

EARLY RECORDS

OF THE

TOWN OF DORCHESTER, MASS.

TRANSCRIBED,

WITH EXPLANATORY NOTES,

BY

WILLIAM BLAKE TRASK.

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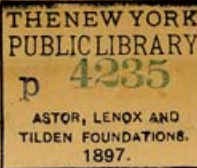
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## DORCHESTER (MASS.) TOWN RECORDS.

It is purposed to give in the following pages a verbatim copy of the early Dorchester Town Records, introductory to which we take pleasure in reprinting a pamphlet, of four pages, written by the Rev. Thaddeus Mason Harris, D.D., in 1834, after he had made a transcript of the original volume. This pamphlet—but a few copies of which are believed to be extant—is entitled,

### SOME ACCOUNT OF THE OLD BOOK OF RECORDS, OF THE TOWN OF DORCHESTER.

Next to the early records of Salem, this is *the oldest book of Records* in Massachusetts Proper.\* There are some entries, indeed, of contemporaneous date in a book at Charlestown, but they appear to have been inserted some time after the occurrences had taken place. Not merely, however, for its antiquity, but for facts and illustrations of local history, and passing events, is the Dorchester volume exceedingly interesting. It has often been consulted and referred to, particularly relative to the laying out of town and county roads; to mill privileges; to original grants, assignments, and appropriations of lands, and to the boundaries of towns which have been set off from it, or which, from the first, bordered upon it.

DORCHESTER, when laid out, was very extensive, being thirty-five miles in length, and, in some places, six or eight in width, and comprehended the whole of the territory now contained in MILTON, STOUGHTON, SHARON, CANTON, and FOXBOROUGH. To these towns, therefore, the records must be of such concernment, that they should feel specially interested in their preservation.

The apprehension of having a book so venerable and precious exposed to the danger of being lost, or destroyed by fire, together with a desire to render the information which it contains more accessible and useful, led to a vote of the town, that an amanuensis should be employed to transcribe it into a fair and legible hand.

In seeing that this vote was carried into effect, the Selectmen could not readily find a person acquainted with ancient chirography, who would engage in the arduous task. Exceedingly desirous that there should be a copy, the subscriber undertook to make it himself, and has accomplished it with much pains, care and labor. In doing this, he has been particular to mark with red ink, in the margin, the pages of the old Record, so that the volume of Index, made for that book by Mr. JAMES BLAKE, in 1745, will serve equally well for this. With all his antiquarian perspicacity, however, the copier was often exceedingly puzzled in deciphering the old chirography, rendered almost illegible by the faded state of the ink originally used, and by the decayed con-

\* In *History of Dorchester*, page 29, it is stated, that this Record Book, "in point of time, takes precedence of any town records in Massachusetts," which we believe to be the fact. The original book of Grants of Salem, commences "the first of the 8th month, 1634."—See *Hist. Coll. of the Essex Institute*, iv. 89.

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dition of many of the leaves, some of which were also much defaced by use. But his perseverance was encouraged by the consideration that he was rescuing almost from oblivion some exceedingly valuable particulars of the first settlement of this ancient town.

The intimate knowledge acquired of these Records, by the very act of copying them, will authorize a few remarks on their value, and the use that may be made of them.

It is greatly to be regretted, indeed, that two leaves at the beginning of the book are lost, as they contained some notice of the affairs of the town from the settlement, in June, 1630, to January 16, 1632; and more, that another book, referred to several times in this, as "the first book," and mentioned in the manuscript annals of MR. BLAKE, was burnt in 1657, in the house of MR. THOMAS MILLETT; for in that were entered the names of the settlers, the location allotted to each family, and the number of acres and the bounds; as, also, a record of the births and deaths.

The town records were again exposed to destruction, when the house of MR. NOAH CLAP was burnt, May 15, 1784, but were fortunately rescued; though a trunk containing old papers, and files of committees' reports, &c., was consumed. The venerable volume preserved, now for more than two centuries, contains a record of the doings of the freemen at general meetings, for the choice of town officers and the transaction of business; at Selectmen's meetings, for carrying into effect the municipal regulations; an account of taxes, receipts, and expenditures; statements of roads, of grants, and privileges; and includes the period between January 16, 1632, and March 1, 1720, comprised in 636 closely written folio pages.

Left to themselves and their own resources, the first settlers of Dorchester seemed to have been fully aware that they were commencing a new state of social and civil polity, in most respects different from that of the mother country; and that they were not only taking measures for the ordering of affairs adapted to their present circumstances, but "laying the foundation of many generations." The course which they pursued was marked by precaution, and all the measures which they adopted were distinguished by strong sense, and practical wisdom; simple, judicious, and well adapted to the exigencies of the passing day, and prospective of times to come.

Their first and chief concern was the furtherance of Christian truth, and Gospel order and institutions; the building a place for public worship, and providing means for the support of the ministry; next, the settlers evinced a deep solicitude for the rising generation, "forasmuch, (as they express it) as the good education of children and youth is of singular benefit to any commonwealth." They were careful, therefore, that they should be well instructed in the elements of useful knowledge, and in the principles of religion, ~~that they might become~~ intelligent and useful, virtuous and happy. And that the children both of the poor as well as of the rich, might share equal privileges and advantages, the school was not only made free to all, but all were required to attend. This was an entirely new plan for education; in liberality, having no prototype in European countries; and, in consequence of its adoption through the New England States, the means of instruction have been diffused through the community, "and knowledge and wisdom have been the stability of our times." The school

was supported partly by a tax duly apportioned upon the inhabitants, and partly by the appropriation or rent of the land set off at the laying out of the town for this special purpose, and by grants and bequests of individuals afterwards made. The Selectmen were directed to provide able, pious, and faithful teachers; to see that the parents sent their children to school, not detaining any for inconsiderable reasons; and "to have a vigilant eye over the children, that they attend school regularly and punctually, mind their learning, and behave obediently in school, and mannerly out of it." And it is observable from the register of our school, kept from the beginning, that for more than a century and a half, the masters employed were such as had received a college education.

It is interesting, through these town records, to trace the succession of public officers, and discover who were the leading men of the day; as, also, the business transacted; what the state of society required for its advancement; and to learn the occurrences that took place, during the eighty-seven years of which this book is the register.

From these documents of the early settlers, we may also gain sketches of the state of manners, the modes of living, the occupations in which men were engaged, the changes in families, reverses in condition, value of property, and other particulars, incidentally noticed, but of considerable use in ascertaining "the form and pressure of the times," and the gradual and progressive improvement of the social state. And many facts are noted, not merely of a local, but of a public nature, and belong to the history of our country.

Finally, in the seasonable provisions for the support of order; the meetings of the freemen for consultation about what was expedient to be adopted and done for the welfare of the rising community; and the election of the most intelligent, trust-worthy and influential men to take the oversight and management of its municipal concerns, we perceive not only a wise forecast, but find the elements and principles of that "liberty with order," from which have emanated the well-defined rights and privileges, which their successors asserted with determination, maintained with firmness, and have established and guaranteed as the chief constituents of our national independence and prosperity.

That this ancient town may continue an honorable record through succeeding generations, is the fervent wish of him who has exercised for forty-one years the ministry in it, and has been affectionately and zealously interested in the advancement of its welfare, temporal and spiritual.

THADDEUS MASON HARRIS.

August 5, 1834.

Records.

Also, Edward ~~Raymond~~\* [John] Grenway, and John Goyte, shall [have] each of them a p'portionable quantity of Marish† adjoyning to their necke of L[and.]

Jan: 21: All other, the Planters in Dorchester, not before named,

\* The record, as it is now left to us, commences thus abruptly, on the fifth page. Who Edward Raymond was, and what became of him, our antiquaries seem to be uninformed.

† The word marsh was anciently written, *maris*, *maress*, *marish*. Chaucer has it, *maris*; Spencer and Milton and other writers, *marish*: Dyer, in his poem, "The Fleece," which appeared in 1757, alludes to "Rumney marish and Rye's silent port."

Raynsford

shall have their p'portion of Marish ground by the river of Naponsett, according to the quon[tity] of their home lotts.\*

Also, it is generally agreed, that whosoever doth not mowe his owne lott shall not sell it to any for above. Twopence an acre; signed,

John: Mavericke. John: Warham. Will: Gaylard. Will: Rockewell.†

16 Jan: 1632. It is ordered, that Edmond Hart, Roger Clap, George Phillips, John Hulls, Bray. Wilkeins, William Hulbeard, Stephen french, John Benham, and John Haydn,‡ are to have their great lotts of 16 acres a peece, next the great lotts that are all redy layde out towards Naponsett, signed,

John Mavericke. John Warham. William Gaylard. Will. Rockewell.

Anno. April 3, 1633. It is agreed that a doble rayle with morteses in the posts, of 10 foote distance one from the other, shall be set up in the marish, from the corner of Richard Phelps, his pale Eastward to the Creeke, by the owners of the Cowes vnder named, p'portionally. 20 foote to every cowe.

	Cowes.	foote.		Cowes	foote.
m <sup>r</sup> . Ludlowe,	2	40	Mathew Graunt,	2	40
m <sup>r</sup> . Johnson,	1	20	Will. Rockewell,	2	40
Henry Woolcott,	3	60	John Hoskeins,	3	60
m <sup>r</sup> . Rosseter,	4	80	Nicho. Denslowe,		
m <sup>r</sup> . Terry,	2	40	Giles Gibbes,	1	20
m <sup>r</sup> . Smith,	2	40	William Phellps,	2	40
m <sup>r</sup> . Gallope,	1	20	Symon Hoite,	2	40
Thom. floard,	2	40	m <sup>r</sup> . Stoughton,	4	80
m <sup>r</sup> . Warham,	3	60	Eltwid Pumery,	2	40
m <sup>r</sup> . Mavericke,	2	40	William Gaylard,	1	20
m <sup>r</sup> . Hull,	3	60	George Dyer,	2	40

And this to be done by the 7<sup>th</sup> of May next ensuing, upon the payne of forfeiture of 5 shillings for every Cowe, in cause it be not done by the tyme appoynted.

And for the tyme to come, every other owner that shall have milch Cowes they shall pay 12 pence a peice for every cowe, towarde the maynetayneing of these rayles, signed,

John: Mavericke. John: Warham.

5 Aug: 1633. It is consented vnto, that John Witchfeild, and John Newton, shall have all that plott of Marish ground, that lyeth

\* "The rule first adopted for the division of lands in Dorchester, was probably recorded on the missing pages, and cannot now be accurately determined. The pecuniary condition of persons, the size of families, and other circumstances, may be supposed to have had their influence in determining the difference in the quantity granted to individuals. A few of the larger grantees are known to have been stockholders in England, under the patent." "There is no mention made of payment for lands, to the plantation, by any individual. They were doubtless regarded as the inheritance of such persons as intended to occupy them and remain permanent inhabitants." *Hist. Dorchester*, pp. 30, 31.

† The land grants and early municipal regulations were signed and sanctioned by the two clergymen, Maverick and Warham, and the deacons Gaylard and Rockwell; otherwise, they would not, probably, have been considered valid.

‡ For information in regard to these and other pioneers of the plantation, the reader is referred to the *History of Dorchester*, also to Stiles's *History of Windsor, Connecticut*, where many of the early comers to Dorchester emigrated. There is a strange variation, often, in the orthography of the proper names.

betweene. Nicholas. Denslowe and the brooke,\* next to Rockesbury, equally to be devided betweene them.

In the necke, Southward of the plantation, these lotts following are agreed to be set downe, m<sup>r</sup>. John. Cogan, m<sup>r</sup>. Hill, m<sup>r</sup>. Duncan, m<sup>r</sup>. Ludlowe, m<sup>r</sup>. Russell, m<sup>r</sup>. Pinney, m<sup>r</sup>. Richards, m<sup>r</sup>. Way, 4 acres a peece, adjoyning on to the other. And M<sup>r</sup>. Williams 8 Acres in the same at the poynt next m<sup>r</sup>. Stoughton's lott.

In Naponset necke, captin Lovell, m<sup>r</sup>. Tilly, Elias Parkeman, John Rocket, Captin Lovell, and his fense, 6 acres, the rest 4 a peece; Item. m<sup>r</sup>. Egelstone to have a lott on this side of the way, going to Rockesbury.

In the end of the lotts, next the great marish, there are to get downe these following, nicho: Vpsall, Barnard Capen, Phillip Randall, James Parker, 4 acres a peece; John Hoskeins, and the Widdow Purchase, betweene the 26 rackes,† John Hoskeins 3 acres, the Widdow Purchase 4, signed,

John Mavericke. Will Gaylard.

It is agreed betweene captin William Lovells, m<sup>r</sup>. John Tilly, that the landing place in their lotts, towards Naponset, and the way to that and the well‡ shall be common to them both, in whose of their lotts they fall, signed,

John Mavericke. William Gaylard. Will. Rockewell.

