich speculators,” and the mechanic carefully pointed out his own class, stating that he was only “a plain man…and it is hard work for me to write, but I will not see a thing of this kind foisted upon the shoulders of the mechanics without saying it is not true.” Removing responsibility for the project from his own class and placing it on the rich, this writer sought to dispel the accusations that the only opponents of the plan were the rich looking out for their own property values. By citing the loss of the view and fresh air as major reasons not to sell the flats, the mechanic attempted to deny that such concerns
were only a front for the rich. Finally, a third writer also attacked the rich, believing that they would prefer the city debt to be paid off by selling the “beautiful Common.” The writer reasoned that the rich pay higher taxes than the poor but all citizens owned equal shares of the Common. Therefore, selling the Common to pay the debt would cost everyone equal parts, sparing the regular citizens a payment in taxes “of 50 cents or a dollar,” while excusing “the rich man from the payment of one hundred dollars.” Comparing the city to the town, the writer pointed out that the town too had debt “and yet they never thought of selling a part of the Common, nor the Old Town House, nor Faneuil Hall.” While this writer conveniently did not remember Beacon Hill as Belknap did, he nonetheless used symbolic places at the heart of Boston’s civic identity to suggest that the City, just by considering selling part of the Common, had fallen a long way from its virtue as a town. 70

While those who were against selling the flats had a much louder voice in Boston’s newspapers, looking for similarities among the arguments shows a set of attitudes about the City and its Common. Some of the letters are so similar that it is possible they were written by the same person, but both sides of the issue shared special negative attention toward market speculation and the rich. Commentators thus expected wariness toward private interest and greed to resonate among the majority of Boston’s voters. Feeling that the government should stay out of economic speculation, they sought to differentiate civic interest from private interest. Central to this task was protecting the Common as a symbol of civic identity against the avarice of the rich and the recklessness of government. In short, common property was not to be used for private gain; the many protestations over the flats issue display just how important this principle was to Bostonians and how much they valued their collective property. With this shared train of thought lending support to both sides of the issue, the City Meeting on July 26th did not vote to

70 “Communication: City Government, &c. &c.,” Independent Chronicle and Boston Patriot, July 24, 1824, 1.
answer either of the questions the City Council asked. Instead, the gathered citizens voted to form a committee with two elected representatives from each of the twelve wards to examine the issue more closely.71

When the committee presented its report to the city in the fall, the debate retained its concerns with health and beauty, but most importantly the response to the committee’s report revealed significant differences in how the two sides perceived public property rights and the common good. While the committee mainly opposed the sale because they believed the flats were part of the Common and per the City Charter barred from being sold, they also cited a potential legal conflict with the Boston and Roxbury Mill Corporation. According to the committee, the City claimed the BRMC had lost its rights to use parts of the land and basin when it failed to meet the original terms of its contract. The committee reported that the BRMC, meanwhile, claimed that the terms had been changed and time limits extended by the state legislature, and so they still had a claim to the area. The committee concluded that it was not qualified to say who was right but that any land would be unsellable while claims over its ownership were in litigation.72 Even if this was resolved, the committee held that constructing buildings on the mud flats would be imprudent. They made an environmental argument in which they drew lessons from the Mill Pond project. The committee expressed doubts that the attractive brick housing proposed to draw affluent residents would actually be constructed. The committee pointed out that “foundations on made land are insecure,” and therefore would not support brick buildings.

Instead, therefore, of having the premises covered with substantial brick buildings, according to the picture, or occupied by an

72 Anthorp, John T. Report of the Committee Chosen by the Inhabitants of the City of Boston, to Take into Consideration the Expediency of Authorizing the City Council to Make Sale of the Upland and Flats, Lying West of Charles Street (Boston: n.p., 1824) 4-6
industrious and useful population, who must of necessity live near the center of business, they would be filled, if at all, by cheap houses, ten foot buildings, miserable habitations, the residence of disease, wretchedness, dishonest poverty, and crime. The profit of such an enterprise, if anything could be considered profit, which would recall and gather together the miserable population which has heretofore disgraced one part of the city, may be learned from the experience of the proprietors of the Mill Pond.\textsuperscript{73}

The poor were being used as a reason against transforming land because they were a component of what was considered a negative environment, having purportedly brought disgrace to the Mill Pond area. According to the committee, therefore, not all improvement was good. The environment determined the type of houses that could be built which in turn attracted certain types of people. To further discourage improvement, the committee used a similar argument to those who originally opposed the Mill Pond project, citing the fresh breezes that blew off the Back Bay into the city. They wrote that “by the blessing of Heaven, the inhabitants of Boston have been in great measure exempted from fatal and contagious disease. They owe their advantage, under Divine Providence, to the salubrity of their climate, the purity of their air and water, and the great attention which has been paid to the cleanliness of their city.”\textsuperscript{74} Because they believed that the free flowing air served the common good, they wanted to preserve the natural conditions on which their health depended.

The committee closed by giving its recommendations on how to vote. The committee recommended the citizens vote that the flats not be sold and that the city keep the Common free of buildings forever. But before closing, the committee added three questions to the original two posed by the City Council. In the third place, it proposed that voters should authorize the city to renegotiate terms with the BRMC. Fourth, because “the heads of the ropewalks have stood on a portion of this land, [and] less injury will arise from replacing buildings there,” the committee

\textsuperscript{73} Ibid, 10-11.
\textsuperscript{74} Ibid, 13.
recommended that the city be authorized to sell that particular area but only with the binding condition that “the Common and all upland and flats, lying westerly therefrom, shall foreverafter be kept free from, and unencumbered with, all buildings.” Finally, the committee recommended that citizens vote for a cemetery to be made on the land, because it would not to restrict airflow and would provide for “the most permanent protection” against buildings being erected on the lot.\textsuperscript{75}

