

Title of lands [future old town of Dartmouth] awarded to New Plymouth by the English King and his council of New England. [1640/1641]

27. [2 March 1640 (1641)]
Whereas divers and sundry tracts have been in the public & General Courts of New Plymouth, his majestie, our dread sovereigne, Charles, by the grace of God King of England, Scotland, France, and Ireland &c, concerning the proper right and title of the lands within the bounds and limitts of his said majesties letters patents, granted by the right honorable and his majesties counsell for New England, ratified by their common seale, and signed by the hand of the Right Honourable Earle of Warwick, then president of the said counsell, to William Bradford, his heires, associates, and assignes, bearing date, &c, and whereas the said William Bradford and divers others, the first instruments of God in the beginnings of this great worke of plantation, together with such as the alderinge hand of God, in his providence, soone added unto them, have bene at very greite charges to procure the said lands, privileges & freedoms, from all entanglements, as may appeare by divers and sundry deedes, engagements of grantees, purchases, payments of debts, &c, by reason whereof the title to the day of this present, remaineth in the said William, his heires, associates, and assignes, - now, for the better selling of the state of the said lands aforesaid, the said William Bradford, and those first instruments termed and called in sondry orders upon public record, the purchasers, or old comers, winnes two in especiall, those bearing date the third of March, 1639, thother in December ye first, 1640, whereunto these presents have speciall relation & agreement, and whereby they are distinguished from others the freemen and inhabitants of the said corporation, - be it knowne unto all men, therefore, by these presents, that the said William Bradford, for himself, his heires, together with the said purchasers, do onely reserve unto themselves, their heires and assignes, those three tracts of lands mentioned in the said resolution, order, & agreement, bearing date the first day of December, 1640, viz, first, from the bounds of Yarmouth, three miles to the eastward of Naumkekeett, and from sea to sea, cross the said neck of land; the second, of a place called Acconquesse, this Acckeus, which lyeth in the bottom of the bay adjoining to the west side of Poynt Perill, and two miles to the westerne side of the said river, to another place, called Acquesset River, which enteth at the westerne end of Nickatay, and two miles to the eastward thereof, and to extend eight miles up into the country; the third place from Sowamset River to Potacquet River, with Causumpit Neck, which is the chief habitation of the Indians, and reserved for them to dwell upon, extending into the land eight miles through the whole breadth thereof, together with such other annale percells of lands as they or any of them are personally possessed of or interested in by virtue of any former titles or grants whatsoever. And the said William Bradford doth, by the free and

full consent, approbation, and agreement of the said old planters or purch together with the likeing, approbation, & acceptation of the other part of said corporation, surrender into the hands of the whole Court, consistinge freemen of this corporation of New Plymouth all that their right & title, po authority, privileges, immunities, & freedoms granted in the said letters patents by the said right honorable counsell for New England, reserving their personall right of freemen, together with the said old planters aforesaid, except the said lands before excepted, declaring the freemen of this prese corporation, together with all such as shalbe legally admitted into the same associates. And the said William Bradford, for him, his heires and assignes further hereby premise and grant to doe & performe whatsoever further i or things, act or acts, which in him lyeth, which shalbe needfull and exped for the better confirming & establishinge the said premises as by counsell learned in the lawes shalbe reasonably advised and devised, when he shalbe therunto required. To winnes whereof, the said William Bradford hath in pu Court currended the said letters patents actually into the hands and power said Court, bying himself, his heires, executors, administrators, and assign deliver up whatsoever specialties are in his hands that do or may concerne same.

Memorand: that the said surrender was made by the said William Bradf in public Court, to Nathaniell Sowther, especially authorized by the wh Court to receive the same, together with the said letters patents, in the nam for the use of the whole body of freemen.

It is ordered by the Court, that Mr William Bradford shall have the los of the said letters patents, which were afterwards delivered unto him by the Nathaniell Sowther in the public Court.
[PCR, Court Orders II, 10-11]

Agreement between the Indians and the Plymouth Colony Court as to the bounds of the lands that would become the future old Town of Dartmouth. [1665]

Indian Deeds

160. [see also several deeds in 1652 and June 1659]
[8 June 1665]

