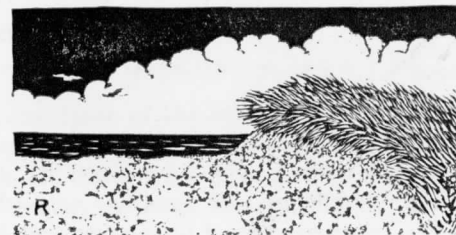


THE DUKES COUNTY INTELLIGENCER

Published by
DUKES COUNTY HISTORICAL SOCIETY, Inc.
EDGARTOWN, MASSACHUSETTS



MERRILY THEY ROLLED ALONG — ON SKATES —
FIVE MILES AT SEA
BY C. NELSON BISHOP

SAND DUNES AND SEA LAW
BY STANLEY KING

August 1961 — Vol. 3, No. 1

OFFICERS OF THE SOCIETY

FLAVEL M. GIFFORD	<i>President</i>
ALFRED HALL	<i>Vice President</i>
JOHN W. OSBORN	<i>Treasurer</i>
MRS. BENJAMIN C. MAYHEW	<i>Secretary</i>
ALLAN KENISTON	<i>Director, 1 year</i>
NELSON COON	<i>Director, 1 year</i>
DR. SIDNEY N. RIGGS	<i>Director, 2 years</i>
E. G. HUNTINGTON	<i>Director, 2 years</i>
MRS. ARTHUR D. WESTON	<i>Director, 3 years</i>
MRS. GEORGE H. REID	<i>Director, 3 years</i>
HENRY BEETLE HOUGH	<i>Historian</i>
FLAVEL M. GIFFORD	<i>Genealogist</i>
MRS. BENJAMIN C. MAYHEW	<i>Archivist</i>
GEORGE H. CHASE	<i>General Counsel</i>
E. G. HUNTINGTON	<i>Editor of the Intelligencer</i>
NELSON COON	<i>Exhibits</i>
MRS. GEORGE H. REID	<i>Chairman, Grounds Committee</i>

DUES

Active members	\$2.00 annual dues
Sustaining members	\$10.00 annual dues
Life members	\$50.00

The Intelligencer will be mailed free to all members of the Society. Non-members may purchase it for fifty cents a copy.

This Society is supported entirely by membership dues, gifts, and bequests.

Your gift or bequest will be deeply appreciated and should be made to the "Dukes County Historical Society, Inc." All such contributions are deductible under Federal Income Tax Law.

EDITORIAL

The editor wishes to apologize for the many typographical errors in the last issue of the Intelligencer. This is how it happened. The printer sent the editor two sets of proofs, one of which he corrected very carefully. He then sent the printer the uncorrected set.

* * * * *

This is the last issue of the Intelligencer for which the present editor will be responsible, as he leaves the Island in September. He wishes to thank all those who have helped him with the various issues. In particular, without the invaluable assistance of Mrs. Benjamin C. Mayhew, he would have been lost.

* * * * *

The editor also wishes to thank Dr. Sidney N. Riggs whose lovely little cuts have adorned the front cover of the Intelligencer.

In Memory of
H. FRANKLIN NORTON,
our curator,
who contributed so much to the well being
of the Society and whose death brings
grief to all of us.

MERRILY THEY ROLLED ALONG — ON SKATES —
FIVE MILES AT SEA

By C. NELSON BISHOP

When a bit of the Vineyard's past caught up with us some months ago — literally rolling in on well-oiled wheels — it seemed fitting to give an extra shove and let it continue to roll merrily along, "over the deep blue sea," right back to the Vineyard where it started and where it might be best appreciated.

Diligent research might turn up a more extensive account, but for the moment we can be engaged only with the information at hand. Perhaps somebody on the home grounds can supply additional details in a supplementary story, but this is what we find about the Vineyard Haven roller skating rink in the 1880's.

A paper bag full of old trade cards was left on the doorstep and the sorting process disclosed a short chapter in Vineyard business and social history, turning up the fact that there was a skating rink at Cottage City with Frank E. Winslow as proprietor. Besides the evenings of social skating, there were exhibitions of trick and fancy maneuvers on the rollers, and a bicycle artist also was booked on occasion. Roller polo was a popular sport of the day.

