



Rod Allen
1980



ACTS AND RESOLVES

OF

MASSACHUSETTS.

1800-1801.

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ACTS
AND
LAWS
OF THE
COMMONWEALTH
OF
MASSACHUSETTS.

BOSTON:

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1897.

ACTS AND LAWS,

PASSED BY THE GENERAL COURT OF MASSACHUSETTS: AT THE SESSION BEGUN AND HELD AT BOSTON, IN THE COUNTY OF SUFFOLK, ON WEDNESDAY, THE TWENTY-EIGHTH DAY OF MAY, ANNO DOMINI, 1800.

1800. — Chapter 1.

[May Session, ch. 1.]

AN ACT TO REPEAL A PART OF THE NINTH SECTION OF AN ACT, INTITLED, "AN ACT TO INCORPORATE HUGH McLELLAN AND OTHERS INTO A COMPANY, BY THE NAME OF THE MAINE FIRE & MARINE INSURANCE COMPANY."

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That so much of the said ninth section of the Act aforesaid, as prohibits the transfer of the shares in said Company, be, and the same is hereby repealed.

Part of a former Act repealed.

Approved June 5, 1800.

1800. — Chapter 2.

[May Session, ch. 2.]

AN ACT TO INCORPORATE GEORGE DODGE AND OTHERS INTO A COMPANY, BY THE NAME OF THE SALEM MARINE INSURANCE COMPANY.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same,* that the said George Dodge and others, & all such persons as have already, or hereafter shall become Stockholders in said Company, being citizens of the United States, be, and hereby are incorporated into a Company or Body Politic, by the name of The Salem Marine Insurance Company, for, and during the term of Twenty years after the passing of this Act; and by that name may sue, or be sued, plead, or be impleaded, ap-

Corporate name and time of duration.

pear, prosecute and defend to final judgment and execution, and have a common Seal, which they may alter at pleasure; and may purchase, hold and convey any estate, real or personal, for the use of said Company, subject to the restrictions herein after mentioned.

Capital Stock
and amount of
real estate.

SEC. 2D. *Be it further enacted by the Authority aforesaid*, that the capital stock of said Company, exclusive of premium, notes, or profits arising from said business, shall never exceed four hundred thousand Dollars, nor be less than one hundred and fifty thousand Dollars; and shall be divided into one thousand shares; of which capital stock, twenty thousand Dollars only, shall be invested in real estate.

Directors to
be annually
chosen, after
public notice
has been given.

SEC. 3D. *Be it further enacted*, that the stock, property, affairs and concerns of said Company, shall be managed and conducted by nine Directors, one of whom shall be the President thereof, who shall hold their Offices for one year; and untill others shall be chosen, and no longer; which Directors shall, at the time of their election, be stockholders, and citizens of this Commonwealth, and shall be elected on the first Monday in July in each and every year, at such times of the day, and at such place in the town of Salem as a majority of the Directors for the time being shall appoint; of which election public notice shall be given in one of the News-papers printed in the town of Salem, and continued for the space of ten days immediately preceding such election: And such election shall be holden under the inspection of three Stockholders, not being Directors, to be appointed previous to every election, by the Directors; and shall be made by ballot by a majority of votes of the Stockholders present, allowing one vote to each share in the capital stock; *provided* that no Stockholder shall be allowed more than ten votes; and the Stockholders not present may vote by proxy, under such regulations as the said Company shall prescribe: And if through any unavoidable accident the said Directors should not be chosen on the first Monday of July as aforesaid, it shall be lawful to choose them on another day, in manner herein prescribed.

Directors to
choose a Presi-
dent.

SEC. 4TH. *Be it further enacted*, that the Directors so chosen, shall meet as soon as may be after every election, and shall choose out of their body one person to be President, who shall preside for one year, and be sworn faithfully to discharge the duties of his Office: And in case of

the death, resignation or inability to serve, of the President or any Director, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by a special election for that purpose, to be holden in the same manner as herein before directed respecting annual elections for Directors and President.

SEC. 5TH. *Be it further enacted*, that the President and four of the Directors, or five of the Directors in the absence of the President, shall be a Board competent for the transaction of business; and all questions before them shall be decided by a majority of votes, and they shall have power to make and prescribe such bye-laws, rules and regulations, as to them shall appear needful and proper touching the management and disposition of the stock, property, estate and effects of said Company, and the transfer of the shares, and touching the duties and conduct of the several Officers, Clerks and Servants employed, and the election of Directors, and all such matters as appertain to the business of Insurance; and shall also have power to appoint a Se[c]retary, and so many Clerks and Servants for carrying on the said business, and with such salaries and allowances to them and to the President, as to the said Board shall seem meet: *Provided* that such bye laws, rules and regulations shall not be repugnant to the Constitution, or Laws of this Commonwealth.

SEC. 6. *Be it further enacted*, that there shall be stated meetings of the Directors, at least once in every month, and as often within each month, as the President and Board of Directors shall deem proper; and the President, and a Committee of two of the Directors, to be by him appointed in rotation, shall assemble daily if need be, for the dispatch of business: And the said Board of Directors, or the Committee aforesaid, at and during the pleasure of said Board, shall have power and authority, on behalf of the Company, to make insurance upon vessels, freight and goods, and against captivity of persons, and on the life of any person during his absence by sea, and in cases of money lent upon bottomry and respondentia, and to fix the premium and terms of payment; and all policies of Insurance by them made, shall be subscribed by the President, or in case of his death, sickness, inability or absence, by any two of the Directors, and countersigned by the Secretary; and shall be binding and obligatory upon the said Company, and have the like

Board for the transaction of business and their powers.

Secretary and clerks to be appointed.

Stated or special meetings of Directors to be held and a committee to be appointed.

What may be insured — directions respecting policies.

effect and force as if under the Seal of said Company; and all losses duly arising under any such policies so subscribed, may be adjusted and settled by the President and Board of Directors, and the same shall be binding on the Company.

Semi-annual dividends to be made.

SEC. 7. *Be it further enacted*, that it shall be the duty of the Directors on the first Monday of June and December in every year, to make dividends of so much of the interest arising from their capital stock and the profits of said Company, as to them shall appear adviseable; but the monies received and notes taken for premiums on risques, which shall be undetermined and outstanding at the time of making such dividends, shall not be considered as part of the profits of the Company; and in case of any loss or losses, whereby the capital stock of the Company shall be lessened, each proprietor or Stockholder's estate shall be held accountable for the instalments that may be due and unpaid on his share or shares, at the time of said loss or losses taking place, to be paid in to the said Company by assessments, or such other mode, and at such time or times, as the Directors shall order; and no subsequent dividend shall be made, untill a sum equal to such diminution shall have been added to the capital; & that once in every three years, and oftener if required by a majority of the votes of the Stockholders, the Directors shall lay before the Stockholders at a general meeting, an exact & particular statement of the profits, if any there be, after deducting losses and dividends.

Case of loss which shall lessen the capital stock.

Dealing in merchandize &c. forbidden and the disposal of the capital stock directed.

SEC. 8TH. *Be it further enacted*, that the said Company shall not directly, nor indirectly deal or trade in buying or selling any goods, wares, merchandize or commodities whatsoever; and the capital stock of said Company, after being collected at each instalment, shall, within one hundred and twenty days, be invested either in the funded debt of the United States, or of this Commonwealth, or in the stock of the United States Bank, or of any incorporated Bank in this Commonwealth, at the discretion of the President and Directors of said Company, or of other Officers which the Proprietors shall for such purpose appoint.

Payment of instalments.

SEC. 9. *Be it further enacted*, that fifty Dollars on each share in said Company shall be paid within twenty days after the first meeting of said Company, and the remaining sum within one year after said first meeting, at such

equal instalments, and under such penalties, as the said Company shall direct; and no transfer of any share in said Company shall be permitted, or be valid, until all the instalments on such share shall have been paid.

SEC. 10. *Be it further enacted*, that no person, being a Director of any other Company carrying on the business of marine insurance, shall be eligible as a Director of the Company by this Act established.

A Director in another company not eligible in this.

SEC. 11. *Be it further enacted*, that the property of any member of said Company vested in the stock of said Company, shall be liable to attachment, and to the payment and satisfaction of his just debts to any of his bona fide creditors, in manner following; viz. in addition to the summons prescribed by law to be left with the defendant, a like summons shall be left with the Secretary of said Company, and the debtor's shares in said Company's funds, together with the interest and profits due or growing thereon, or so much thereof as shall be sufficient, shall thereby be holden to respond said suit according to law; and all transfers of the debtors shares not noted in the books of the Company, previous to the delivery of such summons, shall be barred thereby, and execution may be levied upon the property of any Stockholder in said Company, and his share or shares therein exposed to sale in the same manner as is by law prescribed where personal estate is taken in execution; and it shall be the duty of the Officer who extends such execution, to leave an attested copy thereof, with his doings thereon, with the Secretary of said Company, and the purchasers shall thereupon be entitled to the reception of all dividends and stocks which the debtor was previously intitled to; and upon any attachment being made, or execution levied on any shares in said Company, it shall be the duty of the Secretary of said Company to expose the books of the Company to the Officer, and to furnish him with a certificate under his hand, in his official capacity, ascertaining the number of shares the debtor holds in said Company, and the amount of the dividends due thereon.

Shares liable to attachment, & the process prescribed.

SEC. 12. *Be it further enacted*, that in case of any loss or losses taking place, that shall be equal to the amount of the capital stock of the said Company, and the President & Directors, after knowing of such loss or losses taking place, shall subscribe to any policy of insurance, their estates jointly and severally shall be accountable for

The estates of the President & Directors liable in certain case.

the amount of any and every loss that shall take place under policies thus subscribed.

SEC. 13. *Be it further enacted*, that the President and Directors of said Company shall, previous to their subscribing to any policy, and once in every year after, publish in one of the Newspapers printed in the town of Salem, the amount of their stock, against what risks they mean to insure, & the largest sum they mean to take on any one risk.

Statement to be submitted.

SEC. 14. *Be it further enacted* that the President and Directors of said Company shall when, and as often as required by the Legislature of this Commonwealth, lay before them a statement of the affairs of said Company, and submit to an examination concerning the same under oath.

