

THE DARTMOUTH PROPRIETY CORPORATE RECORDS

This book is a transcription by Sally M. Aldrich in 1987 of the Dartmouth Propriety's records of its corporate meetings. The original book was found in the Bristol County (Southern District) Registry of Deeds. The 117 faded and disintegrating written pages in the original have been transcribed into 70 single-spaced typewritten pages.

The Propriety kept its records at the Clerk's house. In 1725 Thomas Hathaway held that position. His house burned down and with it all the records. What we have today is a partial reconstruction of records for the 75 years before the fire, 1660 to 1725, and for the 75 years after the fire, from 1726 to roughly 1800.

James Congdon in 1867 was commissioned by the Bristol County Commissioners to carry out a Resolve of the Massachusetts Legislature to make sense of the records. At that time, there were five books in dilapidated condition in the Bristol County (S.D.) Registry of Deeds in New Bedford. One was the book of Proprietors corporate meetings, which were held to vote the land divisions and conduct their mundane business. Congdon didn't see the need to transcribe that book, and this is the original transcription done by Sally M. Aldrich in 1987, along with a copy of Congdon's letter, which is also a transcription done by Ms. Aldrich in 1987.

Congdon did preserve the other four books and they record the various landowners describing their claims, giving land descriptions, acreage, when they got it, from whom they got it and who the original Old Comer shareholder was. The records before 1725 are not in chronological order because of the fire and the necessary reconstruction.

March 2018

This book is a gift from Sally M. Aldrich to Dartmouth Historical & Arts Society, Inc. and is now the property of the Society.

The digitized transcription follows:

Dartmouth Proprietors' Book of Meeting Records
 Samuel Smith, Proprietors' Clarke
 September 19, 1794
 No. 5

PAGE 1:

At a Proprietors' meeting legally warned and held at our townhouse in Dartmouth on the first of the first month, alias March, 1725/6, Henry Tucker chosen Moderator. At said meeting the Proprietors voted by writing that Thomas Hathaway, Senior be the Proprietors' Clerk. Said Hathaway was chosen by the major part of the interested then present, the votes being collected, and hath taken his engagement. This meeting is adjourned to the first third day of April next.

PAGES 2-5:

Bristol, ss:

At the desires or applications of divers of the Proprietors or Purchasers of the lands of Acushnet, Ponaganset, Acokset, and places adjacent within the Township of Dartmouth in the County of Bristol, their names being subscribed to the said application whose interests being then five whole shares in said purchase for that inasmuch by accident the former books of records of lands in and belonging to said purchase wherein was all the acts for and division of said lands for the settlement thereof is burnt, which is to the great loss and damage of said Proprietors. These are therefore in order that said Proprietors and Purchasers be in a capacity to repair their said loss by such act or acts, way or means, which may be thought proper in such case of which is proposed as followeth with such other as may be for the effecting of the said premises.

1-st That inasmuch of late having warned a meeting of said Proprietors and chose Thomas Hathaway to serve Proprietors' Clerk but being objected by some that said choice was not made by the interested and major part of the interested computed present therefor that said Hathaway may be chosen or confirmed regularly to said office.

2-ly That a suitable book or books be provided in order for and to the use of said Proprietors and Purchasers in the premises.

3-ly In that all the first acts of the divisions of said lands and meadows were by one act composed and comprised into one special act of eight hundred acres to one whole share of upland and thirty six acres to a share of natural meadows bearing date the year 1710 that said act if found by and in attested copy or copies from of the former book of records may be voted and established good and to be of record.

4-ly That all the latter acts since for the several divisions of lands, meadows, and cedar swamp which may be found by and in attested copies may be also established good and to be of record.

5-ly That a surveyor be chosen with a suitable committee, the surveyor to be one of said committee, to make diligent search for the obtaining of all said Proprietors' and Purchasers acts in order to be of record.

6-ly That said committee be empowered to view every Proprietors' and Purchasers' returns in and for all the several divisions of lands, meadows, and cedar swamps that shall be produced and appear signed by Benjamin Crane, the late surveyor, or any other of the surveyors chosen to lay out said lands, meadows, and cedar swamps or any part thereof and all such returns or surveys of said lands, meadows or cedar swamps that appear to be laid out according to the several and respective act or acts in each division of said lands, meadows and cedar swamps may be established good and to be of record.

7-ly And that if sufficient return shall or doth not so appear that is of every Proprietors or Purchasers' lands, meadows or cedar swamps or any part thereof according to his or their several interests and Properties in each said divisions respectively by reason of some of said Proprietors or Purchasers may have lost their returns or some of them by the above said accident and others have never had all their returns of survey now that the said committee or major part of them may be empowered to give new returns of from our late surveyor Benjamin Crane's journals where they are intelligible or any other of the surveyors' journals that is intelligible relating to the

survey of said lands, meadows, and cedar swamps that do appear according to the said Proprietors and Purchasers act or acts in each division of said lands, meadows, and cedar swamps respectively so that said returns of survey may be recorded. (8-ly) And that said committee or the major part of them may be empowered to survey and lay out and give new returns where they may be wanting or cannot be understood or sound intelligible on said journals according to the said Proprietors or Purchasers act or acts in each division of said lands, meadows, and cedar swamps so that said returns of survey may also be recorded having also special regard to all the said highways, landing and watering places where they were formerly left and laid out or where there may be more wanting in the undivided lands.

8-ly At a Proprietors' meeting held at the townhouse in Dartmouth on the nineteenth day of July 1726, being legally warned, Richard Borden chosen Moderator, and after diverse acts and votes passed said meeting was adjourned till the first day of November and then meet. Said Borden not being present, Philip Taber was chosen Moderator and said meeting was adjourned till the first Tuesday of December and continued by adjournment until the thirteenth of said instant December, and then meet.

Voted at said meeting by the major part of the interested then present their voices being collected according to their interest that if any one or more of said Proprietors or Purchasers shall neglect or refuse to have his or their lands, meadows, or cedar swamp laid out to him or them where it may be wanting, according to the said act or acts in each division of said lands, meadow, and cedar swamp that it shall be laid out and left for him or them by said committee according to his or their interest according to said act or acts in each division respectively according to the tenure of the eight article as it is comprised in the said warrant.

9-ly The ninth article in said warrant was put to vote viz whether all the former acts that was before the year 1710 should be established good and be of record and after deliberation and a considerable debate a vote was called upon the said ninth article but it passed in the negative by a unanimous voice.

10-ly And that where any of the said Proprietors or Purchasers hath formerly taken up their lands, meadows, or cedar swamp and although it may not appear to be taken up exactly pursuant or according to the said several act or acts in any of said divisions in the survey of their lands, meadows, or cedar swamps and those persons or Proprietors or Purchasers supposed to be indemnified or aggrieved thereby hath notwithstanding proceeded and taken up their lands, meadows, or cedar swamps being surveyed and taken up in another place or places to their then acceptance, that said committee or the major part thereof to be empowered to determine concerning such lands, meadows, or cedar swamps so surveyed, although it may not appear according or exactly pursuant according to the said several act or acts in each and every of the said divisions and that all persons aggrieved relating to said lands, meadows, or cedar swamps or any part thereof may apply themselves to said committee or any other committee that said Proprietors shall choose for the purpose or the major part of them who may be empowered to hear and determine the injury done to said aggrieved persons and to make them equal in their lands, meadows, or cedar swamp with the rest of their neighbors either in quantity or quality having reference to the several samples in each respective divisions.

11-ly And said committee shall make return of their proceedings and determination hereof and herein to the next Proprietors' or Purchasers' meeting of said Propriety which may be called for the purpose and upon their orderly acceptance of said committee's return, it shall be established good and to be of record.

12-ly That the said committee or the major part of them may be empowered to survey, lay out and finish all the rest of our undivided lands, meadows, and cedar swamps and give returns of the same according to the same according to said Proprietors or Purchasers act or acts respectively and also to agree on a method as the law directs or allows for calling of or warning of Proprietors or Purchasers meetings for the future as occasion may be.

13-ly And that a committee be chosen and appointed to see that trespass is not done in boxing of pine trees in said Propriety and for prosecuting the same.

PAGE 5:

These are therefore in his Majesty's name to require you Henry Tucker of Dartmouth above said being one of said Proprietors that you notify and warn to give notice to all said Proprietors and Purchasers whether in said town or elsewhere as the law directs that they meet together at the townhouse in said Dartmouth on the nineteenth day of July next at nine of the clock in the forenoon of said day then and there to agree of and act what may be proper and most for the good settlement of said Proprietors in respect to the several subjects abovementioned or so many of them as they shall see; thereof fail not and have you there this warrant at said meeting dated at this twenty-fifth day of June in the twelfth year of his Majesty's reign, anno domini 1726, Thomas Church, J.P. [Justice of the Peace].

PAGES 6-7:

At a Proprietors' meeting legally warned held at the townhouse in Dartmouth on the nineteenth day of July 1726

Voted Richard Borden chosen Moderator for said meeting.

Voted Thomas Hathaway chosen and confirmed to serve Proprietors' clerk, the major part of the interested and the interests present being computed in said choice and confirmation.

Voted that there shall be suitable books provided at the charge of the said Proprietors and for their use to enter and record all acts and returns of the division of lands or other matters and things as they may see cause for the settling of said lands.

Voted that our former act of eight hundred acres to one whole share of upland and thirty-six acres to a share of natural meadow bearing date the year 1710 that said act being found by and in attested copy or copies from of the former book of records shall be and is hereby established good and ordered to be recorded and to be in full force as it was on our former book in every clause and article thereof, the major part of the interested and interests present being computed and passed in the affirming of this vote.

Voted that all the acts since the aforesaid acts of eight hundred acres for the several divisions of lands, meadows, and cedar swamps which shall be found by and in attested copies from of our former book shall be and is hereby established good and ordered to be recorded and to be in full force as they were of the former book the major part of the interested and interests present being computed and passed in the affirming of this vote (John Akin and William Shearman protested against this vote last passed).

Voted Benjamin Hammond chosen surveyor and one of the committee, Richard Borden, John Akin, Nathaniel Delano, and William Wood chosen a committee together with the said surveyor to effect and perform the several services in which they are empowered by this meeting to perform, the major part of the interested and interests present being computed and passed in the affirming of this vote.

Voted that the committee above named or the major part of them shall make diligent search for the obtaining of all the above said Proprietors' and Purchasers' acts executed as aforesaid in order to be entered in the aforesaid new book and to be of record as aforesaid.

Voted and said committee is hereby empowered to view every Proprietors' and Purchasers' returns in and for all the several divisions of lands, meadows, and cedar swamps that shall be produced and appear signed and executed according to the tenure (tenor?) of the sixth article in the warrant or notification for the calling together and notifying this meeting that being executed and shall appear according to said sixth article in every clause thereof as near as may be.

Voted and said committee is hereby empowered that if in case sufficient returns shall or doth not appear that is of every Proprietors or Purchasers land, meadows, or cedar swamps or any part thereof according to his or their several interests and Properties in each said divisions respectively by reason of some of said Proprietors or Purchasers may have lost their returns or some of them by accidents and others have never had all their returns, now the said committee or the major part of them are hereby empowered to perform according to the tenure of the seventh article in the aforesaid warrant or notification in every clause and article therein contained

respectively (the eight article omitted). The ninth article referred by a vote to be considered and determined at the adjournment of this meeting next.

Voted the said committee is hereby empowered to perform according to the tenure of the tenth article in said warrant or notification in every part, clause and articles contained in said tenth article.

Voted that said committee is hereby empowered and ordered to perform according to the tenure of the eleventh article in said warrant or notification in every clause and point thereof.

Voted the said committee is hereby empowered to survey, lay out, and finish all the rest of the undivided lands, meadows, and cedar swamps according to the tenure of the twelfth article in said warrant relating the same.

Voted that pursuant to the privileges allowed and granted to Proprietors and Purchasers by the law in this government for the calling of Proprietors and Purchasers meetings that for the future so many Proprietors or Purchasers as shall or do own five whole shares of lands in said Propriety by notification signed by the clerk of said Propriety and set up one in each village in said town in some public place fourteen days before the day appointed for said meeting shall be a sufficient method for the calling for meetings of said Proprietors and Purchasers for the future in which to act all such matters and things needful.

Voted that the surveyor together with the committee chosen this day and empowered to perform the several services before mentioned shall be paid by such Proprietors or Purchasers severally as shall employ them in all or either of said services proportionally according to the service done.

Voted James Tripp, son of Joseph Tripp, John Kirby and Stephen West, Jr. is chosen and empowered a committee for and in behalf of said Proprietors to prosecute any or all persons who may trespass upon any undivided lands in the said Property within the township of Dartmouth by cutting of timber or boxing of pine trees or other trespasses on undivided lands, either in the law or any other lawful way;

in all these votes the major part of the interested and the interests present being computed and went in confirmation thereof; this meeting is adjourned to the first third day of the ninth month called November next.

Nathan Soule and Nathaniel Soule and Jacob Soule objected and protested at this meeting against the confirmation or establishing of any former act or acts or any later act or acts which may be made at said meeting for the establishing of thirty-five whole shares on [illegible word] said Proprietors or Purchasers for that they the said subscribers, to wit the Soules, do challenge and claim the thirty-fourth part or share of all the lands belonging to said Propriety.

PAGES 8-9:

Bristol, ss:

At the request or application of diverse of the Proprietors or Purchasers of the purchase of lands of Acushnet, Ponaganset, Acokset and places adjacent within the township of Dartmouth in the said County of Bristol in New England whose names are subscribed to said request or application whose interest being more than five whole shares in said purchase that inasmuch of late having warned a meeting of said Proprietors and chose a committee to do and perform as may appear by the acts or votes of said Proprietors at said meeting as also several votes or acts were made and passed by said Proprietors at said meeting for their peace and settlement and then adjourned or continued said meeting to the first day of November next, then to meet on said day at the townhouse in said Dartmouth to act further what might be thought convenient, now the subscribers to said request or application do for the further peace and settlement of the land, meadow, and cedar swamps in said Propriety or purchase and that every one of said Proprietors or Purchasers may have his or their lands, meadows, and cedar swamp confirmed and established to him or them according to his or their interests therein: have therefore requested or applied themselves to me the subscriber, one of his Majesty's Justices of the Peace for the said County to issue out warrant as the law directs to call a Proprietors meeting of said Propriety to be on the same first day of November next to meet at the townhouse in said Dartmouth at eight of the clock in the forenoon on said day as for the ends and reasons following: firstly to state confirm

and settle the shares of the said Proprietors to the number of thirty-five shares of lands or Mill share containing all said purchase as formerly the Soules' share only being the thirty-fourth part or share of said purchase or Propriety and is so allowed to them by arbitration. Secondly to cause more suitable men to add to said committee to assist them in their work if the Proprietors see cause.

These are therefore in his Majesty's name to will and require you, Henry Tucker, one of said Proprietors of said Dartmouth, to notify, warn and give notice timely to all said Proprietors and Purchasers wherein in said town or elsewhere that they meet together at the townhouse in said Dartmouth on the first day of November next at eight of the clock in the forenoon of said day then and there to agree of and act what may be proper and most for the good settlement of said Proprietors in respect to the subjects abovementioned hereof, fail not and have this warrant at said meeting dated at Little Compton this fourteenth day of October in the thirteenth year of his Majesty's reign, anno domini 1726, Thomas Church, J.P.

PAGE 9:

At a Proprietors held at the townhouse in Dartmouth on the first Tuesday of November, anno domini 1726, being legally warned, Philip Taber chosen Moderator for said meeting by the major part of the interest then present, their voices being collected according to their interest.

1stly Voted by the major part of the interested then present, their voices being called according to their interest at said meeting that the articles of agreement made between George Badcock and Henry Tucker of and concerning building of a gristmill in said Dartmouth and Ralf Allen, Samuel Hicks, John Russell, and Arthur Hathaway as agents for the Proprietors of said Dartmouth bearing date June the twentieth 1684 and a confirmation of said agreement dated the fifth day of February 1684/5 be established good and to be of record and that there be thirty-five shares in said Propriety of said Dartmouth containing all said Propriety or purchase: the Soules share only being the thirty-fourth part or share of said Properties or purchase and is so allowed them by arbitration to be established good and to be of record: the Soule's share above mentioned is that share which did formerly belong to George Soule, late of Duxbury in the County of New Plimouth, deceased: by the major part of the interests then present, their voices being collected according to their interest.

2ndly Voted at said meeting that Jabez Delano Jabez Barker Isaac Smith and Nathaniel Soule be joined to the former committee equally in all respects according to the second article in the warrant.

No. 3

PAGE 10:

At a Purchasers meeting held at the townhouse in Dartmouth on the 4th of November in the year 1709: this meeting was adjourned till the 15th of the instant November and then met and agreed that whereas Joseph Allen, John Allen and William Allen have of late commenced an action against the Proprietors of the lands within the township of Dartmouth for the obtaining a part or division of all the lands within said township so that they may hold their parts in severalty from the rest of the Proprietors of said lands and whereas they with several other do pretend that they cannot have their part of said lands equal with others of the Proprietors, also pretending that the surveyor with those that have assisted him in laying out the lands of late, being persons concerned in the lands, have made unreasonable allowance in proportioning the same to themselves and their friends more than the quality of the land hath required, now for the procuring of good agreement between said dissatisfied persons and the rest of the Proprietors of said lands, it is now tendered (there being other persons that are unconcerned chose to finish the laying out the 800 acre division where it is not yet done) that they may pitch upon any share, half share or quarter share that is already laid out according to the Proprietors order for the laying out said 800 acre division and have their parts made equal thereto for goodness according to each one's rights and further it is tendered that if the said dissatisfied persons do mislike of these men

that the Proprietors have chosen to finish the laying said 800 acre division that then they may have their land laid out to them as aforesaid by three unconcerned men that may be thereto appointed by his Majesty's justices of the court of quarter sessions to be holden at Bristol for the County of Bristol at any time hereafter and said court is hereby humbly requested at the desire of said dissatisfied persons to appoint three unconcerned persons such as said court shall think fit, one being a surveyor under oath for the work to lay out their land, according to the Proprietors order for said 800 acre division, they paying them for their pains and further it is agreed that one year be allowed for the completing of the 800 acres division and that then we will proceed to lay out all the rest of our lands in such lawful way as may be thought most profitable for the Proprietors; the above written was voted by the major part of the interested present at said meeting, the voices being collected according to the interests, the meeting was adjourned till the last Friday in March next.

No. 4

A true copy taken out of Dartmouth Purchasers Book of Records and therewith compared,
before me Jonathan Delano, Clerk

PAGE 11:

At a Purchasers Meeting held the last Friday in March in the year 1710 at the townhouse in Dartmouth, the meeting was adjourned till the 3rd Tuesday of May next. Col. Nathaniel Byfield, Esq. and Capt. Nath. Pain being present were requested by the Purchasers to be helpful at said meeting and to advise what might be for their peace and contentment. Col. Nathaniel Byfield, Esq. was chosen Moderator for said meeting.

Voted that there be a committee chosen at this meeting for three uninterested persons to whom all persons aggrieved shall or may repair and shew forth their deeds of land for their shares in the Propriety of Dartmouth and the said committee are hereby fully empowered to make full inquiry into any or every man's share, and where they find that any has more than their proportion, having reference to quantity and quality to take an account of it, and to make report thereof at the next Proprietors meeting that shall be appointed after the first day of December next, within which time this affair to be completed and he who shall cause any man's lands to be surveyed, if it be found right the complement shall pay the charge but if otherwise, he that hath more than is his due shall refund the overplus and pay the charge. It is to be understood that this vote refers only to extend (?) to 800 acres to a whole share of upland and 36 acres to a share of natural meadow.

In compliance with the above vote, the committee chosen are Capt. Thomas Gray, Lt. William Forbes, and Lt. Samuel Crandall, Capt. Thomas Gray to appoint time and place and the charge of their meeting and viewing the deeds to be paid by the Propriety; whereas it is objected by some that the vote obtained the 15th day of November was obtained by a bare major part of them present, which was but a bare major part of the Proprietors, and it being now a full meeting of the Proprietors, it is now voted a confirmation of that vote referring to the completing 800 acres to a whole share and whereas Capt. Thomas Gray, Lt. William Forbes and Lt. Samuel Crandall are chosen a committee in another vote made this day, they are now made choice of to be a committee and surveyors to finish what is directed unto in said vote now ratified made the 15th November and if they refuse or neglect to attend said service then the interests of the court of quarter sessions to be [illegible] as in the former vote to nominate and appoint three persons uninterested in the former vote. Mr. William Barker and Mr. William Almy and desired to wait upon them [sic] three gentlemen for their consent in engaging in work thereto by both the foregoing votes.

No. 5

A true copy attest.

Jonathan Delano, Clerk

THE EIGHT HUNDRED ACRE DIVISION CONFIRMED.

PAGE 12:

At a Proprietors meeting held by adjournment at the townhouse in Dartmouth the first Tuesday in

December 1710, John Tucker chosen Moderator for said meeting. Agreed and Voted that the necks called Sconticut, Clarks Neck and the Horse Neck and the several islands that are not already disposed of shall be surveyed and laid out as followeth: that is to say, the necks and islands within each village shall belong to the inhabitants of the same and to such others as have meadows therein, each one that desires it to have his equal proportion according to his part of a share and those that have meadows in said necks and islands to have their lot or share against their meadow if they desire the same and all the left [rest?] to be allotted for.

A true copy taken out of the Dartmouth Purchasers Book of Records, attest
Jonathan Delano, Clerk

PAGES 12-13:

At a Purchasers meeting held at the townhouse in Dartmouth on Tuesday May 12, 1713, Mr. Samuel Hunt is chosen Moderator for said meeting.