The cards announced events with day and date of the month so the perpetual calendar backtracked them to 1883 and 1884.

Islanders and their summer visitors were notified of diverting events as this trade card indicates.

FANCY SKATING

Saturday Ev'g, July 28

—by—

MISS BESSIE COLES,

the charming little skater of New York, whose exhibitions last Summer won the admiration of all who witnessed them; also by

MISS CARRIE A. GILMORE,

of Worcester, the acknowledged champion lady skater of the country. This is Miss Gilmore's first appearance before a Cottage City audience, and her rare merits as an artist should be seen by all interested in the science and art of roller skating, as an excellent illustration of the possibilities and exceedingly intricate movements of the roller skate.

POLO

FIRST GAME of the Season, MONDAY, July 30
CALICO PARTY, WEDNESDAY, August 1
POLO, THURSDAY, August 2
BICYCLE EXHIBITION, FRIDAY, August 3
FANCY SKATING, SATURDAY, August 4

On the face of this card is a colorful illustration of children enjoying winter weather and there are two special announcements: a "Sheet and Pillow Case Party" on Wednesday, August 8, and a "Grand Costume Carnival" on the 15th.

A companion card advertises the polo matches. Roller polo was a popular sport in its day, the game being a brand of what we know as hockey, played with a ball. The announcement ran:

POLO

The first contest in this exciting game will be played

Monday, July 30,

between two Cottage City teams, and every Monday and Thursday during the remainder of the season.

A POLO TOURNAMENT

— will take place —

August 27, 28, and 29

— at the Rink —

between the best clubs of New England for elegant gold medals.

A spectacular for the season was announced on a separate card:

PROF. DANIEL JAMES CANARY

— will give some of his marvelous and phenomenal

EXHIBITIONS OF FANCY BICYCLE RIDING

Friday Evening, July 27,

The distinguished rider is received by all audiences with the greatest favor. His extremely difficult tricks performed upon the Monocycle elicits unbounded enthusiasm, and every one upon the Island should witness this exhibition of skill and daring. Prof. Canary, upon this occasion, will perform the wonderful feat of riding one wheel (devoid of all attachments) backwards, an act never before attempted in the Rink; also a spin upon the Monocycle, and his original and famous "upside down mount", all of which are incomparable.

SATURDAY EVENING, JULY 28,

FANCY SKATING,

by the beautiful little skater, Miss Bessie Coles, and Miss Carrie A. Gilmore, the finest lady skater in America.

The cards for 1884 are much the same but they carry in display type "The Rink".

Five cards in 1884 give a rather complete picture of the summer season although there must have been others distributed. There was a "great match game of polo" on Thursday, August 7, New Bedford vs. Cottage City, and it is noted that "the success of the popular Bijous amply sustains their reputation as scientific and skillful players and this contest for the supremacy with our own players will be watched with keenest interest. An exciting game is expected."

Billed as "America's favorite skater," Carrie A. Gilmore played a return engagement on Saturday, August 9, for an evening of "fancy and graceful skating!"

Great plans prefaced the grand costume carnival on Wednesday, August 13.

Said the announcement: "Extensive preparations have been made for some time past with a view to making this entertainment the greatest event of the season.

A costume carnival under any condition is always attractive, but the same on skates far surpasses in beauty and gayety any other that can be given. The various beautiful and glittering costumes on all ages, forms one of the prettiest sights imaginable in the different representations, splendor, and brilliancy. No one, except in costume suitable to the occasion will be allowed upon the skating surface. This requirement will be strictly enforced.

"Double exhibition of scientific and acrobatic skating at 9 o'clock by Messrs. Battey & Hacker, the great favorites.

"Special arrangements have been made with Mr. G. P. Raymond, of Boston, who will have a full line of costumes, at the Annex, opposite the Rink, which can be secured at very low prices.

"The cooperation of all patrons is desired by the management."

Another "great match game of polo" on August 14, pitted the Cottage City team against Taunton. The same card lists a bicycle club drill by the Boston Ramblers on Friday the 15th. On the next night there was a fancy skating exhibition by the Jackson Sisters.

A high light of the season (which helps in dating the years of these activities) was the Leap Year Party scheduled for August 20.