A strong negative response to the report followed, pointing out its logical inconsistencies, dismissing the committee for its dubious concern for the view and health, and also calling into question its soft stance toward the BRMC’s claim. If Andrew Belknap launched a one-man crusade against the flats, Benjamin Russell, editor of the \textit{Columbian Centinel}, launched his own volley against the committee’s report.\textsuperscript{76} The two dominated the public discourse over the flats and each rested their arguments on two principles of property rights, intensive rights and the right to quiet enjoyment. Writing to \textit{The Patriot} in November of 1824, Russell remarked that “one would suppose that the advantages received by the citizens in consequence of the fresh air which we inhale from the country through that avenue, (not a word about the passage of it over a ‘marsh of sedge and mud’ [quoting the Report] or drained flats exposed to the scorching rays of a vertical sun,) render it a little short of an oriental Paradise.” Having pointed out the irony of expecting air to remain clean and healthy after travelling over mud, he stated his disbelief that “malaria, pestilence, and disease would be generated by a building block of brick houses, while nothing but oxygen gas would escape from the enclosure of a public cemetery.” While both the

\textsuperscript{75} For detailed questions, see “Report of Committee on Upland Flats,” 20-21; on the legal question of the Boston and Roxbury Mill Corporation’s rights to the land, see pages 3-7; for the committee’s reasoning on the fourth question regarding the ropewalk lands, see 12-13; for cemetery proposal, see 17-18. For vote counts, see “General Meeting,” \textit{Columbia Centinel}, December 29, 1824, 2.

\textsuperscript{76} See Rawson, 49. Rawson cites an identical article to the following \textit{Patriot} article in a December 22 \textit{Centinel}, which he credits to that paper’s editor, Benjamin Russell. Other letters to local papers share arguments and turns of phrase, e.g. “to cap the climax,” only to “cap it” in the exact same way, so there’s sufficient reason to claim the following letters against the Committee were all penned by Russell.
committee and their critic used the miasma theory of disease, believing that air carried elements of disease, the committee’s claim fell apart when compared with its other statements. Russell pointed out that wind blows over all parts of the city, no matter how high the houses and buildings, and implied that the committee’s greater concern lay, using their own words once again, more with the “rich, diversified, and luxuriant scenery” than the wind that blew through it.\textsuperscript{77}

Next, Russell implied that the committee bent to the BRMC’s will. Remarking on the committee’s claim that the plans for the area on public display were erroneous, he wondered why they “do not condescend to tell you in what respect.”

The probability is, that they have limited the extent of the tale to what their friends, members of the Boston and Roxbury Mill Corporation would like to have it limited; and have made their estimate, according to what they would like to have it, instead of what it really is.

This suspected influence explains the fallacious use of miasma theory as well as the special attention that the committee gave to the legal claims of the BRMC, which Russell believed an examination of the town records would quickly dispel. Besides, the committee stated that the flats “belong to the city by being a part of the common,” so the BRMC could not, as claimed, have a potentially legitimate right to the land. “If the committee had been employed as counsel for the BRMC, they could not have set forth their supposed rights more ably, nor said more to impair the actual rights of the city.” Because of the committee’s bias, Russell felt it deserved no trust, especially since it attempted to reduce the City’s property rights.

To explain the committee’s bias with the BRMC, “A Native Bostonian,” likely Russell, wrote a letter to the \textit{Centinel} to suggest that the committee’s recommendation to settle with the company and renew grants was probably due to “one gentleman on that Committee...deservedly

\textsuperscript{77} See \textit{Report of Committee on Upland and Flats}, pages 15-16 for quoted passages.
distinguished for his talents, learning, and moral virtues, who is a proprietor of the Mill Dam.”

This personal connection, the Centinel writer supposed, was probably the cause of the contradictions within the report and the fictitious rights of the BRMC. The Mill Corporation, he asserted, had no rights to the flats or the basin.

It appears, in 1815, [the Corporation] asked of the town, privileges, upon certain conditions, generally known to the citizens, which were granted; but from the magnitude of the enterprise, or some other cause, it also appears, they were unable to accomplish their purpose; yet unwilling to relinquish the great bounty for its completion granted by the town, they asked a further time, this too was allowed, which expired in 1822. And now, nearly three years after the expiration of the longest time asked for by the Corporation, your Committee, in the language of that body, tell you, that it is mere ‘quibbling’ to say, that the agreement between the town and the Boston and Roxbury Mill Corporation, is not now in force and binding upon the City.

Not only did the writer dismiss the Corporation’s legal right to the land and discount the committee’s authority, he also showed a distinct lack of patience for the BRMC. Caring little for the “magnitude of the enterprise” which the committee implied was worthy of respect and generosity from the city, this writer focuses on the “grand bounty” that they refused to relinquish so as to emphasize the corporation’s greed. By dismissing the BRMC’s rights, the Centinel writer asserted the City’s rights. What is more, in taking the committee to task for its fourth recommendation, the letter reveals the exact form of the city’s rights as the writer perceives them.

In the printed report your Committee urge with ability and apparent fairness, the pecuniary benefit the city treasury is to derive, by deferring the sale of the Land to some distant day, when they may be more wanted; and after amusing you with this story of the prospective increase in their value, and recommending the sale of a strip of those very flats and upland adjoining, (the sale of any part of which you are told in the report, our good citizens consider little short of sacrilege) they introduce a proviso to the fourth question, and ask your assent to it, which goes as fully and
completely, to all intents and purposes, to alienate your right forever after to make a further sale or, indeed, from using those lands for any other purpose than that recommended by your committee, as if you never had possessed such a right.