Voted that all the meadows in our town be surveyed: that is to say, all natural meadows -- salt, fresh and segg (?) flats, excepting those that have been laid out for upland already and said meadow to be laid out one division unto everyone according to his right of a share, each one to have his part where it was formerly laid out to him as far as it will go and the rest to be made up in that that is undivided and that a committee of three or five uninterested men be chosen and appointed to determine what shall be meadow, the surveyor to be one of said committee and that the said committee do qualify the said meadow to every Proprietor according to his right as equal as they can and where any difference may arise between two or more Proprietors about any particular piece of meadow, the surveyors with the other of the said committee shall determine who shall have it. It is further agreed and Voted that Benjamin Crane be the surveyor and Benjamin Hammond, William Manchester, his assistants, these three men with any other two that we the said Proprietors shall so cause to make choice of hereafter: that is to say, that if the said Hammond or Manchester should desist, the work are [sic] intended with the said surveyor to be the committee to complete the work as above expressed. The meeting was adjourned to the third Tuesday of June following and then meet and

Voted that whereas it was agreed the last Purchasers meeting, which was on May the 12th, 1713, to lay out all our meadows as by said act may appear, it is now further ordered that where any Proprietor had not had his proportion laid out up to 36 acres to a share that he shall have the privilege of choice in the intended until he has his proportion up to the 36 acres to a share according to his right. It is further ordered that all they that have taken upland for meadow shall hold it for meadow. It is also agreed that all the beaches adjoining to the meadow may be laid out with the meadow and valued as meadow at the discretion of the committee. No. 7

A true copy taken out of Dartmouth Proprietors Book of Records, attest
Jonathan Delano, Clerk.

THE FOUR HUNDRED ACRE DIVISION

PAGE 13:

At a Purchasers meeting held at the townhouse at Dartmouth by adjournment on the third Tuesday of June 1713, it was agreed and

Voted that there be 400 acres of land laid out to a share to be proportioned to each Proprietor for quantity and quality according to his right and where any difference shall happen by reason of several men's pitching on the same tract of land that there the surveyor and his assistants shall determine who shall have it and it is also agreed that there be one month's time from this day allowed to each Proprietor to bring in his pitch to the surveyor and that the surveyor shall not lay out any until all have notice that have pitched on any one place and that those men chosen by the last act to lay out the meadows shall be the persons to lay out the said land and whereas any may be disappointed of their pitch that they may have liberty to enter a new pitch forthwith. This

division of 400 acres of land shall not be begun to be laid out until the expiration of two months next ensuing, the above written transcribed out of Dartmouth Purchasers Book of Records and is a true copy, attest

No. 8
Jonathan Delano, Clerk

PAGE 14:

At a lawful Purchasers meeting held at the townhouse in Dartmouth on Tuesday the 5th of January 1713 [1714], agreed and Voted that whereas at a Purchasers meeting held at the townhouse in Dartmouth the 12th of May 1713, it was agreed in voting for the cedar swamp that everyone that would not draw his or their lot should fall last, said act is now made good and it is now agreed that every Proprietor take his lot as it falls and where any refuse to draw, that there the Clerk shall draw for them.

A true copy taken out of Dartmouth Purchasers Book of Records, attest
Jonathan Delano, Clerk
No. 9

Christopher Gifford's lot for cedar swamp was the seventh lot drawn and it being computed is the third, the above written being on file, a true copy attest,
Jonathan Delano, Clerk

THE FOUR HUNDRED ACRE DIVISION CONFIRMED

At a Purchasers meeting held at the townhouse in Dartmouth Tuesday the 10th of August 1714, Samuel Hunt was chosen Moderator for said meeting.

Voted that whereas the Proprietors in the order made the third Tuesday of June 1713, for laying out an addition of 400 acres to each share have not concluded so fully on the method as is thought needful, it is now agreed and

Voted that where any difference shall prove so difficult that the surveyor cannot determine it, that then the person's contending shall cast lots for the land and if any Proprietor desires the surveyor to lay out any land that any other of said Proprietors have pitched upon, said Proprietor shall notify all that have pitched and if any cannot or do not attend there, the surveyor shall act for them.

A true copy taken out of Dartmouth Purchasers Book of Records, attest
Jonathan Delano, Clerk
No. 10

PAGE 15:

At a Purchaser meeting held in Dartmouth on May the 12th, 1713 and adjourned to the first Tuesday in February next meet and

Voted that there be a committee of three men chosen one in each village who together with the surveyor, Benjamin Crane, shall look into the claims of the meadows and what each one's right is yet in the undivided lands and they to meet in each village at such time and place as they shall appoint, giving first public notice to each respective village to bring in their claims.

Voted that George Cadman, Nathaniel Howland and Thomas Taber or either two of them together with the surveyor are chosen to be the said committee. It is further agreed and Voted that the surveyor, Benjamin Crane, do forthwith as soon as the season will permit, finish the 36 acres to a share of meadow and where any do want of their proportion of 36 acres to a share of meadow and several persons happen to pitch upon one tract, they shall divide it among them by lot according to each one's right in said meadow, except any one or more have meadow adjoining to said tract of meadow and then they may have their part or parts joining thereto according to his or their right with the other that have pitched thereon and where any person or persons do claim more meadow than is their due and will not proceed to have their meadow stated to the [sic] them, then the said surveyor shall set them out their part where he doth think it

most convenient for them and the rest lay as undivided meadow.

A true copy taken out of Dartmouth Purchasers Book of Records, attest
No. 11

Jonathan Delano, Clerk

PAGE 16:

At a Purchasers meeting held at the townhouse in Dartmouth the 30th of March 1714, Thomas Taber, Jr. was chosen Moderator for said meeting.

Voted that our undivided meadows, after the 36 acre [division] is completed, be set out to each village as followeth (viz): that Cushnet village shall have all the undivided meadow in said Cushnet, if their rights will reach it, and that Ponaganset shall have what undivided meadow that is in said Ponaganset village if their rights will reach it, and that Coakset village have their part as followeth: that is to say, all that lies nearest to the westernmost arm shall have their part at the northwest end of the river, and those that lie nearest said Coakset River shall have their part at the north end of said river and that which is left Cushnet shall have the westernmost end and Ponaganset the east end, and further it is agreed and

Voted that each village shall lot for choice provided that every Proprietor in taking his portion shall begin and take his part on one side or end of that tract where he pitched and that Mr. Benjamin Crane, the surveyor, do set up notification in each village to call the Proprietors together to lot for choice as aforesaid, and it is to be understood that the said meadow in Ponaganset and Cushnet shall be laid out to each Proprietor according to his right, and further it is agreed and

Voted that the surveyor do set up notifications in some public place or places according as the work he is going about may require, signifying when and where he doth intend to begin to lay out said meadow in each village and if any Proprietor neglect to attend, he or they shall lose his or their choice and fall in one after another last.

It is further agreed and

Voted that the meadow be finished as near as can be before the 400 acre division began.

A true copy taken out of Dartmouth Purchasers Book of Records, attested by Jonathan Delano, Clerk
No. 12

PAGE 17:

At a Purchasers meeting held at the townhouse in Dartmouth on Tuesday the 14th of August in the year 1716, Mr. Samuel Hunt was chosen Moderator for said meeting. First, agreed and

Voted that all our undivided land be surveyed in a general survey.

Second agreed and

Voted that Mr. Benjamin Crane be the person to survey said land for a penny an acre and said Mr. Crane hath undertaken to do said work for one penny an acre as aforesaid. It is further agreed and

Voted that Mr. Benjamin Crane be the surveyor after he hath taken the general survey to survey and proportion to each Proprietor his share or part of a share according to his interest and said Proprietors shall assist said surveyor in said work by these -- them [illegible words] or some other person to the satisfaction of the said surveyor; it is further agreed and

Voted for the method of said division that every Proprietor that has land already laid out in the former division shall be obliged to lay his proportion of land in this division joining to the former if he can and no other Proprietor shall hinder him provided he lays so as not to make any broken lands that where a piece of land lays between two or more Proprietors and each of them can join it to his land of the former division, in such case they shall divide it equally according to each Proprietors right if they cannot other ways agree, and it is to be understood that every such Proprietor is hereby obliged to take his whole right upon one end or one side, except where there are gores [triangular pieces] and such gores he is obliged to take first, but it must be also understood the right that a man now hath and not what he shall purchase.

A true copy taken out of Dartmouth Purchasers Book of Records, attest
Jonathan Delano, Clerk
No. 13

Voted that convenient highways be laid out throughout the township of Dartmouth Propriety and that Capt. John Akin, Philip Taber, and John Taber be a committee to lay them out and to determine where said ways shall be open and where driftways by good gates;

A true copy attest Thomas Hathaway, Clerk

THE GENERAL SURVEY AND EVERY PROPRIETOR TAKE THE JOINING TO HIS OTHER LANDS.

PAGE 18:

At a Purchasers meeting held at the townhouse in Dartmouth on the 28th of March 1717, John Tucker was chosen Moderator for said meeting.

Voted whereas several good and profitable orders have from time to time been made by the Proprietors of our lands relating to highways, wherein proper care was taken for allowing land in all places where there was need of highways, yet such due care has not been taken nor those orders so well observed but that the Propriety in general is like to be greatly hurt in some places for want of convenient highways from place to place, it is therefore agreed and

Voted that there be a committee appointed to order and determine how many highways there shall be and where they shall be laid out and where it happened to go through any particular man or men's land that is already laid out that has not already had allowance for it, that in every such cause, said committee shall determine how much land he or they shall have allowed them taken to the allowance that said Proprietors have had for ways through their land and the surveyor shall add it out of the undivided land to their lands of the last division, making mention in the returns of the land where such addition is that there is therein allowance for a highway or ways through such tract or tracts of lands by name where the said ways may be ordered to, and the town paying the committee for their time that they shall be about said work, said ways shall be from thence forward forever be the ways for said town to be ordered and disposed of as they may see cause.

Voted that Capt. John Akins, Lt. Thomas Hathaway, Deliverance Smith, George Lauton, William Wood and Thomas Taber, Jr. or either two of them be the committee for to do said work.

The above written a true copy transcribed out of Dartmouth Purchasers Book of Records, attest Jonathan Delano, Clerk
No. 14

CONCERNING HIGHWAYS

PAGE 19:

At a Proprietors meeting held at the townhouse in Dartmouth on the 22nd day of May anno domini 1722, Mr. Samuel Hunt was chosen Moderator for said meeting.

Voted that there be a committee chosen to examine every Proprietor's claim and seek and find out what original right every Proprietor's right is derived from and John Akin, Samuel Cornwell, and Thomas Taber, Jr. are chosen to be the committee for said work and it is further agreed and Voted that what land Benjamin Crane, our late surveyor, has surveyed according to the Proprietors acts as may appear by said Crane's journal or returns of any of land surveyed to any Proprietor or [sic] shall stand as a good survey to every such Proprietor.

Voted that where there is no return yet made of any part, caler (?), piece or lot of land, said committee are hereby empowered to give returns of the same provided the said committee judge it to be laid out according to the acts of said Proprietors: that is to say, the said committee or any two of them are to give returns as aforesaid.

The above written, a true copy taken of [illeg] foile [folio?], attest,
No. 15 Jonathan Delano, Clerk

The committee chosen to assist the surveyor in laying out the land in the Propriety of Dartmouth are only to assist in the 800 and 400 acre divisions.

At a Proprietors meeting held at the townhouse in Dartmouth June the 27th 1723, John Tucker chosen Moderator and Thomas Hathaway chosen Clerk, and engaged Benjamin Hammond chosen surveyor to lay out our several divisions of upland and cedar swamp until the whole be fully finished and completed according to our acts and orders and to give returns of what he lays out or of any already laid out, where there is no returns given; also our surveyor or committee is empowered to procure the several journals of our former surveyor that may be useful in the finishing our several divisions and George Laton, Richard Sisson, John Kirby, Isaac Smith, Thomas Hathaway, Nathaniel Delano, P__ [illegible] Hammond and John Akin are chosen or either two of them to be a committee to assist the said surveyor in said work.

No. 16 A true copy attest. Thomas Hathaway, Clerk

PAGE 20:

At a Proprietors meeting held in Dartmouth April the 26th 1725, Voted that Richard Borden of Tiverton in the County of Bristol in New England and Philip Taber and Capt. John Akin, both of Dartmouth in New England, with the surveyor, Benjamin Hammond, be a committee to inspect into the said aggrieved persons' lands and meadows, and they that have not had their due proportion to lay it out according to quantity and quality, having reference to said Proprietors acts, said aggrieved persons to have the liberty to pitch on any whole share, half share or quarter share in said town and their lands to sample thereby [illegible], the said committee or the major part of them with the said surveyor to give returns in the original right, sofar as they can find in each part or share. Further it is Voted that the aforesaid committee procure the several plots and journals that did belong to the former surveyor that may be of use for finishing in said work, said Benjamin Hammond is not to be understood to be one of the committee for viewing the claims and searching into original rights.

No. 17 A true copy attest. Thomas Hathaway, Clerk

The meeting is adjourned to the first Tuesday in September next and then meet and Voted that such Proprietors who can't join land to land shall lot for the priority of dividing but adjoin to some other land already surveyed or the town line but withall it is further enacted by the said Proprietors that where any Proprietor have cedar swamp, he shall not be obliged by virtue of the former act of joining land to lands to join to said cedar swamp unless he is minded so to do and then he may have the liberty. It is further agreed and Voted that two months be allowed for every Proprietor to fill up or complete his right in the 800 and in the 400 acre divisions of land formerly agreed on from this time and that no one lay out any land of this last division agreed on before the two months be expired and where any Proprietor is froward [disobedient] and neglects or refuses to lay it out; their lands to be left by the surveyor as convenient for them as may be in the judgment of the said surveyor and the same method to be taken by the surveyor in the last division, in all such cases it is further agreed and Voted that a convenient quantity of land be allowed to qualify mean land.

No. 18 A true copy attest. Thomas Hathaway, Clerk

PAGE 21:

To Mr. Thomas Hathaway, Clerk of the Propriety of the town of Dartmouth, etc. We, the subscribers, pursuant to an act passed by the Proprietors of said town July 19, 1726, desire you, the said Thomas Hathaway, to notify the Proprietors of the town of Dartmouth aforesaid so that they meet together at the townhouse in said town upon the 23rd day of April next at ten of the clock in the forenoon, then and there to act upon the particulars hereinafter mentioned, viz:

1-ly To lessen the committee that was chosen by the Propriety of Dartmouth to view returns that they might be of record or to choose new ones and to empower them to rectify all apparent mistakes;

2-ly To agree upon what wages to allow said committee per day;

3-ly To limit some time when the returns shall be viewed and brought to record;

- 4-ly To determine whether to give up our highways to the Town or not and what width they shall be of or whether wider in some places than in others or not;
- 5-ly To choose a committee to compound with those persons that have already or shall commit trespass on the undivided lands in said town and to empower them to prosecute them in the law, if they will not readily comply with the terms offered them by said committee;
- 6-ly To take care that money be raised to defray the charge of the Propriety;
- 7-ly To agree on some shorter method for the calling of Proprietors meetings for the future;
- 8-ly To choose a Proprietors Clerk if thought needful;
- Dated at Dartmouth this 29th day of March 1728.

PAGE 22:

Whereas a sufficient number of the Proprietors of Dartmouth have signified their desire that a meeting should be called, these are to notify and warn all the inhabitants of the town of Dartmouth that they meet together at the townhouse in said town at or on the 23rd day of April next at ten of the clock in the forenoon then and there to act upon the particulars hereafter mentioned (viz):

- 1-ly To lessen the committee that was chosen by the Proprietors to view returns that they might be of record and to choose new ones and to empower them to rectify all apparent mistakes;
- 2-ly To agree upon what wages to allow said committee;
- 3-ly To limit some time when the returns shall be viewed and brought to record;
- 4-ly To determine whether to give up our highways to the Town or not and what width they shall be of or whether they shall be wider in some places than others or not;
- 5-ly To choose a committee to compound with those persons that have already or shall commit trespass on the undivided lands in said town and to empower them to prosecute them in the law, if they will not readily comply with the terms offered them by said committee;
- 6-ly To take care that money be raised for the defraying of Proprietors charges;
- 7-ly To chose a Proprietors Clerk at said meeting if it be thought needful;
- 8-ly To agree on some shorter method for calling of Proprietors meetings for the future;
- Dated at Dartmouth this 29th day of March 1728.

PAGE 23:

At a Proprietors meeting held at the townhouse in Dartmouth on April 23, 1728, Richard Borden chosen Moderator.

Whereas the last committee chosen consisted of nine persons which probably would create a needless charge to the Proprietors, therefore it is concluded that four persons, the surveyor, Benjamin Hammond, to be one, shall be a committee to act in viewing and giving where is want of returns and that either three thereof shall be sufficient to act in that affair and that the surveyor, together with two more of said committee, are hereby empowered also to lay out lands where and to whom is wanting and to act on all accounts with respect to laying out lands as our former committee were to do in that affair. Said committee to be John Akin, Richard Borden, Nathaniel Delano, and Beriah Goddard, together with the surveyor Voted to be said committee to view returns and either three to act as aforesaid. It is Voted with respect to the second article in the notification of this meeting that the committee by consent of said committee is to have six shillings per day and board and house meet for the time they spend indoors in viewing and giving returns as aforesaid and eight shillings a day for the time they ride or journey or lay out lands.

Referring to the third article in said notification is Voted that six months be allowed for viewing returns and to complete and order said returns to be recorded.

Referring to the fifth article with respect to trespasses Voted Stephen West, Jr., John Akin, and Samuel Cornell to be a committee to prosecute

trespassers or compound with them according to said fifth article.

Thomas Hathaway, Clerk

PAGE 24:

To Mr. Thomas Hathaway, Clerk of the Propriety of the town of Dartmouth, sir: We, the subscribers, pursuant to an act passed by the Proprietors of said town July the 19th, 1726, desire you, Thomas Hathaway, to notify the Proprietors of the town of Dartmouth aforesaid that they meet together at the townhouse in said town upon Tuesday the 3rd of December next at ten of the clock in the forenoon, then and there to act as followeth (viz):

That whereas the committee that was chosen for the viewing returns and laying out land and giving returns are now become incapable of acting in their office whereto they were chosen by reason that the time limited them were short and now expired and the work is not yet done but is yet partly to do, therefore, we, the subscribers, thought it proper that a meeting should be called.

1-stly To choose a committee, the surveyor to be one, and to empower them with the same power that was given to the former committee that was chosen at a Proprietors meeting held at the townhouse on April the 23, 1728 for viewing returns so that they may be capable of giving returns or laying out lands or to enlarge the power as may be thought needful;

2-ndly To limit some time when the returns shall be viewed and brought to record or completed by said committee;

3-rdly To agree on some method for the paying said committee for their work;

4-thly To chose a Proprietors Clerk.

Dated at Dartmouth November the 9th, 1728.

(11 Proprietors signed with interests from 1/6 to a whole share)

PAGE 25:

At a Proprietors meeting held at the townhouse in Dartmouth December the 3rd 1728, Philip Taber chosen Moderator for said meeting.

Voted that the former committee chosen and empowered April the 23 1728 (viz): John Akin, Richard Borden, Nathaniel Delano, Beriah Goddard, together with Benjamin Hammond to be the surveyor; it is to be understood that Benjamin Hammond is to be one of the above said committee who are now again chosen and empowered with the same power as they had before on all counts and said committee is to finish the work that the committee was to do that was chosen on April the 23 as above said in eight months from the date hereof.

At a Proprietors meeting on the third of December as above said, Stephen West, Jr. chosen Proprietors Clerk: the voices being collected according to their interests.

Thomas Hathaway, Clerk

PAGE 26:

These are to notify and warn all the Proprietors or Purchasers of land within the township of Dartmouth that they meet together at the townhouse in said town on Monday, the 11th day of May at ten of the clock on said day there to act on the particulars hereafter mentioned (viz):

That whereas our former act for 800 acres to one whole share which is the foundation of all our acts of said Proprietors was by some accident mist (?) so that said act is not as yet recorded in the new book though an attested copy was once produced which seems to be a damage to all our former proceedings in approving and recording returns in the 800 acre division to one whole share, whereas we, whose names are underwritten, thought it proper that a meeting should be called of the Proprietors,

Firstly To agree on some method for procuring said attested copy again in order to be recorded in the new book and to do and act what may be thought proper relating to the premises aboveto;

Secondly That whereas the selectmen of the town of Rochester do refuse to renew the bounds between the township of Dartmouth and the town of Rochester aforesaid according to the bounds

stated by the agents formerly chosen by the Proprietors of each town and empowered to do said work, so we think it may be proper for said meeting to act something relating to the premises in the second article;

Thirdly That a committee be chosen and empowered to exchange a small parcel of land out of the undivided land with Nathaniel G. Blackwell for the benefit of the country road whose land is so near that Mile Hill so called that when fenced up will be very ill convenient both for travelers and teams;

Fourthly To agree on some shorter method for the calling of meeting of the Proprietors for the future;

Fifthly That new books or a book if need require approval.

Dated at Dartmouth April the 14th 1730.

(Signed by 12 Proprietors with fractional shares plus the Clerk)

PAGE 27:

At a Proprietors meeting held at the townhouse in Dartmouth on the 11th day of May 1730, Henry Tucker chosen Moderator for said meeting.