"Upon this date," the announcement says, "the Rink will be the scene of a novel and interesting quadrennial party. The evening's entertainment will be under the direction of the lady patrons and no gentleman will be allowed to skate during music unless accompanied by a lady."

It was also scheduled that at 9 o'clock there would be exhibition skating by couples.

Other August items on the calendar at the foot of the card included a polo match between Cottage City and Providence; Bicycle exhibition by George Nash; and a grand championship contest for ladies.

That's what's in the cards about roller skating on the Vineyard but the Island's fame rolled on other rinks in New England — and possibly outside of it wherever Samuel Winslow sold his roller skates.

Frank Winslow apparently managed a number of rinks for his name appears on trade cards for a rink in Boston located on St. James Avenue, opposite Trinity Church and at the corner of Clarendon Street.

None of the Boston cards bear dates but it may be assumed from their typographical style that the business was contemporaneous with that on the Vineyard. But of interest to Islands is the announcement:

"None but the Winslow 'Vineyard' roller skate used in this rink."

Among the document collection at Baker Library of the Harvard Graduate School of Business Administration is a poster, worn and brittle, bearing the printed scene of couples skating to music. While some of the text is printed, there is space for filling in dates and places in crayon. It seems obvious that this poster was prepared by Winslow and distributed to rinks where the Winslow skates were used since the printed text assures the public that none but the "Vineyard" skate is used. This preserved poster advertised skating under the auspices of D. F. Goodrich, manager, Town Hall in Brandon.

There, it seemed at first draft, the story would have to end, since there was no more source material at hand, but a bubble of curiosity had been inflated to the bursting point in the speculation over the wheres and whys that brought the name of Vineyard to a roller skate.

An advertising directory listed a skate manufactory in Worcester under the proprietorship of Samuel Winslow. Through the Worcester Historical Society contact was made with J. Clayton Hudson of West Boylston, former sales manager of the Winslow Company.

Samuel Winslow, the founder, was in business in 1865 and there were two sons later associated with him. One was Frank who promoted the popularity of roller skating through the rinks. This was a company enterprise.

The Vineyard rink, Mr. Hudson reports, was the first real roller skating rink in the country and accounts for the name Vineyard being applied to the skate.

That is the brief account behind the handful of business cards. There probably is a longer story about skates and skating with colorful stress to be placed on the Vineyard's role in the development of the rollers. But let us refer once more to the card advertising the Boston Rink where it says:

"The management, on behalf of patrons, reserves the right to refuse admission or use of skates to any objectionable person."

You will find no such statement as that appears on these Vineyard cards!

Editor's note:—

Mr. Bishop has been following journalism for more than 35 years working for dailies and weeklies with one brief assignment to a wire service. He recently retired from the copy desk of The Christian Science Monitor and is now a free-lance writer. Among his hobbies is the pursuit of local history and for the past 15 years he has been editor of the Bay State Historical League Bulletin. In contributing this article to the Intelligencer he also adds to the collections of the Dukes County Historical Society by sending along the colorful little trade cards which the article describes.



Dellie Mitchell and his famous black oxen opening the beach. From a painting belonging to his daughter, Mrs. Alton Tilton of Vineyard Haven.

SAND DUNES AND SEA LAW

BY STANLEY KING

You and I have chosen to live by the seashore at least for a few weeks each year. And each of us is inclined I suppose to spend some time each day actually on the beach where the tide ebbs and flows and where we can observe the long narrow expanse of sand which is now beach and now ocean bottom, the strip between low water and high water.

And some of us have chosen to live on or near one of the so-called Great Ponds separated from the sea by the wind swept dunes of the South Beach. Each of us looks at the pond and the sea with different eyes. One as a fisherman, one as a yachtsman, one as an artist, one as a sportsman seeking wild duck, one as a farmer mowing his salt hay, one as a swimmer. I sometimes look at the scene with the background of a lawyer. Dull enough perhaps compared with the eyes of the artist or the skill of the Menemsha fisherman. But none the less to the lawyer who knows that the common law embodies rules of action founded on the long experience and usage of the community, the seashore and the Great Ponds offer an interest and lead to discoveries which have made my summers in Chilmark more interesting.