Persons authorized to call first meeting.

SEC. 15. *Be it further enacted*, that George Dodge, Jacob Ashton and Joseph White, or any two of them, are hereby authorized to call a meeting of the members of said Company as soon as may be, in Salem, by advertising the same for two successive Weeks in the Salem Gazette, for the purpose of their electing a first Board of Directors, who shall continue in Office until the first Monday of July, one thousand eight hundred and one.

Approved June 9, 1800.

1800.—Chapter 3.

[May Session, ch. 3.]

AN ACT IN ADDITION TO AN ACT, INTITLED, "AN ACT FOR ESTABLISHING A CORPORATION BY THE NAME OF THE EIGHTH MASSACHUSETTS TURNPIKE CORPORATION."

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That as soon as the said Corporation shall have made and completed one third part of the said road, beginning on the line between the towns of Westfield and Russell, according to the requisition of said Act, and the same shall have been duly approved by a Committee appointed by the Court of General Sessions of the Peace for the County of Hampshire, the said Corporation be, and hereby are authorized and empowered to erect a Turnpike Gate in such place as the said Committee shall judge necessary and convenient for collecting toll, and shall be entitled to receive of each traveller or passenger, the same rate of toll that they would have been by said Act, to which this

Gate to be erected when one-third of the road is completed.

is in addition, entitled to receive at one Gate, in case the whole of said road had been completed and approved, in manner by said Act prescribed; any thing therein contained notwithstanding.

Provided however, That in case the said Corporation shall neglect to complete the whole of said Turnpike road within the time set and limited in the original Act, to which this is in addition, then this Act shall become void, and said Turnpike Gate be removed.

Approved June 10, 1800.

1800. — Chapter 4.

[May Session, ch. 4.]

AN ACT IN ADDITION TO, AND FOR ALTERING AN ACT, INTITLED, "AN ACT FOR ESTABLISHING A CORPORATION BY THE NAME OF THE NINTH MASSACHUSETTS TURNPIKE CORPORATION."

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Justices of the Court of General Sessions of the Peace for the County of Worcester, are hereby impowered and authorized to approve of said road as sufficiently made, although the same may in some places be less than four rods wide; *provided,* That in the opinion of said Court, the public convenience shall not require the same to be four rods wide, as is required in the Act to which this is an addition; any thing in the same to the contrary notwithstanding.

Road may be less than four rods wide.

Provided also, That the said road shall not in any part of it be reduced to less than three rods and an half in width, unless it should be found necessary to move some dwelling house or other valuable building, in order to give it that width.

Approved June 10, 1800.

1800. — Chapter 5.

[May Session, ch. 5.]

AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS OF THE TOWNS OF RUSSELL, BLANDFORD, NORWICH AND MONTGOMERY, IN THE COUNTY OF HAMPSHIRE, INTO A DISTINCT RELIGIOUS SOCIETY BY THE NAME OF THE UNITED BAPTIST SOCIETY.

SEC. 1st. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the*

Persons incor-
porated.

authority of the same, That Titus Doolittle, Russell Falley, Daniel Mallory, Seth Hayse, David Sacket, Levi Dewey, Lovewell Thomas, Salmon Thomas, Abner Cockran, Isaac Palmer, Eli Hayse, Henry Parks, Richard Andrews, Josiah Halladay, William Stanclift, William Goold, Jacob Andrews, Jacob Andrews, junr., Jonathan Herrick, Glass Cockran, Amos Reed, Asa Culver, Richard Falley, Ebenezer Stow, Moses Warner, Charles Culver, Abiel Stanton, Joseph Shoals, Josiah Molton, Gersham Rust, junr., Jonathan Pitcher, Isaac Blair, Isaac Chapman, Titus Doolittle junr., Stephen Herrick, Abner Chapman, Abraham Bradley, Isaac Palmer, junr., Moses Lindsey, Jonah Mallory, Joseph Hayse, and Datus Ensign, together with their polls and estates be, and they hereby are incorporated by the name of The United Baptist Society, with all the priviledges, powers & immunities, so far as shall be necessary for providing for the support and maintenance of public worship, to which Parishes are by law intituled in this Commonwealth.

Corporate
name.

How to become
a member.

SEC. 2d. *And Be it further enacted*, That any person in either of the towns of Russell, Blandford, Norwich & Montgomery aforesaid, being of the Baptist denomination of Christians, who may at any time hereafter become a member of, and unite in their religious worship with the said United Baptist Society, and give in his or her name to the Clerk of the town or parish to which he or she belongs, with a Certificate signed by the Minister or Clerk of said Society, that he or she has actually become a member of, and united in religious worship with the said Society in Russell aforesaid, fourteen days previous to the Town or Parish meetings therein to be held in the month of March or April annually, shall, from and after giving such certificate, with his or her polls and estates, be considered as a member of said Society : *Provided however*, That such person shall first pay his proportion of all money assessed in the town or Parish to which he or she belonged previous to that time.

How to with-
draw from the
society.

SEC. 3d. *And Be it further enacted*, That when any member of said United Baptist Society, shall see cause to leave the same, and unite in religious worship with any other Religious Society, and shall give in his or her name to the Clerk of the said Baptist Religious Society, with a certificate signed by the Minister or Clerk of the Parish, or other incorporated Religious Society with which he or

she may unite, that he or she has actually become a member of, and united in religious worship with such other parish or other incorporated Religious Society, fourteen days previous to their meeting in March or April, and shall pay his or her proportion of all money assessed in said Society, previous thereto, such person shall, from and after giving such certificate, with his or her polls and estates, be considered as a member of the Society to which he or she has so united.

SEC. 4TH. *And be it further enacted*, That Samuel Fowler, Esqr. be, and he is hereby authorized to issue his Warrant, directed to some member of said Society, requiring him to notify all the members thereof, qualified to vote in parish affairs, to assemble at some suitable time and place in said town of Russell, to choose such Officers as Parishes are by law required to choose in the months of March or April annually; and to transact all other matters and things necessary to be done in said Society.

Approved June 12, 1800.

1800. — Chapter 6.

[May Session, ch. 7.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, AN ACT FOR INCORPORATING THE SEVERAL RELIGIOUS SOCIETIES IN NEWBURY PORT, IN THE COUNTY OF ESSEX.

Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Proprietors of the House of Public Worship of the first Religious Society in Newbury-Port, be, and they are hereby authorized in their corporate capacity, by their Treasurer, or by any committee specially appointed, or to be appointed, to hire any sums of money for the purpose of purchasing any piece of land in the said Newbury Port, on which to erect a new house of Public Worship for the first Religious Society in Newbury-Port; and also for the purpose of erecting and finishing such new house, with all the incidental expences; and the contracts made or to be made by the said Committee for hiring the said monies and for the erecting and finishing such house, shall be binding on the said Corporation, and shall be for their use and benefit. And the said Corporation are hereby authorized to pledge & mortgage the proceeds of the sale of their old meeting house,

Society authorized to borrow money.

and of their land under and adjoining the same ; and also the balance hereafter mentioned, arising on the pews to be made in such New Meeting-house, as an indemnity and security for the payment of the monies so to be hired ; and any such pledge or mortgage heretofore made by the said Corporation is hereby ratified and confirmed.

Society continued.

And be it further Enacted by the authority aforesaid, That the said corporation shall be deemed and holden in law to have existence and continuance, and to be composed of the same members after the sale of the said old meeting-house and land, as it now has and is before such sale. *Provided however,* That upon the disposition or sale of the pews in such new Meeting house, then the Owners or Proprietors of the same pews for the time being shall alone be the Members of the same Corporation.

Proviso.

Pews to be appraised.

And be it further enacted by the authority aforesaid, That the said Proprietors be, and they are hereby empowered to choose a Committee, which Committee shall select and appraise, upon oath, so many of the Pews in such new Meeting house, when finished, as shall be equal in number to the pews in the said old Meeting-house, holden by individual Proprietors, at their just relative value, according to their best discretion, and shall divide the said pews so appraised into distinct classes, according to their comparative values, in the same manner the pews in the said old Meeting house are now classed ; each class to contain Pews equal in value, and also of the same number with those contained in the like class of Pews in the said old Meeting house ; and the said Committee are to return their said appraisement and division, in writing under their hands, to the Clerk of the said Corporation, to be entered on the records of the said Corporation. *And the said Proprietors are hereby authorized and empowered to cause the new pews in each of the said classes to be assigned by lot to and among the Proprietors of the like class of Pews in the said old Meeting house, and to assess upon the said New pews all the costs, charges & incidental expences of purchasing the land on which to build the said new Meeting house, and of building & finishing the said New Meeting-house, according to their relative values as stated in the said appraisement ; and also to credit the same new pews all the nett proceeds of the sale of the said old Meeting house and land according*

Expenses to be assessed on new pews.

to the same relative values as aforesaid; the balance due from each pew resulting from the said assessment and credit, to be paid to the Treasurer of the said propriety, or any Committee appointed by them for that purpose, in thirty days after such balance shall be so liquidated; otherwise such Proprietor shall forfeit all right and title to such new pew, and the same may be sold at public auction by order of the said proprietors, for the most it will fetch, and out of the nett proceeds of such sale shall be paid to such delinquent Proprietor the last appraised value of his pew in the said old Meeting house, if the said nett proceeds shall amount thereto; and such Proprietor as shall pay the said balance within the said thirty days, shall receive a title in fee simple to the pew so assigned to him, by Deed, to be executed by such person or persons as the said Proprietors shall authorize for that purpose. And all taxes hereafter to be raised on the said new pews by the said Proprietors or the said Religious Society, shall be assessed thereon agreeably to the said appraisement, until some new appraisement of the said pews shall be made in due form of law.

Assessments to be paid in thirty days.

Proprietors to receive deeds.

Pew taxes.

And be it further enacted by the authority aforesaid, That the sale of the said old Meeting house & land shall not in any manner affect the existence of the first Religious Society in Newbury-Port, as a Corporation, nor its powers, rights or duties; but the same Corporation shall be deemed and holden in the law to have the same existence and continuance, with the same powers, rights and duties it now has, whether the Members thereof attend the Public Worship of GOD in the old Meeting house aforesaid, or in the New Meeting house to be erected as aforesaid.