Firstly Voted That Richard Borden, Nathaniel Delano, Stephen West, Jr. be a committee to procure an attested copy of the 800 acre division of lands to one whole share of Christopher Gifford or elsewhere in order to have said act on record in the new book of records of Proprietors acts and to pay for said copies where procured and to pay Christopher Gifford for the copies formerly received of him;

Secondly Voted That Stephen West, Jr., Jabez Delano and Nathaniel Delano be a committee to state and settle the head bounds of our dividing line between our town of Dartmouth and the township of Rochester or to act and do anything that they shall think proper relating to the premises above said;

Thirdly Voted That Stephen West, Jr., Nathaniel Delano, be a committee to exchange a small parcel of land with Nathaniel Blackwell according to the tenor of the third article in the notification for the calling this meeting;

Compared,

Stephen West, Jr., Proprietors Clerk

PAGE 28:

To Stephen West, Jr., Clerk of the Proprietors of the town of Dartmouth:

We, whose names are underwritten, desire you, pursuant to an act of said Proprietors to warn a meeting of said Proprietors at the townhouse in said town on Friday, the 9th day of October next at ten of the clock on said day, then and there to act on the particulars hereafter expressed (viz):

1-ly To continue or choose the same committee which was chosen at a Proprietors meeting held at the townhouse in said town on the 3rd day of December 1728 and to empower them with the same power as they had on all accounts or to enlarge their power and to limit the time when said committee shall complete their work and in case either of said committee shall refuse to serve, to choose new ones in their room [place], also to choose and empower another surveyor being one of said committee, or otherwise to lay out the Giffords land only;

2-ly That whereas by accident of fire our former act for 800 acres to one whole share, which was the foundation of all our acts of said Property, is lost and for want thereof, we are now become incapable of acting or proceeding in the way or method we were in by reason of said accident and for remedy whereof we think it may be proper to comprise all our former acts relating to the divisions of lands into one special act of 1500 acres to one whole share, having a special regard to every Proprietors or Purchasers tract or tracts of land which appear to be laid out to him or them, either by former returns signed by Benjamin Crane or Benjamin Hammond or Benjamin Crane's journals or otherwise, so that each and all the Proprietors or Purchasers may have the same land as has been laid out to them as appears as above said, with a special regard to the qualification formerly allowed in each division by the former survey of said land so as every

Proprietor or Purchaser may have their land made up both in quantity and quality according to their rights with the former samples in the judgment of the committee above said or the major part of them;

3-ly That whereas Christopher Gifford has often repeated that he has not or could not have his part or proportion of the land, meadow or cedar swamp equal with the rest of said Proprietors, it is now tendered that the said Gifford shall or may pick on any share or half-share of land, meadow or cedar swamp in said township for a sample to qualify his land, meadow and cedar swamp by in the judgment of said committee or of a committee of five men, two to be chosen by said Gifford and two by the Proprietors of said town, and they four to choose the fifth, and if in the judgment of said committee the said Gifford shall already have a sufficient qualification, then the said Gifford to pay the charge of said court, otherwise the Proprietors to pay the charge;

4-ly To agree on any other regular method as may be proposed at said meeting relating to said lands;

5-ly To agree on some method for the raising money to defray said Proprietors charges and to pay said Gifford for his copies and papers.

Dartmouth, dated September the 21, 1730.

(16 Proprietors signed with fractional shares)

PAGE 29:

At a Proprietors meeting held at the townhouse in Dartmouth on the 9th day of October 1730, Philip Taber chosen Moderator for said meeting.

This meeting is adjourned to the 17th day of November 1730 and then meet, and after some debate, this meeting was dissolved and nothing acted.

PAGE 30:

These are to notify and warn all the Proprietors or Purchasers of land within the township of Dartmouth that they meet together at the townhouse in Dartmouth aforesaid on the 30th day of March next at nine of the clock on said day, then and there to act on the particulars hereafter expressed (viz):

1-ly To choose a committee in the room [place] of the former committee which was chosen at a Proprietors meeting held at said townhouse on the 3rd day of December 1728 and to empower the latter with the same power as the former had on all accounts and to enlarge their power as said Proprietors shall so cause;

2-ly To choose another surveyor being one of said committee or otherwise only to lay out the Gifford land;

3-ly To comprise all our former acts relating to the division of lands into one special act of 1500 acres to one whole share, otherwise to establish what is or has been already been done by our former surveyor or surveyors (viz): Benjamin Crane and Benjamin Hammond;

4-ly That every Proprietor or Purchaser may have his tract or tracts of land which appear to be laid out to them either by former returns signed either by Benjamin Crane, our former surveyor, or Benjamin Hammond, or either of their journals or eitherwise so that each and all the Proprietors or Purchasers may have the same land as has been laid out to them as appears as above said with the qualification formerly allowed by either of said surveyors and their assistants in each several divisions according to the former samples in each division;

5-ly That if any Proprietor or Purchaser be aggrieved and think that he has not had a suitable qualification that he may have his or their land [illeg] to them in quantity and quality according to their interest with the former samples in the judgment of the committee above said or the major part of them, they paying said committee and refunding the overplus if found more than the complement;

6-ly To limit some time for those persons to have their land laid out [illeg] any 800 or 400 acre division to take up and for those that can join their 300 acre division to their land already laid out

so that those persons that cannot join may be in found [found in some?] way to have their land laid out otherwise to agree on any regular method as may be proposed at said meeting relating to the premises;

7-ly Voted To agree on some regular method for the raising of money in Propriety for the paying the Proprietors' debts and to defray charges that shall arise hereafter;

8-ly To choose a committee to call trespassers on the undivided land to an account and to empower as said Propriety shall think fit.

Dated Dartmouth, February the 12th 1730/1.

(signed by more than 16 Proprietors with fractional shares)

PAGE 31:

At a Proprietors meeting held at the townhouse in Dartmouth March the 30, 1731, Nathaniel Soule chosen Moderator for said meeting.

1-ly Voted Referring to that first article in the notification that Richard Borden, Nathaniel C. Delano, Beriah Goddard, Stephen West, Jr., Benjamin Hammond be a committee to view returns in order for their going to record and to lay out land, meadow or cedar swamp to whom is wanting and to give returns where or to whom is wanting and to rectify mistakes if any appear and any three of said committee to act as abovesaid having a regard to former samples in qualifying of land or meadow laid out by them.

The second, third, fourth, fifth and eighth articles in the notification for calling this meeting was omitted and not put to vote by consent of the Proprietors in general then present.

2-ly Voted Referring to the sixth article in the notification that there be eight months allowed to those persons that can join their 300 acre division to their land already laid out that have any of their 300 to take up likewise for the taking up their 800 and 400 acre division;

3-ly Voted Referring to the fourth article in the notification with respect to raising money that there be one pound ten shillings raised upon every whole share of land within said Dartmouth and so proportionable for more or less than a share.

4-ly Voted That Nathaniel Delano, Stephen West, Jr. and John Russell be the assessors to assess the aforesaid sum of one pound ten shillings on one share as aforesaid;

5-ly Voted That Samuel Pope, Thomas Smith, and Jonathan Wood be the collectors to collect the aforesaid sum or sums and to pay in the money to the Proprietors Clerk;

6-ly Voted Referring to the 9th article in the notification that the same committee is chosen as was chosen to view returns (to determine according to the tenure of said 9 article) or the major part of them.

PAGE 32:

To Stephen West, Jr., Clerk of the Proprietors of the town of Dartmouth: We, the subscribers pursuant to an act passed by the Proprietors of Dartmouth July, the 19th 1726, desire you, the said Stephen, to notify the Proprietors of the town of Dartmouth aforesaid that they meet together at the townhouse in said town on the 3rd day of July next at ten of the clock in the forenoon, then and there to act on the following particulars (viz):

1-ly That whereas our first and former acts for the divisions of lands within the township of Dartmouth aforesaid was comprised into one special act of 800 acres to one whole share of upland and 36 acres to a share of natural meadow, in which said act was set forth all the methods for laying out our lands and meadows in said division, which said act seems to be the foundation of all our acts for the divisions of land for that which had several additions proceeding said 800 acre division in which said division of 800 acres of upland and 36 acres of meadow as aforesaid [illeg] every Proprietor or purchaser within said town had his proportion according to his right laid out in said division and said division being [same illeg] completed by an accident of fire, the said act for granting said division was burned with and in the house of the clerk of said Proprietors, and an attested copy cannot since be produced as appears by the report of the committee

chosen at a Proprietors' meeting held at the townhouse in said town May the 13th, 1730: who was appointed to procure the same, which seems to be a damage to all our proceedings in laying out lands as well in our last divisions as in said 800 acre division: for remedy whereof, we, the subscribers, Proprietors in said town, thought proper that a meeting should be called to establish what appears by the Proprietors Book of Record for returns to be laid out in said division or by returns signed by Benjamin Crane, our former surveyor, or by said Crane's journals of surveying, where it appears intelligible in the judgment of the committee chosen at a Proprietors meeting held at the said townhouse February 12, 1730, or the major part of them, who was appointed to view the same or by returns under the hands of our committee which was chosen by said Proprietors to finish our several divisions.

2-ly That whereas we are laying out our land and it being necessary to know where every Proprietor or Purchaser has his land lying that we may not interfere there on it, there be a time limited within which every Proprietor or Purchaser shall make it appear by returns or journals as aforesaid that they have right to such or such tract or tracts of land or the same to be liable to be laid out to any Proprietor who is wanting of his right except those persons that have their returns upon record or now lodged in clerk's office.

3-ly That whereas it is very ill convenient that the journals of our former surveyor, Benjamin Crane, and plots of the general survey should be kept so remote from us as in the town of Rochester, by reason that the Proprietors are often wanting the same searched to make their rights appear or to get returns taken off the same, that there be some person chosen at said meeting to procure said journals and plots and a meet person chose to keep the same for the future.

Dartmouth, dated June the 7th, 1733.

(15 signed with fractional shares)

PAGE 33:

At a Proprietors meeting held at the townhouse for Dartmouth July the 3rd, 1733, Mr. Richard Ward chosen Moderator for said meeting.

Voted the proposals contained in the notification for calling this meeting be omitted passing only a vote and that the meeting be dissolved.

PAGE 33-34:

To Stephen West, Jr., Clerk of the Propriety of the town of Dartmouth: We, the subscribers, amounting to five whole shares, pursuant to an act passed by the Proprietors of said town July, the 19th, anno domini 1726, desire you, the said Stephen West, to notify the Proprietors of said Dartmouth that they meet together at the townhouse in said town on Friday, January the 8th next ensuing the date hereof, at ten in the morning, then and there to act what they think proper on the following particulars.

1-st Since the destruction of our records by fire, the Proprietors, in order to retrieve their loss and willing to put themselves in the same station they were in before, have taken great care and pains to procure and provide the attested copies of our former acts and orders that related to our several divisions of lands, meadows, and cedar swamps. Also an act was made at a meeting of the Proprietors held by adjournment December, the 13th anno 1726, directing that they should be recorded in a new book by our then present clerk for their future preservation, that notwithstanding the Proprietors at said meeting, mistaking the date of the 800 acre acts unadvisedly passed an act that all our acts made [next page] before the year 1710 should not go [be?] of record, although no article in the warrant or notification for calling said meeting can be [illeg] to prohibit our acts for 800 acres of upland and 36 acres of meadow to a share, which bore date before the year 1710, and it cannot be thought they'd go to null the acts on which the whole settlement of this Propriety so very much depends and so zealously contended for by all (therefore, we deem said vote groundless), yet it seems to amuse many of the good people of this Propriety, fearing that they are thereby deprived of the valuable privileges which should of

right accrue to them by the said acts: Now to remove all doubts and scruples (?) thereon arising and the ill consequence that may attend it, pray that the said vote of said meeting may be reconsidered and the said acts ordered to be of record and of full force and virtue, according to their true intent and meaning if they can be procured: If not, to make such act or acts as shall then and there be thought most proper for settling and confirming the aforesaid divisions of land and meadow.

2-ly To add a suitable person to the committee in the room [place] of Richard Borden, deceased, or choose a new committee and empower them.

3-ly To give orders for the laying out a convenient land or place at the head of Noquochoke River and all other places needful.

4-ly To give suitable orders for and take especial care that the Giffords have their right laid out equal with other Proprietors agreeable to the acts.

5-ly To pay Christopher Gifford for his copies.

6-ly To answer and resolve some queries proposed by Christopher Gifford:

1-stly Whether any person can have an indefeasible right to any land in this Propriety laid out or to be laid out unless he proves his title from the original or first Proprietors.

2-ndly What division the neck and islands were to be laid out in.

3-rdly How for Benjamin Crane was loyally surveyor and by what empowered.

4-thly If a man buys an acre of land or meadow by metes and bounds, whether he can lot it in any other place by virtue of his deed.

5-thly Suppose "AB" hath one whole share and sells to "CD" 100 acres, who shall have the privilege of a vote on said 100 acres, the donor or donee?

6-thly Inasmuch as the plots and journals of Benjamin Crane may be of use and service in completing the survey of our lands to order that they may be kept in a more convenient place than Rochester for the use and service of the public and that there be two or more persons chosen to procure and deliver them to the person who shall then and there be appointed to keep them.

Dated at Dartmouth, this 22nd day of December in the seventh year of his Majestie's reign, anno domini, 1733.

(19 signed with fractional shares)

PAGE [35]

At a Proprietors meeting held at the townhouse in Dartmouth, January the 8th, 1733/4, John Akin chosen Moderator for said meeting.

1-ly Voted that whereas the vote of the meeting held by adjournment December the 13th, 1726, being duly compared (?) and is as followeth,

the ninth article in said warrant was put to vote (viz): Whether all the former acts that was before the year 1710 should be established good and be of record and after deliberation and a considerable debate, a vote was called upon the said ninth article but it passed in the negative by a unanimous vote and upon further search we find no ninth article in the warrant for calling that meeting and the question being now put whether said vote is of any force or not and it passed in the negative by a unanimous vote.

2-ly Voted that all our former acts and orders for the divisions of lands should be of record and of full force and virtue according to the true intent and meaning to be of record.

3-ly Voted that John Akin in behalf of the Proprietors shall pay Christopher Gifford for all his copies and papers which was received of him by said Proprietors (in order to record in a new book) at such rate as shall be judged reasonable by Stephen West, Jr., Proprietors Clerk.

4-ly Voted that Henry Tucker and Thomas Smith be the two persons chosen to go to Benjamin Hammond and procure the plots and journals of the survey of Benjamin Crane, our former surveyor, and deliver them to the next meeting to be held by adjournment.

This meeting is adjourned to the second Tuesday in February next and then meet and the

abovesaid Moderator for this meeting being absent, the meeting fell through and nothing acted at said adjournment.

[NEXT PAGE BLANK]

PAGE [37]

At a Proprietors meeting held at the townhouse in Dartmouth the 4th day of August 1735, being legally warned, Philip Taber chosen Moderator for said meeting by a majority of the Proprietors then present, the votes being collected according to their interest.

Referring to the notification for calling said meeting, Philip Taber and Jabez Barker chosen agents in behalf of the Proprietors of said Dartmouth (to answer to an action commenced by Christopher Gifford against said Proprietors to be heard and tried at the next Inferior Court of Common Pleas to be holden at Bristol on the second Tuesday of October next) by a majority of votes, the votes being collected according to the interests then present.

PAGE [37-38]

Bristol, ss. To Philip Taber of Dartmouth in the County of Bristol, yeoman, and one of the Proprietors or Purchasers of the town of Dartmouth aforesaid, Greeting: Whereas, thirty-eight Proprietors of the town of Dartmouth aforesaid, who are owners of more than five full shares or purchase rights by a certain writing under their hands dated the 23rd day of December instant, have requested me, the subscriber, one of his Majestie's Justices of the Peace for the county aforesaid: to grant a warrant to yourself, requiring you to warn a meeting of the said Proprietors according to law, to be held at the townhouse in Dartmouth aforesaid on Saturday, the 10th day of January next at ten of the clock in the forenoon, then and there to vote and act on the six articles hereafter mentioned as the said Proprietors shall think proper.

1st To choose agents to defend the said Proprietors and Purchasers of said Dartmouth in any and every cause that is or may be hereafter commenced against said Proprietors or Purchasers by any person or persons whatsoever, said agents to be empowered in all and every respect to act and do both for defending said Proprietors or Purchasers or in suing any person or persons in said Proprietors' behalf or in agreeing and compounding [settling out of court] with any person or persons in the premises.

2nd To make up accounts with the agents and committee chosen September 1735 for the money and time they have expended.

3rd To choose a clerk for the Proprietors and Purchasers of said Dartmouth to record all acts and votes as shall be passed by said Proprietors as also returns of surveys for land or any other matter or thing relating to the clerk's office in the room [place] and stead of Stephen West, Jr., the present Proprietors' clerk.

4ly To choose assessors to make a Proprietors' and Purchasers' rate of fifty shillings to a whole share and so proportionable for a greater or lesser quantity being already agreed on by said Proprietors and Purchasers.

5ly To choose collectors to collect the several sums of money as shall or may be assessed by said assessors for the said Proprietors and Purchasers use, said money to be paid unto such person or persons as said Proprietors shall at said meeting order to receive the same.

6ly That a convenient time be set by said Proprietors for the laying out and completing the 300 acre division so far as persons can join land to their own land according to the said Proprietors act for the said division that they that cannot join their land to their other land may be the sooner supplied. Also the said Proprietors in their request to me have signified that Stephen West, Jr., the present Proprietors' clerk, has refused to call a Proprietors' meeting for the ends aforesaid, though request agreeable to the vote, etc.

Dated the 19th day of July, 1726. These are therefore in his Majestie's name to require you, the said Philip Taber, _____ly to warn a meeting of the said Proprietors according to law to be held at the time and place aforesaid and for the ends aforesaid, hereof fail not. Dated at Freetown the 25th day of December in the ninth year of his Majestie's reign, anno domini, 1735,

Thomas Terrey, Justice of Peace.

By virtue of this within written warrant, I have notified the Proprietors of Dartmouth to meet together at the time and place within mentioned, Philip Taber.

At a Proprietors meeting held at the townhouse in Dartmouth on Saturday the 10th of January 1735/6, being legally warned, Philip Taber chosen Moderator for said meeting by the major part of the Proprietors then present, their voices being collected according to their interest.
1-ly Voted Referring to the first article in the warrant for calling this meeting that Philip Taber, Jabez Barker and Holder Slocum shall be the agents to perform all those services as set forth in the first article in the warrant for calling said meeting (viz) to defend the Proprietors and Purchasers of said Dartmouth in any and every cause that is or may be hereafter commenced against said Proprietors or Purchasers by any person or persons whatsoever and said agents or the major part of them are empowered in all and every respect to act and to do both defending said Proprietors and Purchasers or in suing any person or persons in said Proprietors' behalf or in agreeing or compounding [settling] with any person or persons in any of the aforesaid premises. This vote was voted by the major part of the Proprietors of the Propriety of said Dartmouth then present, their votes being collected according to their interest.

Referring to the second article in said warrant

Voted That the agents and committee account be allowed for their service done from September the 8th, 1735 till this day and to be paid out of the money already agreed upon by said Proprietors and Purchasers as may appear on the Proprietors Book of Record.

Philip Taber account voted that it be allowed 13=16=00 [pounds/shillings/pence?] Jabez Barker account voted that it be allowed 29=01=11. Capt. Samuel Willis account 16.

The abovesaid meeting is adjourned till the third Tuesday in March next and then meet.

3-ly Voted by the major part of the interested then present, their voices being [PAGE 40] collected according to their interest that John Tripp shall be the Proprietors clerk.

4-ly Voted that Holder Slocum, Philip Taber and John Tripp shall be the assessors to assess the sum of two pounds ten shillings to every whole share throughout said township and so proportionable for a greater or lesser quantity which said sum of two pound ten shillings was already agreed upon heretofore, said vote was

Voted by the major part of the interests then present, their voices being collected according to their interest:

5-ly Voted by the major part of the interested then present, their voices being collected according to their interest, that Philip Taber, Jr., Nath. Chase, [and] John Cannon shall be the collectors to collect the abovesaid sum. This meeting is adjourned to the second Tuesday of May next.