Whereas according to an order of Court held at Plymouth bearing date the third day of October Anno dom: 1664, wherein Phillip Sagamore of Pokanokett &c, was desired to appoint ["and" stricken out] an agent or more to sett out and Mark the bounds of Acushenak Coaksett and places adjacent The said Sachem sent John Sassamon on the 19th day of November in the years aforesaid, to act in his behalf, in the premises who hath sett the bounds of the said Tract, and tracts as followeth, viz: At Acushenak three miles to the East, according to the ["tre" (making "heire") stricken out] deed bearing date November 29, 1652, from a blacke oske Marked on foursydes; Running upward North into the woods eight miles and downwards south with see much of the land Nakaton, as falls within the said line: At akooaksett from a white oske marked on foursydes standing on the westsyde of the head of the Cove, Ranging up into the woods North six miles and an half to a great pond, unto a white oske Marked standing upon the westsyde of the pond, near the south end of the said pond and by Reason of the Running of the pond, one mile on the eastsyde upwards, to a blacke oske Marked on foure sydes standing near a maple tree, on the side of the said pond about the Middle of it, which pond is Called ["Watuppa" stricken out] Watuppan. The upper bounds to Run from tree to tree upon a straight line, and at the head of the westernmost arme from the said White oske to ["a" stricken out] the Flat Rocke expressed, in the deed above said; In wimesse that the said bounds, see sett out shalbe the true standing bounds of the purchasers of the aforesaid acushenak Coaksett and places adjacent to them and their heires and assignes for ever. The said Phillip the Sachem abovenamed, hath heerunto sett his hand, and affixed his seale the 8th day of June Anno: dom: 1665.
[signed] The Marke of [P] of Phillip Sachem and a [in a circle, the word] seale: Signed, sealed and delivered in the presence of John Sassamon

The Marke of [mark] Papamok
Josias Winslow
Thomas Southworth
Nathaniell Morton

Purchase of lands [future old town of Dartmouth] from the Indians to the Plymouth colony [ouldcomers]. [1652]

56. [29 June 1652]

The 29th of June 1652. Bradford Gov[ernor]
It was ordered by the Court and the Authorite therof That whereas the Purchasers or and old Comers were granted formerly two or three tracts of land for them and their heires as by former actes of Court doe appeer which they never yett for divers causes enjoyed and some of which said tracts have bin granted to other plantations

This Court now grauntes and gives libertie unto the said Purchasers and old Comers that all ["and" stricken out] or whosoever amongst them will shall have libertie to looke out and make choise of such place or places as they can find within this Government or Jurisdiction not granted alreddy unto any provided they exceed not their former proportions to accomodate them and their heires withall and they have heerby libertie graunted them to purchase the said land of the natives by the approbation of the Court and soe many as shalbe thuse accomodated to Relinquish all their Rightes Interest and title in former specify places made choise of by them and the Rest of the old comers and purchasers to take up their particular proportions of land within the precinctes of the three former specify places all which to be performed by all the purchasers and old comers within fourteen month next ensuing this present Court;
And alsoe It is further graunted by this present Court That all those as were at the Courts graunt of the abovementioned two or three places: Inhabitants allowed and now are firemen, shall have the like libertie to looke out and make Choise of some place or places for themselves and their heires as may afford them a sufficient accomodation for their Comfortable Existence [? perhaps, mistakenly assistance] within fourteen monthes after that if they Can find it;
[DPL III (1): at the top of the fifth page of the alphabetical index of ca. 1671 emended by Josiah Cotton in 1716. This sheet was apparently reused (as scrap) to continue the indexing in 1671 or 1672.]

57. [29 Nov. 1652]

1654 Bradford Gov[ernor] 109
A deed appointed to bee Recorded
New Plymouth November the 29th 1652)
Know all men by these presents that I Wosamequen and Wamsutta my sonne have sould unto Mr William Bradford captaine Standish Thomas Southworth John Winslow John Cooke and their associates the Purchasers or ouldcomers all the Tract or Tracts of land lying three miles Eastward from a River called Cushenings to a certaine harbour called Acoksett to a flat Rocke on the west ward side of the said harbour; And whereas the said harbour devideth it self into several branches; the westernmost arme to bee the bound; and all the Tract or tracts of land from the said westernmost arme to the said River of Cushenings three

miles Eastward of the same; with all the profits and benefitts within the said Tract with all the Rivers creekes Meadows Neckes and Islands that lye in or before the same; And from the sea upward to goe soe high that the English may not bee annoyed by the hunting of the Indians in any sort of their Cattle, And I Wosamequen and Wamsutta doe promise to Remove all the Indians within a year from the date hereof That doe live in the said Tract And wee the said Wosamequen and Wamsutta have fully bargained and sold unto the aforesaid Mr William Bradford captaine Standish Thomas Southworth John Winslow John Cooke and the Rest of their associates the Purchasers or ouldcomers To have and to hold for them and their heires and assignes for ever; and in consideration hereof wee the abovementioned; are to pay to the said Wosamequen and Wamsutta as followeth thirty yards of cloth eight moose skins fifteen axes fifteen hoes fifteen paire of breeches eight blankets two kittles a cloake 2 [yd?] in Wampum eight paire of stokens eight paire of shoes an Iron pot and ten shilling in another commodity And In Wimesse hereof Wee have Interchangably sett to our hands the day and yeare above written
[signed:] Wamsutta [two inverted W's] his Marke
In the presence of Jonathan Shaw Samuel Eedy John Winslow John Cooke
[DPL II (1): 109]