The great ponds have offered many problems ever since the colonists first came to this island. Some of the questions were

settled by laws, some by usage. And there has developed during the past three centuries both a body of law and a body of lore based on experience. The first is preserved in ordinances, statutes and decisions of the Supreme Judicial Court of this Commonwealth. The lore is more difficult to trace. It is to be found in old records, in the files of the Vineyard Gazette and in the memory of men like John Bassett, Johnson Whiting and a few others. I have read I think all the law there is on the subject — both old and recent. I have the few records which remain of the owners of lowlands and meadows about Chilmark Pond. I have examined the town records of Chilmark, the old files of the Gazette and have talked many times with some of our older island neighbors. Perhaps some account of some of the aspects of the subject will have interest to you who are fellow owners of lowlands and meadows.

Many questions have arisen and many more will arise as to beach rights and pond rights. It may be wise for all of us to know something of our rights and our responsibilities even tho each of us is likely to consult Judge Davis or Judge Braley or some other competent lawyer in case a real problem arises. Have I the right to forbid others to ride horses across my strip of beach if the riders keep below high water mark? Who has the right to harvest ice from Chilmark Pond? Who has the right to boat on the pond, to eel, to fowl? Can we as owners of all the land abutting on the pond keep the public off the pond? Can we keep the public off the beach? Many of these questions admit of definite answer and the answers are in most cases different from what they would be on Long Island or in Rhode Island or in Connecticut. The laws of Massachusetts and Maine are in some respects unique in this country. Maine you recall was a part of Massachusetts until it became a separate state in 1820.

By the common law of England which our fathers brought with them to this continent, the title to the sea bottom was in the king and extended from high water mark to an imaginary line three miles at sea. Beyond this lay the high seas. In ponds and lakes, however, under the English law the king had no title. The bottom of the pond belonged to the riparian owners and to them belonged likewise the fishery rights. Many of our states have followed the English common law, but not so Massachusetts and Maine.

Our law is based on an ordinance of the General Court of the Massachusetts Bay Colony passed in 1641, three hundred years ago and drafted by Mr. Warde, formerly a minister and law student in England and later a pastor at Ipswich. It is called the Body of Liberties and was made a part of our fundamental law. Modified from time to time by statute, interpreted often by our Supreme Court it forms the basis for all our present rights as beach owners or pond abutters. While it was an ordinance of the Bay Colony and was never formally adopted by Plymouth Colony of which this island was a part, the Supreme Court has held that it took effect in Plymouth Colony upon the incorporation of that colony with Massachusetts Bay under the Province Charter of William in 1692 (*Barker v. Bates*, 30 Mass. (13 P.) 255, 258). Massachusetts Reports, Vol. XIII

The rule of the Massachusetts Colony of 1641 declaring that in all places upon salt water where the sea ebbs and flows, the proprietor of the land adjoining shall own the shore to low water mark, or to the distance of one hundred rods if the sea ebbs further than one hundred rods, though never extended to the colony of Plymouth as a positive law is nevertheless a settled rule of property in every part of the State of Massachusetts.

The owner of seashore has title to and possession of wreck thrown upon his shore . . .

This was decided in the case of Benj. Barker vs. Simeon Bates in 1831 in which the defendant found a piece of timber on the shore of the plaintiff, marked it with his name, and later tried to take it away. The court decided that the timber belonged to the owner of the land.

In most of our states the law has followed the old English precedent. The shore between high and low water belongs to the sovereign, not to the abutting owner. In Massachusetts it belongs to the abutting owner. We have a right therefore as beach owners to keep horsemen off the beach even below high water mark.

And the provisions of the ordinance of 1641 have established the fundamental law of the great ponds of Massachusetts. Fishing and fowling and boating and the taking of ice from the great ponds are free to any of our inhabitants, and they are free to pass over our land *on foot* to reach the pond for fishing and hunting so long as they do not cross our cultivated land. You noted of course my emphasis on the words "on foot." Apparently the public is not entitled to cross our land to reach the pond or the beach for other purposes such as bathing. For there is no public right in Massachusetts to use the seashore for bathing purposes (Butler v. Attorney General, 195 Mass. 79) nor to cross the beach or shore for any purpose other than navigation, fishing and fowling (Butler v. Atty. General) (contra Maine) nor to trespass on private land to obtain access to the shore. But the right of the public to sail over, fowl, swim, float or fish in tidal waters covering the seashore has been frequently affirmed in Massachusetts (Whittlesey 70, 71).

