

The Disposall of the Vessell  
March 10, 1639

In consideracon that Edward Howell hath disbursed 15lb and Edmond ffarington 10lb, Josias Stanorough 5lb, George Welbe 10 lb, Job Sayre 5 lb, Edmond Needam 5 lb, Henry Walton 10 lb. & Thomas Sayre 5 lb. Itt is Agreede vpon that wee the forenamed vndertakers haue disposed of our severall pts of our vessell to Daniel How. In Consideracon whereof hee is to Transporte them soe much goods either to them, their heirs, executors and Assignes, (If they shall Desire it) as their severall somme or sommes of Money shall amounte vnto, & moreover to each of those psons Above named, or their Assignes, he shall transporte to each man A Person and a Tunne of goods ffree. But in case that any of the forenamed Persons shall not have occasion for the transportacon of soe much goods as his money shall Ammount vnto, that then the said Daniell is to make them payment of the remainder of the money by the end of two yeares next ensueing the date hereof, and likewise this vessel shall be for the vse of the Plantacon, and that the said Daniell shall not sell this vessell without the consent of the maior pt of the Company. And that the Vessell shall be redy at the Towne of Lynne to Transporte such goods as the Afforesaid vndertakers shall Appointe, That is to say three tymes in the yeare. furthermore if In case that any Persons shall not have occasion to Transporte any goods, that then the said Daniell is to pay them their somme or sommes of monney, together with Allowance for a Tunne of goods & A pson within the tearm of two yeares next ensueinge the date hereof, for the full performance hereof the said Daniell How has- [three or four lines mutilated and illegible.]

ffurthermore whereas it is expressed formerly that the vessell shall come to our Intended Planntacon three tymes in the yeare, wee thought good to express the tymes, viz : the first Moneth, the fourth moneth and the eighth moneth.

ffurthermore for the rates of Persons goods and chattells that if there proue any difference between vs the vndertakers and the said Daniell How that then it shall be referred to two men whome they and he shall chuse.

ffurthermore for as much as Allen Bread, Thomas Halsey & William Harker, Are by the Consent of the Company come into and pty vndertakers with us, wee Edward Howell, Daniel How & Henry Walton have consigned three of our pts that is to each man a house lott, Planting lott and farme answerable to the rest of ye vndertakers for their disbursements of five pounds A man to vs the above said vndertakers, that is to say whereas Mr. Howell had 3 lotts, he shall have but two & Danielle How for three lots shall have but two & Henry Walton for 2 lotts shall have but one.

EDWARD HOWELL,  
DANIEL HOW,  
HENRY WALTON.

For as much as wee Edward Howell, Edmond ffarington, Edmond Needam, Daniell How, Josias Stanborough, Thomas Sairs, Job Saires, George Welbe and Henry Walton & Thomas Halsey, Allen Bread, William Harker, have disbursed ffourscore pounds ffor the settinge fforward A Plantacon, and in regard wee have taken vpon vs to transporte at or owne prop Costs and charges all such psons as shall goe at the first voyage whenn those of or Company that are Chosen thereunto shall goe vpon Discovery

and search, and to beginne and settle a Plantacon , and further more in regarde all such psons soe goeing vpon or accompt have in or vessell the ffredome of halfe A Tunne of goods a pson, it is thought meete that wee the fore named vndertakers should not any tyme nor tymes hereafter be lyable to any rates, taxes or Impositions, nor be putt vpon any fenceings, buildinge of meetinge house, erecting ffortifications, buildinge of bridges, repairinge high wayes, nor otherwise charged for any Cause or reason whatsoever during the tyme of or discontinuance in or intended Plantacon, except yt in the fenceing in of Plantinge Lotts, every man shall (with his neighbore) fence or cause to be fenced by the first day of April wch shall be 1641.

ffurthermore because delaying to lay out the boundes of Townes, and all such land within the saide boundes hath bene generally the ruin of Townes in this Country, therefore we the said vndertakers have though goode to take vpon vs, the dispose of all lands within our said boundes soe yt yt wch wee lay out for A house Lott, shall at all tymes from tyme to tyme hereafter, continue to be A house Lott, and but one Dwelling house shall be builded vpon it, and those Lottes yt wee lay out for plantenge Lotts, shall not at any tyme nor tymes hereafter, be made house lotts whereby more Inhabitants might be receaved into or said Plantacon to the ouer chargeing of Commons and the Impoverishinge of the Towne, and yt allsoe what is layed out for Commons shall Continue Common & noe man shall presume to Incroach vpon it soe much as A hands breadeth, and whatsoever wee lay out for farmes shall so remaine for after tyme, and ye dispose of all such landes so layed out shall also bee at all tymes and from tyme to tyme hereafter at the will & pleasure of vs the said vndertakers or executors Administrators and Assigns. Namely the disposinge of the lande \* \* \* shall be disposed \* \* \* [nearly two lines gone].