Whereas in December 1725, that then the former book of records belonging or did belong to the Proprietors and Purchasers of Dartmouth in the County of Bristol in New England, wherein was all the acts and divisions for the settlement of their land, meadows, and cedar swamps, record was burnt by accident and several other writings and returns of survey also with said book to the great loss and damage of said Proprietors and Purchasers, both in general and particular, wherefore the said Proprietors and Purchasers have called and had several or sundry meetings voted and passed many acts in order to repair their said loss and choose a committee and empowered and directed them to lay out and fill up their several divisions of lands, meadows, and cedar swamps to each of said Proprietors and Purchasers according to his and all their rights and interests in said lands, meadows, and cedar swamps and give returns of survey of the same where it was wanting and not intelligible on our late surveyor, Benjamin Crane's, journals and other acts relating to the premises and inasmuch as said committee or some of them have neglected or declined the same, not fully completing that matter by reason and because as some of them say that that main and chi__se act on which almost all the other acts relating to the divisions and surveys for the settlements of said land do in part depend, was burnt with said

book, which was that act of the 800 acre division of land to one whole share in said Dartmouth, and an attested copy of the whole of all said act from of that said former book of record cannot now be had nor procured to the use of said Proprietors and Purchasers, which some do say it renders the proceedings of said Proprietors and committee relating to the premises to but little or no effect for the want of part of said acts, now we the subscribers, being part of the Proprietors and our interests being more than five whole shares of lands throughout said town of Dartmouth and it being our desires that something proper may be acted and done by said Proprietors and Purchasers relating to the divisions and surveys for the settlement of the lands, meadows, and swamps and be established and confirmed so that it may be a mutual peace and settlement of the same for the future of which is proposed as followeth:

1. That a meeting be called by said Proprietors and Purchasers and a committee to be chosen at said meeting or filled up so that there be three, five or seven suitable persons, one or more of them to be a surveyor or surveyors, and empowered for the ends hereinafter mentioned.
2. That inasmuch as part of said act of the 800 acre division is wanting, now to pass some act in lieu of said act of the 800 acre division or in addition to said act or to supply that part of said act for said division that is wanting relating to our late surveyor, Benjamin Crane's power and his assistant for the surveying and laying out all said Proprietors and Purchasers land and meadows that it be confirmed and to be of record and of the other surveyor that was chosen by said Proprietors and Purchasers for to lay out their lands, meadows and cedar swamps be confirmed and to be of record.
3. That inasmuch as all said Proprietors and Purchasers in general have had all or almost all their lands in said division of the 800 acres to a share laid out and most of them have made a great improvement of the same by virtue of said laying out and survey by building and other improvements on it and also in their divisions by labor and manning of their lands, also of selling and buying one of another according to the said surveys, now to pass an act or some act to confirm all Benjamin Crane's work that he did and his assistants [next page] relating to the surveying and laying out said Proprietors and Purchasers lands and meadows and that it be confirmed and to be of record with the qualifications to said lands and meadows and also the work of the said other surveyors that was chosen as aforesaid to survey, lay out and fill up all the several divisions of lands, meadow and cedar swamps be confirmed and to be of record, all with a proviso and amendment following that each and every of said Proprietors and Purchasers have a just and good right and title within the township of said Dartmouth to so many acres of lands, meadows or cedar swamps as is set and mentioned in each and every of his or their return or several returns of survey of the same at the time of the date thereof that are signed and given by said Crane or the said other surveyors, but if it appear otherwise in any of them that with whom it is so found, shall refund the same or the overplus that is more than his or their just right and claim, the said committee or the major part of them to take it of, etc.: leaving for him or them his or their just claim and right of lands, meadows and swamps with the qualifications allowed by said Crane and the other surveyors according to proportion.
4. That most of said Proprietors or Purchasers that have a good right as aforesaid in said lands and have lost their return or returns of survey of the same or any of them by said accident or otherwise shall be forthwith supplied with new returns of survey of their lands by said committee or the major part of them at and according to the bounds of their lands and meadows or said swamps in which said bounds may appear by evidence or otherwise to the judgment of said committee or the major part of them to be their bounds so that it be confirmed and recorded.
5. That the Giffords of said Dartmouth that their lands, meadows and cedar swamps be surveyed and laid [next page] out for them in the places where they have built and improved and in the places where it was formerly left for them or laid out for to them and made equal in quantity and quality according to his or their just rights and just claim with all the several samples for said lands, meadows and cedar swamp out of said lands, meadows or cedar swamps that was left for them or formerly laid out to them as aforesaid or to be filled up if it be wanting in said lands, etc. and laid out of the undivided lands according his or their just rights and made up fully equal in quantity and quality with all the several samples for all the divisions of lands, meadows, and cedar swamps by said committee or the major part of them and put on record and recorded for

him or those of said Gifford's at his or their charge.

6. That there be a time or times appointed by said committee for all said Proprietors and Purchasers to meet said committee in some suitable place or places in said Dartmouth as said committee shall appoint and bring all their deeds and claims of land, meadows and cedar swamps that is claimed by them in said Dartmouth in unto said committee that they may take and account of and compute them that said committee, Proprietors, and Purchasers may know how much lands, meadows or cedar swamps is claimed by them in said town. Also all those of them that have their returns of survey of their lands, meadows or cedar swamps to bring them all in unto said committee that they may take an account of and compute them all.

7. Concerning the act for the last 300 acre division, where said Proprietors and Purchasers was to take their lands adjoining to their other lands until they was filled up in said last division, if it was to be had adjoining, etc.: That now, after these are filled up in said last division or sofar as could or can be done with the lands adjoining as aforesaid, then those that was to lot for their parts by said act for said last division that could not take their lands adjoining as aforesaid, shall have the liberty to pitch on certain places and take up their lands in said last division [next page - 44?] in the undivided lands until they are filled up and made equal in quantity and quality with the sample for said last division: but if it so happen that any two or more of said Proprietors or Purchasers should pitch on one piece or parcel of land, then said committee or the major part of them are to determine whether to divide it according to their proportion or claim or to lay it out to one or more who in their judgement hath the best right to it, but in filling up the first that are to take their lands adjoining as aforesaid, the said committee are to take special care that there be land enough left for the latter or last to make up their lands fully equal in quantity and quality with the sample for said last division.

8. That said committee or any three of them, one or more of them being a surveyor or surveyors, are to be empowered to lay out, fill up and finish all the divisions of lands, meadows and cedar swamps in said Dartmouth and give returns of survey of the same where they are wanting according to each Proprietors and Purchasers just claim and right: having respect to their several samples for said division where they lay out lands of the undivided, also having respect unto highways, landing and watering places where they may be wanting in the undivided lands.

9. That every of said Proprietors and Purchasers do set forth his and their right and title of lands or claim from the original share or shares of lands of said Proprietors or Purchasers if they see cause or think and judge it possible to accomplish it and that the benefit will countervail the charge.

10. Whereas the highways in said town are generally four rods wide, now that said committee be empowered [continued after next two pages]

PAGE :

At a Proprietors meeting held at the townhouse in Dartmouth the 8th day of September 1735 (?), being legally warned, etc., Philip Taber chosen Moderator for said meeting.

1-ly Voted at the abovesaid meeting that Capt. Samuel Willis, Nathaniel Soule, John Tripp, James Barker, all of Dartmouth, and Restcom Sanford of Tiverton be a committee to lay out and fill up all the land, meadow and cedar swamp, etc., according to the tenure of the third, fourth, and fifth articles in the request or notification for calling this meeting, which third, fourth, and fifth articles was voted to be good and be of record,

this meeting is adjourned to the 29th of this instant September and then meet: the second, sixth and seventh articles in the request or notification for calling this meeting was put to vote and passed in the negative. Voted that said committee shall perform according to the tenure of the eighth article in the request or notification for calling this meeting, the ninth, tenth, and eleventh articles in said request or notification was omitted and not put to vote.

Voted, referring to the twelfth article in said request that there be one pound good bill of credit raised on every whole share of land within said town of Dartmouth and so proportionable for a greater or lesser quantity. Referring to the thirteenth article in said request,

Voted that Philip Taber and Jabez Barker be the agents to perform according to the tenure of said

thirteenth article, the abovesaid vote was voted by the major part of the interests and interested present,
 Capt. John Akin, William Shearman, Philip Allen, James Allen, Enos Gifford, William Hix, and Stephen West, Jr. objects against all and every the proceedings of the abovesaid meeting.

THE COMMITTEE EMPOWERED.

PAGE : (blank)

PAGE 47:

empowered to bring them in to be but forty-foot wide, excepting near or at the watering and landing places and that the overplus of lands of said highways to be sold by said Proprietors and Purchasers or by whom they shall appoint to purchase other highways where they are wanting to the said Proprietors and Purchasers' use.

11. That if the beforementioned proposals be not thought proper by said Proprietors and Purchasers to be enacted and recorded or so many of them as may suit the circumstances of said town Purchasers and Proprietors: then to pass an act to make all our said lands, meadows and said swamps into one division of fifteen hundred acres of upland, forty-five acres and one-quarter of an acre of meadow, and sixteen acres of cedar swamp to one whole share throughout the township of Dartmouth, the Soule's share only being the thirty-fourth part thereof, and to be laid out by said committee or the major part of them to each of said Proprietors and Purchasers: according to his or their just claim in said lands, meadows and swamps in the places where they have improved and also where it was formerly laid out to them, observing the former methods of said Benjamin Crane, our late surveyor, and said other surveyors in laying out and qualifying said lands, meadows, and swamps.

12. That said Proprietors and Purchasers do take especial care to raise money to pay said Proprietors and Purchasers' debts and to put themselves in some proper method to said debts.

13. To choose an agent or agents to defend the Proprietors and Purchasers of Dartmouth in the County of Bristol in having land in the case defending between Christopher Gifford of Dartmouth and said Proprietors or Purchasers to be heard and tried at the next Inferior Court of Common Pleas to be holden at Bristol for said County on the second Tuesday of October next and so from court to court until the matter or case be finished and other agents or attorneys under them to plead and defend said Proprietors or Purchasers in said case or cause.

PAGE 48:

To Stephen West, Jr., Clerk of Proprietors and Purchasers of the lands in the township of Dartmouth in the County of Bristol within his Majesty's Province of said Massachusetts Bay in New England, greeting, etc.: That by virtue of the power invested in you by an act of the Proprietors and Purchasers as may appear of record, therefore, we the subscribers, whose interests being more than five whole shares of lands throughout said township of said Dartmouth do desire and request you to timely notify and warn the said Proprietors and Purchasers of the lands in said Dartmouth as the law directs to assemble and meet together at the townhouse in said Dartmouth on the 8th day of September next at ten of the clock in the forenoon on said day, then and there to vote and act on the particulars or articles on the other side written or so many of them as said Proprietors and Purchasers shall think convenient. Dated in Dartmouth this 16th day of August, anno domini 1735,
 Stephen West, Jr., Clerk (27 signed)

PAGE 49:

Dartmouth, New England, March the 28th day, anno domini 1743. To Mr. John Tripp of Dartmouth aforesaid, greeting, the Proprietors and Purchasers Clerk for the township of said

Dartmouth, the request or application of us whose names are undersubscribed, our interests being five whole shares or more of land in said Dartmouth or Propriety, that you would by virtue of the power invested in you by a former act of said Proprietors and Purchasers issue out a warrant notification to call, notify and appoint a meeting of said Proprietors and Purchasers to be held at the townhouse in said Dartmouth on the 19th day of April next, to begin at eleven of the clock on said day for the ends herein mentioned.

1. To choose a Clerk to and for said Proprietors and Purchasers to serve in the room [place] of John Tripp, also to choose a suitable person in and to the committee in the room of said Tripp for the surveying of said Dartmouth lands or otherwise to lessen the last committee as to their number for the said surveying said lands as said Proprietors and Purchasers shall see cause to save charge.

2. To pass an act that the last 300 acre division of lands in said Dartmouth shall be equally privileged with any of the former divisions in the undivided lands for the taking up the same in every respect, saving only in the qualification to be understood only for such of said Proprietors that cannot take up their 300 division adjoining to their former division of their lands.

3. To propose some method for the committee to be paid for their service in laying out the Giffords' lands in said Dartmouth.

4. To renew the bounds and line between said Dartmouth and Rochester to settle the affairs relating to Tompson's purchase, etc.: and further to act and do any other matter or thing whatsoever for the peace and settlement of said Proprietors and Purchasers.

(30 people signed with very small fractions)

PAGE 50:

Bristol, ss. That whereas sundry of the Proprietors and Purchasers of the town of Dartmouth in the County of Bristol in New England did on the 28th day of March 1743 make their request or application unto me, John Tripp of said Dartmouth, their clerk, their interests being five whole shares of lands throughout said Dartmouth or Propriety or more, that by virtue of the power invested in me by a former act of said Proprietors and Purchasers allowed by the law of this province to issue out warrant notifications to call, notify and appoint a meeting of said Proprietors and Purchasers to be held at the townhouse in said Dartmouth on the 19th day of April next to begin at eleven of the clock on said day for the ends herein mentioned.

1. To choose a clerk to and for the Proprietors and Purchasers to serve in the room of me, the said Tripp. Also to choose a suitable person to add to the committee in the room of me, the said Tripp, for the surveying of said Dartmouth land or otherwise to lessen the said committee in number to save charge in surveying of said lands.

2. To pass an act that the last 300 acre division of lands in said Dartmouth shall be equally privileged with any of the former divisions in the undivided land for the taking up the same in every respect, saving only in the qualifications, it is to be understood only for such of Proprietors that cannot take up said 300 division adjoining to their former division in their other lands.

3. To propose some method for the committee to be paid for service in laying out the Giffords' land in said Dartmouth.

4. To renew the bounds and line between said Dartmouth and Rochester and to settle the affairs relating to Tompson's purchase, etc., and further to act and do any other matter or thing whatsoever for the peace and settlement of said Proprietors and Purchasers.

These are therefore in his Majestie's name to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 19th day of April next at eleven of the clock on the said day for to vote and act as they may see cause of what is above mentioned relating to said request. Dated in Dartmouth the 31st day of March anno domini, 1743, and in 16th year of his Majestie's reign. John Tripp, Proprietors Clerk.

PAGE 51:

At a Proprietors meeting legally warned and held at the townhouse in Dartmouth on the 19th day

of April 1743, Nathaniel Soule was chosen Moderator for said Meeting. It was then voted that Capt. William Wood of said Dartmouth be the Proprietors Clerk for the Proprietors of said Dartmouth, their votes being in writing and collected and found to be a unanimous vote and choice of the Proprietors then present.

Then adjourned the said meeting to the 29th day of this instant April to be held at the townhouse in said Dartmouth to begin at ten of clock in the forenoon on said day.

At a Proprietors meeting held at the townhouse in Dartmouth on the 29th day of April 1743, by adjournment.

Voted That Nathaniel Soule do proportion the charge on the Giffords for surveying their land and to take the pay for the same in the behalf and for the committee.

Voted That Nathaniel Delano be one of the committee in room of John Tripp for the surveying of said Dartmouth lands.

Voted That Col. Samuel Willis, Nathaniel Delano, and Humphrey Smith be a committee in behalf of the Proprietors of Dartmouth to settle, adjust and determine the boundary line between this Propriety of said Dartmouth and Tompson's purchase, so-called, if the owners see cause to join in the affair.

Voted That the last 300 acre division of lands in said Dartmouth shall be equally privileged with any of the former divisions in the undivided lands for the taking up of their lands in every respect, saving only in the qualifications it is to be understood only for such of said Proprietors that cannot take up said 300 acre division adjoining to their former divisions of their other lands.

Compared.

William Wood, Proprietors Clerk.

PAGE 52:

To Capt. William Wood, Clerk of the Proprietors of the town of Dartmouth, we the subscribers Proprietors or said town whose interests therein is five whole shares being computed, request of you the said clerk that you would warn a meeting of said Proprietors at the townhouse in said town on the 10th day of April next at ten of the clock in the forenoon, then and there to act on the particulars hereafter mentioned (viz):

Firstly To choose a committee, a surveyor to be one of said committee, in the room and place of our last committee in order to lay out the remaining part of our land in said town which are not as yet surveyed and laid out and to empower said committee in all and every respect with the same power and as our latter committee had with respect to laying out lands or other ways as said Proprietors at said meeting shall think good to empower them.

Secondly To choose one or more fit persons in order to procure all the journals of the former surveyors that may be thought necessary for a new committee for the performing of the abovesaid work.

Thirdly To agree on a shorter method for the calling of meetings of said Proprietors for the future.

Fourthly To choose an agent or agents that if there should be any action commenced against said Proprietors in order to appear to answer or make defense in behalf of said Proprietors.

Fifthly To agree upon some method for the raising money within said Propriety for the defraying the charges that may arise within the same.

Dated at Dartmouth, February 26, 1751.

(28 signed)

Pursuant to the within written request
or warrant to me directed, I have
notified and warned the Proprietors to
meet at time and place
William Wood, Proprietors Clerk

A true copy

PAGE 53:

At a Proprietors meeting of the Propriety of Dartmouth, legally warned and held at the townhouse

for Dartmouth on the 10th day of April, A.D., 1753, Stephen West was chosen Moderator for said meeting.

Firstly Voted with respect to the first article in the notification for calling this meeting that Bartholomew Taber be the surveyor and Nathaniel Delano, Seth Pope, Jethro Hathaway, John Tinkham, Benjamin Slocum, Joshua Barker, Jonathan Soule and Samuel Howland, or either two of them with the surveyor to be a committee in the lieu of the former to perform in all respects according to the tenor of said first article and to have and use the same power in all respects as to laying out our land as our latter committee had in that affair.

2-ly Voted with respect to the second article which in the notification aforesaid that Bartholomew Taber shall be the person to procure the journals and acts in all respects according to the tenor of the second article in said notification.

3-ly Voted that whereas it formerly required five shares for the calling a meeting, it is now by the major part of the interested persons voted that so many Proprietors as do own three whole shares by a request under their hands to the clerk of said Propriety shall be a sufficient warrant for the clerk to call meetings for the future.

4-ly Pursuant to the fourth article in said notification for calling this meeting, Voted that Humphrey Smith and Benjamin Akin are chosen agents to perform according to the tenor of said fourth article.

The fifth article in the said notification was omitted and not put to vote.

Signed, William Wood, Proprietors Clerk

That whereas sundry of the Proprietors and Purchasers of Town of Dartmouth in the County of Bristol in New England did on the 17th day of March 1753 make their request or application unto me, William Wood of Dartmouth, their clerk, their interest being five whole share of land throughout said Dartmouth Propriety or move that by virtue of the power invested in me by a former act of said Proprietors and Purchasers allowed by the law of this province to issue out a warrant notification to call, notify and appoint a meeting of said Proprietors and Purchasers to be held at the townhouse in said Dartmouth on the 10th day of April next, to begin at ten of the clock on said day for the ends herein mentioned.

These are therefore in his Majestie's name to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 10th day of April next at ten of the clock on the said day for to vote and act as they shall see cause of what is abovementioned relating to said request. Dated in Dartmouth the 18th day of March A.D. 1753 and in the 26th year of his Majestie's reign.

William Wood, Proprietors Clerk.

PAGE 54:

To William Wood, Proprietors clerk in Dartmouth. Whereas there is an action commenced against the Proprietors of the town of Dartmouth by John Butts and Abigail, his wife, for the obtaining of one-quarter part of a share (except 19 acres) or the one-hundred and fortieth part of said township by John Butts of Portsmouth and Abigail, his wife.

To William Wood, Proprietors clerk in Dartmouth. We the subscribers, Proprietors and Purchasers of said Dartmouth, claiming more than three whole shares in the township aforesaid, do request that you would call a meeting of the Proprietors and Purchasers on the 5th day of June, then and there for to pass a vote or act for the raising of money upon the said Proprietors and Purchasers for the charge of defending of the suit before aforesaid and all other things that may be thought proper for to act upon in defending of said suit. Also, to choose an agent or agents and empower him or them with full power to act for said Proprietors and Purchasers in every respect relating to the case of said suit depending. Dartmouth, May 18 A.D. 1753

(22 signed)

William Wood, Clerk
Pursuant to the within written request

- -
I have notified and warned the
Proprietors of said town of Dartmouth
to meet at time and place.
William Wood, Proprietors Clerk

PAGE 55:

Bristol, ss. That whereas sundry of the Proprietors and Purchasers of the town of Dartmouth in the County of Bristol in New England did, on the 18th day of May 1753, make their request or application unto me, William Wood of said Dartmouth, their clerk, their interests being three whole shares of land throughout said Dartmouth Propriety or more, that by virtue of the power invested in me by a former act of said Proprietors and Purchasers allowed by the law of this province to issue out a warrant notification to call, notify and appoint a meeting of said Proprietors and Purchasers, to be held at the townhouse in said Dartmouth on the 5th day of June next to begin at ten of the clock on said day for the ends herein mentioned.

Whereas there is an action commenced against the Proprietors of the town of Dartmouth for the obtaining of one-quarter part of a share (except 19 acres) or the one-hundred fortieth part of said township by John Butts of Portsmouth and Abigail, his wife,
Firstly To agree upon some method for the raising money within said Propriety for the defraying the charge of the abovesaid suit or any other charge that may arise within said Propriety.
Secondly To choose an agent or agents and to empower him or them with such power as said Proprietors at said meeting shall think proper.

These are, therefore, in his Majestie's name to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 5th day of June next at ten of the clock on the said day for to vote and act as they shall see cause of what is above mentioned relating to said request. Dated in Dartmouth the 19th day of May, anno domini, 1753 and in the 26th year of his Majestie's reign.

William Wood, Proprietors Clerk

PAGE 56:

At a meeting of the Proprietors and Purchasers of the town of Dartmouth legally warned and held at the townhouse in Dartmouth on the 5th day of June 1753, Col. Samuel Willis was chosen Moderator for said meeting.

Firstly Voted that in regard to the first article of the warrant or notification for the calling of this meeting that there should be levied upon Proprietors and Purchasers of Dartmouth in equal proportion to twenty shillings to one whole share.

Secondly Pursuant to the second article in the warrant or notification for the calling of this meeting, Voted that Samuel Willis, Esq. and Humphrey Smith be agents for and in behalf of said Proprietors, them or either of them, the said agents, to appear for, answer and defend in any court or courts whatsoever: any suit that is or may be brought against said Proprietors and to improve [employ] one or more attorneys as they may think best.

This meeting is adjourned to Tuesday the 19th instant at ten of the clock in the forenoon.

Attest William Wood, Proprietors Clerk

At a meeting of the Proprietors and Purchasers of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth the 5th day of June A.D. 1753, and continued by adjournment to the 19th current and then meet and

Voted That Benjamin Akin shall search all the records that he thinks proper in order to get what strength there is to be had to defend the suit: John Butts and his wife Abigail has commenced against the Proprietors of the common and undivided land in the township of Dartmouth and

likewise to search for other papers elsewhere they may be found in order for the defending said suit depending.

This meeting is adjourned to the 5th Tuesday of July next at ten of clock in the forenoon.