This association of owners of lowlands and meadows has a long history, unfortunately most of it now lost. For the laws of the commonwealth and of the province have made provision for such associations at least for a century. The law has been changed from time to time to meet new conditions and the statute under which we operate was passed by the legislature in 1904 (chapter 203. See Minute Book p. 76) and is entitled "An Act to Provide for the Drainage of the Lowlands and Meadows around certain Great Ponds in the County of Dukes County." It applies in fact to all the great ponds on the island except Edgartown Great Pond. It provides for an association, for officers, for meetings, for voting, for levying and collecting taxes, and for making annual reports to the members. Some years ago I sent a copy of this law to each member but you can find its text when you wish in the Acts of 1904, a copy of which is available in this Town Hall and a copy in the court house in Edgartown.

The minutes of our association go back I am sorry to say only thirty-five years, that is to say to January 14, 1905. Mrs. Whiting and I have made careful search for earlier minutes but without success. From 1905 however the minutes are in excellent shape. And their perusal brings to light many interesting facts.

In the early minutes the owners were of course all islanders. There were no summer visitors listed among the owners. Allen, Athearn, Adams, Bassett, Bodfish, Davis, Hancock, Johnson, Lull, Look, Mayhew, Manter, Mosher, Poole, Tilton, West, Whiting. But in a year or two appear the names of Lyman and Smith, both I think off islanders. Lyman owned land now belonging to Mr. McAlpin and Smith owned I believe the land now belonging to Mrs. Hunt. The first mention of any of our present summer visitors in the minutes is the occurrence of my name at a meeting in 1922. Mr. Barton's name first appears in 1927 and Mr. Stevenson's in 1927.

The office of Treasurer and Collector has always been an important one. Josiah T. Hancock had the office from 1905 to 1908 and was succeeded by William G. Manter. Mr. Manter was elected a commissioner in 1907 and in 1908 he became moderator (an office corresponding to president pro tem) and in addition treasurer and collector. He served as moderator from 1908 to 1920, as treasurer from 1908 to 1914, and as commissioner from 1907 to 1922. He was succeeded as treasurer by Dana Hancock who served a brief term from December 1914 until December 1916.

There follows the long regime of our present incumbent, John D. Bassett. Mr. Bassett's name appears in the records at the very beginning as an owner of lowlands and meadows. He was elected a commissioner in 1907 in the same year as Mr. Manter and served until 1914 when he was succeeded by Johnson Whiting. From 1914 to 1916 he held no office. In December 1916 he succeeded Dana Hancock as treasurer and as commissioner and he has continued in both offices without interruption ever since. He has already therefore served as commissioner 31 years and as treasurer for 24 years. Johnson Whiting has a record of 15 years as commissioner; Henry Allen 7 years until his death; Roger Allen 7 years; James F. Adams 6 years and the writer 11 years. But the services of Mr. Bassett and Mr. Manter together span almost the entire period from 1905 to the present. We who are owners of lowlands and meadows owe to them and particularly to Mr. Bassett a more profound debt than we shall ever be able to repay.

The humblest officer of the association is the clerk. It is his duty to keep the records, to call meetings, and to see that the officers are sworn to perform faithfully the duties of their respective offices. The contemporary records are of course dull reading for they narrate a story that we all know. But as one reads the records of a generation ago, one blesses the clerk who kept full records from which we can reconstruct something of the story of the pond in the past. The historian, even the historian of the recent past, learns only what the clerk has set down. We have had four clerks since 1905; William P. Bodfish from 1905 to 1926; Mark Mayhew from 1926 to 1928; Mrs. Whiting from 1929 to 1930; and the writer from 1931 to 1940. Mr. Bodfish's records are a delight to study, written in a firm legible hand and covering 42 pages, they cover the

period of transition from the pond association of islanders to the association of today in which summer visitors form the majority in number and in interest, of the members. The present list of members includes 14 islanders, not all of whom now live on the island, and 17 off-islanders who come as summer visitors. The valuation of the interests of the islanders in the last assessment is \$2220 or about one-third of the total valuation.