An agreement made by the whole consent and vote of the Plantation, made—

Moone day, 8<sup>th</sup> of October. 1633.§ Imprimus, it is ordered, that for the generall good and well ordering of the affayres of the Plantation, their shall be every Mooneday, before the Court, by eight of the Clocke in the morning, and p<sup>r</sup>esently, upon the beating of the drum, a generall meeteing of the inhabitants of the Plantation, att the meeteing house, there to settle (and sett downe) such orders as may tend to the generall good, as a fore sayd; and every man to be bound hereby,

\* "Roxbury brook," as is well known, forms a part of the boundary between Dorchester and Roxbury. The following is from the Court Records, Nov. 7, 1632. "Capt. Traske, Mr. Conant, Willm Cheesebrough, and John Perkins are appointed by the Court to sett downe the bounds betwixte Dorchester and Rocksbury. Ralfe Sprage is chosen vmpire." Again, March 3, 1635-6. "With the consent of the deputies of Dorchester and Rocksbury, it [is] refer'd to Capt. Traske, Mr. Palmer, and Willm. Cheesb[rough], or any two of them, to sett out the bounds betwixte Rocks[bury and] Dorchester which they are appoynted to doe befo[re] midsummer nexte."

† "A rack of hay, (in which is put) a quantity of hay, collected, drawn, raked together." Richardson. The "26 rackes" were, probably, what we would now call so many stacks of hay or thatch gathered from "the great Marish," and placed "in the end of the lotts," adjoining, for the want of sufficient barn room to shelter it.

‡ Probably this "well" belonged to Robert Pierce, who settled on "Pine Neck," by the water. "The late Rev. Dr. John Pierce says, '8 June, 1804, I went to a place called Pine Neck, to view the residence of my paternal ancestors. Found part of the cellar in which was the stump of a tree, and drank from the well dug for the use of Robert Pierce, my gr. gr. grandfather. It is bounded on the east by the Atlantic, and on the south by the mouth of Neponset River.' This well is about thirty rods from the Railroad station at Naponset, near the river. It is supposed that he also built the house where Lewis Pierce, a descendant, now lives, on Adams street, and who preserves some of the bread that Robert brought from England." *Book of the Lockes*, page 317. This "remainder biscuit" is kept in a glass case. It was exhibited by the Hon. Edward Everett, on the occasion of his delivering an oration in Dorchester, on the 4th of July, 1855, in commemoration of the 225th anniversary of the settlement of the town.

§ By this agreement of the inhabitants, the town government was established. "This act acquires some importance from the fact of its precedence, and that the example was followed, the next year, by the other settlements, and led to the law of the General Court, passed in 1636, regulating town governments, which has continued in full force to the present day." *Hist. Dorchester*, p. 32.

without gayne saying or resistance. It is also agreed, that there shall be twelve men selected out of the Company that may, or the greatest p't of them, meete as aforesayd, to determine as a foresayd, yet so as it is desired that the most of the Plantation will keepe the meeteing constantly, and all that are there, although none of the Twelve, shall have a free voyce as any of the 12, and that the greate[r] vote both of the 12 and the other shall be of force and efficacy as aforesayd.

And it is likewise ordered, that all things concluded, as a foresayd, shall stand in force and be obeyed vntill the next monethly meeteing and afterwarde if it be not contradicted and other wise ordered upon the sayd monethly meete[ing], by the greatest p'te of those that are p'sent as a foresayd. Moreover, because the Court in W.\* inter . . . in the vacancy of the sayd [ ] this said meeting to continue till the first Mooneday in the month.

m<sup>r</sup>. Johnson, m<sup>r</sup>. Eltwid Pummery, [Mr. Richards] John Pearce, George Hull, William Phelps, Thom floard.†

It is ordered, that all the pale of the feilds, now inclosed, shall be still kept in severall, well and sufficiently fenced, and if that upon warning, every man doth not keep his ground‡ fenced, then such as are appoynted for that purpose to see the Pale sufficient, and find not sufficient, shall fence the same, and such as are delinquent shall pay 3 shillings a goad,‡ and the same p'sently to be levied out of their goods by sale, or otherwise, according to the order in this booke, formerly entered,§ and this to be done a fourteene nights or Three weekes at most.

The names to see to the fences aforesayde are these, for the South feild next M<sup>r</sup>. Waram, M<sup>r</sup>. Smith & Goodman Grenway; for the West feild, Goodman Thorneton, Phillips; for the east feild, Goodman Hoskeins, Symon Hoyte; for the north feild, Goodman Hosseford & David Wilton.

Whereas, their hath beene divers Chardges and expences in former tymes layd out by the first plantes, for securing the necke|| of land and keepinge the Cowes & Goates in some campes :

It is ordered, that every man for future tyme, that put any Cattle in the necke, be of what condition so ever, shall p'sently pay Two shillings an head towards the sayde chardges, as also every Cowe into the heard, p'vided this doth not extend to any that hath formerly payde, neither to any that shall pay after the first tyme, signed,

John Mavericke, John Warham, Will: Gaylard.

\* The initial letter may have been intended for Watertown. The last court that was held there, as recorded on the Court Records, previous to this date, was March 8, 1630-31. There is a space in the Town Records here, unsupplied, and a word or two gone, so that the sense of the latter portion of the paragraph is obscure.

† The above seven names are all that were recorded of this first board of selectmen. The name of Mr. Richards is gone. We give it on the authority of Dr. Harris.

‡ Gad or goad, "an old Lincolnshire measure of ten feet." See *Register*, vi. 261.

§ The former order alluded to, must have been entered in the missing portion of the record.

|| Now South Boston. That portion of it designated as "Washington Village," was formerly the "Little Neck." This village and land adjoining, in measurement about one hundred and fifty acres, was annexed to Boston in May, 1855.—See *Register*, ix. 298.

MOONEDAY, 3 November, 1633. It is now ordered, that if the overseers, aforesayde, do upon vewe, find any pales of the feilds, aforesayde, defective, and give notice to the p'tye that is to amend it, and he doth not do it within Two dayes after, he is to pay 5s. for every 2 dayes, vntil the next meeteing, and then p'sently to be levied.

It is ordered, likewise, that if any doe pull downe any pale, or throwe downe, he is p'sently to amend, or elce to pay 5. shillings for so doing.

It is ordered, that there shall be a generall Rate thorow out the Plantation, to the making and maynetayneing gate\* and fences of the Plantation and bridges, and that the Raters shall be m<sup>r</sup>. Woolcott, m<sup>r</sup>. Johnson, † Geo. Hull, Will. Phelps, Eltwid Pumry and Giles Gibbes. It is generally agreed, that m<sup>r</sup>. Israel Stoughton shall build a water mill, if he see cause. ‡

\* The north gate of the town was probably not far from what is now the line between Dorchester and Boston, a little south of the causeway, on Boston street, and near what was since the residence of Capt. William Clap, deceased.

Deacon James Humphreys, for many years one of the Deacons of the First Church in Dorchester, who died July 13, 1845, aged 92 (See *Register*, iv. 198), has left the following record. "There was a fence running from the old mill by the marsh of Capt. W. Clap and Henry Humphreys, across, a little below and back of said Clap's barn, eastward, to the marsh north of Thomas Moseley's house. There was erected a Gate in the road which led to Mattapan or the neck, which place was called 'Neck-gate-hill.' In the revolutionary war a breast-work was erected nearly on the same spot running in the same direction, and instead of a gate there was a *chevaux-de-frise*. The neck was then in common. The first inhabitants being settled near each other, each one chose his Home lot, and was then allowed by the selectmen their portion of out lands. The neck, as is said, was in Common; they planted their corn there, and raised large quantities of field peas, sowed broadcast; when ripe, they had a toyl called a pea-hook to gather them up, and large loads were frequently brought off, when ripe, as loads of hay. Pea and bean broth not uncommon. When the harvest was gathered in, the Cattle turned on, in Common."

Within the memory of "one of ye oldest inhabitants" "neck-gate-hill" was standing. The boys used to receive a penny or two a piece for opening the gate to transient drivers of vehicles who came that way, being the only place of ingress to "the neck," now South Boston, then thinly inhabited, where a public house of entertainment was kept by Mr. Abraham Gould. On a sign near the house, was inscribed, in large letters, the words—"No entertainment on the Sabbath."

The abovementioned hill has long since been levelled to accommodate the increased travel on Boston street, where the comfortable Mount Bowdoin horse cars now make their half-hourly passages.

The well known serpentine causeway on Boston street has been somewhat raised and widened; in other respects we may suppose that it retains nearly the original shape of the "old cow walk" of more than two centuries ago, when what is now South Boston was one great pasture for Dorchester cattle.

† The surname only, of Mr. Johnson, is given on the records. He may have been Edward Johnson who went to Roxbury.

‡ The veritable Blake in his *Annals of Dorchester*, under date of 1633, says:—"This Year y<sup>e</sup> Plantation Granted Mr. Israel Stoughton liberty to build a Mill upon Neponset River, which I suppose was y<sup>e</sup> first Mill built in this Colony, and y<sup>e</sup> S<sup>d</sup> River has been famous for mills ever since."

*Lynn*.—We are informed, in the *History of Lynn*, that on the 12th of July, 1633, "the inhabitants made a grant to Mr. Edward Tomlins, of a privilege to build a corn-mill, at the mouth of the stream which flows from the Flax Pond," the mill mentioned by Wood, we presume, in 1634. "This was the second mill in the colony, the first having been built at Dorchester the same year." In reference to this Lynn corn-mill, depositions were taken June 3, 1678; among them, one by Clement Coldam, son of Clement, of which the following is an extract:—"This I, Clement Coldam, aged about 55 years, doe testifie, that the grant of the old mill was in July ye 12, 1633, to Edward Tomlins, which was the second mill in this colony." If Coldam's statement be correct, the Lynn grant precedes the Dorchester agreement nearly four months. This need not, necessarily, raise a doubt as to the priority of Stoughton's "grinding" operations. *Lewis's Lynn*, 2d edition, pp. 81, 82; Lewis and Newhall's *History of Lynn*, page 143.

*Plymouth*.—Stephen Deane was allowed by Plymouth Colony, in 1632, "to set up a water worke to beate Corne upon the brooke adjoining to the town of Plymouth for the benefit of the Commonwealth." "Afterwards he was allowed to erect a grinding mill, but to surrender up his beating mill." *Register*, iii. 378; Thacher's *Plymouth*, 1st ed. p. 86.



It is agreed, that their shall be a decent burying place, \* bounden in

*Roxbury.—Newbury.*—Ellis says that "a water mill was built at Roxbury, in 1633, by one Dummer." (*History of Roxbury*, p. 82.) Savage informs us that this was Richard Dummer. He erected the first grist mill in Newbury in 1636. *Winthrop's Journal*, i. 196; *Gage's Rowley*, p. 411. Wood, in his *New England's Prospect* (1634), says of "Roxberry": "a quarter of a mile to the North-side of the Towne, is another River, called *Stony-river*; upon which is built a water-milne."

*Watertown.*—"Neither the exact date nor the builder of the first mill in Watertown has been ascertained; but it was probably built in 1634, by Edward How, at the joint expense of himself and Mr. Matthew Craddock. It was built at the first fall, at the head of tide water, on Charles river, on Mill Creek." "It is probably the oldest artificial mill race or canal in this country that has continued in uninterrupted use." Bond's *Watertown*, p. 1038.

*Ipswich.*—"In 1635, R. Saltonstall had leave to set up a grist mill, with the right, if the town shall need another, to erect it if he choose." Felt's *Ipswich*, p. 95.

*Salem.*—"In 1636, a water mill for grinding corn was erected by William Trask, on the North River, in Salem, above what is commonly known as Frye's Mills." Felt's *Annals of Salem*, ii. 165.

*Duxbury.*—In 1639, Thomas Hiller and George Pollard agreed to set up a grist mill in Duxbury, "as also stampers to beate Indian corne at." Previous to this date, the inhabitants of the town had been obliged to procure their grist from Plymouth, which was very inconvenient. Winsor's *Duxbury*, p. 43.

*Medford.*—Mr. Brooks, in his *History of Medford*, p. 392, says:—"The building of a mill required more iron and stone work than our fathers in Medford were at first prepared to carry through; they therefore adopted the Indian's mill; which was a rock hollowed out in the shape of a half-globe, and a stone pestle. The mortar held half a bushel, and the pestle weighed forty or fifty pounds. A small, flexible tree was bent down, and the pestle so tied to its top as to keep it suspended immediately over the mortar. When the pestle was in motion, the elastic spring of the tree would continue its blows on the grain for a minute or more.

"They found a mill driven by wind, cheaper than one driven by water; nevertheless, the water power here was sufficient, and so convenient that it soon became serviceable."

\* This was the second place of interment, being a part of the present "old burial ground," corner of Boston and Stoughton streets; that portion of it directly opposite the now residence of Mr. Samuel B. Pierce, 2d. It was ordered to be laid out five rods square, as appears by a vote of the town, Nov. 3, 1634. We have no information as to how soon after the laying out of this ground the burials were made. The oldest inscription extant, and with a single exception—so far as we can learn—the oldest in the United States, is the oft mentioned one of Mr. Barnard Capen, who died Nov. 8, 1638 (see *Register*, iv. 165), though the stone which contains it is comparatively modern. The oldest original stone in this ground bears the early dates of 1644 and 1648. See *Register*, ii. 381. See also, Barber's *Historical Collections of Connecticut*, p. 132, and Stiles's *History of Windsor*, p. 51, for the inscription on the monument of the Rev. Ephraim Huet, who died in Windsor, Sept. 4, 1644, supposed to be the oldest original monument in Connecticut, and cotemporary, as will be seen, with the oldest original one in Dorchester, from which town many of the early settlers in Windsor emigrated.