The Indians Called Acksawannumman and Monchackom Came before mee at Dartmouth, and Now againe at Plymouth and acknowledged that they were Well satisfied, that the bounds of Dartmouth be, from a blacke oske marked on fou sydes; which is the tree from whence Hazard [or "Hazar"?) Run his line, by a straight line downward, to a great heape ["top" stricken out then repeated] of stones on a beach by the seasyde; leaving the land Nakata without the line to the eastward and from the abovementioned blacke oske by another stright line Northerty to a Picked ["Roge" stricken out] Rocke near the path that leads to Middleberry, and further Gave up theire Right therin July the 10th 16[...]
Before Josiah Winslow Gov[ernor]

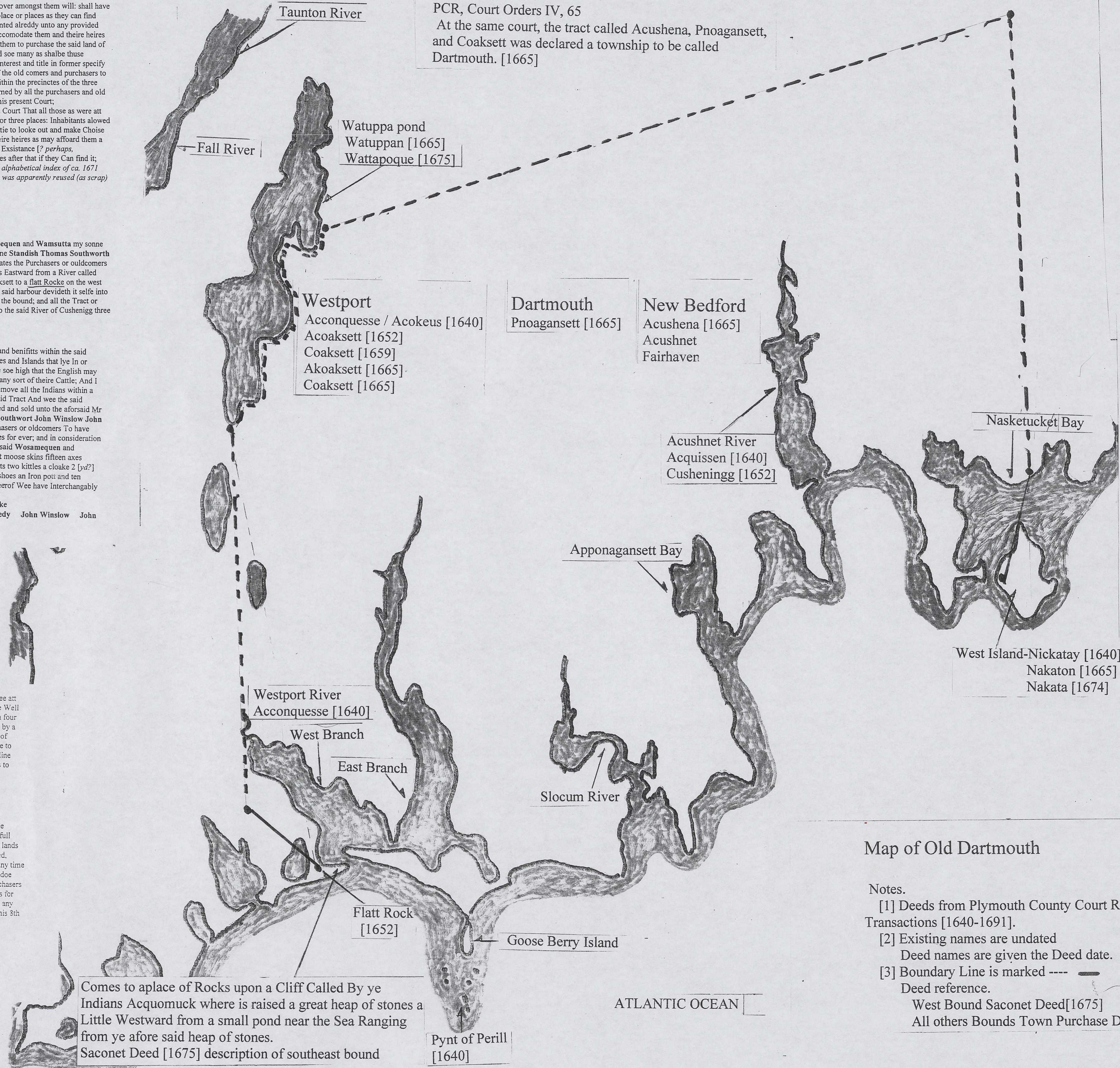
Know all men by these presents that I Phillip Sachem of Pokanokett doe acknowledge by these presents that I have Received of John Cooke, in the behalfe of the purchasers of Akushena Coaksett and places adjacent the full sume of ten poundes as a gratuity for the setting of the bounds of the said lands and likewise that both my father and brother Alexander, Sachem deceased, together with my self have Received all dues and demands; any way at any time due unto us or any of us for the said lands; and t the said Phillip Sachem doe therefore fully, freely and absolutely for ever acquit and discharge the purchasers of the said lands they their heires executors administrators and assignes for ever; from whatsoever ["may" stricken out] might be Required by mee or any other; on that accompt; In wimesse hereof I have heerunto sett my hand this 8th of June 1665
[signed] The Marke of [P] Phillip Showamsett
Wimes Thomas Hinkley
Wimes John Sassamon
Christopher Wadsworth
The mark [mark] of Akoonumett
[See further 10th September 1673]
[DPL III (2): 323]