If one is to understand the history of the pond and the records of the meetings of the owners of lowlands and meadows, one must ask oneself two questions. Why is the pond opened and how is the pond opened? Let us first ask the question why?

The pond has no natural outlet. It is fed by rain falling directly on the pond and by the run off of surface water from the extensive watershed of the Chilmark Hills. It receives from these sources much more water than it loses by evaporation. In addition the surf occasionally breaks over the low dunes and brings in water from the sea. Gradually it rises and floods the meadows. If the pond level remains high, the summer sun and the water will kill the meadow grass. In time nature will correct the situation and force an opening to the sea. The pond will fall to the level of the ocean and the meadows will be exposed as mud flats. The farmer will lose his crop of salt hay and the summer visitor will find himself facing acres of mud instead of acres of waving grass. Each of us has a very real interest in preventing this catastrophe. The only way to avoid mud flats is to provide artificially an outlet so that the pond level can be lowered. And this reason is I suppose the compelling reason which has motivated our predecessors for almost three centuries.

But there are other reasons. Fishing and fowling have always been important interests in the life about the pond. In the spring the alewives from the sea enter the pond in great numbers to spawn. And when the cycle is completed, the alewives must return to the sea or die. They can enter and they can leave only if man makes a channel for them. At some periods in the history of the pond the fishing has had such importance that the net proceeds of the fish caught, salted and marketed, has paid all the costs of opening the pond and more. A score of years ago I recall that the treasurer's report dealt primarily with the profits of the fishing rights and there was no occasion to levy taxes.

And then there are the gunners interests in shore birds. For a number of years as you know the eel grass which furnishes food for the shore birds in their migrations north and south almost disappeared from ponds along the Atlantic coast. Why it went is not clear. Now it is returning. This aspect which is recognized by the state is another legitimate interest calling for the consideration of the commissioners.

And then there is the special interest of the summer visitors who use the pond for boating and who have built homes along its shores. Mrs. McAlpin and Mr. Barton and Mr. Hart have a special interest in not having the pond too high and all the summer visitors have I think an interest in not having it too low, at least in the summer months. One does not have to prove this point to Mrs.

McAlpin or to Mr. Barton. Their buildings would become inaccessible if the pond is allowed to revert to a state of nature and Mrs. McAlpin would find herself looking out either on an inland lake washing her doorstep or on an odoriferous sea of mud flats.

Of course the interests of different owners differ in degree. A pond level that is satisfactory to Roger Allen or Mrs. Vincent may be too high for the Hancocks or the Whitings. And vice versa, a low level that is satisfactory to Mrs. McAlpin may make it difficult for Mrs. Mayhew or Mr. Robinson to reach the pond at all. There is no rule of thumb; there is no one height which is best for all; and there is as yet no way by which the level may always be maintained at a given height throughout the season. We are dealing with nature, not with machinery.

How is the pond opened? The answer is that it is opened the hard way, the primitive way. It is opened by man power, by shoveling a channel through heavy wet sand. And the process is repeated some four or five or even more times each year. Think for a moment of the number of times men have dug that channel by the sweat of their brows through the years and the centuries. And this autumn again with shovels and mattocks they will dig it again and yet again. It is a tribute to the patience, the persistence of man.

And always there has been the dream of some easier way, some modern mechanical program which would take the place of sheer man power. In 1906 the commissioners were instructed to investigate the possibility of draining the pond by digging through Wequabska cliffs and making an outlet similar to Squibnocket Creek (Minute Book, 11). And a further vote authorized them to retain counsel if necessary, in regard to the legal question of buying land for a drainage canal (page 13). In 1907 the commissioners reported as follows:

With Moderator Hancock in the chair:

William G. Manter was elected Clerk pro tem in absence of the Elected Clerk Bodfish —

Record of the meeting of Feb. 14th was called for but could not be found (Since found at Russell Hancock's). But a verbal report was given by Clerk Manter and Chairman Hancock as near as could be remembered and seemed to be generally accepted as perhaps O.K.

"The Committee to investigate the feasibility of putting in Concrete waterway through the beach reported as follows.