The first burying ground in Dorchester is thought to have been nigh the first meeting house, that is, near the junction of what is now Pleasant and Cottage streets.

William Blake, in his Will of Sept. 3, 1661, proved Jan. 29, 1663, gives "vnto the towne of Dorchester, twenty shillings, to be bestowed for the repairing of the burying place"—this second ground—"soe yt swine and other vermine may not anoy the granes of the saints: prouided it be repaired within one yeare after my decease." *Register*, xii. 153.

On the 18th of March, 1694-5, the town voted to enlarge the burial ground. It was again enlarged in 1728. Ralph, son to Thomas and Mary Blackman, who died the 13th of October of that year, was "ye First that was buried in ye new Addition." See *Register*, v. 358. This ground has been extended at various times, "until it now contains" (says *Hist. of Dorchester*, p. 655) "not far from three acres."

According to Deacon James Humphreys, the enclosure was in the form of a wedge, running from near a point, by the west gate, opposite the present engine house, "in a straight line East of Gov. Stoughton's tomb." "Afterwards," he says, "an addition was made by a strip of land East and running nearly parallel somewhere about Col. Estes Hatch's tomb. The second enlargement runs parallel east of the row of tombs; the third, the land lying back of the late Capt. Edward Bird; the fourth, still eastward, in a straight line, about half an acre, running the whole length of the burying place." We do not know, precisely, how to reconcile the "wedge-shaped" land described by Deacon H., with the ground as laid out "five rods square." Possibly his statement may correspond with its form after the next enlargement.

As it may be of interest, in this connection, to read the old inscription in Fairfax County, Virginia, we quote the following from Howe's *Hist. Coll. of Virginia*, p. 261:

"The annexed epitaph was copied from a tombstone on the banks of Neabscro Creek, in October, 1837. It is, without doubt, the oldest monumental inscription in the United States. From the earliness of the date, 1608, it is supposed that the deceased was a companion of Capt. John Smith on one of his exploratory voyages. — 'Here lies ye body of Lieut. William Hennis, who died May ye 16th, 1608: aged 665 years; by birth a Brittain, a good soldier; a good husband and neighbor.'"

upon the knapp,\* by Goodman Grenwayes, and that shall be done by the Raters aforesayde, and also a bare,† to carry the dead on.

It is order[ed, that a pound shall be] also made and set up, upon the knapp of ground, on[the right hand] of Walter filers and Goodman Hoskeines, out of the publike rate.

It is ordered, that such as desire to have lotts, shall upon the monethly meeteings manifest the same, and then the Company p'sent are to approve of the same, and in what quarter, and then they are to repayre to William Phelps and Ancient‡ Stoughton, and they to set out the same. And such as desire lotts are to allowe in p'sent worke for their paynes, signed,

John Mavericke, John Warham, William Gaylard.

2d December, 1633. It is ordered, that, such as have great lotts, they shall joyne this yeere in paling, and if they will not, then such as are beyond, if they will pale, are to remove to the last that will pale, and he that will not, to go without; every one that will pale to give in his name by to morrowe sevensnight, and they that p'mise to pale, it is agreed that there pales, posts, and Rayles, are to be in place by the last of february next, or elce forfeited their lotts to any one that the Plantation shall thinke fit to pale and enjoy it.

Item, ordered, that Rich: Rocket is to have an acre addition to his home lott, in consideration of removing his pale, in regard a publicke way is to be through his lott.

Item. It is ordered, that William Hosford shall have one of the two great lotts that were captain Southcotts.§

Item, it is ordered, that after the decease of Every p'son that have seates in the meeteing house,|| the officers of the church, in their discretion, to order who shall succeed in those seates, and to be sould, and the money expended for the reparations of the sayde meeteing house, signed,

John Mavericke, John Warham, William Gaylard.

The 6th January, Mooneday, 1633. It is ordered, that their shall be a fort made upon the Rocke,¶ above m'. Johnson's, and that the chardge thereof shall arise out of p'te of the publicke rate now made in the Plantation, and to that end, the sayde rate is to be dobled, which is to be payd to Thommas fford, and Roger Clapp, who are appointed to receive the same, and payment to be made before the first day of february next, at the house of the sayde Thommas fford.

It is agreed, that the great lotts, from m'. Rosciter's to John Hills lott, tow[ards] Naponset, in bredth, and eight score in length, shall

\* *Knapp*, the top of a hill or rising ground. Phillips's *New World of Words*.

† *Bier, beer, bier-balks*, anglo saxon, *baran*, to bear; that which bears. Usually applied to that which bears a corpse to burial; by R. Gloucester. *Richardson*.

‡ Thomas Stoughton, the Ensign, brother to Israel Stoughton. The word *ancient* is corrupted from Ensign; *ancient*, in war, was ensign bearer. *Richardson*.

§ Mr. Thomas and Mr. Richard Southcoate or Southcott, of Dorchester, both desired to be made freemen in 1630. "Capt. Southcoate" took the oath in 1631. Not unlikely this was Richard. In July, 1631, Capt. Southcoate had liberty from the Court "to goe for England, p'miseing to returne againe wth all convenient speede." Probably he did not return to Dorchester, as his name is not found afterwards on the records, and his land was allotted to others.

|| This first meeting house was probably erected in 1631; the second, in 1646; the third, in 1678; the fourth, in 1744; and the fifth, in 1816, which is the present meeting house of the first church and society.

¶ This was probably at what is now Savin Hill, near the summit of which is still to be seen a large flat rock.

be forthwith enclosed by good sufficient Pale, and that the pale shall be set up and finished by the 20 of March next, and whosoever fayles, shall forfeit his sayd lott: And [these] Pales to be sixe foote long, and the rayles to be not above 10 foote betweene the Postes.

Item. It is ordered, that the marsh and swamp before Goodman Hosford and davy Wil[ton] shall be devidid among themselves and Symon Hoyte.

Item. It is ordered, that all trees that are now felled out of the lotts, or shall be hereafter, and not vsed w<sup>h</sup>in three moneths, all men who have occasion to vse them may take them, Provided, m<sup>r</sup>. Israel Stoughton, for the p<sup>r</sup>sent, is given 12 months tyme for such trees as he hath now felled for his house, and the mill which he is to build at Naponset.

Item. It is ordered, that m<sup>r</sup>. Israell Stoughton shall have the privaldage of a weare\* at Naponset, adjoyning to his mill, and shall injoy it from the sayd weare to the bridge, where now it is, over the sayde Naponset, without interruption, as also betweene the sayde weare and the salt water, that none shall crosse the river with a nett or other weare to the p<sup>r</sup>judice of the sayd weare.

And the sayd m<sup>r</sup>. Stoughton is to sell the alewives† there taken, to the plantation, at 5s. p<sup>r</sup> thousand; And that all fish, besides, that is taken there, the Plantation to have at reasonable rates, before any other plantation. And the sayd m<sup>r</sup>. Stoughton is to afford the sayd alewives at a lower rate then 5 shillings p<sup>r</sup> Thousand, if he cann.‡

Item. the sayd m<sup>r</sup>. Stoughton doth p<sup>r</sup>mise not to sell away the sayd mill to any, without the consent of the plantation first had and obtayned.

Item. It is ordered, that moses Mavericke shall have the lott that was allotted for Edward Ransford.

Item. It is ordered, that m<sup>r</sup>. Hill§ shall have that p<sup>r</sup>cell of ground adjoyneing to his former lott, betweene it and John Iles, signed,  
John Mavericke, John Warham.

Mooneday, the 5<sup>th</sup>, 1634. It is ordered, that for all the pale above the Plantation, if any trespasses be done by swine that are not deemed to be vnlawfull, hee y<sup>t</sup> ownes the pale shall pay the trespas, whose corne soever it be, signed,

Saturday 17<sup>th</sup>, 1634. It is ordered, that such as are to make the fences of pale in the new feild, toward Naponsett, and they do not do it by Tuseday night next, whosever doth the same shall have fower shillings a goad for his labour, signed,

John Mavericke, John Warham, Will. Gaylard.

\* "A place or engine for catching or keeping fish (Somner); also a dam, to keep up, keep back the flow of water." Richardson.

† "Weare or Ware, a Stank, or great Dam in a River, fitted for the taking of Fish, or for conveying the Stream to a Mill." Phillips's *New World of Words*.

‡ Alewives, a well-known kind of fish much like herring. Wood, in his *New England's Prospect* (see the beautiful re-print by the Prince Society, page 41), says, in 1634, that *Dorchester* "is the greatest Towne in *New England*; well woodded and watered; very good arable grounds, and Hay-ground, faire Corne-fields, and pleasant Gardens, with Kitching-gardens: In this plantation is a great many Cattle, as Kine, Goats and Swine. This plantation hath a reasonable Harbour for ships; here is no Alewife-river [he had just mentioned one in Weymouth] which is a great inconvenience. The inhabitants of this towne were the first that set upon the trade of fishing in the Bay, who received so much fruit or their labours, that they encouraged others to the same undertakings."

§ Similar votes were passed by the General Court in 1634, in favor of Mr. Stoughton and were also confirmed by the Court.      ¶ John Hill.

The 20<sup>th</sup> of May, 1634. It is ordered, that after Two nights, for any pale that is not done, there shall be 20s. for every goad vndone.

It is ordered, that within these Two dayes, all pig sties shall be removed [from] all the pales of the feilde, upon payne of 20s. a day for every day that [such] piggs sties so stand, not demolished.

It is ordered, that m<sup>r</sup>. Woolcott, m<sup>r</sup>. Johnson, and Walther filer, shall veive the pales of the great lotts, and if they find any pale in sufficient, they shall forthwith give notice to him that is to impall, who, if he doth not amend with in one day after, he shall pay 10 shillings a day for the tyme it standes insufficient, and the sayde p'tyes shall report or deeme the pale sufficient.

Afterward, he whose swine are taken trespassing in the sayd lotts shall make good any trespas shall be by them committed; and the sayde p'tyes or any other, shall amend any pale after the sayd notice, they shall have 5s p' goad for amending them.

John Mavericke, John Warham, William Gaylard.

24<sup>th</sup> May, 1634. It is ordered, that Thomas fford, and John Phillips, shall veive the pales of the East feild, toward the South, and if they find any defect in the pale, to give notice to the delinquent, and the same penalty and conditions of the order of the 20<sup>th</sup> of May to stand in force, to all intents and purposes.

Westfeild.—It is ordered, that Mathew Graunt, George Phillips and John Moore, shall do in like manner, and the like conditions as aforesayd.

Northfeild.—John Hoskeines, and Symon Hoyte to do the like in that feild, and the same conditions in that feild also to stand, signed,  
John Mavericke, John Warham, William Rockewell.

Second June, 1634.—It is ordered, that Goodman Witchfeild and Goodman Hoyte shall have to be devided betweene them the marsh that lies in the north side of the necke, towardes Bosto<sup>n</sup>, over agaynst m<sup>r</sup>. Rainsfords house,\* in Boston, being for 8 acres, by estimation.

Item. John Hoskeines senior to have four acres of medow in the necke, where the dogg was killed.

Item. Thommas Geofry to have the lott was m<sup>r</sup>. Egelstones,† by m<sup>r</sup>. Hathorne.

It is ordered, that the captin‡ shall have 30l p'annum, to begin at the begining of January last, and that m<sup>r</sup>. Rosciter and George Hull, Ancient Stoughton, Richard Collicott, m<sup>r</sup>. Williams,§ John Pearce, John Bursly, shall make a rate to levy the same. m<sup>r</sup>. Hathorne 2 acres is to have in the dead Swamp.

It is ordered, that Richard Collecott may have a roome to build an house in the place called the church yeard.

William Gaylard, William Rockewell.

\* Edward Rainsford lived in Boston, on the north side of the cove which bounded him on the south. He left Dorchester, we may suppose, previous to Jan. 6, 1633, when land that had been allotted him, was then granted to Moses Maverick. (See *ante*.)

† It is generally thought that Mr. Bagot Egglestone went to Windsor after this, in 1635 or 1636, but his land being now transferred to another person is a strong indication that he was not at the above date an inhabitant, or that he had given up his right to the allotment. See a genealogy of the Egglestone family in Stiles's *Windsor*. His first name is variously written.

‡ This was the afterwards celebrated Capt. John Mason, so conspicuous in the Pequod war and elsewhere; a true soldier, a man of great courage and daring, a very useful and prominent citizen. He commanded the "Dorchester Band," Nov. 1633; Israel Stoughton, ensign. See the record for Dec. 29, 1634; *Hist. of Dorchester*, p. 65.

§ Roger Williams emigrated to Windsor.

The first of September, 1634. There is granted to Alexander Miller, servant to m<sup>r</sup>. Stoughton, 3 acres of ground, lyeing without John Phillips lott, toward naponsett.