Attest William Wood, Proprietors Clerk

PAGE 57:

At a meeting of the Proprietors and Purchasers of town of Dartmouth, legally warned and held at the townhouse in Dartmouth, the 5th day of June A.D. 1753 and continued by adjournment to the 5th Tuesday of July and then meet, and adjourned this meeting to Tuesday, the 4th day of September next at ten of the clock.

At a meeting of the Proprietors and Purchasers of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth, the 5th day of June A.D. 1753 and continued by adjournment to Tuesday the 4th day of September and then meet and Voted Firstly Pursuant to the first article in the warrant for calling this meeting, voted that Benjamin Akin, be empowered in behalf of said Proprietors to hire twenty-five pounds lawful money for said Proprietors for the paying the charge in defending a suit brought against said Proprietors by John Butts and Abigail, his wife, and said Proprietors are accountable to said Akin for the abovesaid sum with the interest till paid and the said Akin is to pay out said money to their agent or agents as their necessity shall require.

And at said meeting Voted six pound and five penny half penny to be paid to Humphrey Smith. Also at said meeting Voted to Benjamin Akin one pound ten shillings and eight pence to be paid by said Proprietors, which is the balance of their account.

Attest. William Wood, Proprietors Clerk.

PAGE 58:

At a meeting of the Proprietors of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth on the 27th day of June A.D. 1755: Jireh Swift was chosen Moderator for said meeting by the major part of the Proprietors then present, their voices being collected according to their interests. Pursuant to the first article in the warrant or notification for calling this meeting,

1-ly Voted That Col. Samuel Willis and Humphrey Smith be agents for the abovesaid Proprietors in their behalf to answer the writ of review which is brought against said Proprietors by John Butts and Abigail, his wife, to be tried in the next Superior Court to be holden at Taunton within and for the County of Bristol and for to improve [employ] one or more attorneys as they shall think proper to final judgment and execution.

2-ly Pursuant to the second article, Voted that Holder Slocum, Thomas Briggs, Daniel Russell, William Wood 2nd, Benjamin Smith and Barnabas Earl be empowered in behalf of said Proprietors to procure fifteen pounds lawful money for said Proprietors for the paying the charge in defending said Proprietors against the suit brought against said Proprietors by John Butts and his wife, and said Proprietors are accountable to said Holder Slocum, Thomas Briggs, Daniel Russell, William Wood 2nd, Benjamin Smith and Barnabas Earl for the abovesaid sum with interest till paid and the said Slocum, Briggs, Russell, Wood, Smith and Earl is to paid out said money to their agent or agents as their necessity shall require.

Attest William Wood, Proprietors Clerk.

Whereas there is an writ of review commenced against the Proprietors of the town of Dartmouth for the obtaining of one-quarter part of a share (excepting 19 acres) or the one-hundred and fortieth part of said commons and undivided land in said township of Dartmouth by John Butts of Portsmouth and Abigail, his wife,

1-ly To choose an agent or agents and to empower him or them with such power as said Proprietors at said meeting shall think proper in their behalf to answer the abovesaid suit.

2-ly To agree upon some method for the raising money within said Propriety for the defraying the charge of the abovesaid suit or any other charge that may arise within said Propriety.

These are therefore in his Majestie's name to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 2nd day of this present June at ten of the clock on the said day for to vote and act as they shall see cause of what is above mentioned relating to said suit. Dated in Dartmouth the 12th day of June A.D. 1755 and in the 28th year of his Majestie's reign.

Attest
William Wood, Proprietors Clerk

PAGE 59:

To William Wood, clerk of the Proprietors of the township of Dartmouth in the County of Bristol, etc.: We, the subscribers, Proprietors of said town, whose interests therein is three whole shares being computed, request of you, the said clerk, that you warn a meeting of said Proprietors at the townhouse in said town on the 26th day of this instant July at ten of the clock in the forenoon, then and there to act on the particulars hereafter mentioned.

1-ly To choose an agent or agents for and in behalf of the Proprietors of the said town of Dartmouth to answer to a writ of review that is brought against said Proprietors by John Butts and Abigail, his wife, and to invest him or them, the said agents, with such power as said Proprietors at said meeting may think proper in regard to said suit.

2-ly For said Proprietors to pass a vote for the providing of another book for records for said Proprietors and Purchasers and also to put themselves in some way for the raising of money within said Propriety for the providing said book and defraying the charge of the abovesaid suit and any other charge that may arise within or upon said Propriety.

3-ly Whereas there hath been of late some suits brought against said Proprietors and as our acts now stands, it is attended with some difficulty to call a meeting, now for said Proprietors to pass a vote and empower the said Proprietors clerk that in such cases his warn or notification shall be a sufficient call to said Propriety to meet and act, the occasions being set forth in said notification, or some other way as said Proprietors at said meeting may think proper.

Dartmouth, July the 7th A.D. 1755.

Attest,
William Wood, Proprietors clerk (various signed)

Pursuant to a request of sundry of the Proprietors of said town of Dartmouth in the County of Bristol, etc., to me directed, their interest being comprised are three whole shares of land in said Propriety, these are therefore in his Majestie's name to notify and warn all the Proprietors and Purchasers of the town of Dartmouth that they assemble and meet together at the townhouse in said Dartmouth on the 26th day of July instant at ten of the clock in the forenoon on the said day, then and there to act on the particulars of said request hereafter mentioned.

To William Wood,

1-ly To choose an agent or agents for and in behalf of the Proprietors of the said town of Dartmouth to answer to a writ of review that is brought against said Proprietors by John Butts and Abigail, his wife, and to empower him or them, the said agents, with such power as said Proprietors at said meeting may think proper in regard to said suit.

PAGE 60:

2-ly For said Proprietors to pass a vote for the providing of another book for records for said Proprietors and Purchasers and also to put themselves in some way for the raising of money within said Propriety for the procuring said book and defraying the charge of the abovesaid suit and any other charge that may arise within or upon said Propriety.

3-ly Whereas there hath been of late some suits brought against said Proprietors and as our

acts now stand, it is attended with some difficulty to call a meeting, now for said Proprietors to pass a vote and empower the said Proprietors clerk that in such cases his warrant or notification shall be sufficient call to said Proprietors to meet and act, the occasions being set forth in said notification or some other way as said Proprietors at said meeting may think proper. Dartmouth, July the 12th 1755.

Pursuant to the within request or warrant to me directed, I have notified and warned the Proprietors of the town of Dartmouth to meet time and place within mentioned.

William Wood, Proprietors Clerk

PAGE 61:

At a meeting of the Proprietors of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth on the 26th day of July A.D. 1755, Stephen West was chosen Moderator for said meeting by the major part of the Proprietors then present, their voices being collected according to their interest.

With respect to the first article in the notification for calling this meeting, it was Voted by the major part of the interested Proprietors then present, their voices being collected according to their interests that Col. Samuel Willis and Humphrey Smith be the agents for and in behalf of the said Proprietors or either of them to answer to a writ of review that is brought against said Proprietors (by John Butts of Portsmouth in the County of Newport in the Colony of Rhode Island, yeoman, and Abigail, his wife) with full power to improve [employ] such counsel or attorneys in the premises as they or either of them shall think proper.

With respect to the third article in the notification for calling this meeting, it was Voted By the major part of the interested Proprietors then present, their voices being collected according to their interests, that wherever any action shall be commenced for the future against said Proprietors, it shall and may be lawful warning for the calling said Proprietors together for to put themselves in a way to make their defence by the clerk timely posting notification in each village in said town, briefly setting forth the same without any request to him made by said Proprietors as has been heretofore useful in order to conform to our former acts.

This meeting was adjourned to the first Tuesday in September next 1755 and the second article in the notification for calling this meeting was omitted and not to be acted upon until said adjournment.

A true copy,

William Wood, Proprietors Clerk

and then meet and it was concluded by the Proprietors then present, being but a few finally to omit the second article in their request for calling this meeting and not to act anything thereon and so the meeting was dissolved.

A true copy,

William Wood, Proprietors Clerk

PAGE 62:

Whereas it is an writ of review commenced against the said Proprietors of the town of Dartmouth for the obtaining of one-quarter part of a share (excepting 19 acres) or the one-hundred and fortieth part of said common and undivided land in said township of Dartmouth by John Butts of Portsmouth and Abigail, his wife,

Now for the Proprietors and Purchasers to meet and to choose an agent or agents and to empower him or them with such powers as said Proprietors at said meeting shall think proper in their behalf to answer the abovesaid suit.

To agree upon some method for the raising money within said Propriety for defraying the charge

of the abovesaid suit.

These are therefore to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 19th day of this present June at ten of the clock on said day for to vote and act as they shall think proper of what is above mentioned relating to said suit. Dated in Dartmouth this 4th day of June A.D. 1756 and in the 29th year of his Majestie's reign.

William Wood, Proprietors Clerk

PAGE 63:

At a meeting of the Proprietors of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth on the 19th day of June 1756, Stephen West was chosen Moderator for said meeting by the major part of the interested then present, their voices being collected according to their interests.

Voted By the major part of the interested Proprietors then present, their voices being collected according to their interests that, whereas John Butts of Portsmouth in the County of Newport in the Colony of Rhode Island and Abigail, his wife, have sued the Proprietors of said Dartmouth with a writ of review of partition for the obtaining of said Propriety's one-quarter part of a share or one hundred and fortieth part of the common and undivided land in said township of said Dartmouth, except 19 acres, to be heard and tried at the next Superior Court of indenture, etc.: to be holden at Taunton for the County of Bristol on the second Tuesday of July next, that Samuel Willis, Esq., Humphrey Smith and Benjamin Akin are chosen agents, or either two of them, to appear for and in behalf of said Proprietors to answer to said writ and in their defense to improve [employ] one or more attorneys to final judgment as said agents or either two of them shall see meet.

Voted pursuant to the second article in the warrant for calling this meeting, Voted that John Soule, John Lawton, and Jethro Hathaway be empowered on behalf of said Proprietors to procure thirteen pounds six shillings and eight pence lawful money for said Proprietors for the paying the charge for the defending said Proprietors against the suit brought against said Proprietors by John Butts and Abigail, his wife, and said Proprietors are accountable to John Soule, John Lawton, and Jethro Hathaway for the abovesaid sum with interest until paid and the abovesaid Soule, Lawton and Jethro Hathaway to pay out of the money to said agents as their necessity shall require.

A true copy,

William Wood, Proprietors Clerk

PAGE 64:

To William Wood, Clerk of the Proprietors and Purchasers of Dartmouth, we, whose names are hereunto subscribed, our interests in said Propriety being then three whole shares being computed, do request of you, the said clerk, that you notify and warn a meeting of said Proprietors of said Dartmouth on the 2nd day of May next at the townhouse in said Dartmouth at ten of the clock in the forenoon, then and there to vote on the following particulars:

1-ly To receive of said Proprietors agents and act [an account?] of their charge in answering for and defending said Propriety against the suits or actions that hath been committed or brought against said Proprietors by John Butts of Portsmouth and Abigail, his wife.

2-ly And for said Proprietors at said meeting to act and vote some method whereby said Proprietors may be in some way to reimburse and pay the abovesaid charge by raising a sum of money by way of tax on said Proprietors and Purchasers or any other way or method for paying the same as said Proprietors at said meeting may think proper.

3-ly That whereas it hath been found by experience that the neglect of many people having land laid out in said Propriety and not putting the returns of the survey thereof on said Proprietors Book of Record hath been found to be attended in many respects with ill configurnce (?) to the

Proprietors in general, now for said Proprietors at said meeting to act and do something in that affair whereby every Proprietor or Purchaser that has had or shall have any land laid out to them in said Propriety of Dartmouth be obliged within such a limited time as the Proprietors at said meeting shall agree on to put the returns of the surveys of their lands upon said Proprietors Book of Record and that the time limited for the returns already given may be from the date of this meeting and the returns that are yet to be given for the future from the date of the return and if the time limited be not complied with, that then the survey and the returns thereof shall be by the surveyor and committee and all other persons be deemed void and of none effect and the land contained in said return to be free for any other Proprietor or Purchaser to take up, provided he has a good right in the undivided lands in said Dartmouth.

PAGE 65:

4-ly That whereas diverse of the Proprietors of said Dartmouth, which had their lands laid out by our former surveyor, Benjamin Crane, and returns of survey given by said surveyor, which by an accident by fire or other ways have lost their returns or some of them and thereby have been obliged to improve [use] said Crane's journals to find the survey before they could obtain a no__ier [another?] return of the survey thereof from our present surveyor or committee,

Now that such great use is necessary to be made of said journals, for said Proprietors at said meeting to choose a committee to examine said journals carefully to see that there is no addition nor diminution of any other handwriting in said journals, now for said Proprietors at said meeting to pass a vote that after such examination and approbation of said committee, said journals shall be lodged in the office of the clerk of said Proprietors for the time being forever afterwards to be esteemed equal with said Proprietors Book of Records so that all those that have lost their returns of the survey of their lands may have them taken off of said journals by said Proprietors' surveyor and committee, which is and shall be chosen to lay out lands in said Propriety, provided said committee judge by what appears to them by said journals that was laid out agreeable to the act of said Proprietors.

5-ly That whereas our former surveyor, said Crane, and perhaps some of our later surveyors have and may lay out lands which interfere sometimes on a person's own land which he had laid out before and sometimes on others, now for said Proprietors at said meeting to pass some act whereby such Proprietors meeting with such misforting [those suffering misfortune] may be rewarded so that they be relieved so that they may receive no loss in their interests there by March 31, 1757.

(signed by 13)

These are therefore to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 2nd day of May next at ten of the clock in the forenoon, for to vote and act as they shall think proper of what is above mentioned relating to said request. Dated in Dartmouth the 15th day of April anno domini 1757 and in the 30th year of his Majestie's reign.

Pursuant to the within written request, I have notified and warned the Proprietors of town of Dartmouth to meet at time and place.

William Wood, Proprietors Clerk

PAGE 66:

At a meeting of the Proprietors of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth on the 2nd day of May A.D. 1757. Humphrey Smith was chosen

Moderator for said meeting by the major part of Proprietors then present, their names being collected according to their interests.

1-ly After passing over the first article in the notification for calling this meeting, this meeting was adjourned to the 19th day of this instant May.

A true copy.

William Wood, Proprietors Clerk

At a meeting of the Proprietors of the town of Dartmouth held by adjournment at the townhouse in said Dartmouth on 19th day of May 1757.

2-ly With regard to the second article in said notification for calling this meeting, it was Voted by the major part of the Proprietors present, their voices being collected according to their interest, that there be ninety-five pounds raised [rated?] on the Proprietors and Purchasers to pay their agents and other charges which hath accrued on said Proprietors and Purchasers.

Voted That Abraham Shearman, Bartholomew Taber, and Timothy Duwell be assessors to assess the Proprietors and Purchasers of the town of Dartmouth the abovesaid sum of ninety-five pounds.

Voted That Jonathan Soule, James Griffith, and Philip Cannon be collectors to collect the abovesaid sum of ninety-five pounds and pay the same to the Proprietors clerk for the use of the Proprietors.

The meeting is adjourned to the first Monday in August next ensuing.

A true copy.

William Wood, Proprietors Clerk

At a meeting of the Proprietors of the town of Dartmouth held by adjournment at the townhouse in said Dartmouth on Monday the first day of August 1757.

3-ly With respect to the third article in the notification for calling this meeting it was Voted by the major part of the Proprietors, their voices being collected according to their interest, that all those Proprietors and Purchasers that have already any lands laid out to them within said township and returns of the surveys thereof not upon record shall have twelve months allowed them to lodge their returns with the clerk of said Proprietors in order to be recorded, and all such surveys of land within said town which shall not have the returns of the surveys thereof entered in said clerk's office to be recorded within twelve months from PAGE 67:

the date of this meeting, the survey thereof to be deemed void and the land so surveyed to be free for any other Proprietor or Purchaser to take up, having a good right in the undivided lands within said town and all those Proprietors or Purchasers, which shall for the future have any lands laid out to them within said town who shall not within the space of twelve months from the date of the return of the survey thereof lodge said return with said clerk with the time of entry on the back when it was received by said clerk, all such returns and surveys to be deemed void and the land contained within the same to be free for any other Proprietor or Purchaser to take up, having a good right in the undivided lands within said town.

4-ly With respect to the fourth article in the notification for calling this meeting, it was Voted by the major part of Proprietors then present, their voices being collected according to their interest, that Stephen West, Humphrey Smith, and Bartholomew Taber be a committee to procure all the journals of all our former surveyors sofar as they can and carefully examine the same and after due examination immediately to lodge all said journals in the Proprietors clerk office, there to remain forever after and to be esteemed equal with our Proprietors Book of Record, except that part which shall appear to said committee to be corrupted or folly by any other handwriting and so by them cancelled or written upon disallowed and that all such part of said journals as are not cancelled or written upon disallowed by said committee to be esteemed good for any Proprietor or Purchaser that has lost their returns of survey of any of their lands to have new returns transcribed from the same by our surveyor and two of the committee (provided they judge said land was laid out according to these Proprietors acts of said Propriety) in order to be of record.

With respect to the fifth article in the notification for the calling this meeting, it was

Voted by the major part of the Proprietors then present, their voices being collected according to their interest, that all those Proprietors and Purchasers that have meet with such misfortune as mentioned in said fifth article shall have so much lands laid out to them by the Proprietors surveyor and committee for the time being as they shall judge reasonable out of the undivided land in said town so as to make good to such unfortunate Proprietors or Purchasers, all such lands so interfering, always having a regard to quality and quantity of the land so interfering.

This meeting is adjourned to the 5th Monday in November 1757.

A true copy.

William Wood, Proprietors Clerk

PAGE 68:

To William Wood, Clerk of the Proprietors and Purchasers of the town of Dartmouth in the County of Bristol, etc., we, the subscribers, being Proprietors and Purchasers of said town and our interests in said Propriety being three full shares, do request that you, the said clerk, would post up notifications to notify and warn all the Proprietors and Purchasers of said town that may assemble and meet together at the townhouse on the first seventh day of June next, then and there to act on the particulars hereinafter mentioned, viz:

Firstly For that whereas we are informed that there is trespass done on the commons and undivided and cedar swamp in the said town of Dartmouth by strip and waste made by some evilminded persons in their cutting and carrying of large quantities of logs, timber and cedar, etc., which is to the great damage of the said Proprietors and Purchasers, now for the said Proprietors and Purchasers to cause one or more suitable person or persons as agent or agents in their behalf to make inspections into the damage that is done on the common and undivided lands and cedar swamps as abovesaid and to proceed in due course of law with those that may be found guilty of the above trespass or suspect to be guilty of the abovesaid trespass as also with all those that may hereafter be suspected of trespass on the common and undivided land and cedar swamp abovesaid in order to recover damage for the abovesaid trespass and also to invest said agent or agents with full power needful relating the premises.

Secondly Whereas the Proprietors and Purchasers some time past had a suit brought against them by John Butts and Abigail, his wife, and that by this request of said Proprietors and Purchasers, there was several persons that expended money for and in defense of said Proprietors and Purchasers against said suit and that said money so expended is not as yet reimbursed to the said persons, which said persons complain that they are hardly dealt with and say without the said Proprietors and Purchasers will immediately put themselves in some way whereby the money may be reimbursed to them again they must call for it some other way. Now for the said Proprietors and Purchasers to _____ and put themselves in some way to reimburse said money as they may think proper. PAGE 69:

May the 20 A.D. 1760. Rights computed are
(29 signed)

These are therefor to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the fifth seventh day of June next at ten of clock in forenoon, for to vote and act as they shall think proper as what is abovementioned relating to said request. Dated at Dartmouth the tenth day of May anno domini 1760.

Pursuant to the within written request, I have notified and warned the Proprietors and Purchasers of the town of Dartmouth to meet at time and place.

William Wood, Proprietors Clerk

At a meeting of Proprietors and Purchasers of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth on the first seventh day of June A.D. 1760, Stephen West was chosen Moderator for said meeting.

Firstly It was

Voted by the major part of the Proprietors then present, their voices being collected according to their interest: that Ebenezer Akin, Humphrey Smith, and Jonathan Soule be agents to prosecute all those person or persons that have committed trespass or suspected of committing trespass on the common and undivided lands and cedar swamp in said Dartmouth and to proceed with them according to the tenor of the first article in the warrant or notification for calling this meeting or other ways to compound [settle] with them as they shall think fit.
This meeting is adjourned to second Tuesday of July next.

PAGE 70:

At a meeting of Proprietors and Purchasers of the town of Dartmouth held by adjournment at the townhouse in said Dartmouth on Tuesday, the 8th of July A.D. 1760, Jireh Swift was chosen Moderator for said meeting by the major part of the Proprietors then present, their voices being collected according to their interests.

Voted that there be an additional sum of twenty pounds lawful money added to the sum of ninety-five pounds which was voted some time ago by said Proprietors for paying their agent and other charges.

Voted that Abraham Shearman, Jethro Delano, and Christopher Cadman be assessors to assess the Proprietors and Purchasers of the town of Dartmouth the abovesaid sum of one hundred fifteen pounds.

Voted that Humphrey Smith be allowed interest for the sum of money allowed him in the year A.D. 1757 till paid by the Proprietors and Purchasers.

This meeting is adjourned to the second Tuesday in October next ensuing.

At a meeting of Proprietors and Purchasers of the town of Dartmouth held by adjournment held at the townhouse in said Dartmouth the second Tuesday of October A.D. 1760, Humphrey Smith was chosen Moderator for said meeting by the major part of the Proprietors then present, their voices being collected according [to their] interest.

This meeting is adjourned to the second Tuesday in April next ensuing.