Approved June 12, 1800.

1800. — Chapter 7.

[May Session, ch. 8.]

AN ACT TO CEDE TO THE UNITED STATES THE JURISDICTION OF THE TRACT OF LAND WHICH SHALL BE REQUIRED FOR THE LIGHT-HOUSE AUTHORIZED BY CONGRESS TO BE ERECTED ON WIGWAM-POINT.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That the United States of America may purchase or take as hereinafter is provided, any tract

The United States allowed to purchase and

have jurisdiction of land on Wigwam Point.

Proviso.

Case of disagreement as to the value.

United States to pay charges of appraisement, &c.

of land which shall be found necessary and convenient for the Light-house authorized by Congress to be erected upon Wigwam-Point in the town of Gloucester, within this Commonwealth; and during the continuance of the use and appropriation aforesaid, the jurisdiction of such tract of land, not exceeding the quantity of seven acres for such Light-house, shall be, and hereby is ceded to, and shall be in the said United States; *Saving and provided always*, That all civil & criminal processes, issued under the authority, or by any Officers of this Commonwealth, shall have full force and effect within the said tract of land, and any buildings which shall be there erected, this cession of jurisdiction notwithstanding.

SEC. 2. *And be it further enacted*, That if the Agent, or person employed for the United States, and the owner or owners of such tract of land as shall be found necessary and convenient for the said Light-house, cannot agree in a sale and purchase thereof, such Agent, or person employed, may apply to any Court of General Sessions of the Peace, which shall be holden within the County wherein such land lies, who shall and may appoint a Committee of three freeholders, impartial men, to determine a just equivalent to the owner or owners of such land; which Committee shall be sworn before some Justice of the Peace for the faithful discharge of their trust; and shall forthwith proceed to view, set off and appraise such tract of land, and shall make return of their doings to the same Court, which award and return, being accepted by the Court, and the amount of such appraisement being paid to the owner or owners of land appraised and set off by such Committee, or if the owner or owners shall not appear, or shall refuse to receive the same, to such person or Corporation, for the use of the owner or owners, as the same Court shall order, the tract of land so appraised and set off, shall be vested in the United States, and shall and may be taken, possessed and appropriated for the purposes aforesaid: *Provided*, That all charges of such application and appraisement shall be paid by the United States; and *Provided*, That the land which may be set off for the purposes of this Act, shall not exceed the quantity of seven acres in the whole, for such Light-house, including & reckoning therewith any land purchased for the same. *Approved June 12, 1800.*

1800.— Chapter 8.

[May Session, ch. 6.]

AN ACT TO ALTER THE TIME OF HOLDING ONE OF THE COURTS OF GENERAL SESSIONS OF THE PEACE, & COURTS OF COMMON PLEAS IN THE COUNTY OF YORK.

Whereas the holding of the Court of General Sessions of the Peace and Court of Common Pleas, now by Law appointed to be holden at Biddeford, in and for the County of York, on the second Tuesday of November, is found to be inconvenient:

Preamble.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That the Court of General Sessions of the Peace, & Court of Common Pleas now, by Law appointed to be annually holden at Biddeford, within and for the County of York, on the second Tuesday of November, shall, in future, be annually holden at the same place on the last Tuesday of October, any law to the contrary notwithstanding.

Time of holding Court changed.

Approved June 12, 1800.

1800.— Chapter 9.

[May Session, ch. 9.]

AN ACT TO SET OFF TIMOTHY HORTON FROM THE FIRST PARISH IN WEST SPRINGFIELD IN THE COUNTY OF HAMPSHIRE AND TO ANNEX HIM TO THE SECOND PARISH IN SAID TOWN.

Be it Enacted by the Senate and House of Representatives in General Court assembled & by the authority of the same, that Timothy Horton of West Springfield in the County of Hampshire with his poll and estate, be set from the first Parish and annexed to the second Parish in said Town, there to do duty and receive privileges: Provided however that the said Timothy Horton be holden to pay all taxes legally assessed upon him by the said first Parish, before the passing of this Act.

Set off from the 1st and annexed to 2d parish.

Approved June 13, 1800.

1800.— Chapter 10.

[May Session, ch. 10.]

AN ACT TO CHANGE THE NAME OF CHARLES CABOT, TO THAT OF CHARLES GEORGE CABOT.

Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of

Authorized to
bear the name
of Charles
George Cabot.

the same, That Charles Cabot of Brooklyn in the County of Norfolk, merchant, son of George Cabot of the same place Esquire, be and he hereby is authorized to take and bear the name of Charles George Cabot, and by that name shall henceforth be known & called.

Approved June 13, 1800.

1800. — Chapter 11.

[May Session, ch. 11.]

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PRESIDENT, DIRECTORS AND COMPANY OF THE GLOUCESTER BANK."

Capital Stock
limited.

SECT. 1. *Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that the Capital Stock of said Corporation shall hereafter consist of one hundred thousand Dollars in Specie and no more, and shall be divided into shares of One hundred Dollars each, any thing in the said Act to which this is in addition, to the contrary notwithstanding.

Instalments to
be paid as may
be directed.

SECT. 2. *Be it further Enacted*, that all the sums which may be added to the Capital Stock of said Corporation, under the authority of this Act, shall be subscribed and paid in, in such manner as shall be hereafter agreed upon by a majority of the votes at any legal meeting of the Stockholders, holden for that purpose.

Approved June 13, 1800.

1800. — Chapter 12.

[May Session, ch. 12.]

AN ACT TO REPEAL THE THIRD SECTION OF AN ACT, ENTITLED, — "AN ACT TO REPEAL AN ACT, ENTITLED, AN ACT TO INCORPORATE THE COMMITTEE OF THE CHURCH & CONGREGATION IN THE TOWN OF WARWICK FOR CERTAIN PURPOSES"; — PASSED FEBRUARY, ONE THOUSAND SEVEN HUNDRED & NINETY FIVE.

Certain exemp-
tions revoked.

Be it enacted by the Senate & House of Representatives, in General Court Assembled, & by the Authority of the same, that the whole of the Third Section in the Act aforesaid, which exempts certain Persons in the town of Warwick from contributing to the support of Public Worship, being repugnant to the Principles of the Constitution, be, & the same hereby is repealed.

Approved June 14, 1800.

1800.—Chapter 13.

[May Session, ch. 13.]

AN ACT TO SET OFF JOHN THAYER AND OTHERS, WITH THEIR POLLS AND ESTATES, FROM THE TOWN OF BELCHERTOWN, IN THE COUNTY OF HAMPSHIRE, AND TO ANNEX THEM TO THE SECOND PARISH IN AMHERST FOR PAROCHIAL PRIVILEGES.

Be it Enacted by the Senate and House of Representatives, in General Court, assembled, and by the authority of the same, That John Thayer, Ebenezer Bliss, Reuben Thayer, and Nathaniel Goodale of Belcherstown, in the County of Hampshire, with their Polls and Estates, be, and they are hereby set off from the said Town of Belcherstown and annexed to the Second Parish in Amherst, in said County; there to enjoy all the Parochial privileges of the said Second Parish, and to pay their proportion of all necessary charges that may arise therein for the purposes aforesaid. *Provided nevertheless,* That the said John Thayer, Ebenezer Bliss, Reuben Thayer, and Nathaniel Goodale, shall be holden to pay all Taxes now assessed or granted by the said Town of Belcherstown.

Persons annexed to Amherst.

Proviso.

Approved June 14, 1800.

1800.—Chapter 14.

[May Session, ch. 14.]

AN ACT TO EXEMPT SHEEPSCOT RIVER FROM THE OPERATION OF ALL LAWS REGULATING THE FISHERIES IN THE COUNTIES OF LINCOLN AND CUMBERLAND, EXCEPTING SO FAR AS RELATES TO DYER'S RIVER, AND THE STREAMS & PONDS RUNNING INTO OR CONNECTED WITH THE SAID DYER'S RIVER.

Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all Laws heretofore made which regulate the taking of Salmon, Shad, and Alewives, or any other fish, in the said Sheepscot River, so called, in the County of Lincoln, be so far repealed, that from and after the passing of this Act, they shall cease to operate or have any effect in the said Sheepscot River. *Provided however,* That nothing in this Act shall be so construed as to affect the stream called Dyer's River, or any of the waters running into or connected therewith.

Certain fish laws not to operate on Sheepscot River.

Approved June 14, 1800.

1800. — Chapter 15.

[May Session, ch. 15.]

AN ACT PRESCRIBING THE TIME FOR HOLDING THE SEVERAL COURTS OF COMMON PLEAS AND COURTS OF GENERAL SESSIONS OF THE PEACE WITHIN AND FOR THE COUNTY OF HAMPSHIRE.

Preamble.

Whereas by the alteration of the time of holding the Supreme Judicial Court in said County, it has become necessary that the time of holding said first mentioned Courts should be altered: Therefore,

Times at which
the Courts are
to be holden.

Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the first day of August next, the said Courts of General Sessions of the Peace and Courts of Common Pleas shall annually be holden at Northampton, within and for the said County, on the Monday next preceding the last Tuesday of August, on the Monday next preceding the third Tuesday of November, on the Monday next preceding the third Tuesday of January, and on the Monday next preceding the fourth Tuesday of May; and all writs, recognizances, processes, appeals or continuances which have been or may, before the tenth day of August next, be commenced to, taken for or pending in the said Court of General Sessions of the Peace or Court of Common Pleas, by Law to be holden on the Monday next preceding the first Tuesday of September next, may be returned to, entered, have day in and be proceeded upon in the said Courts to be holden in August next; and all matters and things may be done & performed by said Courts on the Monday preceding the last Tuesday of August next, in the same manner as they might have been done and performed by said Courts in September next, if this Act had not been passed.

Matters
referred.

Approved June 16, 1800.

1800. — Chapter 16.

[May Session, ch. 16.]

AN ACT ESTABLISHING THE TENTH MASSACHUSETTS TURNPIKE CORPORATION.