John Grenway is to have 2 acres and halfe of medow, to make up his medow at home, adjoining to the necke where his 8 acres was formerly graunted.

It is ordered, that the lott which was graunted formerly to John Rockett, shall be transferred to Robert Elway.\*

It is ordered, that m<sup>r</sup>. Nathaniell Hall, shall have 3 acres which was formerly graunted to m<sup>r</sup>. Captin Lovell.

It is ordered, that m<sup>r</sup>. Johnson shall have Twelve acres neere his medowe, upp naponsett.

Item, it is ordered, that Bray Clarke and John Allen shall build an house upon the Rocke, by John Holman.

It is ordered, that within o<sup>r</sup> Plantation, none shall take upp a lott before his tyme be determined with his M<sup>r</sup>., within a moneth or Two.

Item, John Nile, fran. Tuchill,† John Levit, Thom Rawelines, John Knite, Bray Clarke, John Allen, Thom Tilestone, Aron Cooke, shall have 3 acres a peece, upp Naponset. Andrew Pitcher.

Item, it is ordered, that m<sup>r</sup>. Newbery shall have 30 acres for his accommodation in the Plantation.

Item, it is ordered, that m<sup>r</sup>. Newbery is to have for his purchase, that he bought of m<sup>r</sup>. Pincheon,‡ the house m<sup>r</sup>. Pincheon built, 40 acres of upland ground to the house, 40 of marsh, 20 acres in Quantity necke.§

Item, it is ordered, that Rich: Callecott shall set up an house without the pale, and halfe an acre for a garden.

Whereas, William Hosseford, desiring to have some medowe next M<sup>r</sup>. Williams, which could not be graunted, nowe, therefore it was graunted that none should have a lott their vntill he be heard therein.

October 28, 1634.

m <sup>r</sup> . Newbery.	It is agreed, that their shall be Tenn men chosen to
m <sup>r</sup> . Stoughton.	order all the affayres of the Plantation, to continue
m <sup>r</sup> . Woolcott.	for one yeere, and to meete monethly according
m <sup>r</sup> . Duncan.	to the order Oct. 8, 1633, in the page 15 ;   and
Go. Phelps.	no order to be established without seven of them, at
m <sup>r</sup> . Hathorne.	the least, and concluded by the major p <sup>e</sup> of these
m <sup>r</sup> . Williams.	seven of them ; and all the inhabitants to stand bound
Go. Minot.	by the orders so made, as a fore sayd, according to
Go. Gibbes.	the scope of a former order, in May 11 <sup>th</sup> , 1631.¶ At
m <sup>r</sup> . Smith.	this meeteing, Tenn men were chosen, whose names
	are inserted in the margint.

It is agreed, that whosoever is chosen into any office, for the good

\* Robert Elwell, says Savage, removed to Salem in 1633, went thence to Gloucester, was a selectman there in 1648, &c. See an extended notice of Mr. Elwell and his family in Babson's *Hist. of Gloucester*, pp. 87-90.

† This name is written Tuchill, Tichel and Tuchine, on the Dorchester Records. See *Register*, ix. 344. It is now called Twitchell. See genealogy of the family in Morse's *Genealogy of the Descendants of several Ancient Puritans*, pp. 247-358.

‡ William Pynchon, one of the settlers of Springfield.

§ Probably the peninsula of Squantum, which was annexed to Quincy in 1855. The act passed by the Legislature was signed by the Governor June 15th of that year.

|| This order is to be found on the sixth page of the original.

¶ Entered, we presume, on the missing pages of the record.

of the Plantation, he shall abide by it, or submit to a fine,\* as the company shall thinke meete to impose.

Nicholas Vpsall is chosen vnto the office of Baylife,† in this Plantation, for the yeer ensuing, and is by vertue of this office to Levie fines amer[ced], and rates, by way of destryneing goods or impounding cattle for the [satis]ficing of them.

November 3, 1634. It is ordered, that no man within the Plantation shall sell his house or lott to any man without the Plantation, whome they shall dislike off.

It is also ordered, by the p'sons above elected, that every of them, shall meete the first Monday in every moneth at 8 of the Clocke in the morning, and in case of defect to pay 6*d.* (if he come not before 9 of the Clocke to forfeite 12*d.*), if they come not at all, to forfeite 2*s.* according to the former order, October 28: 1634.‡

It is also ordered, their shall be a sufficient cart-way, be made to the mill, at Naponset, at the common chardge, if the chardge exceed not above five pounds.

It is also ordered, that the New buryng place,§ last agreed on, shall be forth with impalled with doble rayle and Clere bord, pale fivve rod square.

Its also ordered, that there shall be a post stayres made to the meeteing house, in the outside. And the loft to be layd, and a window in the loft.

Its also ordered, that the common gates shall be forth with made and set up sufficiently with the pales belonging to the same, one at m<sup>r</sup>. Woolcots, one at Walther filers, one at Goodman Poapes,|| one at Goodman Grenwayes, and to be palled betwixt William Horsefords lott, and the Creeke. Also, a pound to be made with sawne barrs and Postes, to be set all the newe way next m<sup>r</sup>. Maverickes.

Its ordered, that no man shall fall the trees y<sup>t</sup> stand at the Corner of M<sup>r</sup>. Newberyes¶ Lott on the Rocke; also the trees neere William Horseford's house are to remayne to his use.

November 22<sup>th</sup>, 1634. It is ordered that Thomas Thorneton, Thomas Sandford, Henry Wright, shall have four acres of ground, on the west side of the way, by m<sup>r</sup>. Hathornes\*\* by the brooke, on Roxbury boundes. Thomas Thorneton is to take [his] 4 acres first, and the other if it be their to be had.

It is ordered, that John Poape and Thom: Swift shall have each of them 5 acres of ground adjoyning to the lotts of Witchfeild, John Newton, etc: also adjoyning to them, Thom: Baskecomb, Aron Cooke, John Gapin,†† are to have each of them 4 acres.

It is ordered, that Thom: Andrewes shall have 2 acres of ground

\* The people were not so desirous of "the honors," as at the present day. A fine for non-acceptance of office would look queer on our modern records. We quote the following of more than a century ago. "Dorchester, March 1st, 1757. Received of Mr. Henry Humphrey the sum of Two pounds thirteen shillings and four pence Lawful money, in full, for his fine for not serving as a Constable, to which Office he was chosen in March last past, at a regular Town Meeting. I say Rec<sup>d</sup>. by me, Noah Clap, Town Treasurer."

† Nicholas Upsall was the first Bailiff chosen in town. This office was continued until 1663, when Blake says tersely—"Bayliffs no more."

‡ How would similar fines for non-attendance and tardiness operate in the legislative and municipal bodies of 1867?

§ See a previous note, under date of Nov. 3, 1633.

|| John Pope.

\*\* William Hathorne.

¶ Thomas Newbury.

†† Probably John Capen.

*more likely John Capen*

betwixt m<sup>r</sup>. Hathornes house and the high way from Roxbury, also John Witchfeild to have one acre and the rest of the ground m<sup>r</sup>. Hathorne is to have appropriated vnto his lott.

It is ordered, that John Nile; Francis Tuchine, John Levit, Thom [Rawlines], John Knite, John Alline, Thom Tilestone, Aron Cooke, Andrew [Pitcher], Richard fry, George Strang.

Joseph Holly, Joseph Clarke, shall have six acres of land graunted them [for] their small and great lotts at Naponset betwixt the Indian feild and the mill; also Giles Gibbes is to have 3 acres at the same place.

Its also graunted to m<sup>r</sup>. Richards\* to have 6 acres of land adjoyn- ing to those formerly named.

December first 1634. It is ordered, that Rodger Clapp, John Hulls, Geo: Phillips, William Hulbard, Stephen ffrench, John Haydon, shall have 8 acres a peice on Roxbury boundes, betwixt the Two markt trees, to begin at either end which they shall agree off, to go in 40 rod from the boundes of the fresh marshes are to be excepted from these lotts.

m<sup>r</sup>. Hathorne to have 12 acres on this side of the markt tree, Thom. Holcomb to have 8 acres, Nicholas Vpsall to, Thomas Duee† to have 8 acres w<sup>th</sup> them, Richard Collecott to have 10 acres.

m<sup>r</sup>. Richards, Richard Collecott, Thom Holcomb, Thom Duee are to cast their lotts together next to those above named.

Its ordered, that all these shall fence in the lotts agaynst the next spring or to leave them to such as will so doe.

It is graunted, that m<sup>r</sup>. Newbery shall have the hedgey ground that lies in the bottom, betwixt his house and the water, next to m<sup>r</sup>. Cot- tington's farme, in p<sup>te</sup> of the medow that he is to have.

December 29, 1634. It is ordered, that the rate that is to be payed to captin Mason for his mayntayneance shall be forthwith gathered by Nicholas Upsall.

It is ordered that a gate shall be set up in the common path in the great lotts, by Richard Collecotts house, to be made and maynteyned at the chardge of such as have ground§ their.

It is ordered, that the ends of the great lotts that are not impalled shall be inclosed by the first of Aprill next, from m<sup>r</sup>. Warhams lott to henry Smithes lott, and in defect, to pay for every goad, 5s.

It is also ordered, that if any hoggs commit any trespasse in any of the corne feilds within the Plantation, that the owner of the Pall where they breake in shall pay the on halfe of the trespasse\* Provided that all piggs vnder the age of 3 quarters shall not be lyable to pay any trespasse.

And therefore every man is ordered to make his Pale sufficient by the first of Aprill, as shall be approved of by such as are appoynted to vew it, upon payne of 5s for every goad that is found defective, and so at all tymes to mayneteyne it sufficient.

febr 10, 1634. It is graunted, that Thomas Marshall shall have 8

\* Thomas Richards.

† Thomas Duee was the ancestor of the late Judge Charles A. Dewey. We were under a mistake in writing this name *Duce*, in the present volume of the Register, page 195, as was also Rev. Dr. Harris in his transcript from the original volume.

*\* and the swine shall pay the other half  
of the trespasse.*

goad in bredth, next vnto Thomas Gu[nn\*] in the late buriall place, † for building.

It is graunted, that the plat of ground betwixt m<sup>r</sup>. Parkers and the bridge, conteyning 7 acres and halfe shall be devided, 2 acres to cap-  
tayne Mason, 2 acres to Jn<sup>o</sup> Hollahd, and 3 acres and halfe to Roger Mathewes, George Procter. r 2

It is ordered, that fower bulls shall constantly goe with the drift of Milch Cowes, and for the yeare ensuing m<sup>r</sup>. Israel Stoughton is to keep on bull, William Rockewell on, and Thomas fford 2 bulls, and for their pay they are to have 12<sup>d</sup> for every milch Cow. e 14

Also for the necke of land with the heyfers, m<sup>r</sup>. Holman is to keepe one bull, and Symon Hoyte one, Thomas fford one, and to have the like pay as the Cowes.

It is also ordered, that there shall be a sufficient cart way made betwixt the rocke and m<sup>r</sup>. Richards house or elce to goe thorow his lott according to a former order.

Giles Gibbes † was defectiue in comming to the meeteing febr: first. for the p'venion of publike complaynts for defect of payments in the Plantation, it is ordered, that such as are defectiue at the ap-  
poynted tyme of payment in any Rates, taxations or payments, the names shall be brought in to the p'sons appoynted by the Plantation for publike busenesses, before they make any publike complaynts of it, and by them some course to be taken for the speedy satisfying of such defects.

It is graunted, vnto Hugh Rosciter and Richard Rocket to have each of them 8 acres of land on the west side of the brooke adjoyning to m<sup>r</sup>. Rosciter<sup>s</sup> ground, as farr forth as the Plantation hath any right to dispose of it.

It is graunted, to m<sup>r</sup>. Israel Stoughton to have sixe rod square at m<sup>r</sup>. Rossiters fish house, for the building of a house to put Corne baggs in for the mill, for which he hath p'mised to leave so much on the knapp before his shopp formerly graunted him.

It is graunted, to m<sup>r</sup>. Egelstone to have 3 acres of ground in the Necke behind his lott.

The persons appoynted to veiwe the pales are, for the great lotts, m<sup>r</sup>. Woolcott and m<sup>r</sup>. Terry; for the West feild, Thom: Moore and Walther filer; for the South feild, Thomas fford and Cristopher Gibson; for the East feild, Will. Phelps and m<sup>r</sup>. Thomas Stoughton; § for the North feild, Will. Horsford, Rodger Clapp.

\* Thomas Gunn removed to Windsor (see Stiles's History), afterwards to Westfield, Mass., where he died Feb. 25, 1650. See Register, vi. 267, 270; Savage's Dictionary.

† Near the first meeting-house. See Note, ante.

‡ Mr. Gibbes, it will be remembered, was one of the ten selectmen, chosen on the 28th of October previous, who were "to order all the affayres of the Plantation," "and to meete monthly."

