

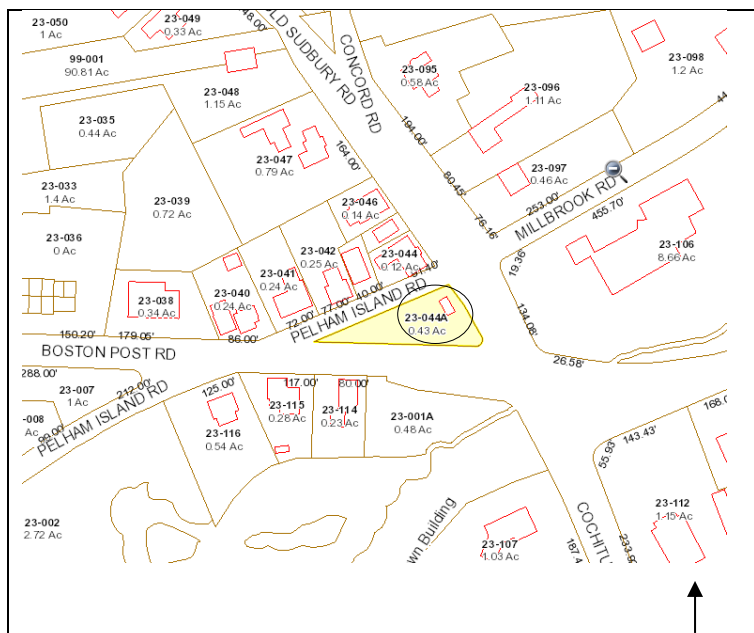
FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Photograph



Topographic or Assessor's Map



Recorded by: Gretchen G. Schuler

Organization: for Wayland Historical Commission

Date (month / year): November 2012

Assessor's Number USGS Quad Area(s) Form Number

23-044A

Natick

A & I

WAY.87

Town: WAYLAND

Place: (*neighborhood or village*)
Wayland Center

Address: 35 Cochituate Road

Historic Name: Judge Mellen Law Office

Uses: Present: museum

Original: office

Date of Construction: ca. 1829

Source: histories

Style/Form: Federal

Architect/Builder: unknown

Exterior Material:

Foundation: concrete

Wall/Trim: wood clapboards

Roof: wood shingles

Outbuildings/Secondary Structures: none

Major Alterations (with dates): none

Condition: good

Moved: no | | yes | x | **Date** 1973 _____

Acreage: .43 acres

Setting: On west side of Cochituate Road (Rt 126/27). On Mellen Law Office Green, a triangular plot of land owned by the town at main intersection. Near road edge. New small street trees planted on each side of the front of building.

INVENTORY FORM B CONTINUATION SHEET

WAYLAND

35 COCHITUATE ROAD

MASSACHUSETTS HISTORICAL COMMISSION

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

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 x Recommended for listing in the National Register of Historic Places.

If checked, you must attach a completed National Register Criteria Statement form.

Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.

ARCHITECTURAL DESCRIPTION: *Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.*

Situated on the town-owned Mellen Law Office Green, the small but significant structure is prominently situated at the major intersection of Wayland Center in the heart of the Wayland Center Historic District (local and NR). The Mellen Law Office is at the eastern edge of the triangular-shaped green, only a few feet of setback between it and the sidewalk along Cochituate Road. It is a three-bay, single-story, hipped-roof Federal building not unlike the shape of Mellen's house (24 Cochituate Road) across the road. It rests on a concrete foundation (moved a few feet south in 1973), is sided with wood clapboards and has a wood-shingled roof. The simplicity is an important characteristic. Windows have 6/6 sash set in slightly projecting casings with wood louvered shutters. One window is located on each side of the center entry, a single window is centered in each end; and one window is near the south side of the west/rear elevation side of the building. The entry is centered on the façade and has a six-paneled door with a Norfolk latch. The panels are recessed and the surround is plain. Other trim includes a water table wrapping around the building, corner boards, and a flat fascia board under the eave overhang, which is minimal. A brick chimney rises through the rear roof slope. The interior is divided into two rooms – or two offices – which is less common than a single-room law office. The south room is slightly larger than the north room. They are fitted out with modern furniture, and a reproduction of Mellen's desk (the original is in the Grout-Heard House, the Historical Society's house museum).

HISTORICAL NARRATIVE *Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.*

Built in about 1829, this small building tells much about the evolution of life at Wayland Center. It is located on the Mellen Law Office Green, so named for this building, which was moved slightly south in 1973. At the time of construction a large hotel and public house, known as Pequod Inn, was across Cochituate Road (Public Safety building site), the First Parish had been built in 1814, and several houses already lined Cochituate Road at the center.