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, that Eldad Lewis, Azariah Egleston,*

Joseph Goodwin, Edward Martendale, Elijah Northrup, Thaddens Thompson, Thomas Brown, John Gregory, Daniel Williams Junr., Ethan Stone, John Willard, William Walker, Nathaniel Bishop, Daniel Willecox, Jared Bradley, Levi Nye, Eliab Brewer, Jonathan Norton, Roderic Norton, Stephen Pelton, John Picket junr., Sandford Brown, Adonijah Jones, Francis Plummer, David Dunbar, Lemuel Collins, Elisha Freeman, John Hunter, Isaac Hunter, Caleb Hyde, Isaac Sears, Nathaniel Bettis, Enos Stone, Amasa Glezen, Gamaliel B. Whiting, David Bozworth junr. Enoch Williams Thayer, Joseph Tucker, Jesse Bradley, Enos Blossom, Calvin Sears, Paul Dewey, Samuel Fowler, and all such persons as shall associate with them, and their successors, shall be a Corporation by the name of The Tenth Massachusetts Turnpike Corporation, with all the privileges and powers incident to Corporations, for the purpose of laying out, making and keeping in repair a Turnpike Road from the north line of the State of Connecticut, near the place where Farmington river, crosses the same, and to communicate with the Turnpike rode lately laid out by said State; thence northwardly by said river to the house of Sandford Brown in the town of Sandisfield, and thence on the west side of said river by or near the County road lately laid out through the said Sandisfield and the towns of Bethlehem and Becket to the house of John Nichols; from thence northwardly to the east side of Green-water pond so called; thence westwardly through that part of Lee called Cape-street, the nearest and best course, by Eli Bradley's farm to Lenox Furnace; thence to the Court House; thence northwardly over the mountain by the farm of Samuel Dunbar through Richmond to Hancock west line a course leading to the Shaker Village in Canaan in the State of New York, in such place or places on the above rout, as the said Corporation shall choose for the same; — which road shall not be less than four rods wide, and the path to be travelled on not less than eighteen feet in width in any place; and that when the said Turnpike Road shall be sufficiently made, and shall be approved of by a Committee to be appointed for that purpose by the Court of General Sessions of the Peace for the County of Berkshire, the said Corporation shall be and hereby is authorized to erect four Turnpike gates on the same, in such manner, and at such places as the said Committee

Names of persons incorporated.

Corporate name.

Course of road.

Turnpike gates to be erected.

Toll. shall judge necessary and convenient for collecting the toll; and shall be intitled to receive at each of said gates, from every traveller & passenger, the following rates of toll, viz. For every Coach, Phaeton, Chariot, or other four wheel carriage drawn by two horses, twenty five Cents, and if drawn by more than two horses, an additional sum of four Cents for each horse — For every Cart, Waggon, Sled or Sleigh drawn by two Oxen or Horses, ten Cents; and if drawn by more than two, an additional sum of three Cents for each ox or horse — For every Curricule seventeen Cents — For every Chaise, Chair or other carriage drawn by one horse, twelve Cents five mills — For every man and horse, five Cents — For all oxen, horses & neat cattle, led or driven, besides those in carriages, one Cent & five mills each — For all Sheep and Swine, three Cents for a dozen; and in that proportion for a greater or less number; — *Provided* that no toll shall be taken from any person passing said road on military duty — *Provided also*, that if the most northerly gate on the said Turnpike road shall be placed on the present road leading north and south through Richmond, which takes the travel from the State of Connecticut, there shall be but one half of the rates of toll, established by this Act, demanded at the said gate.

Proviso. SEC. 2. *And be it further enacted*, that the said Corporation may purchase and hold any land over which they may make said road; and the Justices of the Court of General Sessions of the Peace in the County of Berkshire, are hereby authorized and required upon application from the said Corporation, to lay out said road, or any part thereof, as with the consent of the said Corporation they may deem proper: And the said Corporation shall be holden to pay all damages which any person shall sustain, by taking his land for said road; and when it cannot be ascertained by voluntary agreement, the same is to be estimated by a Committee appointed by the Court of General Sessions of the Peace in said County; saving to either party the right of trial by Jury, according to the Law which provides for the recovery of damages accruing by laying out public highways.

Corporation may hold land. Sufferers to be indemnified. Penalty for delay and for exacting excessive toll. SEC. 3. *And be it further enacted*, that if said Corporation, their tollgatherers, or others in their employment shall unreasonably delay or hinder any traveller or passenger at either of the said gates, or shall demand and

receive more toll than is by this Act allowed, the Corporation shall forfeit and pay a sum not exceeding ten Dollars, nor less than one Dollar to be recovered before any Justice of the Peace for said County, who is not a proprietor in said Corporation, by any person injured, delayed or defrauded in a special action on the case; the writ in which action shall be served on the said Corporation by leaving a copy of the same with any Officer or individual member of the Corporation living in said County of Berkshire, or by reading the contents thereof in the hearing of such Officer or individual member, seven days at least before the day of trial; and the Officer or individual member of the said Corporation, on whom the writ shall be served, shall be allowed to defend the same suit in behalf of the Corporation; & the Corporation shall be liable to pay all damages which may happen to any person from whom toll is by this Act demandable by means of any defect of Bridges or want of repairs within the same way, and shall also be liable to be fined to the use of the said County on presentment of the Grand Jury for not keeping the same way or the Bridges thereon in good repair, except the Bridge by Lenox Furnace, that near Langdon's in Lee, and that near Sandford Brown's in Sandisfield.

Corporation accountable for damages by defects in road, &c.

SEC. 4. *And be it further enacted*, that if any person shall cut, break down or destroy any of the said Turnpike gates, or shall forcibly pass, or shall attempt by force to pass the same without having first paid the legal toll at such gate, he shall forfeit and pay a sum not exceeding fifty dollars, nor less than two Dollars, to be recovered by the Treasurer of the said Corporation to their use in an action of trespass before any Court proper to try the same; and if any person shall with his horse, carriage, team or cattle, turn out of the said road to pass any of the Turnpike gates on ground adjacent thereto, and again enter on said road, or shall falsely and deceitfully pretend to be exempted by this Act from paying toll, with intent to defraud the Corporation, such person shall forfeit and pay three times as much as the legal toll would have been; to be recovered by the Treasurer of the said Corporation, to the use thereof, in an action of debt or on the case; *provided* that nothing in this Act shall be understood to intitle the said Corporation to demand and receive toll of any person who shall be passing with his horse or carriage to or from public worship; or with his horse, team or

Penalty for injuring gates and for attempting to pass by force.

—For evading toll.

Proviso.

cattle to or from his common labour on his farm, or to or from any mill, or on the common & ordinary business of family concerns within the town where he dwells.

Shares considered personal estate; mode of transfer and of attachment.

SEC. 5. *And be it further enacted*, that the shares in the same Turnpike road, shall be taken, deemed and considered to be personal estate to all intents and purposes, and may be transferable; and the mode of transferring said shares shall be by deed, acknowledged before any Justice of the Peace, and recorded by the Clerk of the said Corporation in a book to be kept for that purpose; and when any of the said shares shall be attached on *mesne* process, an attested copy of such process shall, at the time of the attachment, be left with the Clerk of the Corporation, otherwise such attachment shall be void; and such shares may be sold on execution, in the same manner as is, or may by law be provided for the sale of personal property by execution; the officer making such sale, or the judgment Creditor, leaving a copy of the execution with the Officer's return on the same, with the Clerk of the said Corporation within ten days after such sale, and paying for the recording of the same.

An account of expenses to be lodged in Secretary's office.

SEC. 6. *And be it further enacted*, that the said Corporation shall within six months after the said road is completed, lodge in the Secretary's Office an account of the expenses thereof, and that the said Corporation shall annually exhibit to the Governor and Council a true account of the income or dividend arising from the said toll, with their annual necessary disbursements on the said road, and that the books of the said Corporation shall at all times be subject to the inspection of a Committee to be appointed by the General Court or to the inspection of the Governor and Council, when called for.

Shares of delinquents to be sold.

SEC. 7. *And be it further enacted*, that whenever any proprietor shall neglect or refuse to pay any tax or assessment, duly voted and agreed upon by the said Corporation, to their Treasurer, within sixty days after the time set for the payment thereof, the Treasurer of the said Corporation is hereby authorized to sell at public vendue the share or shares of such delinquent proprietor, one or more, as shall be sufficient to discharge said taxes, and defrey the necessary incidental charges, after duly notifying in the Newspaper printed at Stockbridge, the sum due on any such shares, and the time and place of sale, at least twenty days previous to the time of sale, and such

sale shall be a sufficient transfer of such share or shares so sold, to the person purchasing; & on producing a Certificate of such sale from the Treasurer to the Clerk of the said Corporation, the name of such purchaser, with the number of shares so sold, shall be by the Clerk entered on the books of the said Corporation, and such person shall thereafter be considered to all intents and purposes the proprietor thereof; and the overplus arising from such sale, if any remains, shall be paid by the Treasurer, on demand, to the person whose shares were thus sold.

SEC. 8. *And be it further enacted*, that the said Corporation shall at all places where the said toll shall be collected, erect and keep constantly exposed to view a sign or board, with the rates of toll of all the tollable articles fairly and legibly written thereon in large characters.

Sign board to be erected.

SEC. 9. *And be it further enacted* that the said Corporation may from time to time, if they shall see fit commute the toll at either, or all of said gates, with any person, or with the inhabitants of any town through which the said road passes, by receiving from him or them a certain sum annually, to be mutually agreed on in lieu of the toll established in and by this Act.

Commutation of toll allowed.

SEC. 10. *And be it further enacted*, that a meeting of the said Corporation shall be holden at the Coffee-house in Lenox aforesaid on the first Tuesday of August next for the purpose of choosing a Clerk, and such other Officers as may then and there be agreed upon by the said Corporation for managing the concerns thereof; and also to establish such rules and regulations, as may then and there be deemed necessary for carrying into effect the purposes and designs of the Corporation; *provided* the same be not repugnant to any part of this Act, or any other Law of this Commonwealth; & that the said Corporation may then and there agree upon the times and places of holding their subsequent meetings, and upon the methods of calling the same, as they may judge proper.