§ Thomas Stoughton was a brother of Capt. Israel Stoughton, of Dorchester, Mass., and of Rev. John Stoughton, D.D., of London, Eng. A letter from Israel, to his brother John, will be found in the Proceedings of the Massachusetts Historical Society, 1860-2, pp. 134-43. See also Hist. and Gen. Reg., vol. xiv. p. 101; vol. xxi. p. 249.

Among the posthumous publications of Dr. Stoughton, we have in our possession the following, printed in 1640, viz.:

"A Forme of Wholesome Words; or an introduction to the Body of Divinity; in three Sermons on 2 Timothy i. 13." 8vo. pp. 95.

"The Righteous mans Plea to true Happiness. In 10 Sermons on Psal. 4, 6." 8vo. pp. 135, 149.

"A Learned Treatise: in three parts. 1. The Definition. 2. The Distribution of Divinity.



ing E April 17<sup>th</sup>, 1635. It is ordered that Nicholas Vpsall and Mathew Graunt\* shall p'ceed in the measureing of the great lotts as they have begun, for which they are to be payed 2<sup>d</sup> an acre by the owners of the land, and this measure to stand for continuance.

It is ordered, that m<sup>r</sup>. Newbery and m<sup>r</sup>. Wollcott shall have power to lay out a yard for Tho: Geofery where they shall thinke fit, neere Goodman Randel, if so be he vse the same for a yard.

It is ordered, that there shall be a way palled out from the burying place to m<sup>r</sup>. Brankers,† by the 16 day of May next, to be palled by the severall men that owne the lotts, and whosoever shall be defective to pay for every rod not palled, 5<sup>s</sup>; by order to stand the 25 March.

15 It is ordered, that John Phillips and Thomas Hatch shall have each of them 2 acres of land that lyes betwixt the ends of the great lotts, and 3 acres that is graunted to Alexander Miller, if so much be there, p'vided they leave a sufficient high way at there great lotts e[ach]. It is graunted to John Grenway and John Benham to have devided betwixt them 4 acres of land, on the pine necke, formerly graunted to John Goite on condition that he come not over to possesse it the next Somer,‡ which ground is graunted them to make good the ground which they left out in their home lotts.

It is graunted, to Giles Gibbes, to have 2 acres of medow ground betwixt m<sup>r</sup>. Thomas Stoughtons lott and the sandy poynt at the necke.

It is also ordered, that the lott of medow that was Symon Hoytes,§

3. The Happinesse of Man: as it was Scholastically handled by John Stoughton, D.D., in Immannell Colledge Chappell in Cambridge, while he was fellow there: and now published according to the Copy left under his own hand." London: 1640. Svo. pp. 100.

\* Matthew Grant—whose name first occurs on the Dorchester Town Records, April 3, 1633—was the ancestor of Gen. Ulysses Simpson Grant. See an article on the "Grant Family," pages 173-176, in this volume of the Register, communicated by John Ward Dean, of Boston, in which it is shown, conclusively, that the General is of the eighth generation in descent from Matthew, of Dorchester, and that the assertion of the Rev. P. C. Headley, in his Life of General Grant, that the ancestor of the General came to America and settled in Pennsylvania, is erroneous. It was Noah Grant, the grandfather of the General, born in Connecticut June 20, 1748—one hundred and forty-eight years, or about a century and a half after the advent of Matthew to these shores—the sixth generation in descent from the Dorchester emigrant, who went from Coventry, Conn. to Pennsylvania, after the war of the Revolution, and settled there! Matthew Grant, of Dorchester—the first comer—afterwards the noted Town Clerk and compiler of the *Old Church Record* of Windsor, Conn., had sons that were natives of Dorchester, of whom Samuel, born Nov. 12, 1631, was the gr. gr. grandfather of the General. So that the town of Dorchester may lay a valid genealogical claim to Gen. Grant as a lineal descendant of one of her early sons.

† John Branker, who was subsequently the first schoolmaster in Windsor, Conn. "He occasionally delivered the 'weekly lecture' before the church," there; "died May 29, 1662, and his widow Abigail married the Rev. Mr. Warham." Stiles's *History of Ancient Windsor*, page 446.

‡ It would seem that John Goite was absent at this time. The record of his grant of four acres on *pine neck*, was probably on the missing leaves before referred to. Without doubt this was the "necke of Land," of "Edward Raymond, John Grenway and John Goyte" (not *Goyre*, see page 173 of the *Register*), mentioned in the first paragraph of the records, as we now have them.

In the *Lond. Notes and Queries* for Dec., 1858, p. 468, we find this definition of the word *Goyt*. "This word means a drain or water-course. It also signified, of old, a channel, or narrow passage of the sea. It is found in almost all the Teutonic languages, but is most probably of Celtic origin. Welsh, *gwyth* (*w=oo* or *oo*), a drain or channel; Gaelic, *guitear*, a sink or drain; Eng. *gutter*. The root is *gwy* or *tey*, water, stream. The Welsh word *gwyth* is also the Celtic name of the Isle of Wight, the derivation of which has so much perplexed our antiquaries. It means the Isle of the Channel, referring to the Solent.

JOHN DAVIES."

§ See record—June 2, 1634. Stiles says (*Hist. Windsor*, page 139), that Simon Hoyt "perhaps came to Windsor in 1639—removed to Fairfield." He was in Dorchester as late as Feb. 10, 1634-5. See *ante*.

next to boston side, Joyning to John Witchfeild, shall be devided betwixt m<sup>r</sup>. Rodger Williams and Gyles Gibbes.

It is graunted, to m<sup>r</sup>. William Horseford, to have 4 acres of medowe ground, next to Goodman Denslowes\* Medow ground.

It is also graunted, to m<sup>r</sup>. Williams, to take 2 acres of medow ground after William Horseford.

It is graunted, to m<sup>r</sup>. Tilly to take up 4 acres of medow at the necke, if so much be there after m<sup>r</sup>. Williams and William Horseford.

ε It is graunted, to Jonathan Gflet, to fence in halfe an acre of ground about his house, leaving a sufficient highway.

It is graunted, to John Haydon, to have an acre and halfe of swamp betwixt the Wolfe Trapp and the dead swamp.

It is agreed, with Thomas Thorneton and Thomas Sanford to vnder take the keepinge of the Cowes for the space of 7 Moneths, to begin the 15<sup>th</sup> of Aprill, for which they are to have 5<sup>s</sup> 3<sup>d</sup> the Cowes, if there be six score; if not so many, the owners of the Cowes are to make up their pay 31<sup>th</sup> 10<sup>s</sup>; if there be more, they are to take their advantage, and this to be payed the one halfe in May, and the other halfe at the 7 Moneths end.

In consideration whereof the foresayd p'tyes do p'mise to fetch all the Cowes from Jonathan Gillets house to m<sup>r</sup>. Woolcotts, and from John Greenwayes to Walther filers, and to drive them forth in the morninge an hower after sun rising, and at comming in to drive them thorow and turn over the bridge those that are beyond that way: also one of them doth p'mise to Keepe them every lord's day and the Plantation to find an other according as shall be agreed in an equall p'portion:

It is graunted, to George Minot to have six acres of Marsh over agaynst fox poynt,† also to Jonathan Gillet, 4 acres next to him at the same place, and to the widow Purchase 4 acres more in the same marish:

It is graunted, that Thomas fford shall enjoy a p'cell of ground to the valew of 2 acres, which he hath impalled in m<sup>r</sup>. Ludlowes Necke,‡ which was graunted to Peter Peecke, [?] Provided, that he leave a sufficient high way, if it be thought fit by the Plantation.

July 5<sup>th</sup>, 1635. It is graunted that Thomas Duee shall have 2 acres of moweing ground, neere the fresh Marsh, which he hath formerly mowen, in satisfaction for on acre of ground which he left in common at his house.

If there be no exception agaynst, by the next meeteing.

It is graunted to William Phellps to fence in 2 acres and halfe of dry ground adjoyneing to his medowe ground in the little necke, in satisfaction for what he wants in his home lott.

Whereas there is a former order for all swine that shall trespasse in any of the Corne feilds, the pale where the swine come in to pay one halfe and the swine the other: It is now further ordered, that such

\* Nicholas Denslow.

† Fox point, a small promontory running out northeasterly from Savin Hill. On the North, is "Old Harbour," "so called from being the place where the first settlers of the town came on shore." Rev. T. M. Harris, D.D. in *Mass. Hist. Coll.* vol. ix. p. 163.

‡ "In November, 1632, he" [Roger Ludlow] "obtained from the Colonial Government a grant of one hundred acres of land, lying between 'Musquantum Chappell and the mouthe of Naponsett,' a part of the Squantum farms known as Ludlow's Point." *History of Dorchester*, page 63.

swine as trespasse shall be impounded and there to be kept till the owner shall pay the trespasse, as shall be Judged by Two of the members : and if the owner in 3 dayes after notice take not of the swine and satisfie the trespasse, then it may be lawfull for the Baylife to sell the swine as he can, and pay the trespasse and returne the over pluss to the owner :

also ownour of the pales where swine come in, it shall be lawfull for the Baylife to attach his goods and satisfy halfe the trespasse according to the former order.

And further it is ordered, that the same Course shall be taken for the levying of any trespasse that shall be committed by goates or other cattle.

It is ordered, that if any breake Oop the pound or take out cattell violently shall forfeit 5 pound sterling, to be employed for generall works in the Plantation ; and if it cannot be proved who brake the pound, then the p'ty that is the owner of the Cattell shall fill the pound agayne, or elce he shall be taken to be the trespasse' :—

The 12<sup>th</sup> August, 1635. These are to testify, to all whome it may concerne, that I, Thomas Holcombe,\* have sould and give full possession vnto Richard Joanes, both of Dorchester, 4 acres of ground, with my houses and all things thereto p'tayning, and 8 acres of ground of my great lott on Roxbury bounds, and 6 acres of medow ground on the side Naponset river, and 3 acres on the other side the river :—

I, Thomas Duee,† of Dorch: do like wise fully confirme vnto Richard Joanes of Dorch: and give him full possession of 4 acres of ground, with my house and all thereto belonging ; also, 8 acres of ground of my great lott, also 10 acres of medowe on the side Naponset, and 4 acres of medowe on the other side, and 2 acres of medowe in the fresh marsh.

⊞ The marke of Thomas Duee.

The ij<sup>th</sup> day of November, 1635. It is ordered, that M<sup>r</sup>. Nathaniell Duncan, M<sup>r</sup>. Demicke,‡ Thomas fford, and Mathew Graunt, or any two of them shall have power to lay out an hundred and fifty acres of medow to M<sup>r</sup>. Israel Stoughton, in a medow lying six miles above his mill at Naponset river, and was graunted him by order of Court ;§ And likewise next there vnto out of an hundred acres of medow vnto m<sup>r</sup>. Thomas Newbery, as that was likewise graunted him by order of Court,|| togeather with an hundred acres of Vpland ground.

And likewise it is ordered and agreed upon, whereas m<sup>r</sup>. Newbery hath relinquished a former graunt from the Plantation of 40 acres of Marish and 20 acres of Vpland in squantum Necke, he is now to take all the ground from his house to m<sup>r</sup>. Willsons¶ farme, in consideration thereof.

\* He removed to Windsor, where he died in 1657. His widow married James Eno or Enno, in 1658. See a brief genealogy of the family in the History of Windsor, page 665.

† Mr. Dewey, also, removed to Windsor; married Frances Clark, March 22, 1638; he died April 27, 1648, and his widow married George Phelps, Nov. 2, 1648. He had children, Thomas, Josiah, Anna, Israel, Jedidiah. For the dates of their baptisms see Stiles's Windsor, page 578.

‡ Thomas Dimmock, Dimick, or otherwise written, selectman this year, removed to Hingham 1638, to Scituate 1639, and to Barnstable in 1640, where he was Ruling Elder and Representative.

§ September 25th, 1634.

|| March 4th, 1634-5.

¶ The General Court on the 1st of April, 1634, granted to the Rev. John Wilson, pastor of the First Church in Boston, two hundred acres of land at the North river, "nexte

It is ordered, that John Levite shall have 8 acres of Upland ground and 4 acres of Marsh ground, to lye on the West side of m<sup>r</sup>. Ludlowes Necke, next Naponset river.

It is granted to John Hulls, to have 2 acres of medowe that lyes in a small gurt on the side the fresh marish.

It is graunted to Joshua Charter, to have 3 acres of medow ground in the fresh Marish, next M<sup>r</sup>. Rodger Williams.

It is graunted to m<sup>r</sup>. William Hill, to have 9 acres of Upland ground in the litle necke at Squantum, in Lue of 12 acres he was to have there in lott.

It is graunted to William Hannum, to have one acre of Meadow ground in the fresh marish.

The names of such as are chosen for ordering the affayres of the Plantation, November 1635, to continue for halfe a yeere.

William Philps.	m <sup>r</sup> . Roger Williams.
Nathaniell Duncan.	George Minot.
m <sup>r</sup> . George Hull.	John Phillips.
m <sup>r</sup> . Democke.	m <sup>r</sup> . Newbery.
William Gaylar.	