Samuel H. Mann Esq. (1801-1838), a lawyer, acquired the Dr. Ebenezer Ames House (24 Cochituate Road) in 1829. The deed was witnessed by Mark Sibley and William Bridge, Justice of the Peace in September 1829 but not recorded until April 1830. The 1829 date was only a month before Mann's marriage to Isabella Ross. It is believed that he built this small law office across the road from his house on this town green, now known as the Mellen Law Office Green; however the exact location have not been confirmed. The 1829 date coincides with when Mann took over the Ames house according to deeds and is three years later than reported by Helen Emery in the 1973 survey form. A year later in November 1830 Mann sold the house and this law office to **Judge Edward Mellen** (1802-1875) who moved to the house just after his marriage to Sophia Whitney in 1831 where he lived out the rest of his life. Mellen, who practiced law in Wayland in this law office, was appointed Chief Justice of the Massachusetts Court of Common Pleas in 1855 – hence the title the Honorable Judge Edward Mellen. In 1850 Mellen was assessed for his house, barn and shed on two acres as well as the office and land, therefore we know that the law office was across the street on this town green by that date. In 1860 he had the same real estate holdings. By 1872 Mellen's small office on the green was valued at only \$100.

INVENTORY FORM B CONTINUATION SHEET

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Mellen was a graduate of Brown University and a close friend of the Rev. Francis Wayland (1796-1865), who was president of Brown University from 1827 until 1855 and was responsible for establishing the Wayland Public Library (5 Concord Road) with a donation that had to be matched by the citizens. It was this donation that led Mellen to question the ability of a municipality to raise mandatory funds (taxes) for libraries, which in turn led him to work with the Rev. John Burt Wight – also a friend of Wayland's, pastor of the First Parish and Wayland's representative to the General Court – to file legislation that would become the Library Act of 1851 enabling cities and towns to raise money to establish free libraries. In the 1850s Franklin Fiske Heard (b. 1825) son of Jonathan Fiske Heard (11 Cochituate Road) studied law with Judge Mellen using this office. Heard went on to become an authority in criminal law in Massachusetts.

Mellen's widow Sophia Mellen retained ownership of the law office after her husband's death in 1875. When she died in 1893 the law office passed to her daughter Anna Mellen Bennett, in a circuitous route since Mrs. Mellen had died intestate. Her son, Joshua had died in 1890 so her property went to two daughters and one granddaughter (daughter of Edward Mellen Jr. and Georgiana Storer named Mary Coleman (Mellen) Stone); Sophia W. (Mellen) Hudson and Mary C. (Mellen) Stone conveyed their shares in this property as well as the house to their sister **Anna Bennett** in 1899. Anna and her husband Theodore W. Bennett (1844-1899) had lived in the Bennett homestead on the corner of Plain Road and Boston Post Road. Both the law office and the Mellen family home remained with Mellen descendants through the first half of the 20th century. The Law Office passed to Anna Bennett's daughter Sophie Bennett Sears (wife of Edmund Sears – 183 Pelham Island Road). During World War II a newsletter to soldiers the Village Bugle was published here. A couple of businesses used the law office in the 1950s and 1960s. In 1971 Sears gave it to the town. It was the town that moved it only a few feet south in 1973 due to its proximity to an elm tree. The town continues to own the law office and the green.

BIBLIOGRAPHY and/or REFERENCES

Atlas/Maps: 1831; 1856 Walling (Mellen's Office); 1866 Lake (); 1875 Beers (Off.); 1889 Walker (Mellen Est.); 1908 Walker (Bennett Hrs.); 1946 Brooks (Marion S. Robbins & Sophia W. Sears).
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WAYLAND 35 Cochituate Road

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National Register of Historic Places Criteria Statement Form

Check all that apply:

- ☒ Individually eligible ☐ Eligible **only** in a historic district
- ☒ Contributing to a potential historic district ☐ Potential historic district

Criteria: ☒ **A** ☐ **B** ☒ **C** ☐ **D**

Criteria Considerations: ☐ **A** ☐ **B** ☐ **C** ☐ **D** ☐ **E** ☐ **F** ☐ **G**

Statement of Significance by _____ Gretchen G. Schuler _____
The criteria that are checked in the above sections must be justified here.

The Judge Mellen Law Office is listed in the National Register of Historic Places as part of the Wayland Center Historic District. The property retains integrity of location, setting, design, materials, craftsmanship, feeling and association.