Pointing out this “manifest contradiction,” the writer also gave a glimpse of the way he perceived citizens’ rights in the property. Writing in the second person about how the provision would “alienate your right as if you never had possessed such a right” the writer indicates that these are intensive rights that all citizens collectively hold. By restricting the right “forever after” to use “those lands for any other purpose than that recommended,” the committee put a check on the assumed rights of the citizens to use the land for any purpose they wished. Though he made no recommendation on how to vote, Russell here expressed a belief in wide-ranging intensive property rights over the land shared among the citizens of Boston, reflective of the rights that citizens had held in all Boston land during township.78

For his part, Andrew Belknap continued through the winter to defend the aesthetics of the Common. On December 14, with his usual flowery language, Belknap called on his fellow citizens to “appreciate its beauties and feel that the all bountiful hand of nature has bestowed on us what other cities are endeavoring to obtain at great expense by art.” Belknap wrote “the Common is emphatically called the poor man’s inheritance; and so it is, for all may enjoy it. It is ours, and it is our duty to transmit it to posterity inviolate as we received it.” For Belknap, ‘inviolate’ means unobstructed. “The common was intended to be forever open. What are now termed the upland and flats, are an integral part of it, and being left open contribute most essentially to its unrivaled beauty.” By calling the Common an inheritance that is received and passed down, Belknap revealed an important aspect of his stance toward citizens’ rights over the

78 “For the Centinel: Ropewalk Land,” Columbian Centinel, November 17, 1824, 1. The two letters are remarkably similar in argument, and though the Centinel letter is shorter and of dryer tone than the cutting Patriot letter, the Centinel is Russell’s paper, so it is likely him.
Common. In the *Thurston* opinion, the justice explains that *sic utere* does protect the quiet undisturbed enjoyment of property, holding that “no man shall erect a building in such a manner as to interrupt the light or the air of his neighbor’s house, or expose it to injury from the weather or to unwholesome smells.” But the justice distinguishes the *Thurston* case because that interpretation of *sic utere* only applies to ancient structures. By insisting that the Common is an inheritance and specifying its openness as essential to its enjoyment, Belknap binds past, present, and future generations together as collective owners of the Common entitled to enjoy it undisturbed and unchanged. Fighting against building on the flats, Belknap reflected a specific principle of property ownership, one that had of late been undermined in the legal world by cases such as *Thurston* and *Callender*, which for their part also helped along the destruction of Beacon Hill which Belknap so lamented. Putting the two sides of the debate in reference to the earlier Beacon Hill episode, where the town’s inhabitants exercised wide democratic dominion over the use and disposition of all town land, the flats debate reveals itself to be an effort, by both sides, to preserve and exercise two forms of property dominion, intensive rights and the right to quiet enjoyment, that had been part of common rights during town days but in the case of the Common were perceived as under threat from private interests. Belknap closes by recommending that citizens vote yes on all three of the committee’s additional questions, especially the fourth which would sell part of the land and leave the rest open forever, since it “appears to be prudent, and any proposition for the improvement, embellishment and security of our favorite spot will meet the cordial support of every well wisher to the city.”

Russell, however, had a distinctly different idea of the best wishes for the city.

On December 25, Russell wrote to the *Patriot* under the pseudonym ‘Old Inhabitant.’ He explained that by adding the three questions to the ballot, the committee endangered the city. The

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committee members “assumed and exceeded powers which their fellow citizens had not delegated to them, thereby furnishing a precedent of evil tendency, and if not now discountenanced, may become dangerous to the whole community.” With typical wariness toward municipal authority, the Old Inhabitant explained exactly why the recommendations were so dangerous while also responding to the arguments Belknap had put forward. First, he claimed that the cemetery recommendation was intended “either to correct the putrid miasmas which we now inhale by the western breezes – or as an ornament to the ‘splendid panorama’ which now embellishes the prospect, of those who dwell near the Common, or of those romantic citizens ‘who promenade its mall to enjoy the luxuriant scenery.’” This made clear that this old inhabitant was not buying the typical health and aesthetics argument, and instead dismissively pointed out the type of people for whom romanticized language protected the interests of, directly challenging the quiet refined enjoyment that Belknap felt the Common was meant for. Second, the committee’s third question, regarding the BRMC, was “calculated to embarrass and create doubts respecting the title and ownership of the property.” Most importantly, Russell adapted his November argument about the fourth recommendation alienating citizens’ rights to show the most extreme danger of the report. It “involves not only the most important public interests and objects of the present generation, but which if adopted will prejudice the rights of posterity, fix shackles on the hands of their children’s children perhaps forever, without any immediate advantage or necessity for the community now living.” Not only did this Old Inhabitant see the present generation losing its intensive rights to use the property as it saw best, but future generations too would be restricted. His insistence that such a decision would serve no advantage or necessity in the present shows his firm belief that decisions about common property ought to serve, and be capable of adapting to, present circumstances.
Facing Belknap’s inheritance rhetoric straight on, Russell wrote that “those of us who are now living incumbents of the soil and city, have a right to distrust our own discretion touching the particular improvement of any part of it, but by all means, it is our duty to transmit to our children, as an inheritance, our public squares and city lands, as unencumbered as we have received them from our worthy progenitors.” Here, Russell shows the threat to the common inheritance not as city lands being encumbered with buildings but with restrictive laws. In contrast to Belknap, Russell thought that city property should be put to the best use possible, not trapped by tradition into an undisturbable and unchanging appropriation that only benefits romantic walkers and nearby property owners. Russell concludes with his “sincere wish” that citizens “will not consent to sacrifice [the flats] to the whims, caprices, or private interests of distinguished individuals, or the benefit of the stockholders of any particular corporation, and that the report of the committee will be rejected.” By contrasting private interests to community interests, Russell continued the ongoing debate over how best to protect the common good by insisting on the perpetual rights of citizens to use city property to the most prudent public advantage. In the same stroke, he showed anxiety over the private interests of autonomous municipal officials and warned sternly and passionately against their attempt to alienate citizens’ collective rights over the mudflat land.80

However, when it came to a democratic vote, the citizens of Boston decided not to develop the flats. The first question asked whether the city council was authorized to sell the flats, to which 846 voters assented and 1027 dissented. The second question proposed that, if the lands were to be sold, a condition should be attached that “the land known by the name of the Common, and lying between Charles, Beacon, Park, Common [now Tremont] and Boylston Streets, shall be foreverafter kept open and free of buildings of any kind, for the use of the

citizens.” Citizens voted 1111 for keeping the existing Common free of buildings to 737 against. For the last three questions, the margins became increasingly large. 1360 out of 1873 voters denied the committee’s wish to settle the legal dispute and renew grants between the city and the Boston and Roxbury Mill Corporation. Fourth, 1404 voted against the committee’s recommendation that those parts of the flats that were only recently occupied by ropewalk buildings be sold and developed. Finally, a decisive 1632 citizens voted against the committee’s proposal to place a cemetery in the area of the flats.