Mrs. Mosher was not in favor of letting land for the purpose above named so a survey was made of the beach near Mr. John Johnson's Hay stack in land owner by Wm. P. Bodfish and it was found that in the opinion of the Committee the structure could be put in at that place as well or better than Wequabska as the beach had washed away less than at most any other place. The Committee also reported that the plans for said structure had been shown to the Chief Engineer of the Land and Harbor Commissioners and was approved by him as far as the structure was capable of withstanding the heavy artillery of the Atlantic Ocean &c, &c.

The Committee also stated that the probable cost of the structure would be not over One thousand dollars. \$1000 — and could be paid for in the following way:

\$1000 — being 25% of the assessed valuation it would mean a tax of \$25.00 on \$100 — worth of Meadow. This could be carried over for the term of five years making an assessment of \$5. per year on \$100 — worth of Meadow.

The Committee also reported that no less than three people stood ready to contract to drain the pond in accordance with the directions of the Commissioners without compensation from the Meadowmen in case they be allowed the fish caught in the Creek —

Voted: To accept the report of the committee.

The Chairman then asked several men present to express his opinion in regard to the action of the beach from year to year.

Mr. John Johnson stated that the beach in many places retreated very rapidly but at the place mentioned for the dam, the beach had changed but little for years.

Mr. Orian Poole gave an interesting talk in regard to the action of the sea on the Old plank dam that was built near We-quabska and that it was his belief the proposed structure would not stand a minute against a sea that pounded twenty tons to the sq. foot.

After considerable debate it was decided to take a vote as to whether a vote be taken according to valuation to see what portion of the value around the pond was in favor of the dam.

Vote stood 8 to 7 in favor but the feeling in regard to the matter was so nearly even and it seemed that many were opposed and to go to the trouble of taking a valuation vote would seem a waste of time. So motion to indefinitely postpone the matter of Concrete dam was made and seconded and put by Chairman Hancock and carried by a large majority.

Voted: To extend a vote of thanks to Mr. Manter for the trouble he had been to in preparing plans, etc. Vote stood 20 to 1. There seemed to be one who did not wish to thank anybody for anything.

So the matter rested until 1933 when the suggestion was presented that a canal be built connecting Chilmark Pond with West Tisbury Pond so that the opening of West Tisbury Pond would drain our pond as well. I recall, as you do, the discussion which followed. It was thought that the canal could be dug without cost to the association by securing an allotment of State or Federal relief funds. When the vote was taken the proposal was lost, all but one of the members voting against the proposal. (Minutes p. 72).

In earlier years the treasurer secured the help of our neighbor, the late Adelbert Mitchell whose black oxen moving majestically down the beach were a memorable sight. In the autumn of 1939 the treasurer used for the first time a power shovel from Falmouth. But in general the beach is opened by hand with shovel and mattock.

West Tisbury Great Pond offers an interesting contrast in administration and in the results achieved. While the law of 1904

and preceding statutes apply to West Tisbury Pond as well as to Chilmark Pond, the methods and procedures which are traditional here in our association have been allowed to lapse in West Tisbury. There the association of owners has long since lapsed and the matter is left to one or more large landowners who drain the pond when they wish and at their own cost. This year the situation became so bad that it was the subject of complaint to the State House, of extended comment in the press, and of general discussion among abutters on West Tisbury Pond. It is an interesting example in miniature of the decay of the democratic process, the assumption of responsibility by one or more large landowners, and the distress of the owners when they found that the results to them were injurious to health as well as to the enjoyment of their pond property. It is suggested in the press* that the landowner who had assumed responsibility was interested primarily in striped bass and that he sold his catch for some \$400 at Woods Hole, after which he succeeded in opening the beach. The vigor and vitality of our own meetings gives me confidence that we shall not fall into the errors of our West Tisbury neighbors.

Some years ago a member of the State Administration proposed that the ponds should be placed under the direct jurisdiction of the State House to be opened, drained, and administered by Boston officials. A bill was introduced in the General Court embodying the suggestion. Owners of lowlands and meadows would be relieved of all expense for draining the pond and it would be done for them by a beneficent state. The state official, however, had further ideas which he wished to advance. He wished to make the South Beach accessible to the public in large numbers. He suggested the construction of a broad highway to the shore of Chilmark Pond, a vast parking space for cars, concessions for amusements, for public bath houses, for public boats and canoes. He wished to make Chilmark Pond and West Tisbury Pond available as public amusement and recreation centers for the people of Brockton and Taunton and New Bedford who were too far away to enjoy Nantasket and Revere.