Walther filer, is chosen Baylife for this halfe yeere, and it is ordered that he shall levie all rates, fines, or ameracements for the Plantation by impounding the offenders goods and there to detayne them till satisfaction be made; and if the owner of the goods doe not make satisfaction within fower dayes, it shall be lawfull for him to sell the goods and returne the overplus to the p<sup>t</sup>ie offending, and to be allowed twelve pence for every distresse, and ij<sup>d</sup> for every impounding; and if the sayd Baylife shall [be] negligent in dischardgeing his office, and delay the taking distresse, he shall be liable to a fine as shall be thought fitt p' the Tenn men.

The 17<sup>th</sup> day of December, 1635. It is ordered, that Robert Deeble shall have in lardgement of Two goad in length from his house vpward, and that his sonne T[homas] Deeble shall have six goad next him to goe with a right lynē vp from the pale before his house, on condition, for Thommas Deeble to build a house there, within one yeere, or elce to loose that goad graunted him.

It is ordered, that Thomas Andrews shall have Three acres of ground next his house, neere m<sup>r</sup>. Hathornes, in leive of a great lott, and that he pale it in, to leave a sufficient high way of Three goads, at least.

It is ordered, that George Minot shall have halfe an acre of ground neere m<sup>r</sup>. Newberys pale, for building a house.

It is ordered, that William Rockewell shall have halfe an acre of ground next m<sup>r</sup>. Stoughtons, neere the fish house, to build him an house, with condition, that if he goe away, and leave the Plantation, he leave the sayd house and ground to the Plantation, in paying him the chardge.

It is ordered, that no man shall fell any trees within 20 goads of the meeteing house, upon pennalty of Tenn shillings for every tree that is felled, to be levyed by distresse vpon his goods.

Meadford on the north." On the tenth of December of the same year, the authorities of the town of Boston ordered, that in lieu of this land granted him by the Court, he should have the same quantity "at Mount Woolleston at his election," Mr. Wilson to "passe over to the towne of Boston" the two hundred acre farm at Medford. The land at Mt. Wollaston was to be as near his other land there "as may be for his most conveniency."

It is ordered, that Thomas fford shall have six acres of the fresh marsh neerest the Towne, in liev of 2 acres he was to have from m<sup>r</sup>. Newbery, over the Watter, and more that he was to have there.

It is ordered, that m<sup>r</sup>. Stoughton, according to a veiu made by men appoynted for setting out his 150 acres of fresh marsh, that from above a stake set up by him about the vpper end of the Marsh, he is to take that p'te above, to the Cedar swamp, except on acre all above for Thirty acres, and so to measure out the Rest of his hundred and fifty acres, downe wards, of both sides the water, the 30 acres also be taken of both sides the River:—

It is ordered, that m<sup>r</sup>. Newbery shall measure out his hundred acres of the same marsh, following, on this side the river, if so much their, or elce to take it over the Water.

The 4<sup>th</sup> of January, 1635. It is ordered, that the p'tyes here vnder written, shall have great lotts at the bounds, betwixt Roxbury and Dorchester, at the great hill, betwixt the sayd bounds, and above the marsh as foll. not to inclose medowe.

Henry Fookes 20 acres.  
Widdow Purchase 16 acres.  
Mathias Sension\* 20 acres.  
Thomas Thorneton 16 acres.  
Thomas Samfford 16 acres.  
William Sommer† 20 acres  
Roger Clap 16 acres.  
Aron Cooke 16 acres.  
John Pope 20 acres.  
m<sup>r</sup>. Pinny 20 acres.

Henry Wright 20 acres.  
William Hannam 16 acres.  
Barnard Gapin & his sonne 30 acres.  
Thomas Swift 20 acres.  
Robert Deeble & his sonne 30 acres  
M<sup>r</sup>. Demicke 20 acres.  
John Eales 20 acres.  
George Procter 20 acres.  
Richard Wade‡ 20 acres.  
Robert Winchill 16 acres.

The 18<sup>th</sup> January, 1635. It is ordered, that all the hoame lotts within Dorchester Plantation which have bene granted before this p'sent day shall have right to the Commons, and no other lotts that are graunted hereafter to be commone<sup>r</sup>. Also, that Two men shall not Common for one hoame lott.

It is ordered, that Thomas Marshfeild shall have 12 acres of Planting ground, on Squantum necke, which was formerly graunted him for his great lott.

It is ordered, that John Moore shall have Tenn acres for his great lott in the same place:—

It is ordered, that Edmond Munnings, Joseph flood, Thomas Joanes, shall have each of them 8 acres on Squantum Necke as an addition to their great lots on Roxbury bounds, bought of William Hulbert, John Haydon, and George Phillips.

It is ordered, that Elias Parkeman shall have a great lott of Tenn acres at Sq'antum necke.

*St John* --- \* Mathias Sension went to Windsor. He is called Matthew in the *History of Dorchester*.  
+ We may suppose that this name is intended for William Sumner or Sommer.  
‡ Richard Wade, freeman 1637, at which date he had a division in the lands at Dorchester neck, now South Boston, was in Lynn a short time, about 1637, says Lewis and Newhall's Lynn (p. 216); removed to Sandwich, where he had an allotment of land in 1641, but he disappears, says Freeman, after that date. His name is not found in the *History of Dorchester*. Dr. Harris gives a Robert Wade, in 1635, in his "List of the First Settlers in Dorchester, or those who were inhabitants previously to 1636"; but we find no such name on the Town Records.

It is ordered, that M<sup>r</sup>. Gilbert, M<sup>r</sup>. Makepeace, M<sup>r</sup>. Joanes, Richard Collicott, George Dyar, and Walther filer shall make a rate for fiftene pounds for Captine.

The 1st of february, 1635. ——— William Gaylar shall have about 2 acres of medowe next [about half of a page is here gone].

It is ordered, that Will. Summer is to have 3 acres of the fresh marsh next Goodman fford. 20

It is ordered, that John Phillips shall have for Edward Hart Three quarters of an acre medowe at Squantum necke.

It is ordered, that whereas their was graunted to M<sup>r</sup>. Williams 8 acres next to John Moores lott, for his great lott, that now the Rest that is there shall be added, to the value of 6 acres more.

The names of those which have medow graunted them, the 18<sup>th</sup> febreru: 1635. In the fresh marsh neerest the Towne.

## first Marsh.

Oliuer Purchase 2 acres  
Thom. Thorneton 2 acres  
Goodman Sampford 2 acres  
Henry Wright 2 acres  
Christopher Gibson 2 acres  
Saunder Miller\* 2 acres  
Austin Clement† 2 acres  
John Binham j acre  
Thom Swift j acre  
m<sup>r</sup>. Democke 2 acres  
Richard Callecot 4 acres  
George Minot 6 acres  
George Hull 2 acres  
John Phillips 6 acres  
Nathaniell Duncan 2 acres  
John Pearce 2 acres

## Second Marsh.

m<sup>r</sup>. Joanes. 5 acres  
Jos: ffood. 3 acres  
Will. Preston 3 acres  
Roger Clap 2 acres  
Good. Hill 2 acres  
m<sup>r</sup>. Makepeace 2 acres  
m<sup>r</sup>. Bates 2 acres  
William Hannam 1 acre  
George Procter 2 acres  
John Miller 2 acres  
Barnebe ffoer and  
John Smith 4 acres  
Thom: Stilestone 2 acres  
Kemmerly‡ 2 acres  
Joshua. Tuchill 2 acres  
David Price 2 acres  
m<sup>r</sup>. Holman 4 acres  
Richard Rocket 6 acres

[half a page gone, being the other side of the leaf ]  
Giles Gibbs 10 acres. 21

It is ordered, that all the feilds for Corne shall be inclosed p' the fourteenth of March, and whosoever is defective in doing it shall pay five shillings, to be levyed p' distresse, and after that day any hoggs found in Corne feilds shall be impounded and pay damadge, according to order of Generall Court.

The first of March, 1635. It is ordered, that the ground that was left betwixt William Gaylard and Eltwid Pommery which was left for a high way shall now remayne to the vse of William Gaylard till the Towne shall agayne require it.

It is ordered, that whereas Walther filer was by vertue of his Bay-life office to levy all rates, fynes, and ameracements p' pounding the offenders goods, and so to sell the goods and returne the overplus, as

\* Alexander Miller.

† Augustin Clement.

‡ Thomas Kimberly, who, with his wife Alice, according to Mr. Savage, removed to New Haven, in 1639; married again and removed to Stratford, where he died in 1673; had children enumerated in the *Genealogical Dictionary* of the above.

in the order made in November, 1635, he hath now further power given him, not only to recover such rates and fines by pouncing of cattle or piggs, but also to distrayne any other goods, and thereof to make sale to pay such rates or fynes, and to Returne the overplus to the offenders.

The 27 June, 1636. A meeteing of 12 men, formerly chosen by the Plantation for ordering the affayres thereof, whose names are vnder written.

Mr. Ludlow.	Richard Callicot.
Mr. Stoughton.	Austin Clement.
Mr. Duncan.	Mr. Demicke.
Mr. Hull.	George Dyar.
Goo. Gaylard.	John Phillips.
George Minot.	Mr. Williams.
Thomas fford.	

It is ordered, that John Gapin shall have on acre to build an house in, next to Goodman Swifts, with the Consent of Goodman Dyar, in lue of an acre formerly p'mised vnto him.

It is ordered, that o' brother Minot, Goodman fford, do vewe the ground, o' brother Wright desires and reports the reasonableness of it the next meeteing.

It is ordered, that Nicholas Vpsall shall keepe an house of enter-taynement for strangers.

It is ordered, that M<sup>r</sup>. Johnson, that was, shall have on acre of medowe next Goodman Eales Pale confirmed unto her.

It is ordered, that Richard Callecott shall have 4 acres of medowe in the higher Marish ground, at the Southerne Corner of the great marsh, relinquishing his former graunt of 4 acres in the same great Marsh.

The names of such as are to have medow in the Marsh, by Goodman Grenwayes.

Mr. Mather. 2 acres	Thomas Lumbert. 2 acres
Mr. Warham. 2 acres	John Hulls. 2 acres

Will Gaylard. 2 acres

John Grenway. j acre, one more if so fall out.

*m* George Minot, 4 acres, & 6 acres more in the fresh marsh next Rich : Callicot.

Mr Duncan, 3 acres.

Jellets \* 2 acres.

Mr Hill, 2 acres.

Good. fford, 2 acres.

Walther filer, 2 acres.

Good. Dyar, 3 acres.

Anc : Stoughton, 2 acres.

John Eales, 2 acres betweene that medow he hath of M<sup>r</sup> Johnson & the Creeke.

It is ordered, that Mr Ludlow may have strayte downe to the sea the marsh that lyes next the 4 acres to his hoame lott.

And that all that are of Mr Duncans side shall have the ground to themselves before their doores, makeing and maynetayneing a sufficient high way so far as Mr Stoughtons, reserveing as much as may set a

\* Jonathan Gillet, who removed to Windsor.

meeting house \* betweene Good. Johns. † and where Goodman Rocke well now dwells.

It is ordered, that George Hull shall have the medow that lyes before his doore, where he now dwells, to Henry wayes, downe to the sea, making a sufficient way for passidge that way.

It is ordered, that the high way from M<sup>r</sup> Stoughtons to M<sup>r</sup> Ludlowes shall be 3 Lugg ‡ broad, all along, and so downe to Nicholas Vpsall 4 Lugg.

It is ordered, that Elias Parkeman should have the marsh before his doore.

It is ordered, that John Phillips shall have six acres next to Goodman Minot and Richard Collicot, in the fresh marsh.

It is ordered, that Barnard & John Gapin shall have 2 acres in the marsh, next Goodman Grenwayes.

It is ordered, that Goodman Bates shall have 2 acres in the marsh, next Goodman Grenwayes.

It is ordered, that Nicholas Vpsall and Will. Rockewell shall have

\* The small log meeting-house of 1631, with a thatched roof, surrounded by pallisadoes, where the military stores were kept, and the plate and most valuable articles of the inhabitants were deposited each evening, where the good ministers Maverick and Warham preached, and where already Mather had commenced his religious duties, where on one occasion the first mentioned pastor "fired a small barrell of two or three pounds" of powder while drying a little of the explosive article in a pan in this same building, resulting in the trifling damage, only, of singeing the parson's clothes and blacking the thatch of the roof a little—this same meeting-house was still in being. There, by the gate of the church, the guarded sentinel, each night, walked his accustomed rounds. There was confidently supposed to be—if any where in the settlement—the ark of safety, the place of resort from the savages of the wilderness. But the town was already increasing in population. There had just been, it is true, a large outpouring of the inhabitants to what was then considered the distant territory of the now sister State of Connecticut, still there had recently been an influx, also, of people from the mother land, Richard Mather and his companions among them, and it was thought by our provident fathers that it would soon be necessary to have an enlarged place of public worship. Provision, therefore, was now made for this prospective want, and a plot of ground reserved, "as much as may set a meeting house betweene" two of the inhabitants above mentioned. Ten years afterwards the house was erected.