The results of the vote support Rawson’s analysis that the Common was becoming romanticized, but they also show a dynamic debate that goes beyond aesthetics. With 73% of voters rejecting the suggestion that the Council settle terms with the BRMC, voters showed that, like Russell, they did not believe the BRMC had rights to the land. While the relatively small margin on the first question suggests a close contest over sale of the flats, the overwhelmingly negative response to the fourth question reveals that citizens agreed with Russell that such a measure would alienate citizens’ rights to determine the best use of the land. Though presented by the committee as a compromise, the condition attached to the fourth question made it likely that those who thought it best to develop the whole area were not inclined to vote for sanctioning off half the area from development forever. For those that wanted to keep the Common’s view and breeze as it was, it might be expected that they would agree with the committee and Belknap that developing that small area would do little harm since there were already buildings there and it would require the rest of the flats remain open. But 75% of the voting citizens rejected the compromise and retained their rights over the entire flats. The refusal to allow the Council to sell the lands also shows citizens efforts to retain their rights. Even though this vote was decided by a slim margin, those who recommended selling the lands like Russell and others likely felt that
they were exercising their right to sell the land for the benefit of reducing the city’s debt, as reflected by supporters since July. The second question also had a slim margin, but banning buildings from the sacred Common is more an exercise of rights than an alienation of them, and those who voted against this measure simply the property remain open. By denying the city council rights to sell the land, refusing to recognize the BRMC’s rights, and declining to develop part of the flats at the cost of ever being able to develop the rest, citizens collectively affirmed their rights over the public property. Finally, the overwhelming rejection of the cemetery plan shows a clear disagreement with the committee over ideas about aesthetics and health, and this reflects more generally the control that citizens exerted over the land. The debate reveals not just a perceived threat to the Common, but a threat to the common rights through which Bostonians expressed value for their city’s nature. Offered the chance to vote away their rights, citizens flatly refused. In the process of affirming these rights over common land, Belknap’s romanticized right to quiet enjoyment won out over Russell’s instrumental approach to reducing debt, showing Bostonians valued the natural attributes of the Common over the flats’ economic potential.
III: Romanticism and Civic Values

In the fight over the flats, romantic enjoyment had won out over more instrumental uses of the city’s property. However, romanticism itself does not entirely capture the way that nature in the city was valued. This final chapter will examine how the romantic movement envisioned nature in the city using Ralph Waldo Emerson as a model and comparing it to how Bostonians expressed the intrinsic worth of nature in reference to the civic good. Emerson presented an overall instrumentalized vision of nature in the city, reserving its more intrinsic qualities for rural and wild scenes. But Bostonians used romantic language while describing the city’s nature as sharing intrinsic worth with the city itself. Though defenders of the Common romanticized it, they did it in such a way that put the public good of the city first. Nature acted as a buffer to the economic world, but the city did not fall entirely within that economic world. The city itself carried intrinsic worth, according to these Bostonians. When the mud flats, which would be termed the Public Garden in the late 1830s, came under threat again, the dialogue changed. Instead of avoiding the debt issue, proponents of the Public Garden embraced debt as a sign of civic virtue. At the same time, other elements of defense, such as health, beauty, and recreation, remained in full force. This indicates that the old way of valuing publicly owned natural areas, as an economic asset to aid the city balance books, had fallen to the wayside while the more romanticized, intrinsically valued perception of nature grew stronger. Finally, two local 19th century historians of Beacon Hill presented slightly different interpretations of Beacon Hill’s demise, the first, Nathaniel Ingersoll Bowditch, condemned the hill’s destruction on the basis of Beacon Hill’s patriotic significance. William Wheeldon, on the other hand, also recognized the
hill’s significance but was ambivalent about its loss because he knew Boston depended on the hill’s dirt for its growth as a city. Both these forms of memory are reflective of the split between intrinsic and instrumental perceptions of civic nature, showing that both sides still existed, but the intrinsic side of valuing urban nature became stronger, especially when expressed through romanticism.

As the romantic movement emerged in the 1820s and 1830s, nature was perceived as an antidote to the tumultuous and jarring economic world. An especially popular way to connect with nature was the study of natural history.\(^{81}\) Ralph Waldo Emerson, kicking off his lecture career in Boston in the early 1830s, explained in his 1833 lecture “The Uses of Natural History” that nature connected with the city through its uses. Emerson made a case for the study of natural science by presenting an instrumentalized view of nature. First, he represented nature’s intrinsic value through its wildness. “It is frequently observed,” he writes, “how much power, the influence of natural objects gives to the sentiment of love of country which is strongest in the most wild and picturesque regions.”\(^{82}\) Love of country, or love of place, is therefore harder to attain in the city than in rural regions, according to Emerson. Next, Emerson attempted to remind his listeners of the extent to which natural objects are present in civilized society. “It is the earth itself and its natural bodies that make the raw material out of which we construct our food, clothing, fuel, furniture, and arms. And it is the naturalist who discovers the virtues of these bodies and the mode of converting them to use.”\(^{83}\) Emerson shows the assumption that nature and the city are typically distinct except when connected to each other through use of nature.