Meeting to choose officers and establish rules.

SEC. 11. *And be it further enacted*, that the General Court may dissolve said Corporation, whenever it shall appear to their satisfaction, that the income arising from the said toll, shall have fully compensated the said Corporation for all monies which they may have expended in purchasing, making, repairing and taking care of the said road, together with an interest thereon at the rate of twelve per centum by the year; and thereupon the prop-

Corporation may be dissolved.

Period for completing road.

erty of said road shall be vested in the Commonwealth, and be at their disposal. *Provided* that if the said Corporation shall neglect to complete the said Turnpike road for the space of three years from the passing of this Act, the same shall become void and of no effect.

Approved June 16, 1800.

1800. — Chapter 17.

[May Session, ch. 17.]

AN ACT PROVIDING FOR THE CESSION OF CLARKE'S POINT IN THE TOWN OF NEW BEDFORD, TO THE UNITED STATES.

Quantity of land to be ceded.

SECT. 1. *Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That one hundred and thirty four rods of land at the end of Clark's Point in the Town of New Bedford, on which there is now a Light House standing, the property of the United States, be, and hereby is granted & ceded to the United States.

Concurrent jurisdiction retained.

SECT. 2D. *Provided however, and be it further Enacted,* That the cession and grant aforesaid is upon this express condition, that this Commonwealth shall retain a concurrent Jurisdiction with the United States in & over the land aforesaid, so far as that all civil processes and such criminal processes as may issue under the authority of this Commonwealth against any person or persons charged with crimes committed without the Land aforesaid, may be executed therein in the same way & manner as tho' this cession had not been made & granted.

Approved June 16, 1800.

1800. — Chapter 18.

[May Session, ch. 18.]

AN ACT TO REPEAL PART OF AN ACT, ENTITLED, "AN ACT FOR THE DUE REGULATION OF WEIGHTS & MEASURES."

Part of act regulating weights and measures repealed.

Be it enacted by the Senate & House of Representatives, in General Court Assembled, & by the authority of the same, — That so much of the Act aforesaid, as requires that the Treasurers of the several Counties within this Commonwealth shall provide & keep a Bushel-Measure as a Standard, be & the same hereby is repealed.

Approved June 16, 1800.

1800. — Chapter 19.

[May Session, ch. 20.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT TO EMPOWER THE INHABITANTS OF THE TOWN OF SALEM TO CHOOSE A BOARD OF HEALTH, AND FOR REMOVING AND PREVENTING NUISANCES IN SAID TOWN," AND FOR REPEALING PART OF SAID ACT.

Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same, That no person or persons without first obtaining permission therefor, from the Board of Health, chosen, or which shall be chosen, pursuant to the directions of the act, to which this is an addition, or two members thereof, shall kill any sheep or lambs within said town, or expose to sale within the same, between the first day of July, and the twentieth day of September, in any year, the meat of any sheep, or lambs, which shall have been driven more than five miles within two days next preceding the day, on which the same shall be killed; and every person who, without having first obtained such permission, shall, within the Times aforesaid kill any sheep or lambs, within said town, or shall expose and offer for sale within the same, the meat of any sheep or lamb which shall have been driven more than five miles within two days next preceding the day on which the same were killed; shall forfeit and pay for each offence twenty Dollars, and the meat of every sheep or lamb, so killed, shall be forfeited; and the said Board of Health, or any two of them, may, and it shall be their duty to seize and remove the same, and dispose thereof, so as that the health of the Inhabitants may not be endangered thereby; and in any Action or prosecution against the members of said Board of Health, or either of them, for seizing any meat of sheep or lambs, by virtue of this act, the plaintiff or prosecutor shall be held to prove that such sheep or lambs had not been driven more than five miles within two days next preceding the day on which the same were killed, or that the same were killed by the permission of the Board of Health or two members thereof.

No sheep or lambs to be killed in Salem between certain dates without permission, etc.

SEC. 2D. *Be it further enacted,* That any master, or commander of any vessel, who shall enter the harbour of Salem with his said vessel, after notice given to him by any person or persons whomsoever, that Quarantine has

Penalty for violating or attempting to evade an order for quarantine.

been directed by said Board of Health for all vessels coming from the port, or place from which such master or commander shall have arrived, or who shall falsely, or fraudulently attempt to elude the directions of the said Board of Health, by false and unfounded declarations of the port or place from whence he came, or as to the sickness or deaths which may have happened on board said vessel, during her then last voyage, or who shall land, or suffer to be landed from his vessel, any person or apparel, bedding, goods, or merchandize whatsoever, without the permission of the said Board of Health, every such master or commander, shall, upon conviction thereof in manner and form pointed out in the sixth section of the act to which this is an addition, forfeit and pay a sum not exceeding five hundred dollars, or suffer imprisonment for a term, not exceeding six months, or both at the discretion of the court having cognizance of the offence.

Penalty for disobeying the order of the Visiting Physician as to quarantine.

SEC. 3. *Be it further enacted*, That whenever the visiting Physician of the Board of Health, shall think it necessary that any vessel should be purified and cleansed and perform Quarantine, he, or any other person authorized thereto by the Board of Health, may direct the master or commander of such vessel to proceed to, and anchor at such place as the said Board of Health shall have appointed for cleansing and purifying vessels: And it shall be the duty of said Physician to apply to the Board of Health, to direct the time and manner in which such purification shall take place, and the expences shall be defrayed by the master, commander, owner or consignee to be recovered by an action of the case in the name of the President of the Board of Health; and each and every master, Commander, owner, or consignee of every such vessel, who shall neglect or refuse to comply with such directions, shall, on conviction thereof, before the Court of General Sessions of the Peace be fined, not exceeding one thousand dollars, or suffer imprisonment for a term, not exceeding six months, or both, at the discretion of the Court.

Penalties and forfeitures to accrue to the town of Salem.

SEC. 4TH. *Be it further enacted*, That all pecuniary penalties and forfeitures, arising from this act, shall accrue to the use of the town of Salem, and shall be prosecuted for and recovered by action of debt in the name of the President of the said Board of Health, in any Court competent to try the same, excepting in those cases in which it is herein otherways provided: And that the fourth,

seventh, and ninth sections of the act to which this is an addition, be, and the same are hereby repealed, excepting so far as respects the recovery of any fines, or forfeitures already incurred thereby. *Approved June 16, 1800.*

1800. — Chapter 20.

[May Session, ch. 21.]

AN ACT FOR THE PRESERVATION, & TO REGULATE THE TAKING OF FISH IN CROOKED RIVER & SONGO RIVER, IN THE COUNTIES OF YORK & CUMBERLAND.

Be it enacted by the Senate & House of Representatives, in General Court Assembled, & by the Authority of the same, That if any person or persons shall make, build or erect any Weare or Dam in or across either of the said Rivers, or shall suffer any Weare or Dam to continue or remain in or across the same, or shall take any Fish in said Rivers, or in any of the Streams or ponds running into or connected with the same, in the months of September & October, excepting with a Hook & Line, the person or persons so offending shall forfeit & pay for each offence, a Sum not exceeding one hundred Dollars, nor less than Five Dollars, to be recovered, by Indictment, in any Court of General Sessions of the Peace in either of the Counties aforesaid, wherein such offence may be committed — one half of which sum shall enure to the use of the Poor of the town where said Offence may be committed, the other half to him or them who shall prosecute for & recover the Same. *Approved June 16, 1800.*

No weir or dam to be erected.

No fish to be taken in Sept. and Oct. except with hook and line.

1800. — Chapter 21.

[May Session, ch. 19.]

AN ACT TO CONTINUE IN FORCE AN ACT PASSED IN THE YEAR OF OUR LORD ONE THOUSAND, SEVEN HUNDRED AND NINETY SIX, ENTITLED, "AN ACT ESTABLISHING AND REGULATING THE FEES OF THE SEVERAL OFFICERS & OTHER PERSONS, HEREAFTER MENTIONED, AND FOR REPEALING THE LAWS HERETOFORE MADE FOR THAT PURPOSE."

Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the said Act be, and hereby is continued in force until the first day of June in the Year of our Lord one thousand eight hundred & one, any thing in that or any other Act to the contrary notwithstanding.

Former Act continued.

Approved June 16, 1800.

1800. — Chapter 22.

[May Session, ch. 22.]

AN ACT TO INCORPORATE SUNDRY PERSONS IN THE TOWNS OF ROCHESTER IN THE COUNTY OF PLYMOUTH, AND NEW BEDFORD, IN THE COUNTY OF BRISTOL, INTO A RELIGIOUS SOCIETY, BY THE NAME OF THE UNITED BAPTIST CHURCH AND SOCIETY IN ROCHESTER AND NEW BEDFORD.

SEC. 1. *Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same,* That Jesse Tripp, Joshua Snow, jun., Elias Dexter, Nathan Maxham, Elizabeth Dexter, Benjamin Hammond the second, John Dexter, Putnam Randall, Simeon Randall, Abner Howard, William Howard, Joshua Besse, Abraham Tinkham, Andrew Tinkham, Benjamin Perkins, Henry Smith, Lemuel Randall, Jesse Tripp, jun., Benjamin Hammond, the fourth, Silvanus Westgate, John Simmons, Ebenezer Snow, Thomas Sherman, the second, John Winslow, Benjamin Bowles, Seth Hammond, Jacob Kenny, David Mitchell, John Holmes, Nathaniel Hammond, Joseph Davis, Nathan Briggs, Nathaniel Besse, Ephraim Meiggs, Stephen Wing, Joseph Lovett, James Brownell, Cook Brownell, Jethro Randall, John Clark, Thomas Ellis, Malachi Ellis, Charles Tinkham, Samuel Bowles, Samuel Bowles, jun. Asa Nichols, Reuben Tinkham, John Rouse, Thaddeus Stutton, Joseph Snow, David Randall, Clement Randall, John Beard, John M. Beard, Zephaniah Sherman, Amaziah Bowles, Henry Higgins, Stafford Hammond, Cephas Cushman, John Edwards, Isaac Bowles, Silvanus Hammond, Thomas Parlow, Samuel Temple, William Parlow, David Parlow, Richard Greene, Seth Randall, Samuel Randall, Paul Winslow, Dorcas Winslow, and William Shaw, together with such others as may hereafter associate with them, with their families and estates, be, and they are hereby incorporated into a religious society, by the name of, The United Baptist Church and Society in Rochester and New Bedford, with all the powers, privileges, rights, and immunities, to which other Parishes are entitled by the Constitution and Laws of this Commonwealth.