One of the earliest donors to the first church in Dorchester must not be forgotten; and as mention of him has not been made in the proper place, it may be well to insert it here. Under date of August 5, 1633 (see *ante*), among those to whom land is allotted, we read the name of "Mr. Russell," probably John Russell, who died twenty-one days after the grant of land alluded to was made. We now give our readers, entire, his nuncupative will, as found in the Massachusetts Court Records, page 157:—

John Russell, merchant, deceased att Dorchester, August 26<sup>th</sup>, 1633, & before his death, being of a disposing vnderstanding, did make his last will, in the presence of Mr John Warham, past<sup>r</sup> of the church of Dorchester, Tho: Moore, John Moore, and Tho: Dewey, in the words following, or to the same effect:—

Halfe of my estate I give to the church of Dorchester, and halfe to my brothers, Henry Russell and Thomas Hyatt, except my mans tyme, weh I give to my man; & hee desired that in the disposing of his goods to Dorchester, there should be espetiall respect hadd to olde Dorchester people, nameing Goodm. Caping.

This was testified vpon the oathes of the said witnesses, taken in Court, Sept <sup>r</sup> 3, 1633.	}	The m <sup>r</sup> ke of	I	John Warham.
		The m <sup>r</sup> ke of	Tho: Dewey.	O
			John Moore.	

Administration of the goods and chattels of John Russell, of Dorchester, was granted by the Court, at Boston, Sept. 3, 1633, to Willm. Gallard & Willm. Rockwell. At a Court, holden at Newe Towne, June 3, 1634. By consent of Willm. Gallard, administrat to John Russell and Robte. Fibbin, it is ordered, that in consideracon of some service p<sup>r</sup>formed att sea by the said Robte. Fibbin, & 3 monthes servis in Newe England, that the said Robte. Fibbin shall be sett free, & have 1£ 13<sup>s</sup> 5<sup>d</sup> forgiven him, weh hee ought to his said maist<sup>r</sup> John Russell.

At the Court holden at Newe Towne, August 4<sup>th</sup> 1635, the above named executors of John Russell exhibited into Court an inventory of the goods & chattels of the said John Russell, deceased, & the same day, his nuncupative will was admitted to record.

† Goodman Jones, probably Richard, who died before 1642.

‡ Lugg, a Measure of Land, called otherwise a Pole or Perch. *Bailey.*



all that marsh next the Rocky Hill and M<sup>r</sup> Rossite<sup>m</sup> fish house, equally divided.

It is ordered, that M<sup>r</sup> Demicke shall have 2 acres in the marsh next to Good-man Grenwayes.

It is ordered, that M<sup>r</sup> Israel Stoughton shall have halfe an acre [near] William Rockewells house and the salt marsh in a long slip next y<sup>e</sup> [ ]

It is ordered, that Goodman Minot be next M<sup>r</sup> Ludlowes Lott.

July 5<sup>th</sup> 1636.

M<sup>r</sup> Ludlow.

M<sup>r</sup> Democke,

Richard Collicot.

M<sup>r</sup> Stoughton.

George Minot.

Austin Clement.

M<sup>r</sup> Hull.

George Dyar.

M<sup>r</sup> Williams.

Natha: Duncan.

Thomas fiord.

John Phillips.

& It is ordered, that George Minot, M<sup>r</sup> Duncan, John Phillips and Austin Clement relinquishing there former great lotts in the fresh marsh shall [in] lew of them have the sayd p<sup>r</sup>portions in a lesser medowe lying neerer Naponset. South and by East from the Markt tree, George Minot 6 acres. [M<sup>r</sup>] Duncan 2 acres. John Phillips 6 acres, Austin Clement 2 acres.

It is ordered, that Aron Cooke, relinquishing a former graunt of 4 acres of medow in the second marsh, hath 4 acres now graunted in the hither great marsh, adjoining to Goodman Collicot.

It is ordered, that M<sup>r</sup> Duncan\* shall have 10s. payd him by the Towne for to transcribe all these orders into a new booke in a fayre legible hand.

It is ordered, that Aron Cooke shall have halfe an acre of ground over agaynst his lott, by the brooke, neere the dead swamp, to build his house upon.

It is graunted, that these men whose names ensue shall have lotts at Squantum necke, according to the p<sup>r</sup>portion here expressed, M<sup>r</sup> John Tilly as the great lott to his brothers hoame lott 12 acres, and M<sup>r</sup> Holland 12 acres, M<sup>r</sup> Richards 10 acres, Good: White 12 acres, John Whitcomb 12 acres to plasterst<sup>†</sup> lott, and John Hull 8 acres.

\* Our hearty thanks would have been given to Mr. Ludlow, Mr. Stoughton, Mr. Hull and others, their successors, had they safely transmitted to us the original of "all these orders," especially the portion afterwards contained in the first four pages of the transcript made in the "fayre legible hand," as indeed it is, of Brother Nathaniel Duncan. But we have to mourn the loss, as before intimated, of the entire town records for the first two and a half years of the settlement of the planfation. Could those long missing leaves be found, how eagerly would the sibylline treasure be received by the appreciating antiquaries of our day!

Mr. Duncan was an important man in the town and church. He was a prosperous merchant, often chosen a selectman, first in 1634, and after his removal in 1654 to the town of Boston was chosen vote commissioner, was a number of times elected a Deputy to the General Court, was Auditor General to the Court, with a salary of £30 a year. Edward Johnson, in his *Wonder Working Providence*, speaks of Mr. Duncan as "learned in the Latin and French tongue, a very good accountant." He was a member of the Old North Church in Boston.

† We suppose this relates to Josias Plastow, and that the early grant of land made to him was entered on the missing pages of the town record. He was brought before the General Court in 1631, on charge of stealing 4 baskets of corn from the Indians, Chickataubut and his men. Plastow was ordered to restore them the double quantity taken from them, viz.: 8 baskets of corn, to be fined £5, and "hereafter to be called Josias, and not Mr. as form<sup>r</sup>ly hee vsed to bee, and that Willm. Buckland and Tho: Andrewe shalbe whipped for being accessory to the same offence." "We must conclude, therefore," says Mr. Savage, "that our fathers thought the whipping of the servants a lighter punishment than the degradation of the master." A few months before that, in the spring of the same

It is granted, vnto Nicholas Vpsall 8 acres of upland upon the Indian hill, by Thomas Tilestone, also William Rockewell hath 8 acres to his former, as inlargements to the former lotts.

It is granted, to Christopher Gibson, halfe an acre of marsh lying at [the] end of John Moores lott, by the shipp.\*

It is granted, to M<sup>r</sup> Hill, that his 9 acres free granted at Squantum necke shall have 7 more added to it, so it be sixteene acres.

It is granted, to Richard Collicot, as an addition to his great lott, six acres of land in Narraganset way, beyond Naponset, upon the bounds between us and Mount Wolleston.

It is granted, to M<sup>r</sup> Duncan a slip of upland lying to his marsh, by John Phillips, about 2 acres.

It is granted, vnto M<sup>r</sup> Dimocke, that he shall have all the ground betweene his pale and Goodman Denslow, and Bartholmew, † by the side of the high way, p<sup>r</sup>vided he p<sup>r</sup>judice not the way fo<sup>r</sup> Carts, Cattle and passengers, but maynetayne a Cart, Gate, etc. both the upland and the marsh not formerly granted.

It is ordered, that the common, to be devided betweene the inhabitants, on that row, on M<sup>r</sup> Duncans side, granted in a former order, shalbe devided amongst them by acre according to the Auncient lotts that lye there, that is to say, y<sup>t</sup> he that was to have 8 acres, 6 or 4, shall his p<sup>r</sup>portion of the common according thereto, it being all first measured.

It is granted, that the ground about Rocky hill ‡ shall belong to M<sup>r</sup> Ludlow, M<sup>r</sup> Johnson's house, George Minot, M<sup>r</sup> Hill, John Eales, and Elias Parkeman in community amongst them, p<sup>r</sup>vided they do nothing to p<sup>r</sup>judice the common passidge of people, Carts or cattle, both to the sea or any other, as there may be occasion; this graunt being not to hinder any fortification, if the Countrey at any tyme see cause, the bounds being (together with the wayes) from Jonathan Gillets pale and so round to their severall grounds.

It is granted, to M<sup>r</sup> Ludlow, M<sup>r</sup> Hill, and the neighbours that haue lotts with them, that they may run a pale downe into the sea, at the Corner, by M<sup>r</sup> Ludlowes, and an other betweene M<sup>r</sup> Hill and John Eales, for the securing there Corne and saving of much fensing, p<sup>r</sup>vided they leave stiles and gates for p<sup>r</sup>sons and cattle, when p<sup>r</sup>sons

year, the Court had ordered that Mr. Plastow, Wormewood, and others, unquiet if not bitter spirits, should be sent prisoners to England. It has been intimated that there were so many persons of distinction who wished to go in the vessel to England that there was no room for the culprits intended to be sent to the mother land "as persons unmeet to inhabit here." In 1632, the estate of Josias Plastow was to be inquired after, and a commission was granted by the Court to Mr. Pynchon and Mr. Maverick, Sen<sup>r</sup> (Samuel Maverick) to take depositions of the creditors of said Plastow and their witnesses, &c. See Court Records, f. 89. On the 23d of Sept., 1638, we find the entry—"Josias Plastow, being fined £5, is discharged by this Court."

\* Probably "the shipp" was the "barque Warwick," some account of which has been given in the *Register*, xxi. 223. She was condemned, and a warrant given to the constable of Dorchester, June 30, 1636, to inventory and apprise her rigging, &c. (See article.) This marsh land we understand to have been on the southerly side of Commercial Point.

† Was this Richard Bartholomew, brother of Henry, who, according to Savage, was of Salem in 1638, freeman June 2, 1641, artillery company 1643, died in 1646?

‡ "Rocky hill," we suppose to be what is now "Meeting-House hill," where four out of the five meeting houses erected for the use of the First Church and Society in Dorchester were located, the second building having been removed from "the plain" and set up on this hill, in its original form, as we presume, in 1671, one hundred and ninety-six years ago, a vote of the town to that effect having been passed, on the 27th of June, 1670.

This hill should not be mistaken by the readers of our ancient records for "Rock hill," now "Savin hill." See note, *Reg.* xxi. 272.

are disposed to travell, or drive Cattle or swine that way to Clamming.

It is graunted, to Nicholas Vpsall, to the quantity of 5 goad square of ground, adjoyning to Goodman Rockewells lott, on the com'on, for a garden.

5 2 The former graunt of Nine goads to Good: fford, in the Common, by M<sup>r</sup> Maverickes house, being yielded up by him to the Towne, he was graunted in lew thereof, nine goad in length of the sayd com'on, by the pound.

The 2<sup>d</sup> of October: 1636. It is ordered, that Brey. Wilkeines shall haue six acres of Vpland in p'te of his great lott, being a little necke lying by M<sup>r</sup> Makepeaces and M<sup>r</sup> Brankers meddowe.

The names of such as were chosen for the ordering of the affaires of the plantation, to begin from the second of January, being the first Moone day of the month and so to continue the monethly meeteings for six monethes or till new be chosen, 8 of which number being p'sent they may act and order any thing in the Plantation according to the scope of former orders to that effect. If any of these shall be absent without good cause allowed by the rest [he] shall pay for his so fayleing 5 shillings; any that shall come after the houre of 8 of the Clocke to pay 12 pence, and after 9 to pay 2 shillings; if any stay longer to pay the full fine of 5 shillings; when 3 of these are come together they shall Judge of the tyme; this act to continue for a firme order from Tyme to tyme. M<sup>r</sup>. Stoughton, Henry Withington, Richard Collicot, Will. Gaylard, M<sup>r</sup>. Glouer, Nathaniell Duncan, John Hollman, Cristofer Gibson, M<sup>r</sup>. Joanes, George Minot, M<sup>r</sup>. Hill, John Pierce.

It is ordered, that 4 Barrells of powder in the meeteing house, of the Countryes store, shall be disposed of and sould for the bringing in new powder in the place, p' the p'tyes vnder mentioned.

By Nathaniell Duncan one barrell; by Richard Collicot one barrell; by Nicholas Vpsall one barrell; by John Gapin, one barrell.

5 Joseph flood is Chosen Baylif during the tyme of the 12 men, now Chosen, and till new be Chosen to that office, and it is ordered, that he shall levie all fynes, rates or ameracements for the Plantation p' impounding the offenders goods; and there to detayne them till satisfaction [be] made, and if the owner of the goods shall not make satisfaction within 4 dayes it shall be lawfull for him to sell the goods and returne the ouerplus to the p'ty offending, and to [be] allowed 12<sup>d</sup> for every distresse, and 2<sup>d</sup> for every impounding of Cow, horse, or hogg, and for every gote a penny, and if the sayd Baylif shall be negligent in dischargeing his office and delay the taking distresse he shall be loyable to a fyne as shall be thought fit by the 12 men. It shall be lawfull for the sayd Baylif to recouer any rates or ameracements p' way of distresse [on] any goods.

It is ordered, that whereas there was half an acre of Marsh formerly graunted to Christou[er] Gibson, lying at the end of John Moores lott, next the ship, the said halfe an acre is giuen ouer to the sayd John Moore p' the sayd Christo: Gibson.