PAGE 71:

To William Wood, Clerk of the Proprietors and Purchasers of the town of Dartmouth in the County of Bristol in the Province of the Massachusetts Bay, etc.: we, the subscribers, Proprietors and Purchasers of said town, whose interest therein being computed is three whole shares, request of you, the said clerk, that you warn a meeting of said Proprietors and Purchasers at the townhouse in said town on the 20th day of May next at ten of the clock in the forenoon on said day, then and there to act on the particulars hereafter mentioned.

1-ly Whereas there is several persons that have demands against said Proprietors and Purchasers occasioned by a suit brought by John Butts and wife and the said persons say their patience is almost worn out or at least think that they are by the Proprietors and Purchasers very much neglected, now for the Proprietors and Purchasers to put themselves in some way they at said meeting may think proper whereby to raise a sum of money to pay or answer those demands that doth lay against said Proprietors and Purchasers.

2-ly Whereas it appears that there is some rights still to be filled up in the several divisions of lands and cedar swamp granted herebefore, now for the Proprietors and Purchasers at said meeting to determine a time for said rights to be filled up according to said grant and divisions in order if there should be a surplusage, either of undivided land or cedar swamp in said Propriety, then for said Proprietors and Purchasers either pass a vote for the disposing or selling said land or cedar swamp and money appropriated to the use of said Proprietors and Purchasers: or to come to another grant or division of said land and cedar swamp or otherwise do respecting the above premises.

3-ly To give their agent further power if at said meeting be thought needful respecting strips and

waste made on the common and undivided land and cedar swamp and also to empower said agents to sell undivided salt meadow, if any be belonging to said Proprietors and no rights do appear [PAGE 72] to be filled up and also to empower said agents to dispose of timber or stuff, if any be found cut on the undivided or common, cedar swamp, or upland or otherwise for said Proprietors and Purchasers to act and vote and do respecting the within written and foregoing particulars as said meeting shall think proper. Dartmouth, March the 23rd day, A.D. 1762.
(signed by 21 with fractional shares and 4 people with stated acreage of 100 to 150 acres each)

These are therefore to notify and warn all Proprietors and Purchasers of said Dartmouth that they assemble to meet at the townhouse in said Dartmouth on the 20th day of May next at ten of the clock in the forenoon to vote and act as they shall think proper of what is above mentioned relating to said request. Dated in Dartmouth, the 29th day of April A.D. 1762.

Pursuant to the above written request, I have notified and warned the Proprietors and Purchasers of the town of Dartmouth to meet at time and place.

William Wood, Proprietors Clerk

PAGE 73:

At a meeting of Proprietors and Purchasers of the town of Dartmouth, legally warned and held at the townhouse in Dartmouth on the 20th day of May A.D. 1762, Ezeel Cornwell was chosen Moderator for said meeting.

Firstly it was

Voted by the major part of the Proprietors and Purchasers then present, their voices being collected according to interest: that there be an additional sum of forty-five pounds lawful money added to the sum of one-hundred and fifteen pounds voted some time ago, which makes one hundred and sixty, said sum was voted by the Proprietors and Purchasers to pay their agents and their debts.

2-ly Voted that Abraham Shearman, Ezeel Cornwell and Bartholomew Taber be assessors to assess the Proprietors and Purchasers of the town of Dartmouth the abovesaid sum of one hundred and sixty pounds.

Voted that Humphrey Smith account of twenty-three pounds, nine shillings and one penny be allowed him with interest till paid.

This meeting is adjourned to the second Monday in August next.

At meeting of the Proprietors and Purchasers of the town of Dartmouth held by adjournment the 9th day of August, being the second Monday of said month, Barnabas Earl was chosen Moderator for said meeting.

Voted by the major part of Proprietors and Purchasers then present, voices being collected according to interest, that Capt. William Wood be Proprietors and Purchasers Treasurer to receive all the money they shall raise and pay it out according to said Proprietors and Purchasers orders.

Voted that Ezeel Cornwell, Benjamin Akin and Jethro Hathaway be collectors for the abovesaid Proprietors and Purchasers for present year.

This meeting is adjourned to the 20th day of this instant August at twelve of clock on said day.

PAGE 74:

To William Wood, Clerk of the Proprietors and Purchasers of the town of Dartmouth in the County of Bristol, etc.: we, the subscribers, being interested in the said Propriety, whose rights of lands, cedar swamp and salt meadow therein being three full shares, do hereby desire and request of you, our said clerk, that you notify and warn a meeting of all the said Proprietors and Purchasers to be held on the 4th day of June next ensuing at the townhouse in said Dartmouth at ten of the clock in forenoon on said day, then and there to act and to do what they at said meeting may think proper in the particulars hereinafter mentioned.

1-ly For that whereas the said Proprietors are in debt on account of a suit brought against said Proprietors by John Butts and Abigail, his wife, and the means proscribed and proceeded on in order to discharge said debt proves as we apprehend ineffectual, now for said Proprietors and Purchasers at said meeting to act and proceed in some other way or method as they at said meeting may think proper whereby the money may be raised in order to discharge said debt or other ways act as they at said meeting may think proper respecting it.

2-ly For the said Proprietors to limit a time for all those that have any right in land, cedar swamps or salt meadow within said Propriety for bringing in their claims to said Proprietors committee in order for their several rights in the several grants and divisions of land, cedar swamps and salt meadows to be surveyed and laid out to them, if any right there be that is not filled up, and the surplusage, if any there be in either land, cedar swamp or salt meadow, for the said Proprietors to act at the meeting to act and do what they may think proper respecting it.

3-ly Whereas it hath been represented that some have had cedar swamp laid out or surveyed to them and upon discovery it falls within the general survey of upland and as some have had upland laid out and surveyed and laid out to them and upon discovery it fall within the general survey of cedar swamp, now for said Proprietors at said meeting to provide some method whereby individuals may not be suffered thereby but be remedied.

4-ly To choose agents to inspect trespasses done on the commons and undivided lands, cedar swamps and salt meadow within said Propriety in the room of their present agents in said capacity as some of them declines any longer to serve and invest said agents when chosen with such power as said Proprietors at said meeting may think proper.

5-ly To choose a committee and invest them with power to call and settle account with the former agents respecting their proceeding as agents as aforesaid.

6-ly To choose one or more surveyors and invest them or either of them with the same power as our present surveyor is invested with for the surveying and laying out and filling up the several grants and divisions of lands, cedar swamp and salt meadow within said Propriety. Dartmouth, May the 13th, 1767.

PAGE 75:

(29 signed)

These are therefore to notify and warn all the Proprietors and Purchasers of said Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the fourth day of June next ensuing at ten of the clock in the forenoon on said day to vote and act as they shall think proper of what is abovementioned relating to said request. Dated in Dartmouth, the 13th day of May A.D. 1767.

Pursuant to the above written request, I have notified and warned the Proprietors and Purchasers of the town of Dartmouth to meet at time and place.

William Wood, Proprietors Clerk

At a meeting of the Proprietors and Purchasers of the town of Dartmouth, legally warned and held at the townhouse in said Dartmouth the fourth day of June A.D. 1767, Capt. Ebenezer Willis was chosen Moderator for said meeting by the major part of the Proprietors then present, their voices being collected according to their interest.

Voted that this meeting be adjourned to the 23rd day of this present June.

At a meeting of said Proprietors and Purchasers of the town of Dartmouth legally warned and held at the townhouse in said Dartmouth, the 23rd day of June A.D. 1767, held by adjournment, Voted on the first article in the warrant for calling this meeting that if the method herebefore gone into should prove ineffective to raise the money to defray the aforesaid charge within four months from this 23rd day of June 1767, that then and in that case, it is agreed by the Proprietors and

Purchasers of Dartmouth that Humphrey Smith, Bartholomew Taber and Benjamin Akin be a committee

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in behalf of said Proprietors and Purchasers to prefer a petition to the Great and General Court at Boston to be put into some legal method to lay a tax on the said Proprietors and Purchasers to raise money to defray the aforesaid charges already accrued. Also a method for the future to defray the charges that may happen to arise upon said Proprietors and Purchasers abovesaid of said Dartmouth.

2-ly Voted that there be one year allowed from the 23rd day of June 1767 to all those persons that have any right or claim in the Propriety in upland, salt meadow or cedar swamp within the township of Dartmouth to bring in their right or claim and have their rights laid out to them in the former grants or divisions, and if they don't appear within said time, they shall be forever after debarred from having any right in the former grants or divisions of Propriety laid out to him or them.

3-ly Voted that where there has been swamp laid out for cedar swamp without the General Survey of the cedar swamp, those to whom it was laid out to shall hold the same for cedar swamp.

4-ly Pursuant to the fourth article in the warrant for calling this meeting, it was Voted by the major part of Proprietors then present, their voices being computed according to their interest in said Propriety, Humphrey Smith, Benjamin Akin, Nathaniel Spooner and Daniel Wood was chosen agents for and in behalf of said Proprietors, them or any three of them to inspect trespass done or suspected to be done on the common and undivided land, cedar swamp and salt meadow within said Propriety and the said agents or any three of them are hereby invested with full power in behalf of the Proprietors to sue, prosecute and proceed in and by course of law to final judgment and execution with all those person or persons that have committed trespass or suspected of committing trespass on the said commons and undivided land, cedar swamp or salt meadow within said Propriety in said town of Dartmouth or otherwise to compound [settle] with them as the said agents or any three of them shall think fit and also said agents or any three of them are hereby empowered in behalf of said Proprietors to dispose of at their discretion any timbers, cedar or stuff or grass or hay that they may find cut or laying on the common or undivided land, cedar swamp or salt meadow, and the said agents are hereby empowered to improve [employ] counsel in and concerning the above affair as they or any three of them may think proper.

PAGE 77:

5-ly Voted that Bartholomew Taber and Jabez Barker be a committee and they are hereby invested with full power to call the committee mentioned in said article to account and make returns of their doings to the adjournment of this meeting.

6-ly Voted that Samuel Smith and Daniel Wood be surveyors and they are invested with the same power as our former surveyor has.

This meeting is adjourned to the 28th of October next ensuing.

To William Wood, Clerk of the Proprietors and Purchasers of the town of Dartmouth: we, the subscribers, Proprietors and Purchasers of said town, whose interest within said Propriety being computed is three whole shares, do hereby request of you, the said clerk, that you warn a meeting of all the Proprietors and Purchasers that are interested in said Propriety, that they assemble and meet together at the townhouse in said town on the 18th of December next at ten o'clock in the forenoon on said day, then and there to act on the several articles hereafter mentioned, viz:

1-ly Whereas the said Proprietors and Purchasers of said town of Dartmouth are in debt on account of a suit brought against said Proprietors and Purchasers by John Butts and Abigail, his wife, for the obtaining of the one hundred and fortieth part of said township or a quartershare right within said Propriety lacking nineteen acres, and the measures proscribed and proceeded on as

we apprehend proves ineffectual for the raising money sufficient for the paying said debt, now for said Proprietors and Purchasers to put themselves in some way whereby the money may be raised, either by a tax laid on the lands of each Proprietor and Purchaser within said Propriety or other ways for said Proprietors and Purchasers to

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act, vote and do what they at said meeting may think proper on the said first article.

2-ly As we apprehend there hath been many particulars that have long since advanced money in consequence of the above measures proscribed for and towards paying and discharging the abovesaid debt and by computation if the whole money had then been raised and paid, it would have been each of their full proportion of the discharging said debt, which, if rightly considered, the willing may not suffer or other ways they are liable to for now said Proprietors and Purchasers are to act and vote on said second article as they at said meeting may think proper.

3-ly Whereas the time limited by an act of said Proprietors for all those that had their rights in the former grants or divisions of lands within said Propriety to have their several rights in said divisions laid out and filled up, it hath been long since relapsed from which it may be concluded that the aforesaid rights are all filled up yet notwithstanding lest it should so happen that there are some that hath not yet got all their rights in said divisions laid out and filled up, there may be three month or longer time further allowed from the date of this meeting for to have it done in and at and from the said three months or longer as may be agreed on, the Proprietors surveyors and committee be restricted from laying out any more lands to anyone within said Propriety in consequence of any former grant or division of lands within said Propriety, now for said Proprietors to act on said third article as they at said meeting may think proper.

4-ly To conclude by a vote what to be done with the dividend lands, cedar swamp, and salt meadow, if any there be within said Propriety at the end and expiration of the aforesaid time further allowed for the aforesaid rights to be filled up in either by coming to another grant or division or disposing of said dividend

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lands, cedar and salt meadow by sale and the money arising therefrom to be appropriated to such uses as said Proprietors shall order and direct or other ways for said Proprietors to act what they may think proper on said fourth article.

5-ly To choose a committee and empower them in behalf of said Proprietors to call and settle accounts with their former and present agents respecting trespass done by strip and waste on the common and undivided lands and cedar swamp within said Propriety.

Dated October the 12th A.D. 1770.

(31 people signed)

These are therefore to notify and warn all the Proprietors and Purchasers of the said town of Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 18th day of December next at ten of the clock in the forenoon to vote and act as they shall think proper of what is abovementioned relating to said request.

Dated at Dartmouth, November the 28th 1770.

Pursuant to the above written request, I have notified and warned all the Proprietors and Purchasers of the town of Dartmouth to meet at the time and place.

William Wood, Proprietors Clerk

PAGE 80:

At a meeting of Proprietors and Purchasers of the town of Dartmouth, legally warned and held in the townhouse in said Dartmouth on the 18th day of December A.D. 1770, Giles Slocum was chosen Moderator for said meeting by a unanimous vote.

Voted in respect to the third article in notification for calling of this meeting that the several committees in the town of Dartmouth are directed for to lay out all the rights that any of the Proprietors or Purchasers in said town have in either of the shares that is already granted within

the space of four months from the 18th day of this instant.
This meeting is adjourned to the second Tuesday in January next ensuing.

At a meeting of the Proprietors and Purchasers of the town of Dartmouth held by adjournment at the townhouse in said Dartmouth on the second Tuesday of January 1771

Voted On the fourth article in the warrant or notification for calling this meeting, that Walter Spooner, Giles Slocum and David Smith be a committee to settle accounts with the former and present agents and also with the late Proprietors collectors and to make return of your doings at the adjournment of this meeting.

This meeting is adjourned to the third Tuesday in April next ensuing at ten of the clock on said day.

At a meeting of the Proprietors and Purchasers of the town of Dartmouth held by adjournment at the townhouse in said Dartmouth on the third Tuesday of April 1771, then meet and adjourned this meeting to the 21st day May next at twelve o'clock on said day.
Then met and dissolved the meeting.

PAGE 81:

To William Wood, Clerk of Proprietors and Purchasers of all the land contained in the original Propriety within said township of Dartmouth in the County of Bristol, and we, the subscribers, being interested in said lands with said township, being computed as three full shares, do request you, our said clerk, timely as the law directs, to notify and warn all the said Proprietors and Purchasers of the land within said town that they assemble and meet together at the townhouse in said Dartmouth on the first day of November next at ten of the clock in the forenoon on said day, then and there to act and vote and do on the following articles as then they shall think proper.

1-ly Whereas there has some time past a long litigious and expensive lawsuit brought against the Proprietors by John Butts and Abigail, his wife, by a writ of division for the recovery of the one-hundred and fortieth part of said land in the original purchase within said township or a quarter-share right lacking 19 acres, which suit equally affects said Proprietors and Purchasers, now for the Proprietors and Purchasers to agree, vote, and determine some way to raise money to pay and discharge the debt accrued by the aforesaid lawsuit and all other debts that hath already accrued on said Proprietors and Purchasers.

2-ly To choose a treasurer, assessors, and collector or collectors for said Proprietors and Purchasers according to a law of this province made and passed in the 25th year of the reign of George the second, instituted an act directing how meetings of Proprietors in common undivided land lying in common and undivided may be called.

3-ly For the Proprietors to agree and vote how and what way and manner the Propriety shall be closed so that there be a final end to any future charge to the Proprietors and Purchasers in consequence of the Propriety being not closed.

4-ly For the Proprietors and Purchasers at said meeting to receive the report of their committee and accept or disaccept of their report as they shall think proper or other ways act and do respecting all accounts and demands as to them may seem meet.

5-ly When the Propriety is closed, finished and ended and if there should remain any overplus land, for the Proprietors to agree and vote to sell said land and to what use the money arising by the sale thereof shall be applied to or other ways act and do at said meeting on the aforesaid articles as they shall think fit.

Dated July, the 25th, A.D. 1771.

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(32 signatures ranging as low as 1/32 of a share)

These are therefore to notify and warn the Proprietors and Purchasers of the town of Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the first day of November next ensuing at ten of clock in forenoon to vote and act as they shall think proper of what is above expressed relating to said request. Dated in Dartmouth September the 27th 1771.

Pursuant to the above written request, I have notified and warned all the Proprietors and Purchasers of the town of Dartmouth to meet at the time and place.

William Wood, Proprietors Clerk

At a Proprietors and Purchasers meeting legally warned and held at the townhouse in Dartmouth the first day of November 1771, Job Russell was chosen Moderator for said meeting, this meeting adjourns to the first second day in next month at ten of the clock in the forenoon.

At a Proprietors and Purchasers meeting held by adjournment at the townhouse in said Dartmouth on Monday the second day of December, 1771, Voted by the major part of the Proprietors and Purchasers then present, their interest being computed upon the first article in warrant for calling this meeting, that there be a tax on all the land contained in the original Propriety in the town of Dartmouth sufficient to pay all the charges that have already accrued on said Proprietors and Purchasers as also for defraying the several charges for assessing and collecting said tax and paying it out.

PAGE 83:

Walter Spooner, Giles Slocum, and David Smith are chosen a committee to prepare a list of what sum of money they shall judge necessary for to be raised by said tax for the purposes aforesaid and lay it before the said Proprietors and Purchasers at the adjournment of this meeting for their consideration thereon. David Smith is chosen treasurer for said Proprietors and Purchasers of Dartmouth and to be under oath for the faithful performance in his office and give bond with sureties for 200 pounds, pay out the money he shall receive according to direction given him by said Proprietors and Purchasers. Bartholomew Taber, Samuel Smith, and Jireh Willis are chosen assessors for the Proprietors and Purchasers of Dartmouth. Henry Howland, Samuel Cornish are chosen collectors for said Proprietors and Purchasers of Dartmouth.

Voted in respect of third article in the warrant for calling this meeting that His Honor, Elisha Tobey, Esq., representative of the town of Dartmouth, prefer a petition in name and behalf of the Proprietors and Purchasers of the said town of Dartmouth to the next sitting of the great and General Court setting forth what has been already acted by the said Proprietors and Purchasers for the closing the Propriety, praying the interoption (?) of said Court for closing the same. This meeting is adjourned to the 20th day of this instant December 1771.

At a Proprietors and Purchasers meeting held by adjournment at the townhouse in Dartmouth the 25th day of December 1771, agreed and

Voted by the major part of the Proprietors and Purchasers then present, their interest being computed, that there be raised by way of tax on all the lands contained in the original purchase in the township of Dartmouth in equal proportion on said land the sum of one hundred and eighty-seven pounds

PAGE 84:

fifteen shillings three pence one farding [farthing?] to defray said Proprietors and Purchasers' debt.

This meeting is adjourned to the third Tuesday of February next at 11 of clock in forenoon.

Job Russell, Moderator

At a Proprietors and Purchasers meeting held by adjournment at the townhouse in Dartmouth on the third Tuesday of February 1772, then meet and adjourned to the third Tuesday of May next at

eight of clock in forenoon.

Job Russell, Moderator

At a Proprietors and Purchasers meeting held by adjournment at the townhouse in Dartmouth the third Tuesday May A.D. 1772, and adjourned to the last of the last Monday in June next at two of the clock in the afternoon.

Job Russell, Moderator

At a Proprietors and Purchasers meeting legally assembled by adjournment at the townhouse in Dartmouth on the last Monday in June 1772, the Proprietors and Purchasers meet according to adjournment and adjourned to the second second day in July next at one of the clock in afternoon.

Job Russell, Moderator

At a Proprietors and Purchasers meeting legally assembled at the townhouse in Dartmouth on the second second day of July 1772, the Proprietors and Purchasers met according adjournment and adjourned to the second third day in September next at ten of the clock.

Job Russell, Moderator

PAGE 85:

At a Proprietors and Purchasers meeting held by adjournment at the townhouse in Dartmouth the second third day of September A.D. 1772, the Proprietors and Purchasers meet according to adjournment and adjourned to the first second day in November next at eleven o'clock in the forenoon.

Job Russell, Moderator

At a Proprietors and Purchasers meeting held by adjournment at the townhouse in Dartmouth the first second day of November A.D. 1772, the Proprietors and Purchasers meet according to adjournment and adjourned to the third third day in December next at eleven of the clock in forenoon.

Job Russell, Moderator

At a Proprietors and Purchasers meeting held by adjournment at the townhouse in Dartmouth the third third day in December A.D. 1772, the Proprietors and Purchasers meet according to adjournment and adjourned to the first third day in next April 1773 at eleven of the clock in the forenoon.

Job Russell, Moderator

January the 9th 1771

Then the committee met to settle accounts with the agents that were appointed by the Proprietors and Purchasers of the town of Dartmouth.

Jethro Hathaway received by tax in the year 1766 L8 6s. 11½d.
and received Col. Willis' receipt for the same with the interest and cost of collection.