Persons incorporated.

Corporate name.

How to become a member.

SEC. 2. *Be it further enacted,* That any person living within either of the said towns of Rochester and New Bedford, of the denomination aforesaid, who may at any time hereafter, actually become a member of, and unite in re-

ligeous worship with the said Society, in said Rochester and New Bedford, and shall give in his, or her name to the Clerk of the Town, or Parish, to which he, or she belongs, with a Certificate, signed by the Minister or Clerk of the said society, that he or she hath actually become a member of, and united in religious worship with the said United Baptist Church and Society in Rochester and New Bedford, fourteen days previous to the Town or parish meeting therein to be held in the Month of March, or April annually, shall, from and after giving such Certificate, with his or her families and estate, be considered as a member of said Society: *Provided however*, That such person shall be held to pay his or her proportion, of all Monies assessed, or voted in the town or parish, to which he or she belonged previous to that time.

SEC. 3. *Be it further enacted*, That when any member of said Society shall see cause to leave the same, and unite in religious worship with any other Religious Society in the town or parish, in which he or she may live, and shall give in his or her name to the Clerk of the said Baptist Religious Society, with a certificate, signed by the Minister, or Clerk of the parish, or other incorporated Religious Society, with which he, or she may unite, that he or she hath actually become a member of, and united in religious worship with such other Parish, or other incorporated Religious Society, fourteen days previous to their annual meeting in March or April, and shall pay his, or her proportion of all monies voted in said society, to be raised previous thereto, such person shall from and after giving such certificate, with his or her family and estate, be considered as a member of the said society to which he or she hath so united.

How to leave
the society.

SEC. 4. *And be it further enacted*, That Elisha Ruggles, Esq. be, and he is hereby authorised to issue his warrant, directed to some suitable member of the said Society, qualified to vote in parish affairs, requiring him to warn the Members of the said society to assemble at some suitable time and place, as shall be appointed in said warrant to choose such officers as Parishes are by Law, empowered to choose in the Month of March, or April annually, and to transact all other matters and things necessary to be done for the benefit of said Society, which other Parishes are authorized by Law to transact.

First meeting.

Approved June 17, 1800.

1800. — Chapter 23.

[May Session, ch. 23.]

AN ACT AUTHORIZING THE TOWN OF WESTFIELD, IN THE COUNTY OF HAMPSHIRE, TO BUILD A TOLL BRIDGE, OVER WESTFIELD GREAT RIVER, NEAR PARK'S MILLS, IN SAID COUNTY, AND TO ENABLE THE INHABITANTS OF SAID TOWN TO SUPPORT THE SAME.

Authorized to
build a bridge.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the said town of Westfield be, and they are hereby, authorized and empowered to build a bridge over Westfield Great River, near Park's Mills.

Toll allowed.

SEC. 2. *Be it enacted,* That to reimburse the said Town of Westfield for their expence, in building and supporting the said bridge, a Toll be, and hereby is granted and established for the use and benefit of the said Town of Westfield, according to the rules and rates following, viz: For each foot passenger, one cent; For one person and horse, three Cents; For each horse and chaise sulkey, or riding chair, one sixteenth of a dollar; For each sleigh, sled, or cart, drawn by one horse, or other beast, four cents; For each sleigh drawn by more than one horse or other beast, one sixteenth of a dollar; For each coach and other four wheel carriage for conveying persons, one eighth of a dollar; For each waggon, cart, sled or other carriage, drawn by more than one beast, with one driver, one sixteenth of a dollar; For neat cattle in a drove, six cents per dozen; For horse kind in a drove or lead, six cents per dozen; For sheep or swine, three cents per dozen; And at all times, when the toll gatherer shall not attend to receive the toll, the gate or gates, if any, shall be left open and free for passengers; and the toll shall commence whenever the bridge shall be fit and safe for carriages to pass over it, and shall continue to the said Town for the term of thirty years: *Provided nevertheless,* That the General Court shall have a right to alter the rate of toll after the term of twenty years; and said bridge shall be kept in good, safe, and passable repair; and at the place where the toll shall be received, there shall be erected, and constantly exposed to open view, a sign board, with the rates of toll, of all the tollable articles, fairly and legibly written thereon.

Gates to be left
open in absence
of toll-gather-
ers.

Toll may be
altered.

SEC. 3. *And be it further enacted*, That the said Bridge shall be built of suitable materials, fourteen feet wide at least, & railed on each side three feet high; and if the said Town shall neglect, for the term of two Years after passing this Act, to build and complete the said Bridge, then this act shall be void.

Directions respecting the bridge.

Approved June 17, 1800.

1800. — Chapter 24.

[May Session, ch. 24.]

AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS OF THE TOWNS OF BROOKFIELD & SPENCER, IN THE COUNTY OF WORCESTER INTO A DISTINCT RELIGIOUS SOCIETY, BY THE NAME OF THE FIRST BAPTIST SOCIETY IN BROOKFIELD.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Nicholas Jenks, Lawrence Jenks, Thomas Slayton, Josiah Goodell, Oliver Jenks, Nathaniel Dodge the second, Jeduthan Stevens, John Pierce, Shadrach Pierce, Shadrach Pierce, Junr., Daniel Jenks, Joshua Moor, John Wilcott Junr., Thomas Moor, junr. Eber Pierce, Ezekiel Baxter, Elisha Doane, Phineas Slayton, Jude Stevens, Justus Stevens, Roger Stevens, Roger Stevens junr, Elias Staples, Junr., Nicholas McCluer, Silas Stevens, Ezra Benett, Levi Chillson, Isaac Slayton, Reuben Convers, Reuben Harrington, Stevens Hatch, Luke Convers, Elisha Drake, Samuel Kingsbury, Eli Wood, John Stevenson, Clark Hill, David Jenks, Joseph Bennett, Reynolds Bennett, John Bennett, Thomas Jenks, Jairus Lamb, Job Simmons, Joseph Simmons, Amos Harrington, Rufus Harrington, Shadrach Hathaway, Peter Kendall, Holland Moor, Benjamin Hamilton, Elijah Slayton, Jonathan Lackey, Nicholas McCluer junr., Nathan Doane, Elijah Hearey, Isaiah D. Holbrook, William Guildford, Isaac Kinne, Loammi Harrington, Abraham Lackey and Jeremiah Kinne, together with their families and estates, together with such others as have, or may hereafter associate themselves for the same purpose, in the manner herein after described, be, and they are hereby incorporated into a Religious Society by the name of The First Baptist Society in Brookfield, with all the powers privileges and immunities to which other parishes

Persons incorporated.

Corporate name.

are intitled by the Constitution and Laws of this Commonwealth, for religious purposes only.

How to become
a member.

SEC. 2. *Be it further enacted*, That any person in either of the said towns of Brookfield or Spencer aforesaid, being of the Baptist denomination aforesaid, who may, at any time hereafter, actually become a member of, and unite in religious worship with the Society aforesaid, and give in his or her name to the Clerk of the town or parish to which he or she belongs, with a Certificate, signed by the Minister or Clerk of said Society, that he or she has actually become a member of, and united in religious worship with the aforesaid Baptist Society in Brookfield, fourteen days previous to the town or parish meetings, therein to be held in the month of March or April annually, shall, from and after giving such Certificate, with his or her polls and estates, be considered as part of said Society. *Provided however*, That such person shall be held to pay the proportion of all money assessed in the town or parish to which he or she belonged, previous to that time.

How to leave
the society.

SEC. 3. *Be it further enacted*, That if any member of said Baptist Society shall at any time see cause to leave the same, and unite in religious worship with the Parish in which he may reside, and shall lodge a Certificate of such his intention with the Clerk or Minister of said Baptist Society, and also with the Clerk of the town or parish in which he may reside, fourteen days, at least, before the annual town or parish meeting to be held therein in the month of March or April, and shall pay his proportion of all money assessed on said Society previous thereto, such person shall, from and after giving such Certificates, with his polls and estates, be considered as belonging to the town or parish in which he may reside, in the same manner as if he had never belonged to said Baptist Society.

First meeting.

SEC. 4. *And be it further enacted*, That Thomas Hale, esq. be, and he is hereby authorized to issue a Warrant, directd. to some suitable member of said Baptist Society, requiring him to notify and warn the members thereof to meet at such time and place as shall be appointed in said Warrant, to choose such Officers as parishes in this Commonwealth are by law authorized to choose in the month of March or April annually.

Approved June 17, 1800.

1800. — Chapter 25.

[May Session, ch. 25.]

AN ACT TO RENDER VALID THE DOINGS OF THE CORONERS OF THE COUNTIES OF HANCOCK AND LINCOLN.

Whereas the Coroners of the Counties of Hancock and Lincoln have neglected to give bonds, as the Law requires, and yet have served divers Writs and Precepts, and performed other official duties. Preamble.

Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, & by the Authority of the same, That all Writs & processes, which have issued from good and lawful authority, directed to the Coroners of said Counties, and which have been served and executed by them; and all Inquests by them taken, shall be as good and valid, as if the said Coroners had given bonds to the acceptance of the Court of Common Pleas, as required by Law, any Law to the contrary notwithstanding — *Provided,* That nothing herein contained, shall be construed to affect any action now pending for the neglect or omission of any such Coroner. Doings rendered good and valid.

Approved June 17, 1800.

1800. — Chapter 26.

[May Session, ch. 26.]