The bill had already passed its second reading in the House when Mr. Bassett learned of it. He telephoned me and I went at once to the State House. There in conversation with the official at whose instance the bill had been introduced I learned the full import of his program. The bill was defeated. And shortly Mr. Blank was translated to a sphere of greater usefulness in which he received a larger salary more commensurate with his abilities in the neighboring State of New York. I am happy to record that my enthusiastic recommendation of Mr. Blank was at least partially responsible for his appointment in New York.

His ideas as to the future of Chilmark Pond bear too much resemblance to those of some of our left wing friends who summer in rented houses in Chilmark. One of these latter has discussed with me the importance of making our South Beach in Chilmark available to the textile workers of New Bedford who he believes should be housed in modern fireproof structures here for their summer holiday at the expense of their employers or of the state. His own family

*Vineyard Gazette 8-13-40.

estate is in Maine so that he looks at the Vineyard with the detachment of a left wing idealist who will not himself be affected by the execution of his eleemosynary proposals.

I have spoken of the vitality of the association meetings much of which is I think to be attributed to the number of members in attendance. This has varied widely with the years. At the meeting in 1905 fourteen were present representing as the clerk indicated a majority in valuation and in area. At the meeting in 1940 sixteen were present. But in the early twenties the attendance dropped. In 1922 for example only three owners were present while five were necessary for a quorum.

Elections have with one exception always been by having the clerk cast one ballot for a slate of officers. At the last meeting objection was raised to this procedure but an examination of the minutes indicated that only in 1905 was there any contest for the offices to be filled. At that meeting three commissioners were chosen from a panel of six.

The Author —

Boston knew him as an industrialist, Washington, D. C., as Special Assistant to the Secretary of War during World War I, and Amherst College as a dedicated son and trustee and its illustrious 11th president. On Martha's Vineyard Stanley King came to be considered one of our most distinguished and devoted seasonal residents. Mr. King's first visit to the Island was in 1899 as a boy of 16 when he and three other boys with bicycles spent part of their summer vacation here. Subsequently he visited the Lyman Besse family in the then stylish watering place, Oak Bluffs, marrying one of the daughters, Gertrude, in 1906. In the summer of 1918, Mr. and Mrs. King were responsible for starting an "experiment in cooperative living" in Chilmark, now known as Barn House. In 1928, he and the present Mrs. King — the former Margaret Pinckney Allen — purchased the Captain Matthew Poole house and land on the South Road, restored and landscaped it into one of the most attractive up-Island estates today. On acquiring pond shore property, Mr. King automatically became a member of the Chilmark Pond Association and served on the board as commissioner and later as clerk from 1930 until his death in 1951.

E. R. M.

A few back issues of the *Intelligencer* are available at fifty cents each at the Dukes County Historical Society in Edgartown.

Vol. 1, No. 1 contains "*The Christiantown Story, 1659-1959*," by Eleanor Ransom Mayhew, as the lead article. It also contains the revised by-laws of the society, etc.

Vol. 1, No. 2 contains "*An Archaeological Study from Martha's Vineyard*," by E. G. Huntington.

Vol. 1, No. 3 contains "*Vineyard Whaling Captains and Fabulous Frisco*," by Lloyd C. M. Hare.

Vol. 1, No. 4 contains "*Transition — Approach to a Period*" by Henry Beetle Hough. Also the first installment of Rebecca Smith's "*Diurnal Records for the year 1813*," etc.

Vol. 2, No. 1 contains Dr. Sidney N. Riggs' beautifully illustrated article on the "*Vineyard Meeting Houses*," etc.

Vol. 2, No. 2 contains "*The Episcopal Churches of Martha's Vineyard*," by Dr. Riggs; the "*Annual Report and Account of Accessions*" by Eleanor Ransom Mayhew, Secretary, as well as the second installment of Rebecca Smith's journal.

Vol. 2, No. 3 contains "*Years of Innocence on Martha's Vineyard*," by Henry Beetle Hough. "*Some Gay Head People About Sixty Years Ago*," by Eva Ryan. "*A cache of Indian Artifacts*," donated by George Magnuson.

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...