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83 Ibid, 11-12.
Going even further, Emerson observed that geologic forces had put in place timeless processes which humans now make use of. Emerson presented geology as a totalizing account of the “structure of the earth” and that “provision for human wants…was begun ages before the use of it was shown.” While Emerson’s main argument is to emphasize the importance of studying natural science, an underlying assumption can be read here. The entirety of nature exists for the use of humans, and the particular applications of nature need only to be discovered. In order to reach the more intrinsically valuable influence of nature, one must become a student of nature, “the naturalist commands nature by obeying her,” and in the process the naturalist receives a “benign influence [that] passes from the intellect into the affections and makes not only the judgment sound but the manners simple and the whole character amiable and true.” The residents of the country, Emerson claimed, best display this positive personality because of their closeness to nature, but in the city by contrast men are “ground down to the same tame and timid mediocrity which results…from fear of offending and the desire to display.” The immediate solution offered by Emerson is to seek this benign influence by stepping out “alone into a picturesque country.” However, considering the links Emerson made between civilization and the uses of nature, it is also implied that if people remember the uses of nature that they make every day while living in the city, they too can partake in nature’s influence. Therefore, according to Emerson the intrinsically benign influences of nature are most readily available outside the city, but by studying and appreciating nature’s instrumental uses one can nevertheless connect to nature from within the city.

Yet when Bostonians assigned value to the city’s nature, they used the veneer of Emersonian romanticism while insisting on the immediate availability of nature’s benign

84 Ibid, 15.
86 Ibid, 21.
influence in the city. 1838’s *The Boston Common: or Rural Walks in the City* displays this well. The book initially assumes a separation between the city and nature, asking its readers to take an imaginary stroll through the Common with the narrator. “Let us forsake, for a while, the noisy street, and the ceaseless hurry of business, for a more quiet sphere of thought; and as we are ourselves children of nature, let us here learn from her the pleasures and the advantages of yielding to her dictates.” Suggesting like Emerson that people connect to nature by yielding to its influences, the writer also sets up for contrast with nature the world of noise and business, symbolizing the city with imagery based in disruption and economics. Nature in general and the Common in particular functioned for this writer as an antidote to the economic world of the city.

We need somewhat to remind us that the world in which we live is not, like the little world of the city, one of our own conniving. The awe with which the sublime solitude of the wilderness inspires us, here dies away. That intense love of beauty with which the broad sky and the wide green earth have inspired us, needs to be quickened and renewed, till, as it gazes, it may discover, behind the veil of nature, the hand of the Author of beauty, and adore him. They who set apart this beautiful Common must have felt these truths. They did honor to their nature, when they gave it for a sacred inheritance, to be renewed yearly with the green of spring and the bloom of summer forever. This is consecrated ground. That spirit which has torn our green hills from their bases, and sold them for gain, may never invade this abode of peace.

Like Emerson, the author believed that wilderness produces a closeness to the sublime that is lost in the city. But the Common is special in that it retains this sublimity even in the midst of the city. Like Belknap, by referring back to the original inhabitants who established this sacred inheritance, the author assumed a continuous past in which the Common had always offered to people this same sublime influence through aesthetic enjoyment. Access to the Common thus provided the benefits which Emerson claimed were lacking in cities.

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87 ‘A Friend of Improvement,’ *The Boston Common, or Rural Walks in Cities*, (Boston: George W Light, 1838) 11.
However the author also indicated connections between the Common’s value and civic virtue. Because this ‘abode of peace’ acts as a barrier to the greedy spirit that had torn down Boston’s hills for money this author believes in an intrinsic value of the Common identical to the intrinsically good side of public property that people had felt about Mill Pond and Beacon Hill as they advocated for those places’ non-economic ends. Even if nature is meant to protect people against the economic corruption of the city, the city shares value with the Common. Using stream of consciousness narration, the author displays the contemplations the Common inspires. “What thoughts should arise in our minds, as we stand in this garden of the city – in the centre, almost, of this asylum of liberty, - and not only its birth-place and the scene of its childhood and youth, but the favored home of its manhood – and, we would fain hope, its resting place forever.” Referring to Boston’s Revolutionary past and its importance to the national character of liberty, the author showed that being in the Common inspires patriotic pride. In a later chapter, the author returns to this theme, restating an argument heard frequently throughout the 1824 Common debate about the inability of city residents to escape to the country. The suggestion that people simply get their fill of nature by going to the country so that Boston could “devote the vacant lands of the city to buildings… is not altogether the most noble and patriotic” plan. While the context of this passage provides few hints of what the author exactly meant by ‘patriotic,’ by relating the Common to patriotism, it communicates a connection between the Common’s value and the patriotic worth of Boston. Immediately following his remarks on the ignoble and unpatriotic plan to put up buildings, the author wrote that “it is gratifying to learn that measures have been taken for the laying out of a public garden on the lands below the Common,” and he hoped that it would be.

90 Ibid, 44.
a place, not only of elevated and rational amusement, but of instruction in the wonders of nature’s works. The treasures of the three kingdoms of nature should there be stored, and analyzed, and displayed to the eye of the curious, the philosophic, on a scale proportioned to the literary and scientific spirit of the place, as embodied in the various institutions which already exist in the city, for the promotion of the liberal arts and sciences.  

By hoping for the proposed public garden to enhance the already valuable institutions of learning, the author shows that natural education can link in to the cultivated spirit of the city. For all its pitfalls, such as the tendency toward “sensual and vitiating amusements [that] lead the uncultivated mind still further away from true virtue and refinement,” Boston had civic value that natural places like the Common were a part of. The perceived distinction between nature and the city broke down when considering these shared virtues.