AN ACT AUTHORIZING THE UNITED STATES TO PURCHASE A CERTAIN TRACT OF LAND IN CHARL[E]STOWN FOR A NAVY YARD.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the consent of this Commonwealth be, and hereby is granted to the United States to purchase a tract of Land situated in the northeasterly part of the Town of Charlestown, in the County of Middlesex, adjoining and bounded on two sides by Charles and Mystick Rivers not exceeding Sixty-five acres, exclusive of flats, for the purpose of a Navy or Dock yard or both of them, and erecting magazines, arsenals and other needfull buildings:—The evidence of the purchases aforesaid to be entered and recorded in the Registry of Deeds in the said County of Middlesex. *Provided always, and the consent aforesaid is granted upon the express condition,* That this The United States authorized to purchase land.

Concurrent
jurisdiction
retained.

Commonwealth shall retain a concurrent Jurisdiction with the United States, in and over the tract of Land aforesaid, so far as that all civil and such criminal processes as may issue under the authority of this Commonwealth, against any person or persons charged with crimes committed without the said tract of Land, may be executed therein in the same way and manner as though this consent had not been granted.

Case of dis-
agreement
between the
agents &
owners.

And be it further enacted, That if the Agent or Agents employed for the United States, and the owner, or owners of said tract of Land, so to be purchased, cannot agree in the sale and purchase thereof; such agent or agents may apply to any Court of General Sessions of the Peace, which shall be holden within and for the aforesaid County of Middlesex; which Court, after due notice given to the said owner or owners, are hereby impowered, and directed to hear, and finally determine the value of the same tract of Land, or any part or portion thereof, by a Jury under oath, to be summoned by a Sherriff or his Deputy for that purpose; or by a Committee of three persons, if the Parties aforesaid can agree upon them; and the value thereof being thus ascertained by the verdict of such Jury, or the report of such Committee, who are also to be under oath faithfully, and impartially to value said tract of Land, or any part or portion of the same, and such verdict or report being accepted and recorded by said Court, and the amount thereof being paid or tendered to the owner or owners of said tract of Land, or to the owner or owners of any part of said tract of Land, that shall have been thus valued, with his or her reasonable costs, the said tract of Land, or such parts of the same as shall be thus valued, shall forever be vested in the United States, and shall and may be by them taken, possessed and appropriated to the purposes aforesaid.

Approved June 17, 1800.

1800. — Chapter 27.

[May Session, ch. 27.]

AN ACT FOR SETTING OFF JONATHAN KINGSBERY, JUNR., AN INHABITANT OF THE WESTERLY PRECINCT IN NEEDHAM, IN THE COUNTY OF NORFOLK, & ANNEXING HIM & HIS ESTATE TO THE EASTERLY PARISH IN SAID NEEDHAM.

Preamble.

Whereas Jonathan Kingsbery, junr. living within the Westerly Precinct in Needham, in the County of Norfolk,

has represented to this Court, that it is very inconvenient for him to attend the Public Worship of God in the said Westerly precinct, & praying that he may be annexed to the Easterly Parish in Needham.

Be it therefore enacted by the Senate & House of Representatives, in General Court Assembled, & by the Authority of the same, That the said Jonathan Kingsbery, junr. & his Estate, belonging to the said Westerly Precinct, be, & hereby is set off from the said Precinct & annexed to the said Easterly Parish; Provided nevertheless, That the said Jonathan Kingsbery, junr. thus annexed to the said Easterly Parish, shall be holden to pay all Taxes assessed against him in the said Westerly Precinct prior to passing this Act, in the same way & manner as he was before holden to pay the same — Provided also, That the said Kingsbury shall be holden to pay his proportion of Three hundred dollars remaining yet to be assessed by said Westerly Precinct, to compleat the sum agreed by them to be paid to the Revd. Thomas Noyes for his settlement with them in the work of the Gospel Ministry, in the same manner as if this Act had not been passed.

To pay taxes already assessed and his proportion of assessment to be made.

Approved June 17, 1800.

1800. — Chapter 28.

[May Session, ch. 28.]

AN ACT TO ASCERTAIN THE QUALITY OF HOG'S-LARD, AND MAKING FURTHER PROVISION FOR THE INSPECTION OF BUTTER.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That the Inspector-General, and Deputy-Inspector, appointed, or to be appointed by virtue of the Act, entitled, "An Act to ascertain the quality of Butter, and for the more effectual inspection of the same," shall also be Inspectors of Hogs-Lard, and the several fees for inspection, fines, forfeitures, rules and regulations, for the exportation of Butter, mentioned in the said Act, shall extend to, and be the same for, and respecting the shipping of Hog's-Lard packed for exportation, agreeably to the directions of this Act.*

Inspector of Butter to be Inspector of Lard, under the same regulations.

SEC. 2. *Be it further enacted, That all Hog's lard exported from this Commonwealth, shall be inspected, examined, branded and packed in Kegs, in the same man-*

Lard to be inspected, packed, etc. like Butter.

ner as is directed in the Act for the inspection of Butter, herein beforenamed.

Small kegs of Butter may be branded.

SEC. 3. *Be it further enacted*, That the several Inspectors of Butter and Hog's-Lard, may inspect and brand Kegs of Butter of the following sizes, when thereto requested; Viz. Kegs twelve inches long, & seven and an half inches diameter in the heads; or ten inches long, with six inches head.

Penalties for exporting Butter or Lard not inspected.

SEC. 4. *And be it further enacted*, That if any person or persons shall export, or ship for exportation out of this Commonwealth, any Butter or Hog's-Lard, not inspected and branded, as by this Act, and the Act herein before named, to ascertain the quality of Butter, they are directed, every such exporter or shipper, and the master of every vessel having on board such uninspected Butter or Lard, shall, on conviction thereof, respectively forfeit and pay the sums following: The owner or exporter shall forfeit and pay the sum of one Dollar; and the master of every vessel having the same on board, the sum of fifty Cents, for each cask exported, or shipped for exportation. And it shall be the duty of any Justice of the Peace, upon any information given of any Butter, or Hog's-Lard being put on board any vessel as aforesaid, not inspected and branded as required by this Act, or the said Act to ascertain the quality of Butter, to issue his Warrant directed to the Sheriff or his Deputy, or to a Constable, requiring them respectively, to make seizure of any such Butter or Hog's-Lard, not marked and branded as aforesaid, and to secure the same in order for trial; and said Officers are hereby respectively required and empowered to execute the same; and it shall be the duty of every person, when required, to give the necessary aid for that purpose, on pain of forfeiting five Dollars for his refusal.

Penalty for refusing to assist Officers.

Approved June 17, 1800.

1800. — Chapter 29.

[May Session, ch. 29.]

AN ACT MAKING COMPENSATION TO THE SOLICITER-GENERAL OF THIS COMMONWEALTH, FOR HIS SERVICES.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That there shall be allowed and paid out of the Treasury of this Commonwealth, annually,

Salary.

the sum of One thousand Dollars, to the Soliciter-General, when appointed, in full compensation for his services, to be paid in quarterly payments, as the same shall become due.

SEC. 2. *And be it further enacted by the Authority aforesaid,* That in all bills of costs in criminal prosecutions before the Supreme Judicial Court, in this Commonwealth, wherein the Soliciter-General shall be concerned, the sum of two Dollars and fifty Cents shall be taxed for his fees, without any allowance for travel; and all fees, thus received by the said Soliciter-General, shall be accounted for by him annually, with the Treasurer of this Commonwealth. And in all bills of costs, where the said sum of two Dollars and fifty Cents shall be taxed for the Soliciter-General, the same sum shall not be again taxed for the fees of the Attorney General, any thing in the Act, intitled, “An Act making compensation to the Attorney General of this Commonwealth for his services,” to the contrary notwithstanding. *Approved June 17, 1800.*

Fees.

1800. — Chapter 30.

[May Session, ch. 30.]

AN ACT IN ADDITION TO AN ACT, INTITLED, “AN ACT ESTABLISHING THE FIFTH MASSACHUSETTS TURNPIKE CORPORATION.”

Whereas it is provided in said Act, that the Road shall begin at Northfield, and be made through Warwick, Orange, Athol, Gerry, Templeton, and Gardner to Westminster meeting-house, and thence to Leominster; and it is represented to this General Court, by said Corporation, that great inconveniences will arise to the Travellers, if the Road should be laid out and made by said meeting house:

Preamble.

Therefore be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That when every other part of said Road shall be finished to the approbation of the Committee of the Court of General Sessions, as is provided in said Act, except about three fourths of a mile now in dispute in the town of Westminster, the Corporation shall be authorized to erect Gates, and demand the Toll: *Provided, however,* That the said peice of Road, in dispute, shall be finished within six Months after the decision of the General Court respecting the alteration prayed for by the Corporation.

Gates may be erected when a part of the road is finished.

Approved June 17, 1800.

1800. — Chapter 31.

[May Session, ch. 31.]

AN ACT IN FURTHER ADDITION TO AN ACT, INTITLED, "AN ACT FOR REGULATING AND GOVERNING THE MILITIA OF THE COMMONWEALTH OF MASSACHUSETTS, AND FOR REPEALING ALL LAWS HERETOFORE MADE FOR THAT PURPOSE," EXCEPTING AN ACT, ENTITLED, "AN ACT FOR ESTABLISHING RULES AND ARTICLES FOR GOVERNING THE TROOPS STATIONED IN FORTS AND GARRISONS WITHIN THIS COMMONWEALTH; AND ALSO THE MILITIA WHEN CALLED INTO ACTUAL SERVICE;"—AND FOR REPEALING THE TWENTY THIRD SECTION OF THE ACT IN ADDITION TO THE ACT AFORESAID, PASSED ON THE FOURTH DAY OF MARCH, IN THE YEAR OF OUR LORD, ONE THOUSAND AND EIGHT HUNDRED.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That every non-commissioned Officer, or other person, who shall neglect or refuse to give any warning required by the aforesaid additional Act, when ordered thereto by the commanding Officer, as in said additional Act is mentioned, by his Warrant under his hand, or when commanded to do & perform the duty prescribed in the seventeenth section of the aforesaid additional Act, shall, for every such offence, forfeit and pay a fine of twenty Dollars; one moiety thereof to the Clerk of the Company who shall prosecute for the same, the other moiety to the commanding Officer of said Company, in trust for the use of said Company. And when there shall not be any Clerk in such Company, then it shall be the duty of the Brigade Inspector, or in case of a vacancy in that office, then of the Adjutant General, to prosecute for said fine, in which case one half thereof shall be to the use of the Officer who shall prosecute for the same, and the other half to the Commonwealth.

