

Liberties Common.

IT is ordered by this Court, decreed and declared; that everie man whether Inhabitant or Forreiner, Free or not Free shall have libertie to come to any publick Court, Counsell, or Town-meeting; and either by speech or writing, to move any lawfull, seasonable, or material question; or to present any necessarie motion, complaint, petition, bill or information wherof that Meeting hath proper cognisance, so it be done in convenient time, due order and respective manner. [1641]

2 Everie Inhabitant who is an hous-holder shall have free fishing and fowling, in any great Ponds, Bayes, Coves and Rivers so far as the Sea ebbs and flows, within the precincts of the town where they dwell, unless the Free-men of the same town, or the General Court have otherwise appropriated them. Provided that no town shall appropriate to any particular person or persons, any great Pond containing more then ten acres of land: and that no man shall come upon anothers proprietie without their leave otherwise then as hereafter expressed; the which clearly to determin, it is declared that in all creeks, coves and other places, about and upon salt water where the Sea ebbs and flows, the Proprietor of the land adjoining shall have proprietie to the low water mark where the Sea doth not ebb above a hundred rods, and not more wheresoever it ebs farther. Provided that such Proprietor shall not by this libertie have power to stop or hinder the passage of boats or other vessels in, or through any sea creeks, or coves to other mens houses or lands. And for great Ponds lying in common though within the bounds of some town, it shall be free for any man to fish and fowl there, and may passe and repasse on foot through any mans proprietie for that end, so they trespass not upon any mans corn or meadow. [1641-1647]

3 Every man of, or within this Jurisdiction shall have free libertie, (notwithstanding any civil power) to remove both himself and his familie at their pleasure out of the same. Provided there be no legal impediment to the contrary. [1641] See Arrests,

Records, Witnesses.

Freedom in
publ. Assemb.
[Free-men
For no-Freem.
[Strangers]

Fishing and
fowl: where
the Sea ebbs
and flows
except pro-
prieties.

to low water
not exceeding
100 rods.

water passage
free & ponds
above 10 acres

Removals free

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The Book of the General Lawes and Libertyes Concerning the Inhabitants of the Massachusetts, Reproduced in facsimile from the unique 1648 edition in the Huntington Library, Edited with an Introduction by Thomas G. Barnes, Huntington Library, San Marino CA, 1975.