It is ordered, that every p'ticular inhabitant shall take a veiwe of his house and garden and hoame lotts how they lye bounded (towards other mens, or towards the commons), according to the poynts of the Compasse, and so of their great lotts and medow grounds as they lay bounded every way, and the number of acres of all such lands.

A note of which to be brought into the 12 men to be Judged of, and amongst them 4 to be Chosen according to order of Court with the Advise of an Assistant to see it recorded one a booke p'te.

It is ordered, that William Gaylar, George Dyar, and M<sup>r</sup>. Hathorne, shall make a rate for 25<sup>th</sup>. for publicke use.

January 16, 1636. It is ordered, that there shall be a way paled out from the Creeke joyning to M<sup>r</sup> Williams great lott, to the Corner of M<sup>r</sup> Newberyes great lott, and every man to pale the end of his lott, and also from the corner of M<sup>r</sup> Richards lott to the sayd Creeke, to be paled by John Moore and Edmond Munnings, p'portionably to their lotts.

It is ordered, that there shall be one intire sufficient fience from the Lower Corner of M<sup>r</sup> Newberyes great Lott and so round the great lotts towards the Com'ons to the pale of the six acre lotts, and from those lotts to the riuer of Naponsett, which pale from the farther Corner of the great lotts to the six acre lotts and from the six acre lotts to the riuer to be paled and maynetayned by those which possesse the six acre lotts, and by those that haue formerly paled the farther side of the great lotts, and for those which haue paled the hither side, formerly, to doe that still, all this to be done very sufficiently by the 20<sup>th</sup> of March next.

It is farther ordered, that George Meinot and John Philips shall see to the farther side that their be sufficient pale, and m<sup>r</sup> Glover, and m<sup>r</sup> Holmand to looke to the hither side, and where they shall find any defect to p'sent it to the 12 men.

It is farther ordered, that what Tresspasses shall hereafter be done the Tressepasse<sup>r</sup> shall pay the one halfe of the dammage, and he that is defectiue in his pale the other halfe, and this order to be generall through the whole Plantation, Provided, that if any Cattle be knowne to be common pale breakers; they shall pay the whole Trespasse. 26

It is ordered, that Henry Withington shall see the makeing of the gate to the great lotts at the Chearge of those which haue their lotts, according to a former order, and the sayd gate to be maynetayned p' all the sayd great lotts and also by the six acre lotts.

It is ordered, That John Philips and Christouer Gibson, shall stake out a Cart way through the great lotts.

It is ordered, that Brey Wilkeines shall haue one acre on the necke of the 3 acre Lott, which was formerly graunted to Jo: Knell,\* the other two acres to remayne to M<sup>r</sup> Holland in whose possession it is, which acre the sayd Bray is to haue upon Condition he remayne in the Plantation, elce to leaue it to the Plantation, and not to alienate it without app'bation of the Twelue men.

It is ordered, that whosoever breaketh open any pale shall pay five shillings.

It is ordered, that all the hoame lotts shall be sufficiently paled by the first of March; Zachariah Whiteman, Henry Withington, to vew the pale in the feild next to their houses.

Edmond Munnings and George Dyer to vew the feild next to their houses.

M<sup>r</sup> Make peace, John Moore, to vew the feild next their houses.

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\* We should like to be informed who this person was.

Joseph ffarneworth and Goodman Read to veiw the feild where they dwell.

William Summer, Goodman Hawes, to vew the feild where they dwell.

John Poape and Edward Clap to vew their feild.

All those which are appoynted to vew those feilds are to p'sent any defect of bad palping or not paling at the Time appoynted, to the Twelue men.

It is ordered, that M<sup>r</sup> Israel Stoughton shall haue a hundered and fifty acres of vpland ground ouer the riuer of Naponset, next the mill, of which forty acres to be that which is in possession of the Indians, and this in lue of so much p'mised him, and fo' all his deuision of any land beyound the Riuer, except the Change of the end of his great lott, and this graunted him one condition he submitt to any order that shall be here after made fo' not alienateing this portion or any other land from the Plantation.

It is ordered, that Ten men shall be chosen to order all the affayres of the Plantation on this manner. They shall continue a monethly meeeting dureing their tyme that they are Chosen, which shall be six months after election. At which meeetings they shall consult of and act what may be fo' the good of the Plantation, and after they haue made such acts and that by the major p'te of as many of them as are p'sent, which should be seauen at least, they shall upon the next Lecture day, after Lecture, read them to the Company of free men who are to be warned at p'sent to stay. And then all acts and conclusions as shall not be contradicted by the major p'te of the free men p'sent, shall stand fo' orders and bind the Plantation and eury inhabitant thereof.

It is ordered, that all the land both of the great necke and about the Towne, and of both sides the Riuer of Naponsett, which is not allredy allotted out, shall be deuided into p'priety to each hoame lott, according to p'portion agreed vpon so far up in the Countrey one both sides the Riuer, the place called mother brooks.\*

It is ordered, that M<sup>r</sup> Glouer shall haue 30 acres [of vpland] . . . . medow beyond Naponsett, about a mille from the mill, in lieu of a Twenty acre lott amongst the great lotts, beyound the fresh marsh, which he leaues to the plantation.

It is ordered, that M<sup>r</sup> Holland shall haue all that rest of ground, Marsh inclosed, or vpland, joyneing vnto the Two acres on M<sup>r</sup> Ludlowes necke, graunted formerly to Thom. fford, leaucing a sufficient high way; also he shall haue a little plott of marsh which is without the inclosure, payeing Thomas fford the Charges he hath beene at in ditching.

It is ordered, that M<sup>r</sup> Joanes shall haue an acre and halfe of land joyneing to the end of his swamp next the Towne, with a round hill in it.

It is ordered, fo' the better payment of heardsmen, that whosoever shall put any cattle to keepe, and neglect to bringe in his mony to

\* "Mother Brooks is a stream formed by diverting one third of the waters of Charles river from its natural course, in the town of Dedham, about half a mile north of the Court House, and which turns the wheels of several large manufactories in Dedham. The Mother Brooks loses its identity in the Neponset, at the foot of Brush Hill in Milton." *History of Dorchester*, 577. *Mass. Hist. Coll.*, ix. 163.

the say heardsman fo' such Cattle, at such tymes as shall be agreed fo' after some Generall warneing one a lecture day, it shall be lawfull fo' the Baylife to impound any cattle of such p'sons and their to deteyne them fo' a day, in which tyme, if the p'ty haueing notice thereof doe not bring in his money the sayd Baylife with 2 freemen shall price and make sale of such Cattle and take satisfaction fo' what is due to the heardsmen, with 3 shills. fo' himselfe fo' levying the dissesse, and then to returne the ouerplus to the p'tye delinquent.

It is ordered, that M<sup>r</sup> Stoughton and M<sup>r</sup> Holman shall furneish 3 Bulls fo' the heard of Cowes of that side the Towne, and to be payd 12<sup>d</sup> fo' each Cow, and the mony to be payd into the heards men.

It is ordered, that Mathias Sension and Thomas Sampford shall keepe the Cowes this yeere, to begin the 17<sup>th</sup> day of Aprill, and to continue the keepinge of them to the 15<sup>th</sup> of Nouember, to haue fo' their pay in keepinge 5 shillings the head fo' as many as are brought in; The sayd five shill. p' head to be payd  $\frac{1}{3}$  in hand,  $\frac{1}{3}$  at halfe the tyme, the other at the end of the tyme. till

It is also ordered, that all that haue Cowes shall put them to the Keepers to be kept in the ordinary Cow pasture, and none to put any at the Necke of land, or keepe them otherwise about the Towne, or from the heard, one payne of 10<sup>s</sup> fo' [such] offending. Also, that all that liue Northwards from the meeteing house shall bring their Cowes into the open place befo' the meeteing house within an hower of [sun] rising, and their the Keepers to be ready to driue them away, and so to blow their horne along the Towne, and whosoever bring not their cowes befo' m<sup>r</sup> Stoughtons house within an hower of sunne rising the keepers shall stay no longer [but] driue away those which are redy to the Pasture, and those which through their [owne] neglect haue their Cowes behind shall not make that any Barre of payment to the Keepers. 2  
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Yt is ordered, that M<sup>r</sup> Holman shall haue 20 acres of vpland beyound the [ ] next to M<sup>r</sup> Hutchissons.

It is ordered, that M<sup>r</sup> Joanes shall haue 20 acres of vpland fo' a great Lott [which] he had p'mised him fo' that was Silvesters,\* fo' which he is to haue the [ ] lott of 20 acres, which was formerly graunted to M<sup>r</sup> Glouer, which one some [ ] ration he left vnto the Plantation according to a former order. 2

It is ordered, that M<sup>r</sup> Holman shall haue 10 acres of playne mowing ground [ad]ded to his former graunt of 20 acres, next M<sup>r</sup> Hutchissons, in lieu of p'te of [his] deuisiion beyound the Watter.

The 2<sup>d</sup> of May. Whereas by a former order it was concluded the great and little necke [should be] forth with diuided amongst the inhabitants it is thought meete and agreed [ ] shall Challenge after diuisiion and possession any portion there as has [been] giuen and graunted to him, and his fo' euer upon these Termes, videlicett, That if some shall desire to plant and others to keepe Cattle, The Minor p'te shall fence agaynst the Major y<sup>e</sup> is the Minor p'te will imp'ue their p'priety to Corne or the like, and the Major p'te to cattle, the Minor shall then fence agaynst the Major at his owne p'ill, and so the like if the Minor will keepe Cattle, and the Major plant, they must secure the Majors Corne, and be ly<sup>a</sup> to pay dammage if they doe not; 28

\* Probably Richard Sylvester, who went to Weymouth.

Provided, that the Count be according to the most voyces and not according to the greatest number of acres.

For p'venting of ouer burthening the same land, it is mutually agreed that after October next, six score Cowes shall be Counted the full stocke fo' the whole necke, being in Count 480 acres\* and so each man to haue commons according to his Number of acres, and no man to exceed, other Cattle being allowed as followeth, five goates to one cow, male and female Counted alike, and goates of a yeere old all vnder that age; 10 kids to one Cow; 2 yearlings to one Cow; 3 Two yeerelings 2 Cowes, one workeing oxe to a Cow, one Mare and a Colt to two Cowes, 4 Calues fo' one Cow; a yeereling Colt fo' a Cow and a two yearling, so likewise vntill 3 yeere old. This order to Continue vntill it be altered by the major p'te of voyces.

The 9<sup>th</sup> of May. It is ordered, that the Necke of land conteyning by Measure about 480 acres shall be from hence forth the p'p' inheritance of the p'sent inhabitants of the Towne of Dorchester in this manner: Every hoame lott that hath a dwelling house thereon or inhabitant incumbant in the Towne; he or it shall haue one acre to the sayd lott, and other hoame lotts halfe an acre; then the remayner to belong to the same planters by this rule. Three fifts to mens estates, owne p'p' as vsuall they haue burden; and 2 fifts to p'sons equally thus Counted, All men with their wifes and Children in the Plantation vnder their p'sent gouerment in famalyes to be Counted; Provided allowance be made where houses and lotts are intire all be it fo' p'sent they haue no p'sons incumbant according to the p'portion of such as lately did inhabit them.

It is ordered, that any of y<sup>e</sup> membe<sup>r</sup> or house-keep<sup>r</sup> w<sup>th</sup> shalbe Chosen to goe fo' a souldier and haue a Charge of busenesse to leaue behind him, he may commend the care of his busenesse to some freinds which he shall nominate, who, if he cannot of himself or p'cure others to doe it at the same wages that is given to the souldiers it shall be lawful fo' Henery Withington, M<sup>r</sup> Brankard, M<sup>r</sup> Bates and Nathaniel duncan or any of them to enjoine any who they shall thinke fitt to worke in this k [ind] fo' the helpe of such as need, and if any being so joyned shall refuse to worke he shall pay five shill. fo' such refusall, to be leued by distresse.

It is ordered, also, that any that haue servants or any other which goe in the service shall haue the Benefitt of this order.

The 2<sup>d</sup> September, 1637. These are to testifie to all who' yt may Concerne that I, John Bramher, haue sould and giue full possess<sup>n</sup> vnto Ambrose Martin, my dwelling howst, and Cow howses ioyning, w<sup>th</sup> my hoame lot of about 3 or 4 ake<sup>n</sup>, and my great lot of 16 acke's w<sup>th</sup>in and without paling, Also [8] acres of meddow, 6 ake<sup>n</sup> of y<sup>e</sup> meddow of this side of neponset Riue. and 2 ake<sup>n</sup> beyond y<sup>e</sup> riue; witness my hand the day above mentioned. JOHN BRANKER.

Septm: 10<sup>th</sup>, 1637. Ther<sup>e</sup> is graunted vnto William Hannam that p'te of the swamp lying ou' agaynst his howse, so farre as Rich: wades pale, hee paying his p'te of y<sup>e</sup> Charge wth the rest of his neighbour<sup>n</sup>, of maynetayning a bridge ou' y<sup>e</sup> wate<sup>r</sup>.

\* Now South Boston. On a later page of the Town records, for the year 1637, is given the names of those—95 in number—among whom the land on the Neck was divided.