

commons, reserving pasturage for four cows for the ministry in the east end of the towne, three for the ministry in the west end, three for the free school, and the herbage of twenty cows for the benefit of the towns poor." \*

January 21, 1701-2, a committee was appointed "to stint as to herbage" all the common land remaining undivided, and also to apportion among the freeholders and inhabitants, according to the rule previously adopted, all the wood and timber standing on the said land. The committee, "consisting of John Pike, Jacob Toppin, Aquila Chace, Stephen Jaques, Henry Somerby, John Ordway, Henry Short, and Thomas Hale," completed their work December 12, 1702.†

June 22, 1708, the herbage on the wood lots and on other land lying in common was again divided among the freeholders and inhabitants of the town in proportion to the tax that each man paid for the support of the ministry in 1685.

July 6, 1708, a committee appointed for that purpose reported in favor of dividing the wood lots into two general pastures, and the other common lands into four pastures, to be held by the persons to whom they were assigned for their sole use and benefit.‡

March 14, 1714-15, the town granted Joseph Ilsley, Richard Kelly, John Pike, and others "liberty to build a pound by the country road near John Hales house for the impounding of cattle trespassing upon the general pasture at old town."

#### RIVER LOTS AND PUBLIC LANDINGS.

When the new town was laid out in 1645, there was evidently a narrow strip of land along the bank of the Merrimack river that was not divided among the freeholders.

March 14, 1698-9 the lottlayers with Majr Thomas Noyes, Mr George March, Cap<sup>t</sup> Stephen Greenleaf, & Mr William Noyes were chosen a committee to measure the Bank of Merrimack River belonging to the Towne from Cap<sup>t</sup> John Kents to Col<sup>l</sup> Peirces little meadow § and bring

\* Town of Newbury Records ; also, Proprietors' Records, vol. ii., pp. 86-100, inclusive.

† Town of Newbury (Proprietors') Records, vol. ii., pp. 47-85, inclusive.

‡ Ibid., vol. ii., pp. 110-125.

§ Capt. John Kent's land was at the foot of what is now Kent street, Newburyport, and Col. Peirce's little meadow was near the corner of Ocean avenue and Plum Island turnpike.

an acct to the Towne as also to examine the Records who they are who have a right to said lands.\*

January 19, 1703-4, a committee was chosen to divide the land on the bank of the Merrimack river into lots; and February 13, 1704-5, it was voted to number the lots, beginning at "Mr pearces meadow."

Voted y<sup>t</sup> one man shall draw for every proprietor. Voted y<sup>t</sup> ye highway above s<sup>d</sup> lotts shall be left two rods broad.† Voted that Serg<sup>t</sup> William Titcomb should draw the lotts for every proprietor which was then done.‡

On pages 105 to 108, second volume of the Proprietors' records, the numbers and dimensions of these lots are given, with the names of the persons to whom they were allotted; the ways, or landing places, from four to sixteen rods wide, leading to the river; also, the following statement: —

Whereas at a legal meeting of the proprietors of ye co<sup>m</sup>ons of the town of Newbury, January 19, 1703-4 Lieu<sup>t</sup> Col Thomas Noyes Esq. Maj. Daniel Davison, Esq. Cap<sup>t</sup> Stephen Greenleaf, and Cap<sup>t</sup> Henry Somerby were by vote chosen to divide the bank against Merrimack river to ye proprietors of Newbury, by ye same rule as ye six thousand acres in ye upper woods was. Only the rate proportion and freehold proportion of every proprietor be laid together, ye said gentlemen having finished ye said work and presented it to ye town at ye meeting on March 9, 1707-8. The town y<sup>n</sup> by y<sup>r</sup> vote order<sup>d</sup> ye recording of it which is as followeth: . . .

The number of ye river lots, begining near Mr Pierces farm and ending at Mr Woodman's lane.§

At a meeting of the proprietors, held May 20, 1715, the committee named above was ordered to make a more perfect record of the bounds and dimensions of the river lots and landing places; and this order was complied with January 28, 1715-16.||

#### STRANGERS AND PAUPERS.

In the articles of confederation between the colonies of Massachusetts Bay, Plymouth, and Connecticut, approved by

\* Town of Newbury Records.

† This highway is now Water street in Newbury and Newburyport.

‡ Town of Newbury Records. § Woodman's lane is now Kent street, Newburyport.

|| Proprietors' Records, vol. ii., pp. 193-223. There were two hundred and twenty-five lots in this division, and ten ways, or landing places, from the river.