That in the year on May the 20th A.D. 1762, there was then due to Humphrey Smith L23 9s. 1d.
and

Voted that lawful interest be allowed until paid, which being computed to May the 20th A.D. 1771 is the sum of L39 = 12 = 4 1/2

CR. by said Smith's rate

$$\frac{1 = 7 = 10}{38 = 4 = 5 \frac{1}{2}}$$

Due to Holder Slocum in the year 1766

the sum of
CR. for the rate at that time
Due to said Slocum the sum of
IT

$$\begin{array}{r} L8 = 4 = 9 \frac{1}{2} \\ \underline{2 = 19 = 8 \frac{3}{4}} \\ 5 = 9 = 0 \frac{3}{4} \end{array}$$

PAGE 86:

It also further appears that Barnabas Earl paid to H. Smith in the year 1753 to carry on the suit against Butts with the interest to 1771 is

$$\begin{array}{r} 1 = 17 = 6 \\ \underline{5 = 6 = 6 \frac{1}{2}} \end{array}$$

It also further appears that there is none due to Benjamin Akin, Esq. for money hired and interest's cost, to August next the sum of

$$80 = 1 = 9 \frac{2}{4}$$

It further appears that said Akin received by rate to the amount of Balance due to said Akin, Total

$$\begin{array}{r} \underline{12 = 11 = 11} \\ 67 = 9 = 10 \frac{2}{4} \end{array}$$

It also further appears that Bartholomew Taber has done service for said Proprietors and Co. August 17, 1771, then the above list of debts and interest was interest cost up to May 1773 Esq. Willis accounts interest cost up to May 1773

$$\begin{array}{r} \underline{0 = 15 = 0} \\ 117 = 4 = 11 \\ 13 = 3 = 2 \frac{3}{4} \\ 6 = 18 = 0 \\ \underline{6 = 19 = 7} \\ 144 = 5 = 8 \frac{3}{4} \\ 9 = 2 \frac{1}{2} \end{array}$$

yet remains due to Jethro Hathaway a list of what we supposed it would cost by the time it was collected for collectors for receiving and paying out for assessors for the committee

$$\begin{array}{r} 12 = 0 = 0 \\ 1 = 5 = 0 \\ 1 = 16 = 0 \\ \underline{2 = 2 = 0} \\ 17 = 3 = 0 \end{array}$$

[carried forward]
Proprietors and Purchasers debts principal and interest

$$\begin{array}{r} 17 = 3 = 0 \\ \underline{144 = 5 = 8 \frac{3}{4}} \\ 161 = 8 = 8 \frac{3}{4} \end{array}$$

Three days spent by Esq. Akin to hire money
Already paid by way of tax the sum of

$$\begin{array}{r} 18 = 0 \\ \underline{25 = 8 = 6 \frac{2}{4}} \\ 187 = 15 = 3 \frac{1}{4} \end{array}$$

December 25, 1771, the foregoing report of the Committee allowed as also the several accounts as they stand, Voted to be of record.

Job Russell, Moderator

This meeting was continued from the 25th day of December 25, 1771 by adjournment.

PAGE 87:

Whereas Benjamin Akin, Esq. of Dartmouth hath commenced an action against the Proprietors and Purchasers of said town for the sum of 25 pounds one shilling and one penny to be tried at the Inferior Court of Common Pleas to be held at Taunton for the County of Bristol on the second Tuesday of June A.D. 1773. Now for the Proprietors and Purchasers to meet and to act and to do what they think proper relative to the aforesaid action.

There are therefore to notify and warn all the Proprietors and Purchasers of said town of Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the third day of June next at ten of the clock on said day to vote and act what is above mentioned relating to said suit. Dated in Dartmouth this 18th day of May 1773.

William Wood, Proprietors Clerk

PAGE 88:

To William Wood, clerk of said Proprietors and Purchasers of all the land contained in the original Propriety within said township of Dartmouth in County of Bristol, etc.: we, the subscribers, being interested in said land within said township being computed is three whole or full shares do request you, our said clerk, timely as the law directs, to notify and warn all the said Proprietors and Purchasers of the land within said township that they meet and assemble together at the townhouse in said town on the 24th day of December next at eleven of the clock in forenoon on said day, then and there to act, vote and do on the following articles as they shall think proper.

1-ly Whereas the Proprietors and Purchasers are indebted to sundry persons employed by them for defending a suit brought against said Proprietors by John Butts and Abigail, his wife, for a writ of partition for the recovery of the one hundred and fortieth part of said land contained in the original purchase within said township or a quarter-share right, lacking 19 acres, and the money due to the abovesaid persons is upon interest, now for said Proprietors and Purchasers at said meeting to agree and vote and in what manner and way said debt shall be paid.

2-ly Whereas Benjamin Akin hath an execution which he obtained against the Proprietors and Purchasers of said Dartmouth for near 80 pounds, part of the abovesaid debt now in the hands of the sheriff, now for said Proprietors and Purchasers at said meeting, if they shall think proper to agree and vote how said money due to said Benjamin Akin may be paid and the execution not served on said Proprietors and Purchasers and also agree and vote said Akin something that shall be adequate for his extraordinary trouble and expense on account of his being obliged to sue for the money hired for said Proprietors and Purchasers or other ways to relieve said Benjamin Akin in such way and manner as said Proprietors and Purchasers at said meeting shall think proper so that he be not a loser by hiring said money.

3-ly For said Proprietors to agree and vote how and what way and manner the Propriety shall be closed so that there be a final end to any futher charge to the Proprietors and Purchasers in consequence to the Propriety being not closed.

4-ly To act and do everything at said meeting respecting the undivided land in said town of Dartmouth so that there be a final settlement.

5-ly Whereas by reason of Proprietors and Purchasers record being burnt and the undue methods in laying out their lands to the Proprietors and Purchasers by the several surveyors employed in that service, their not mentioning their original right they derived from makes it very difficult at this day to know what rights people hold their lands under and will be more so in future times and at present is the only cause of all the difficulty in raising money in said Propriety, now for said Proprietors and Purchasers to act and do what may be thought proper to remedy the aforesaid casualty and defect. Dated November 18, 1773.

PAGE 89:

Proprietors Right of a Share:
(25 signed with fractional shares)

Purchasers Number of Acres:
(16 signed with acreage
ranging from 70 to 300 acres)

These are therefore to notify and warn all the Proprietors and Purchasers of said town of Dartmouth that they assemble and meet at the townhouse in said Dartmouth on the 24th day of December next at eleven of the clock on said day to vote and act of what is above expressed as they may think proper. Dated in Dartmouth, this 18th day of November A.D. 1773.

Pursuant to the above written request, I have notified and warned all the Proprietors and Purchasers of the town of Dartmouth to meet at the time and place.

William Wood, Proprietors Clerk

PAGE 90:

At a Proprietors and Purchasers meeting legally warned and held at the townhouse in Dartmouth on the 24th day of December A.D. 1773.

Barzillas Tucker was chosen Moderator for said meeting.

1-ly Voted the committee to whom the consideration of the several articles in the warrant for calling this meeting, having taken it unto consideration and beg leave, report as followeth: That it is their opinion on the second and third article in said warrant that the Proprietors and Purchasers at said meeting choose a committee of three persons to inspect and look up of the undivided land in the township of Dartmouth as shall be sufficient to discharge the whole debt due from the Proprietors and Purchasers, now with the interest, and that there be one year from this date allowed for all persons that have any claim, right or demand in the Propriety within the township of Dartmouth to come or send in right or claim so that they may have them laid out, if any person or persons having any claim or right shall omit or neglect to make demand thereof within the time limited as aforesaid, shall be forever here excluded and forever debarred and the joint tenancy in said Propriety at the expiration of one year from this time shall be completed and ended, and hereafter all persons owning any land in the township of Dartmouth shall hold it in severalty, and after the aforesaid debt and charges are paid and the undivided land not all taken up, then the committee are of opinion for overplus to be sold at a public [illeg: auction?] and the money arising by said sale to put out to interest for use of Proprietors and Purchasers of said Dartmouth, and for the other remaining articles in said warrant, the committee begs leave to set again at the adjournment of said meeting.

2-ly Voted on the report of the committee appointed to take into consideration the several articles in said warrant that Samuel Smith, William Wood, cordwinder, and William White are chosen a committee to set up so much of the undivided land at a public [same illeg: "uandue"] as will be sufficient to discharge the whole debt due from the Proprietors and Purchasers as shall be made to appear with all

PAGE 91:

other charges arising in sale of said land and the committee are hereby empowered to make good and lawful deed or deeds of the same. This meeting is adjourned to the third third day of March next.

Barzillas Tucker, Moderator

William Wood, Proprietors Clerk

The Proprietors and Purchasers meet on the third third day of March according to adjournment and further adjourned to the 22nd day of said March at nine of the clock on said day.

Barzillas Tucker, Moderator

The Proprietors and Purchasers at the townhouse on the 22nd day of March instant and further adjourned said meeting to Saturday the 21st day of May next at four of the clock in the afternoon.

Barzillas Tucker, Moderator

The Proprietors and Purchasers met on the 21st day of May according to adjournment at the townhouse and adjourned to the second second day of June next ensuing at ten of clock in forenoon.

Barzillas Tucker, Moderator

According to adjournment the Proprietors and Purchasers met at the townhouse in Dartmouth on the second second day of June and adjourned said meeting to the first second day in October next at ten of the clock in forenoon on said day.

Barzillas Tucker, Moderator

According to adjournment the Proprietors and Purchasers met at the townhouse in Dartmouth on the first second day of October and adjourned to the first third day in May A.D. 1776 at ten of clock in forenoon.

Barzillas Tucker, Moderator

PAGE 92:

To the Honorable Walter Spooner, Esq., one of the Justices of the Peace throughout the Commonwealth of Massachusetts.

The petition of a number of the Proprietors and Purchasers of the town of Dartmouth, whose interest therein being computed amounts to three whole shares, humbly request that a meeting of said Proprietors and Purchasers of the ancient Propriety of the town of Dartmouth may be called according to law, to be held at the old townhouse in said town on the 25th day of December next at ten of the clock in the forenoon of said day, then and there to act and vote on the following matters (viz):

Firstly, to choose a Moderator for said meeting.

Secondly, to choose a Clerk for said meeting in the room or stead of our former clerk, who is deceased.

Thirdly, to choose a committee to call to an account and settle with the former committee or agents to sell land to pay said Proprietors and Purchasers' debts and also for said committee to receive into their custody all securities for money or debts due to said Proprietors and Purchasers, therewith to pay and discharge their debts, if any shall remain unpaid.

Fourthly, to choose a committee to rectify all former errors or mistakes that have been made in laying out the undivided land, where it may appear necessary, and where any returns of said land, etc. are lost, mislaid, or defaced, for said committee to make out new ones to the present possessors if they can fairly make out their title to the same, said committee to have recourse to the journals of our former surveyors for that service.

Fifthly, to choose a committee to receive and allow or disallow all accounts and demands against said Proprietors and Purchasers.

Sixthly, to choose a committee and invest them with full power, to prosecute all persons trespassing or that have trespassed on the undivided land or cedar swamp and to recover

PAGE 93:

the damages since arising for the use of said Proprietors and Purchasers, or otherwise to act on the premises as they at said meeting may think best.

September the 20, 1792.

(15 signed with fractional shares)

(seal)

Bristol, ss., Commonwealth of Massachusetts, October the 27 A.D. 1792.

To Samuel Smith, one of the Proprietors of the town of Dartmouth, greeting: Whereas application in writing hath been made to me by a number of the Proprietors and Purchasers of the town of Dartmouth, whose interest therein being computed amounts to three whole shares, requesting that a meeting of said Proprietors and Purchasers of the ancient Propriety of the town of

Dartmouth should be called according to law, to be holden at the old townhouse in
PAGE 94:

said town on the 25th day of December next at ten of the clock in the forenoon, then and there to act and vote on the following matters (viz):

Firstly, to choose a Moderator for said meeting.

Secondly, to choose a Clerk for said meeting in the room or place of the former clerk lately deceased.

3-ly to choose a committee to call to an account and settle with the former committee or agents appointed to sell land to pay the Proprietors and Purchasers' debts and also for said committee to receive into their custody all securities for money or debts due the said Proprietors and Purchasers and therewith to pay and discharge said debts, if any there be unpaid.

4-ly to choose a committee to rectify any former errors or mistakes in laying out land, where it may appear necessary, and where any returns of land etc. are lost, mislaid, or defaced, for said committee to make out new ones to the present possessors if they can fairly make out their titles to the same, said committee to have particular recourse to the former journals and surveys.

5-ly to choose a committee to receive and allow or disallow all accounts and demands against said Proprietors and Purchasers.

Sixthly, to choose a committee and vest them with full powers to prosecute all persons that have or may hereafter trespass on any of the undivided land or cedar swamp belonging to said Proprietors and Purchasers and to prosecute the same to final judgment -- or otherwise to act and do what may be thought best at said meeting on the premises.

These are therefore in the name of the Commonwealth aforesaid to require you, the said Samuel Smith, timely to notify and warn a meeting of the said Proprietors and Purchasers according to law to be held at the time and place and for the purposes aforesaid, hereof fail not.

Given under my hand and seal the day and date abovesaid.

Walter Spooner, Justice of the Peace

PAGE 95:

Dartmouth, December the 25th A.D. 1792.

Pursuant to the within written warrant, I have notified and warned the Proprietors and Purchasers of the ancient town of Dartmouth to meet at the time and place within mentioned by posting up notifications in the most public places in the three towns of Dartmouth, New Bedford, and Westport.
Samuel Smith

At a Proprietors and Purchasers meeting legally warned and held at the townhouse in Dartmouth on the 25th day of December A.D. 1792,

1-ly Henry Smith was chosen Moderator for said meeting pursuant to the first article in the warrant for calling this meeting.

2-ly Samuel Smith was chosen Clerk for said meeting pursuant to the second article in the warrant for calling this meeting.

3-ly Henry Smith, Stephen Hathaway, and Jacob Chace are chosen a committee agreeable to the third article in said warrant.

4-ly Jacob Chace, Samuel Smith, and Jethro Hathaway are chosen a committee to serve agreeable to the fourth article in the warrant for calling this meeting.

5-ly George Lawton, Ephraim Tripp and Stephen Hathaway are chosen an audit agreeable to the fifth article in the warrant for calling this meeting.

6-ly Thomas Sherman, Samuel Smith, George Lawton, Stephen Barker, Seth Spooner, Ebenezer Meen and Benjamin Cummings are chosen a committee pursuant to the sixth article in the warrant for calling this meeting and they were vested with full powers to

PAGE 96:

to prosecute all persons that have or may hereafter trespass on the undivided land or cedar

swamp to final judgment and execution by a unanimous vote of said meeting, and each and every one of the aforesaid votes passed unanimous.

This meeting adjourned to the first second day in June next at one of the clock in the forenoon.

Truly recorded, attest

Samuel Smith, Clerk

Henry Smith, Moderator

At a Proprietors and Purchasers meeting, legally warned and held by adjournment in the townhouse in Dartmouth on the third day of June 1793

the committee appointed to call to an account and settle with the agents that were appointed to sell land to pay the Proprietors and Purchasers' debts made the following report, which after being duly considered, was voted to be accepted and to be of record and is as follows:

May the 27th 1793 The Proprietors and Purchasers of Dartmouth

to the several persons hereafter named, viz:

To Henry Smith	46 = 12 = 3
To the heirs of Benjamin Smith, deceased	7 = 17 = 9
To Giles Russell as Executor of his father	1 = 2 = 0
To the heirs of Capt. William Wood, deceased	<u>2 = 1 = 6</u>
	57 = 13 = 6
Due to the Proprietors from several persons named in a list in committee's hand	<u>65 = 8 = 3</u>
Balance due to the Proprietors	7 = 14 = 9

PAGE 97:

And whereas said committee have not settled with William White, one of the said agents, they are therefore continued to settle with said White and to report to the adjournment of this meeting.

This meeting is adjourned to the 25th day of December next at 12 o'clock at noon at the dwelling house of John Smith's, Esq. in said Dartmouth.

Samuel Smith, Proprietors Clerk.

At a Proprietors and Purchasers meeting, legally warned and held by adjournment at John Smith's, Esq. in Dartmouth on the 25th day of December 1793, then chose Samuel Smith Proprietors Clerk in lieu of Samuel Smith, deceased.

This meeting is adjourned to the first Monday in June next at one of the clock in the afternoon at the townhouse in said Dartmouth.

Henry Smith, Moderator

At Proprietors and Purchasers meeting, legally warned and held by adjournment at the old townhouse in Dartmouth on the second day of June 1794, this meeting is adjourned to the 25th day of December next at ten of the clock in the morning at John Smith's, Esq. in said Dartmouth.

Henry Smith, Moderator

PAGE 98:

To Samuel Smith, Clerk of the Proprietors and Purchasers of all land contained in the original Propriety within the old township of Dartmouth in the County of Bristol, and we, the subscribers, being interested in said land within said township being computed is three whole shares, do request you, our said clerk, timely as the law directs, to notify and warn all the said Proprietors and Purchasers of the land within said township that they assemble and meet together at the old townhouse in said Dartmouth on the second day of June next at one of the clock in the afternoon, then and there to act and vote on the following articles as they think proper.

Firstly to choose a Proprietors surveyor in the room Samuel Smith, deceased.

Secondly to choose a committee to sell more of the undivided land if what is already sold should on settlement prove insufficient to discharge said Proprietors debts in room of their former committee deceased and incapable by old age.

Thirdly to choose a committee to lay out undivided lands, if any there should be left after settlement of the Proprietors debts, to those persons that have lawful rights not filled.

(19 people signed with fractional shares from 1/16 up to 1/2)

These are therefore to notify and warn all the Proprietors and Purchasers that they assemble and meet at the old townhouse in said Dartmouth on the second day of June next at one of the clock in the afternoon, then and there to do, act or vote as they shall think proper relating to the abovesaid request.

Samuel Smith, Proprietors Clerk

PAGE 99:

Dartmouth, June 2nd, 1794. Pursuant to the within written warrant, I have notified and warned the Proprietors and Purchasers of the old town of Dartmouth to meet at the time and place within mentioned by posting up notifications in the most public places in the three towns of Dartmouth, New Bedford, and Westport.

Samuel Smith, Proprietors Clerk

At Proprietors and Purchasers meeting legally warned and held at the old townhouse in Dartmouth on the second day of June 1794,

1-ly Samuel Smith was unanimously chosen Proprietors surveyor in the room of his father, Samuel Smith, deceased, agreeable to the first article in warrant for calling this meeting.

2-ly Alden Spooner, Ephraim Tripp and Jacob Chace is chosen a committee agreeable to the second article in the warrant to serve in the room of the former committee who is deceased and incapable by old age.

3-ly Alden Spooner, Stephen Hathaway, Ephraim Tripp, Benjamin Wilcox, George Lawton and Jacob Chace is chosen a committee agreeable to the third article in the warrant for calling this meeting.

Truly recorded, attest

Samuel Smith, Proprietors Clerk

Henry Smith, Moderator

PAGE 100:

At a Proprietors and Purchasers meeting, legally warned and held by adjournment at the house of John Smith's, Esq. in Dartmouth on the 25th day of December 1794, the Proprietors and Purchasers unanimously chose and voted in Ephraim Tripp in the stead or lieu of Samuel Smith, deceased, to serve as one of the committee agreeable to the fourth article in the warrant 1792. This meeting is adjourned to the first second day of March next at the house of John Smith, Esq. in said Dartmouth.

Truly recorded, attest

Samuel Smith, Proprietors Clerk

Henry Smith, Moderator

PAGE 101:

At a Proprietors meeting, legally warned and held by adjournment at John Smith, Esq. on the 2nd day of March 1795, Ephraim Tripp was chosen clerk for said meeting for the day by reason of the clerk being absent. George Lawton is chosen in the lieu of Jacob Chace agreeable to the third article in the warrant 1792 to call to an account and settle with the former committee, George Lawton in the room or lieu of Jacob Chace is chosen agreeable to the fourth article in the warrant 1792 to rectify all mistakes and make new returns to persons who mislaid or lost their old ones.

John Howland is chosen in the stead or lieu of Jacob Chace agreeable to the third article in the last warrant.

This meeting is adjourned to the last second day in June next at John Smith, Esq. at ten of the clock in the forenoon.

PAGE 102:

At a Proprietors and Purchasers meeting, legally warned and held by adjournment at John Smith, Esq. in Dartmouth on the 29th day of June 1795, it was Voted and agreed upon that Thomas Shearman should be dismissed from the committee of doing or performing any more services respecting people cutting or trespassing on the undivided land or cedar swamps.

Dartmouth, June 29th, 1795. The committee chosen by the Proprietors of Dartmouth to receive and examine accounts brought against the Proprietors of the town aforesaid, do find due to the several persons hereafter named:

	L
To Thomas Shearman on a balance of his account	1 = 2 = 0
To Stephen Hathaway	0 = 6 = 0
To George Lawton	1 = 16 = 0
To Ephraim Tripp	1 = 13 = 0
To Henry Smith on a balance	0 = 4 = 9
To Samuel Smith	0 = 12 = 0

They also find debts due to the Proprietors from the several persons hereafter named

To one note of hand against William Russell of	1 = 4 = 0
To one note of hand against Clerk Russell sum of	0 = 12 = 0
To one note of hand against Thomas Sherman sum of	5 = 5 = 0

Per Samuel Smith, Proprietors clerk.

This meeting is adjourned to the 29th of December next at John Smith's at ten o'clock in the morning.

PAGE 103:

At Proprietors and Purchasers meeting legally warned and held by adjournment at John Smith's, Esq. in Dartmouth on the 25th day of the month called December A.D. 1795.

The committee chosen agreeable to the third [fifth?] article in the warrant 1792 in order to take into their custody all moneys and security of the Proprietors and therewith to pay and discharge said Proprietors' debts.

Reported as follows: that we have agreeable to our appointment paid, settled and discharged all the said Proprietors and Purchasers debts.