Comes to aplace of Rocks upon a Cliff Called By ye Indians Acquomuck where is raised a great heap of stones a Little Westward from a small pond near the Sea Ranging from ye afore said heap of stones.
Saconet Deed [1675] description of southeast bound

Dartmouth [old town]

PCR, Court Orders IV, 65

At the same court, the tract called Acushena, Pnoagansett, and Coaksett was declared a township to be called Dartmouth. [1665]



Purchasers of the old Town of Dartmouth. [1674]

309. [4 June 1674]

It is enacted by the Court That Whereas many Controversies doe arise between the English and the Indians that are brought to tryall of the severall Courts of this Government; and it is observed that the Indians would be greatly disadvantaged if noe Testimony should in such case be accepted but on oath; This Court orders, that any Court of this Jurisdiction before whom such tryall may come shall not be strictly tyed up to such Testimonies; on oath as the Common law requires but may therein acte and determine in a way of Chancery; vulteing Testimonies not sworne on bothsydes according to their Judgment and Conscience;

[...]
It is enacted by the Court; that concerning Indian claims that are or shalbe made to any lands within this Government; which are now orderly possessed by the English those which doe lay claime to them shall orderly commence and procure their claime as far as hee or they are able; within one whole yeare after they be off age; and noe longer and that care be taken that the Indians have notice of it;
[PCR 11, Laws, 236-238]

310. [25 June 1674] [See 8 June 1665, 10 September 1673]

Mamanawatkey Sachem of Saconet side acknowledged his Resignation of his Right title and Interest in the land above mentioned unto the Towne of Dartmouth June 25, 1674 before Josia Winslow Gov[ernor]

At a meeting of ["the Comissioners of the" stricken out] Purchasers of the Township of Dartmouth June 25 1674
These presents Wimes that it is agreed between the said purchasers that the easterly bounds of the said Township beginning at a blacke oske Marked on foursydes, and from thence a line Running North or Northerty to a pecked Rocke, and two marked trees by the said Rocke; and from the aforesaid oske, south or Southerly to a heap of stones, lying at the seasyde on the beach Called Panashapeageshawe; which line Runes to the westernmost point; of the land Called Nakata; the bounds on the westsyde of the said Township beginning at a white oske stump marked on foursydes, standing on the westsyde of the head of the Cove being the westernmost westernmost [sic] bounds and Ranging up into the woods North or Northerty six miles and an halfe more or lesse to a great [?]
[DPL III (2): 324] Pond to a blacke [?] oske marked standing on the westsyde of the said pond near the south end of the said pond and by Reason of the Running of the said pond one mile, on the eastsyde upward to a black oske marked on fou sydes standing by a maple tree, on the side of the said pond, about the middle of it which pond is Called Watuppoe thence to Run through

the woods, on a straight line, until it Cometh unto a pecked Rocke, which is most Northerty bounds of the easternmost line of the said Township;
[signed in three columns]
John Russell
John Cooke
John Sherman
William Earle
["John Sherman" repeated and stricken out]
Ephraim Tinkham
Jonathan Shaw
Samuell Cornwell
[second column:]
William Gifford
Daniell Wilcocks
Joseph Tripp
Joseph Warren
Ralph Earle
John Corwall
William Palmer
["Ralph E" repeated and stricken out]
Jacob Michell
[third column:]
John Smith
Arther Hathewey
Pelegg Tripp
William Macumber
Thomas Butts
Joseph Allen
Thomas Hauerst
Thomas Ward
Thomas Pope
Signed in the presence of Josias Winslow Gov[ernor]
[DPL III (2): 323-324]

Map of Old Dartmouth

Notes.

- [1] Deeds from Plymouth County Court Records – Land Transactions [1640-1691].
- [2] Existing names are undated
Deed names are given the Deed date.
- [3] Boundary Line is marked ----
Deed reference.
West Bound Saconet Deed[1675]
All others Bounds Town Purchase Deed[1674]

By
24/1657 G.H. 2007