As the ‘Friend of Improvement’ anticipated, the flats were designated as the ‘Public Garden’ in 1839, but attempts to sell the Garden persisted up to 1850, spurring further proclamations of the Common’s intrinsic worth. Historian David Hackett Fischer explains that “ward politicians and developers kept trying to get the land…. Four times they persuaded the city council to sell it to private holders…. Four times the city rose against them.” Vocal opposition to the plans expressed Boston’s local pride and civic good which remained central to the conversation as commentators attacked private interests that sought to co-opt the public asset. By this time, the old idea of using public property to pay down debt had been turned on its head. In 1850, a writer to the Evening Transcript parodied the debt argument, writing sarcastically as a non-native inhabitant that he “did not come here to be sentimental… but to make money…. I consider the debt of the city of Boston an eternal disgrace to the inhabitants, and no sacrifice too
great for its immediate and entire discharge.”

He advocated selling not just the Garden but the whole Common in order to pay off the city debt and investing the balance “in turtle soup.” By identifying himself as a non-native who only came to Boston to make money and suggesting that the whole Common be sold, sacrilege to both sides of the flats debate since the beginning, this writer caricatured those who wanted to sell the Garden.

But others gave more direct reasoning to dispel the debt argument. A writer to the *Boston Daily Times* explained that “debt is by no means always a proof of poverty; on the contrary, it is sometimes the evidence of wealth, comfort, and happiness, proving the strength of the creditor’s character and position, and showing that he is able to command possession of the good things in life.”

Citing that much of the city’s debt had been acquired to pay for a public water system, this writer considered the debt a sign of Boston’s progressive character and thought that no amount of money could compensate for the benefits of the Public Garden. Further, he asked, “what reason is there, applicable to the sale of the Public Garden, which cannot be used in support of a proposition to get rid of the Common, that eye-sore to every miser in Boston?”

Equating disdain for the Common with greed, the writer went on to remark that selling the Common or Garden would be akin to “selling the Bunker Hill Monument for its stone.” The Common and the adjoining Garden thus had value, like the Bunker Hill Monument, that transcended the mere physical material that could be sold off. This “place of pleasant memories” derived its value from more than naïve sentiment, as opponents purportedly supposed. Instead, the *Times* writer resorted to the romantic trope that “even a poor man, notwithstanding his undoubted moral deficiencies, delights to look upon the face of Nature occasionally,” and the Public Garden and Common provide them the opportunity to appreciate nature. Showing the

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94 “Boston Common,” *Boston Evening Transcript*, August 6, 1850, Boston Common Papers, MHS.
95 “The Public Garden,” *Boston Daily Times and Bay State Democrat*, July 22, 1859, Boston Common Papers, MHS.
Common to be essential to the civic value of Boston, the writer also shows that the intrinsic value of the Common is evident to everyone. Unlike Emerson’s ‘naturalist’ who must learn to appreciate nature in the city, this writer implies that the Common has universal resonance with people.

Expressing a similar idea, Nathaniel Ingersoll Bowditch related the Common to civic pride which all classes of Bostonians shared. He explained in the Boston Courier that the debt argument “assumes that in order to pay for its fresh water the city must part with its fresh air.” Far from an embarrassment, the city’s debt was therefore considered an essential element to producing a favorable urban environment. More than this, the Common, which included the Garden according to Bowditch, was “priceless.”

Let, then, every citizen, rich or poor, who feels proud of Boston, come again to the rescue! …Let us disdain to estimate either in dollars or cents… a legacy from our fathers which we will transmit, to be, by their purifying moral and physical influences, a blessing to our latest posterity. 96

Hence the Common’s importance derived from a proud heritage that passed down the park’s natural benefits through generations. In addition, this heritage should not be put in economic terms, according to Bowditch. As this glimpse of the later Garden controversies shows, elements of the first controversy still enjoyed a strong presence. Comparing the Garden to the Bunker Hill Memorial shows the strong patriotic element of value attached to the area. Appealing to the poor and health, too, remained a useful trope, as did criticism of the greedy. Defenders of the Garden even turned municipal debt into an advantage. But central to all these is the idea that this piece of

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96 N.I.B. “Sale of the Public Garden,” Boston Courier, October 24 18??, Boston Common Papers, MHS. This piece was certainly written on or after 1843 because it references a pamphlet by Jeremiah Mason and Franklin Dexter which stated the Garden was part of the Common that was published in 1843. However, the document’s date is not fully readable, making it difficult to figure out exactly when this was published.
nature was a valuable part of the civic scene recognizable to all, allowing them to successfully defend the Boston Common and Public Garden.

While citizens used civic pride and patriotism to defend the city’s nature, they also used it to look back on what had been lost. In 1855 Nathaniel Ingersoll Bowditch wrote a series of articles for the *Boston Daily Transcript* under the pseudonym ‘Gleaner,’ in which he explored the history of the Beacon Hill neighborhood. In 1880, the Boston Record Commissioners released a compiled collection of the articles as their Fifth Report, and then reprinted a second edition in 1884, indicating the sustained local interest in the articles. Bowditch, son of the prominent Boston mathematician and astronomer, was a trained lawyer and used his knowledge of real estate transactions to recount the history of land ownership in the Beacon Hill neighborhood. With these articles, it is possible to ascertain a public voice that regretted the loss of Beacon Hill on largely non-instrumental terms. Instead, Bowditch lambasts the Hancocks for their actions and casts doubt on the prudence of the Massachusetts Supreme Judiciary Court which denied the intrinsic value of Beacon Hill and rejected Thurston’s right to quiet enjoyment of his own property.

The articles were presented by the record commissioners in the order they were printed, but Bowditch’s historical subjects vary through time, sometimes focusing on the 18th century and at other times examining the 19th century, but not in any chronological order. But there is logic to the order of the articles. Before Bowditch examined the Thurston case, Bowditch submitted a number of articles called “Contempt of Court,” where he professed that “I deem it the right, - aye, more than that, - the duty of every loyal member of the profession fairly and candidly to
criticize any legal decision which he shall think erroneous.” 97 Only five days later, on September 10, responding to criticism written in to the Transcript, Bowditch pointed out that the Massachusetts Court had been inconsistent in its decisions regarding whether the property line extends to the middle of the street or only to the near side. He wrote that “within the short period of twenty years, the Court has differed totally from itself in the enunciation of a general principle of law, constantly acted upon in the daily transactions of the community.” 98 Bowditch then made a nod to his next article, ending with “And, now, Mr. Editor, I gladly leave the barren field of legal criticism to visit the sunny slope of Beacon Hill.” Having established the fallibility of the Court, Bowditch turned immediately to examining the Thurston property on September 11, and though he was writing about Beacon Hill, Bowditch once again entered the “barren field of legal criticism.”