And said report being laid before the Proprietors and Purchasers meeting as abovesaid, it was Voted to be accepted and to be of record.

Truly recorded attest.

Samuel Smith, Proprietors Clerk

This meeting is adjourned to the 26th day of December next at ten o'clock in the forenoon at John Smith's Esq. in Dartmouth.

Bristol, ss. November 17, 1796.

Then Samuel Smith personally appeared and was duly qualified by taking a solemn affirmation to act as surveyor of the Proprietors of the ancient Proprietorship of the town of Dartmouth, before Alden Spooner, Justice of the Peace

PAGE 104:

At Proprietors and Purchasers meeting legally warned and held by adjournment at John Smith's Esq. on the 26th day of December 1796, this meeting finds upon examination of accounts brought in said day by the committee that there is 13 shillings in George Lawton's hand of the Proprietors money. This meeting is adjourned to the 25th day of the twelfth month next at John Smith's Esq. in said Dartmouth at ten of the clock in the forenoon.

Truly recorded attest.

Samuel Smith, Proprietors Clerk Henry Smith, Moderator

PAGE 105:

At a Proprietors and Purchasers meeting legally warned and held by adjournment at John Smith's Esq. in Dartmouth on the 25th day of December 1797,

Voted that Stephen Hathaway may serve with the committee in the room or lieu of his father, Jethro Hathaway, who is indisposed by old age and said Stephen is vested with the same powers as his said father was agreeable to the tenor of the fourth article in the warrant 1792 to sign or make out new returns to persons who have lost their old ones, agreeable to said fourth article in said warrant. Also

Voted at said adjournment of said meeting that two or the major part of said committee to sign or make out said new returns should be good and legal to all intents and purposes.

Voted at said adjournment of said meeting and choose and appointed Alden Spooner Esq. agent of the old Propriety of the township of Dartmouth to settle all accounts and demand that now stand unsettled between Thomas Shearman of Westport and the Proprietors of the ancient Propriety of the old township of said Dartmouth, and said agent is and hereby vested with full power and lawful authority to settle the same to final judgment and execution in the law or to do and act as he may think proper therewith.

George Lawton paid 13 shilling to the Proprietors committee which has been in his hand since the last adjournment and said Lawton is hereby discharged for the same. This meeting is adjourned to the 25th day of December next in the year 1798 at ten of the clock in forenoon at said Esq. Smith.

Truly recorded attest.

Samuel Smith, Proprietors Clerk Henry Smith, Moderator

PAGE 106: (blank)

PAGE 107:

To Samuel Smith, clerk of the Proprietors and Purchasers of all the land contained in the original Propriety within the old township of Dartmouth in the County of Bristol, and we, the subscribers, being interested in said land within said township being computed is three whole shares, do request you, our said clerk, timely as the law directs, to notify and warn all the Proprietors and Purchasers of the land within said township that they assemble and meet together at the house of John Smith, Esq. in said Dartmouth on the 25th day of December next at two o'clock in the afternoon, then and there to act and vote on the following articles as they may think proper.

Firstly to choose a treasurer to order that all moneys and securities for money that belongs to said Proprietors and Purchasers, may be deposited in his hand and he, the said treasurer, sworn to the faithful performance of his trust therein.

2-ly to choose a committee to inspect into and agree with some suitable person to take off and

transcribe into a new book and to be carefully alphabited [alphabetized] all the ancient Proprietors rights and claims of the land in the old township of Dartmouth from the old book of claims and journals that Benjamin Crane kept, which appears to be somewhat obliterated or to do and act as they may think proper therewith.

Thirdly to approbate and establish the journal that Samuel Smith, deceased, kept of his selling and laying out undivided land and cedar swamps to be a good and legal work if they shall think proper.

(turn over)

PAGE 108:

(13 Proprietors signed with fractional shares of 1/4 to 1/32)

These are therefore to notify and warn all the said Proprietors and Purchasers of the ancient Propriety of township of Dartmouth that they assemble and meet together at John Smith, Esq. in said Dartmouth on the 25th day of the month December next at ten of the clock in the forenoon to vote and act as they shall think proper upon the articles beforementioned. Dated at Dartmouth, 30th of the eleventh month 1797.

Pursuant to the within request, I have notified and warned the Proprietors of the old township of Dartmouth to meet at time and place, by posting up notification as the law directs.

Truly recorded attest.

Samuel Smith, Proprietors Clerk

PAGE 109:

At a Proprietors and Purchasers meeting legally warned and held at John Smith's Esq. in Dartmouth on the 25th day of December 1797,

Alden Spooner, Esq. was chosen Moderator for said meeting by a unanimous vote.

Firstly, Ephraim Tripp was chosen Proprietors Treasurer agreeable to the first article in the warrant and said Tripp being agreed with and did agree to receive in and pay out said Proprietors money at 4% and was solemnly sworn to that trust agreeable to said first article in said warrant and said Tripp was duly empowered and authorized by a vote unanimous to prosecute to final judgment all securities for money that belongs to said Proprietors and Purchasers, except that of Thomas Shearman's.

2-ly Alden Spooner and Henry Smith was chosen a committee agreeable to the second article in the warrant.

Thirdly Agreeable to the third article in the warrant, Samuel Smith's, deceased, journal, after being duly examined by the Proprietors at the said meeting was approbated and established by a unanimous vote to be a correct and legal work in the Propriety of the old township of Dartmouth and is hereby authenticated to hand (?) good with as much strength and virtue in the law as our former Proprietors' surveyors' journals.

Truly recorded attest.

Samuel Smith, Proprietors Clerk

Alden Spooner, Moderator.

PAGE 110:

At a Proprietors and Purchasers meeting legally warned and held by adjournment at John Smith's Esq. in Dartmouth on the 25th day of the twelfth month called December 1798,

Voted at this meeting that Samuel Smith should have and receive \$10 out of Dartmouth Proprietors treasury in past pay for his services in transcribing Benjamin Crane's journals and said treasurer, viz Ephraim Tripp, is hereby authorized and directed to pay him the same.

This meeting is adjourned to the 25th day of the twelfth month December next at ten o'clock in the morning at John Smith's, Esq. in said Dartmouth.

Truly recorded attest.

Samuel Smith, Proprietors Clerk

Henry Smith, Moderator

PAGE 111:

At a Proprietors and Purchasers meeting legally warned and held from December 1792 by adjournment from time to time till the 25th of the present month December 1799, the committee reported that they have settled with the treasurer and find in his hand a balance of \$12.48 of the Proprietors money. Witness our hand.

\$12 = 48

George Lawton Proprietors
 Stephen Hathaway Committee
 Ephraim Tripp, Proprietors Treasurer

The above was truly recorded
 by Samuel Smith, Proprietors Clerk

Henry Smith, Moderator

This meeting is adjourned to the 25th of December next at John Smith's, Esq., at ten o'clock on said day.

PAGE 112: (blank)

PAGE 113:

At a Proprietors and Purchasers meeting legally warned and held by adjournment from 1792 from time to time until the 25th day of the twelfth month called December 1800, Alden Spooner, Esq. was chosen Moderator for the day.

The committee report what they have settled with the Proprietors treasurer up to this day and that said treasurer has paid out all the money and securities from money that he has received as treasurer in behalf of said Proprietors and Purchasers.

George Lawton and Stephen Hathaway,
 Proprietors Committee
 Ephraim Tripp, Proprietors Treasurer

We also find debts against said Proprietors and Purchasers to the sum of \$7.80.

Truly recorded, attest. Samuel Smith, Proprietors Clerk

PAGE 114: (blank)

PAGE 115:

Bristol, ss, September 6, 1821

To Abner B. Gifford, Esq., one of the Justices of the Peace within and for the County of Bristol aforesaid.

We, the subscribers, to the number of five Proprietors and Purchasers of the ancient Propriety of township of Dartmouth, request you to issue a warrant to some one of us directing him to call a meeting of said Proprietors for the following objects, to wit:

1-ly To choose a Moderator.

2-ly To choose a clerk, a treasurer, a committee and all other officers necessary or expedient.

3-ly To act on all such other things respecting said Propriety as may then and there be found expedient.

(Signed by five with no indication of fractional shares)

Commonwealth of Massachusetts

Bristol, ss.

To Richard Lawton of Westport in said County, one of the Proprietors and Purchasers of the

ancient Propriety of the township of Dartmouth as abovesaid, greeting:

PAGE 116:

Whereas John Wing, Ephraim Tripp, Wilbur Gifford, Richard Lawton, and George Allen, five of the Proprietors and Purchasers of the ancient Propriety of the township of Dartmouth, have appealed to me, Abner B. Gifford, Esq., one of the Justices of the Peace within and for the said County, requesting me to issue a warrant to you, the said Richard Lawton, directing you to call a meeting of said Proprietors for the following objects, to wit:

First To choose a Moderator.

Second To choose a clerk - treasurer - committee - and all such other officers as may be found necessary or expedient.

Third To act on all such other things respecting said Propriety as may be then and there found expedient.

You are hereby required to notify and warn a meeting of said Proprietors according to law to be holden at the dwelling house of Adam Gifford in said Westport on the third Monday of November next at one o'clock in the afternoon for the purposes aforesaid and have you there this warrant with your doings thereon. Dated at Westport aforesaid this 26th day of October in the year of our Lord one thousand eight hundred and twenty-one [1821].

Abner B. Gifford, Justice of the Peace
Westport

PAGE 117:

Westport, November 19, 1821. Pursuant to the foregoing warrant, I have notified and warned the Proprietors and Purchasers aforesaid, by posting up notifications thereof in the most public places in the town of Dartmouth, New Bedford, Fairhaven, and Westport, to meet at the time and place and for the purposes therein mentioned, by me

Richard Lawton

At a legal meeting of the Proprietors and Purchasers of the ancient Propriety of the township of Dartmouth, legally warned and holden at the dwelling house of Adam Gifford in said Westport, on this 19th day of November, in the year of our Lord one thousand eight hundred and twenty-one [1821],

Abner B. Gifford was chosen Moderator by written votes had four votes which was all that was all that was given in.

Ephraim Tripp was chosen Treasurer, had three written votes, one vote was given in for A. B. Gifford.

John Howland - John Wing - William White - Adam Gifford - and Ephraim Macomber were all chosen a committee, having four written votes each and no other persons being voted for, the aforementioned committee was chosen to view and

PAGE 118:

and qualify and make returns of all such undivided lands as they shall from time to time and until another committee shall be chosen in their stead - find to be regularly entered a pitch upon by any person having a legal right to lay out undivided lands in the old township of Dartmouth, the doings or return of any two of said committee together shall be deemed good and valid.

Abner B. Gifford was chosen Proprietors clerk and Proprietors surveyor by written vote, having four votes for clerk and three votes for surveyor. One vote was given in for Ephraim Macomber as Proprietors surveyor.

Abner B. Gifford was sworn before Anselm Bassett, Esq., Justice of the Peace, to the faithful discharge of his duty in the office of clerk and also as surveyor.

See the certificate of the oath on file.

Voted to adjourn this meeting to the third Monday of November next, then to meet at this place at one o'clock in the afternoon and it was adjourned accordingly.

Recorded by me, Abner B. Gifford, Proprietors Clerk.

PAGE 104:

At Proprietors and Purchasers meeting legally warned and held by adjournment at John Smith's Esq. on the 26th day of December 1796, this meeting finds upon examination of accounts brought in said day by the committee that there is 13 shillings in George Lawton's hand of the Proprietors money. This meeting is adjourned to the 25th day of the twelfth month next at John Smith's Esq. in said Dartmouth at ten of the clock in the forenoon.

Truly recorded attest.

Samuel Smith, Proprietors Clerk Henry Smith, Moderator

PAGE 105:

At a Proprietors and Purchasers meeting legally warned and held by adjournment at John Smith's Esq. in Dartmouth on the 25th day of December 1797,

Voted that Stephen Hathaway may serve with the committee in the room or lieu of his father, Jethro Hathaway, who is indisposed by old age and said Stephen is vested with the same powers as his said father was agreeable to the tenor of the fourth article in the warrant 1792 to sign or make out new returns to persons who have lost their old ones, agreeable to said fourth article in said warrant. Also

Voted at said adjournment of said meeting that two or the major part of said committee to sign or make out said new returns should be good and legal to all intents and purposes.

Voted at said adjournment of said meeting and choose and appointed Alden Spooner Esq. agent of the old Propriety of the township of Dartmouth to settle all accounts and demand that now stand unsettled between Thomas Shearman of Westport and the Proprietors of the ancient Propriety of the old township of said Dartmouth, and said agent is and hereby vested with full power and lawful authority to settle the same to final judgment and execution in the law or to do and act as he may think proper therewith.

George Lawton paid 13 shilling to the Proprietors committee which has been in his hand since the last adjournment and said Lawton is hereby discharged for the same. This meeting is adjourned to the 25th day of December next in the year 1798 at ten of the clock in forenoon at said Esq. Smith.

Truly recorded attest.

Samuel Smith, Proprietors Clerk Henry Smith, Moderator

PAGE 106: (blank)

PAGE 107:

To Samuel Smith, clerk of the Proprietors and Purchasers of all the land contained in the original Propriety within the old township of Dartmouth in the County of Bristol, and we, the subscribers, being interested in said land within said township being computed is three whole shares, do request you, our said clerk, timely as the law directs, to notify and warn all the Proprietors and Purchasers of the land within said township that they assemble and meet together at the house of John Smith, Esq. in said Dartmouth on the 25th day of December next at two o'clock in the afternoon, then and there to act and vote on the following articles as they may think proper.

Firstly to choose a treasurer to order that all moneys and securities for money that belongs to said Proprietors and Purchasers, may be deposited in his hand and he, the said treasurer, sworn to the faithful performance of his trust therein.

2-ly to choose a committee to inspect into and agree with some suitable person to take off and transcribe into a new book and to be carefully alphabited [alphabetized] all the ancient Proprietors rights and claims of the land in the old township of Dartmouth from the old book of claims and

journals that Benjamin Crane kept, which appears to be somewhat obliterated or to do and act as they may think proper therewith.

Thirdly to approbate and establish the journal that Samuel Smith, deceased, kept of his selling and laying out undivided land and cedar swamps to be a good and legal work if they shall think proper.

(turn over)

PAGE 108:

(13 Proprietors signed with fractional shares of 1/4 to 1/32)

These are therefore to notify and warn all the said Proprietors and Purchasers of the ancient Propriety of township of Dartmouth that they assemble and meet together at John Smith, Esq. in said Dartmouth on the 25th day of the month December next at ten of the clock in the forenoon to vote and act as they shall think proper upon the articles beforementioned. Dated at Dartmouth, 30th of the eleventh month 1797.

Pursuant to the within request, I have notified and warned the Proprietors of the old township of Dartmouth to meet at time and place, by posting up notification as the law directs.

Truly recorded attest.

Samuel Smith, Proprietors Clerk

PAGE 109:

At a Proprietors and Purchasers meeting legally warned and held at John Smith's Esq. in Dartmouth on the 25th day of December 1797,

Alden Spooner, Esq. was chosen Moderator for said meeting by a unanimous vote.

Firstly, Ephraim Tripp was chosen Proprietors Treasurer agreeable to the first article in the warrant and said Tripp being agreed with and did agree to receive in and pay out said Proprietors money at 4% and was solemnly sworn to that trust agreeable to said first article in said warrant and said Tripp was duly empowered and authorized by a vote unanimous to prosecute to final judgment all securities for money that belongs to said Proprietors and Purchasers, except that of Thomas Shearman's.

2-ly Alden Spooner and Henry Smith was chosen a committee agreeable to the second article in the warrant.

Thirdly Agreeable to the third article in the warrant, Samuel Smith's, deceased, journal, after being duly examined by the Proprietors at the said meeting was approbated and established by a unanimous vote to be a correct and legal work in the Propriety of the old township of Dartmouth and is hereby authenticated to hand (?) good with as much strength and virtue in the law as our former Proprietors' surveyors' journals.

Truly recorded attest.

Samuel Smith, Proprietors Clerk

Alden Spooner, Moderator.

PAGE 110:

At a Proprietors and Purchasers meeting legally warned and held by adjournment at John Smith's Esq. in Dartmouth on the 25th day of the twelfth month called December 1798,

Voted at this meeting that Samuel Smith should have and receive \$10 out of Dartmouth Proprietors treasury in past pay for his services in transcribing Benjamin Crane's journals and said treasurer, viz Ephraim Tripp, is hereby authorized and directed to pay him the same.

This meeting is adjourned to the 25th day of the twelfth month December next at ten o'clock in the morning at John Smith's, Esq. in said Dartmouth.

Truly recorded attest.

Samuel Smith, Proprietors Clerk

Henry Smith, Moderator

PAGE 111:

At a Proprietors and Purchasers meeting legally warned and held from December 1792 by adjournment from time to time till the 25th of the present month December 1799, the committee reported that they have settled with the treasurer and find in his hand a balance of \$12.48 of the Proprietors money. Witness our hand.

\$12 = 48

George Lawton Proprietors
Stephen Hathaway Committee
Ephraim Tripp, Proprietors Treasurer

The above was truly recorded
by Samuel Smith, Proprietors Clerk

Henry Smith, Moderator

This meeting is adjourned to the 25th of December next at John Smith's, Esq., at ten o'clock on said day.

PAGE 112: (blank)

PAGE 113:

At a Proprietors and Purchasers meeting legally warned and held by adjournment from 1792 from time to time until the 25th day of the twelfth month called December 1800, Alden Spooner, Esq. was chosen Moderator for the day.

The committee report what they have settled with the Proprietors treasurer up to this day and that said treasurer has paid out all the money and securities from money that he has received as treasurer in behalf of said Proprietors and Purchasers.

George Lawton and Stephen Hathaway,
Proprietors Committee
Ephraim Tripp, Proprietors Treasurer

We also find debts against said Proprietors and Purchasers to the sum of \$7.80.
Truly recorded, attest. Samuel Smith, Proprietors Clerk

PAGE 114: (blank)

PAGE 115:

Bristol, ss, September 6, 1821

To Abner B. Gifford, Esq., one of the Justices of the Peace within and for the County of Bristol aforesaid.

We, the subscribers, to the number of five Proprietors and Purchasers of the ancient Propriety of township of Dartmouth, request you to issue a warrant to some one of us directing him to call a meeting of said Proprietors for the following objects, to wit:

1-ly To choose a Moderator.

2-ly To choose a clerk, a treasurer, a committee and all other officers necessary or expedient.

3-ly To act on all such other things respecting said Propriety as may then and there be found expedient.

(Signed by five with no indication of fractional shares)

Commonwealth of Massachusetts

Bristol, ss.

To Richard Lawton of Westport in said County, one of the Proprietors and Purchasers of the ancient Propriety of the township of Dartmouth as abovesaid, greeting:

PAGE 116:

Whereas John Wing, Ephraim Tripp, Wilbur Gifford, Richard Lawton, and George Allen, five of the Proprietors and Purchasers of the ancient Propriety of the township of Dartmouth, have appealed to me, Abner B. Gifford, Esq., one of the Justices of the Peace within and for the said County, requesting me to issue a warrant to you, the said Richard Lawton, directing you to call a meeting of said Proprietors for the following objects, to wit:

First To choose a Moderator.

Second To choose a clerk - treasurer - committee - and all such other officers as may be found necessary or expedient.

Third To act on all such other things respecting said Propriety as may be then and there found expedient.

You are hereby required to notify and warn a meeting of said Proprietors according to law to be holden at the dwelling house of Adam Gifford in said Westport on the third Monday of November next at one o'clock in the afternoon for the purposes aforesaid and have you there this warrant with your doings thereon. Dated at Westport aforesaid this 26th day of October in the year of our Lord one thousand eight hundred and twenty-one [1821].

Abner B. Gifford, Justice of the Peace
Westport

PAGE 117:

Westport, November 19, 1821. Pursuant to the foregoing warrant, I have notified and warned the Proprietors and Purchasers aforesaid, by posting up notifications thereof in the most public places in the town of Dartmouth, New Bedford, Fairhaven, and Westport, to meet at the time and place and for the purposes therein mentioned, by me

Richard Lawton

At a legal meeting of the Proprietors and Purchasers of the ancient Propriety of the township of Dartmouth, legally warned and holden at the dwelling house of Adam Gifford in said Westport, on this 19th day of November, in the year of our Lord one thousand eight hundred and twenty-one [1821],

Abner B. Gifford was chosen Moderator by written votes had four votes which was all that was all that was given in.

Ephraim Tripp was chosen Treasurer, had three written votes, one vote was given in for A. B. Gifford.

John Howland - John Wing - William White - Adam Gifford - and Ephraim Macomber were all chosen a committee, having four written votes each and no other persons being voted for, the aforementioned committee was chosen to view and

PAGE 118:

and qualify and make returns of all such undivided lands as they shall from time to time and until another committee shall be chosen in their stead - find to be regularly entered a pitch upon by any person having a legal right to lay out undivided lands in the old township of Dartmouth, the doings or return of any two of said committee together shall be deemed good and valid.

Abner B. Gifford was chosen Proprietors clerk and Proprietors surveyor by written vote, having four votes for clerk and three votes for surveyor. One vote was given in for Ephraim Macomber as Proprietors surveyor.

Abner B. Gifford was sworn before Anselm Bassett, Esq., Justice of the Peace, to the faithful discharge of his duty in the office of clerk and also as surveyor.

See the certificate of the oath on file.

Voted to adjourn this meeting to the third Monday of November next, then to meet at this place at one o'clock in the afternoon and it was adjourned accordingly.

Recorded by me, Abner B. Gifford, Proprietors Clerk.