And allsoe whosoever selleth his Accomodations in the Towne shall sell house Lott & plantinge Lott or Lotts & meddow Intirely and if hee sell his farme he shall not devide it butt sell it together, viz, his ffarme Intirely & his Accomodations in ye Towne intirely.

Moreover whosoever cometh in by vs shall hould himself Satisfyed with foure Achres to an house Lott & twelve Achres to a plantinge Lott, & soe much meddow & vplande as may make his Accomodations ffifty Achres, except wee the said vndertakers shall see cause to Inlarge that propotion by A farme or otherwise.

ffurthermore noe pson nor psons whatsoever shall challenge or claime any proper Interest in Seas, rivers, creekes or brookes, howsover boundeing or passinge througe his grounde, but ffredome of fishinge, fowlinge, & navigation shall be Common to all within the bankes of the said waters whatsoever.

And whosoever shall fell any tree or trees in highwayes, is either to grubb them up by the rootes or else to cutt them smooth vp euen by the grounde and putt the tree or trees out of all such highwayes.

And whosoever felleth any tree or trees in the common, shall either carry away the body or bodyes thereof with ye Aptenances, or else sett or lay it vp on heapes soe as the pasture for Cattell or passage for man or beast may not haue any Annoyance.

Likewise noe pson or psons wtever shall fell or lopp or carry away any Tree or trees, fire wood or otherwise off or ffrom any Lott or Lotts wtsoeuer, for as is the lande, soe shall ye Aptnances bee, every mans owne peculiar ppriety.

Neither shall any pson or psons make or vse any highwayes paths or otherwise

over any persons house Lott plantinge Lott or medow, but shall vpon all occasions vse the Allowed wayes layed out for yt end.

ffurthermore it is thought meete that if the said vndertakers make any Composition with any pson or psons yt lay claim to them to make manyfest his or their right in any pt or pts or in all \* \* \* of the place where God shall direct vs to beginne or inteded Plantacon \* \* \* [a line gone].

And it comes to passe yt wee the said vndertakers shall either in our owne names, or in the names of the Inhabitants In generall promise to pay or cause to be paid any somme or sommes of money, goods or Chattell, fines or rates or the like, as may hereafter be thought meete proportionably to what they Injoy, And that then ever pson or psons Inhabiting within the boundes of our Platacon beinge owners of lande there, that they shall be contented and pleased to help to beare a share or shares, from tyme to tyme and at all tymes hereafter of all such payments as may be required of vs the forenamed vndertakers or executors Administrators or Assigns and yt his or their Subscribeinge to these present may be a sufficient Declaration vnder all such psons handes yt they doe approve of all the premises here specified.

Lastly wee the said vndertakers te stifye by these presents in our Admittinge of Inhabitants to our Intended Plantacon that wee without any kinde of reseruatioun leave men ffree to choose and determine all Causes and Controuerseys Arbitrary amonge themselues. And that whensoever it shall please the Lord & he shall see it good to adde to vs such men as shall be fitt matter for A church, that then wee will in that thinge lay ourselves downe before ye Constitutes thereof either to be or not to be receaved as members thereof accordinge as they shall discerne the worke of god to be in our hearts.

John  
Cooper

Edward Howell  
Edmund Needham  
Josiah Stanborough  
Henr. Walton

the mark of  
Allen X Bread

Ye marke of  
Edmund X ffarrington  
Thomas Sayre  
Danielle How  
Job Sayre  
George Welbee  
Thomas Halsey.  
William Harker.

#### VNDERTAKERS.

the marke of  
Thomas T. Newell  
John ffarrington

the marke of  
Richard O Dyall

Phillip Kyrkland  
Nathaniel Kyrkland  
Thomas ffarrington  
Thom – Terry.

These are to give notice that wee the fforesaid Company of vndertakers doe ffully and ffreely give our Consent that John Cooper shall and is Admitted an vndertaker with the like full & Lymmitted power with ourselves in all Cases yt may Concerne our

Plantacon.

Edward Howell  
the mark of Edmond X ffarrington  
Edmund Needham  
Thomas Halsey.  
the mark of Allen W. Bread.  
Daniell How.  
Henr. Walton.