Bowditch recounted the Thurston decision in which the Massachusetts Supreme Court determined that Thurston should have known his neighbors had a right to dig down into their property and Thurston had built his house close to the property line at his own peril. Bowditch wrote, however, that “this opinion has always been dissatisfactory to many of the profession. The town had owned this 99 feet square on the summit of the hill, with the 30-feet way to it, for the purpose of sustaining a beacon, and as a spot accessible to all citizens and strangers.” The exceptional importance that Beacon Hill received from this specific function made it unreasonable to think it could be dug down into for any advantage desired. Bowditch asserts that:

> It could not reasonably have been supposed that for any sum of money, much less that for a mere mess of pottage, the town could have been induced to part with the one object that made it undisputedly the queen of all the cities on this continent. This area


on the summit of the hill having been retained for these high public objects, the adjoining individual owners would have held their lands subject to the easement that this area and the way to it should forever remain unmolested; and, but for the suicidal act of the town in selling the same, I conceive that we never could have been deprived of this, the crowning glory and beauty of our metropolis. Mr. Thurston was, I think, entitled to damages, and vindictive damages too, against parties using their adjoining lands for a purpose which neither he nor any one else could reasonably have anticipated, - a purpose which, though not prompted by any special malice against him, ought to have been regarded as indicating a general malice against the whole community, and therefore to have been visited with the most severe punishment.99

Bowditch thus starts by criticizing the economic motivation behind selling the land, suggesting that the Hill was worth more than any sum of money. Bowditch contends that Beacon Hill placed Boston literally on a pedestal above all other cities. Not only was the hill beautiful, but it was glorious because of the “high public” purpose it served, and destroying the hill’s summit was an offence against the entire community of Boston because it was symbolic of the city’s greatness. Calling the act suicidal and the Hancocks actions “malice against the whole community,” Bowditch agreed with past commentators that the Hill was essential to the Boston’s civic character.

Though Bowditch preceded this article by pointing out the mistakes that the Supreme Court frequently made, he was not making a strictly legal argument. By rejecting economic valuations of the land and denying the right of its owners to dig into it, Bowditch indicated the hill held non-instrumental value and that the Court made an immoral decision that injured the whole community. He contended that Thurston’s case should have been an exception because even if the town had the legal right to dig down into the ground, it could never be expected that it would. Indeed, Bowditch seemed to be suggesting that there was something of a higher law

99 Bowditch, “XLV. The Beacon and Mr. Thurston’s House, September 11, 1855” in 5th Report of Record Commissioners, 128-129.
bounding the town to leave the hill “unmolested,” because selling the land was “suicidal.” Interestingly, Bowditch followed this article with an article against capital punishment, pointing out “judicial atrocities” in which people were hung for petty offenses, including Governor John Hancock’s hanging of a woman who stole a 75 cent bonnet. “I mention this not to the disparagement of the Governor. He doubtless acted from a sense of duty, thinking it best for the community that the laws of the land, - however frightfully severe, should be executed.”

Considering that this observation follows only one day after Bowditch examined another Hancock’s destruction of Beacon Hill, its “suicidal” consequences for the community and the judiciary’s strict compliance with the law which allowed such acts, it is striking how Bowditch frames the loss of Beacon Hill with the fallibility of the Court and the law’s violation of moral principles. By denying the property’s economic value and insisting on the hill’s loss as a moral failing, Bowditch indicated his belief in the hill’s intrinsic worth.

Subsequent articles expanded on the dynamics of this intrinsic value. On September 15, Bowditch examined more deeply the “miserable pittance” for which the town sold the Beacon Hill land to the Hancocks, remarking that “I regret that I cannot consign to deserved infamy the names of those who so disgracefully turned an official penny by selling it. Such persons would sell a family graveyard!” By suggesting official corruption and greed, Bowditch strikes a common chord to the debate over the Public Garden, when citizens openly suspected politicians of colluding with private actors at grave expense to public property. To contrast with the infamy such people deserve, Bowditch explained the memorial significance of the Beacon Hill. In the 18th century, the hill was “surmounted by a tar-barrel which, being set on fire, in case of danger, was to be a beacon to the country around.” So significant to the security of the early town, the memorial which replaced the beacon marked “the remembrance of a grateful posterity the names

100 Bowditch, “XLVI: Hanging, Sept 12, 1855” in 5th Report of the Record Commissioners 2e, 130.
of those who, when they erected it, meant that it should stand for ages.” Thus, the hill acquired its sanctity from its past importance, as a symbol both of the formative days of Boston and of the men who fought to birth the nation. Finally, on September 18, Bowditch reflected once more upon the location’s magnificence, writing about the reservoir that presently sat on what was left of the hill.

Our graceful conical hill with the monument that surmounted it for its protection and embellishment, has long ceased to exist. It is fitly replaced by the Beacon-Hill reservoir. The Roman Aqueducts are among the grandest vestiges of ancient civilization. This structure will, to coming generations, be as noble a memorial of the genius, science, and enterprise of the present age. We have, indeed, lost a majestic pinnacle reared by the God of Nature; but there has arisen in its stead a glorious creation of human wisdom and beneficence.

While this is suggestive of the middle landscape in that it values artifice as much as nature, the two are valued equally based on the civic glory that each brought to Boston as well as the public, non-economic ends they served. Bowditch therefore recognized the lost value of Beacon Hill by reflecting on its historical relationship to the civic good.

Picking up on this theme of historical and civic pride, William Wheildon, a leading member of the Bunker Hill Monument Association, wrote and published in 1877 a short book advocating for the restoration of the Beacon Hill monument. Throughout the book, Wheildon displayed a distinct ambivalence towards the loss of the hill, emphasizing its importance while also conceding that its destruction was inevitable. In contrast to Bowditch, Wheildon wrote that “in any practical view of the matter with reference to the growth of the town and its future, in the digging away of this hill, there can be nothing for posterity to regret.”

Because Beacon Hill

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103 William Wheildon, Sentry or Beacon Hill; The Beacon and the Monument of 1635 and 1790, (Concord, MA, self-published, 1877), 23.
contributed to the growth of Boston, Wheildon felt that the hill ultimately served the city’s best interests. Nonetheless, Wheildon used this idea to claim an indebtedness to the hills of Boston long since gone, since “five-eighths of the city proper at the present time is built upon made land, it is certain the city owes much more to its three hills than has generally been supposed.”

Wheildon thus established a very practical connection between the city and nature, reminding readers that the physical landscape depended on the appropriation of the hills. By acknowledging this indebtedness, Wheildon calls back to the idea that land should be used to civic ends through instrumental means, showing that this way of valuing nature was of course alive and well.

Distinguishing intrinsic from instrumental values in reference to civic community shows that romantic love of wild nature reflected a deeper impulse to enjoy nature that was expressed not just through romanticism but also through patriotic love of civic place. Emerson thought only the rural and wild could deliver nature’s intrinsic qualities and emphasized in the urban setting the instrumental uses of nature to human civilization. However “A Friend of Improvement” more closely linked the city’s existing intrinsic worth with the potential good that ‘rural’ walks in the Common offered to people. It is true that in the process of securing the quiet enjoyment of the Common, these romanticizers also aided in denying others’ rights and sometimes served private interests. For instance, well established customs such as carpet cleaning and pasturage were legally restricted, to the great joy of Mayor Harrison Gray Otis, whose property value on his abutting Beacon Street house shot up as soon as he helped romantic recreationalists remove cows from the Common. When citizens tried to assert their rights to use the Common for cows in 1830, they had no access to direct democracy and lost their rights. The democratic system that had sustained direct control over public property was absent, and so romantic aesthetics

dominated the Common more and more. But when the state offered Boston’s citizens a chance to ratify a law keeping the Public Garden free from municipal development forever, they approved it with an astonishing margin of 6,287 to 99, indicating that the vast majority of citizens felt the Garden should be left open for quiet aesthetic enjoyment. Those who valued this form of property rights, producing a strong sense of place by keeping it undisturbed and open to public enjoyment, had won the Common but lost Beacon Hill. While Wheildon seems to pick back up on the instrumental appropriation of civic good, acknowledging that the City is indebted to Beacon Hill because it owes its physical growth to the hill, Bowditch reasserted Beacon Hill’s intrinsic value as a symbol of Boston’s civic pride and a cornerstone of American democracy. While Bowditch blamed the Thurston Court and the Hancocks for the Hill’s demise, a large deal of culpability lies with those voters who decided it was best to sell Beacon Hill for its instrumental worth, to aid with the Town’s debt out of a reasonable concern for Boston’s posterity.

These separate ways of valuing nature are reflective of a larger trend: the idea that the Boston’s nature could protect the civic community against the risks and turmoil of the economic world. Whether it was paying down collective debt or seeking escape in the city’s greenery, the people of Boston valued these natural places as protection of the civic community. This is a largely instrumental function at its base, but when understood through the actions and words of Bostonians it becomes clear that there was an intrinsic valuation at least on one side. Paying down debt monetizes nature, but those who romanticized the city’s environment and made it central to civic patriotism often spoke of value beyond money and beyond the economy. In this way nature was meant to help people cope with the private interests and greed of the urban

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105 See Rawson, *Eden on the Charles*, 50-64.
sphere and maintain civic bonds. Whether it was through the patriotism and natural pride of Beacon Hill, the sacred and recreational experiences of the Common, or the health and sustenance that God was supposed to have provided through Mill Pond - all these places had something to offer to the individual that would relieve them of the pains of market competition and greed and bring them back into a fulfilling sense of community. Making no distinction between nature and civic value, this impulse helped to maintain and protect the community by intimately relating to the city’s nature and denying uniform adherence to economic interests.
Bibliography


Anthorp, John T. Report of the Committee Chosen by the Inhabitants of the City of Boston, to Take into Consideration the Expediency of Authorizing the City Council to Make Sale of the Upland and Flats, Lying West of Charles Street. Boston: n.p., 1824.

“Beacon Hill.” The Yankee, June 18, 1813, 1.


“Boston Common.” Boston Evening Transcript, August 6, 1850, Boston Common Papers, Massachusetts Historical Society [hereafter MHS].


“For the Centinel: Ropewalk Land.” Columbian Centinel, November 11, 1824, 1.


“For the Boston Patriot: City Meeting.” Independent Chronicle and Boston Patriot, July 21, 1824, 1.

“For the Palladium: To the Ladies of Boston.” New England Palladium, July 23, 1824, Boston Common Papers, MHS.


“General Meeting.” Columbia Centinel, December 29, 1824, 2.

“Improvements.” New England Palladium, July 20, 1824, Boston Common Papers, MHS.


“Mill Pond No. II.” *New England Palladium*, 7-31-1807, access by American Historical Newspapers, Readex database


N.I.B. “Sale of the Public Garden.” *Boston Courier*, October 24 18??, Boston Common Papers, MHS.


“Sell the Flats.” *Columbia Centinel*, December 25, 1824, 2.

“The Common.” *Boston Daily Advertiser and Patriot*, October 11, 1843, Bosotn Common Papers, MHS.

“The Public Garden.” *Boston Daily Times and Bay State Democrat*, July 22, 1859, Boston Common Papers, MHS.