SEC. 2. *And be it further enacted,* That the twenty third section of the additional Act aforesaid, be, and the same hereby is repealed, except so far as respects the recovery of any fines or forfeitures already incurred thereby.

Approved June 17, 1800.

Penalty for
refusing to
warn members.

Who is to
prosecute.

Part of former
Act repealed.

1800.—Chapter 32.

[May Session, ch. 32.]

AN ACT TO AUTHORIZE THE USE OF THE VIBRATING STEEL-YARD.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this Act, the Vibrating Steelyard, invented by Benjamin Dearborn, be permitted to be used in all cases of weighing throughout this Commonwealth; *provided,* that before being offered for sale, or the same shall be used, each beam, and the poizes thereof, shall be sealed by some public Sealer of Weights and Measures, appointed according to law.

Use of vibrating steelyard authorized.

Proviso.

Approved June 17, 1800.

1800.—Chapter 33.

[May Session, ch. 33.]

AN ACT ALTERING THE TIME FOR HOLDING THE COURTS OF GENERAL SESSIONS OF THE PEACE AND COMMON PLEAS, WITHIN AND FOR THE COUNTY OF WORCESTER.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That the Courts of General Sessions of the Peace and Common Pleas, which by Law are to be holden at Worcester, within and for the County of Worcester, on the Monday next preceeding the last Tuesday of August annually, shall be holden at the same place on the Monday next preceding the second Tuesday of August annually instead of the Monday next preceding the last Tuesday of August aforesaid.

Time of holding courts altered.

SEC. 2. *Be it further enacted,* That all actions, suits, writs, processes, precepts, appeals, recognizances, and all matters whatsoever, already commenced, sued out, or pending in said Courts, or that hereafter may be commenced, sued out, or returnable to either of the Courts aforesaid, on the Monday next preceeding the last Tuesday of August next, and all actions, suits, processes, recognizances and prosecutions of every kind, now pending, or that may be pending before either of the Courts aforesaid, which before the passing of this Act were to have been holden on the Monday next preceeding the last Tuesday of August next, shall be returnable to, entered, made,

All writs, &c. returnable agreeable to this alteration.

proceeded upon, prosecuted, had, and determined agreeably to the true intent of such actions, writs, suits, processes, appeals, recognizances and prosecutions, before the said Court, to be holden by virtue of this Act at said Worcester, on the said Monday next preceding the said second Tuesday of August next.

Approved June 17, 1800.

1800. — Chapter 34.

[November Session, ch. 2.]

AN ACT IN ADDITION TO AN ACT FOR ESTABLISHING A CORPORATION BY THE NAME OF "THE FIFTH MASSACHUSETTS TURNPIKE CORPORATION."

Whereas by said Act the Corporation are confined to place one of the Gates at, or near the line between the towns of Gardner and Westminster, & the peculiar situation of the ground and roads rendering it very inconvenient to erect a Gate at, or near said line:

Be it therefore Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the said Corporation be, and hereby are authorized to erect said Gate in any convenient place in the town of Gardner, so as not to interrupt the most direct road leading from Gardner Meeting House to Westminster Meeting-House, any thing in the Act to which this is in addition notwithstanding.

Be it further Enacted by the Authority aforesaid, That said Corporation be authorized to erect the Gates and receive toll, conformable to the incorporating Act, and this Act from the fifteenth day of December to the fifteenth day of March next, then said Gates to remain open, and no toll exacted untill said road be fully completed and accepted.

Approved November 15, 1800.

1800. — Chapter 35.

[November Session, ch. 1.]

AN ACT IN ADDITION TO, AND FOR THE AMENDMENT OF, AN ACT, ENTITLED, "AN ACT FOR ESTABLISHING A CORPORATION, BY THE NAME OF THE SIXTH MASSACHUSETTS TURNPIKE CORPORATION."

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority

Corporation permitted to erect a certain gate any where in Gardner.

A temporary toll allowed.

of the same, That it shall be in the discretion of the said Sixth Massachusetts Turnpike Corporation, to erect the five Toll Gates, allowed them in the Act to which this is in Addition, at such places as in their judgment, shall be most conducive to the Public convenience, and the benefit of the said Corporation. *Provided*, That three of the said Gates shall be erected to the Westward of the road leading from Barre to the said Turnpike in the town of Rutland, and that the situation of all the said Gates shall be approved of by the Committee, who are or may be appointed in pursuance of the said Act, for the purpose of viewing and approving the said Road.

Corporation allowed to erect the gates where they think best.

Approved November 15, 1800.

1800. — Chapter 36.

[November Session, ch. 3.]

AN ACT TO INCORPORATE THE PLANTATION CALLED NEW SUNCOOK, IN THE COUNTY OF YORK, INTO A TOWN BY THE NAME OF LOVELL.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Plantation of New Suncook, in the County of York, bounded as follows, vizt., Beginning at a Stake & Stones, in the East corner of Fryeburg and the North West corner of Bridgton, thence running North, forty six and an half degrees West, one thousand, eight hundred and sixty-five rods, to a Stake and Stones by Fryeburg line; thence North, fifteen degrees East, three hundred and fifty rods, to Keazer Pond to a Birch tree marked; thence by said Pond to a large Stone marked; thence North, forty-five degrees West, seventy-six rods to a Maple tree marked; thence North, twenty degrees West, Eight hundred and twenty-five rods, to a Norway pine tree marked; thence North, seventy eight degrees East, One thousand six hundred and fifty rods, to a Birch tree marked; thence South, twenty degrees East, three thousand two hundred and twenty-five rods, to a Pine tree standing on Bridgton line; thence South, sixty-seven degrees West, one thousand, nine hundred and ninety-six rods to the first bound, with the Inhabitants thereon, be, and they hereby are incorporated into a Town by the name of Lovell: And the said Town is hereby Vested

Lovell incorporated.

with all the Powers, priviledges and immunities which other Towns in this Commonwealth do or may by Law enjoy.

First meeting.

Be it further enacted, That Moses Ames, Esquire, be, and he hereby is impowered to issue his warrant, directed to some suitable Person within said Town, requiring him to warn a meeting of the Inhabitants thereof, at such time and place as shall be exp[r]essed in said Warrant, for the purpose of choosing such town Officers as other towns are impowered to choose in the month of March or April annually.

Approved November 15, 1800.

1800. — Chapter 37.

[January Session, ch. 1.]

AN ACT TO INCORPORATE THE PLANTATION HERETOFORE CALLED NUMBER THREE, OR REEDSTOWN, ON THE WEST SIDE OF KENNEBECK RIVER, IN THE COUNTY OF KENNEBECK, INTO A TOWN BY THE NAME OF STRONG.

Strong incor-
porated.

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the township known by the name of Reedstown, or Number Three, lying on the west side of Kennebeck river in the County of Kennebeck, with the inhabitants thereon, be, and hereby are incorporated into a town by the name of Strong, by the following bounds, viz: Beginning at a hemlock tree, the south west corner of Number Two; thence running west on the north line of a Township granted to Reuben Colburn and others, four miles and three quarters and sixteen rods, to the northwest corner of said Colburn's Township, to a rock maple, (a birch tree and heap of stones being the corner bounds of said Township Number Three, and the Township granted to said Colburn;) thence north, seven miles and ninety four rods, to a spruce tree marked for the northwest corner of said Township Number Three; thence east, four miles and two hundred fifty-six rods, to an ash tree, making the north-west corner of township Number Two; thence south by the west line of said Township Number Two, to the first-mentioned bound. And the said town is hereby vested with all the powers, priviledges and immunities, which other towns do, or may enjoy by the Constitution and Laws of this Commonwealth.

SEC. 2d. *And be it further enacted*, That William Read, Esqr. be, and he is hereby authorized to issue his Warrant, directed to some suitable inhabitant of the said town, requiring him to notify and warn the inhabitants thereof, to meet at such time and place as shall be appointed in said Warrant, to choose all such Officers as towns are by Law required to choose in the months of March or April annually.

First meeting.

Approved January 31, 1801.

1800. — Chapter 38.

[January Session, ch. 2.]

AN ACT TO ALTER THE TIMES AND PLACES FOR HOLDING THE COURTS OF GENERAL SESSIONS OF THE PEACE, AND COURTS OF COMMON PLEAS, IN THE COUNTY OF CUMBERLAND.

Be it enacted by the Senate and House of Representatives, in General Court assembled, & by the authority of the same. That after the next March terms of the Courts aforesaid, the times and places for holding the said Courts shall be as follows, viz. at Portland within and for the County aforesaid, on the third Tuesday of June and February annually; and at New Gloucester, within and for said County, on the third Tuesday of October annually, any Law to the contrary notwithstanding.

Approved February 6, 1801.

1800. — Chapter 39.

[January Session, ch. 3.]

AN ACT IN ADDITION TO AN ACT PASSED THE NINETEENTH DAY OF FEBRUARY, ANNO DOMINI ONE THOUSAND SEVEN HUNDRED AND NINETY NINE, ENTITLED, "AN ACT CONCERNING THE PROPRIETORS OF LEBANON."

Whereas in and by said Act, said Proprietors are authorized and empowered to act in their corporate capacity, for the term of two years from the passing said act, which term is nearly expired, and has not proved sufficient to answer the purposes contemplated in the same:

Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same, That the said Proprietors be, and hereby are authorized and empowered to continue to act in their corporate capacity for the term of two years, from the eighteenth

day of February current, for the purpose of doing and suffering all such matters and things as they might have done and suffered in their corporate capacity, any law to the contrary notwithstanding.

Approved February 10, 1801.

1800. — Chapter 40.

[January Session, ch. 4.]

AN ACT TO INCORPORATE CERTAIN PERSONS FOR BUILDING A BRIDGE OVER BELFAST RIVER, IN THE COUNTY OF HANCOCK.

Whereas a Bridge over Belfast River, in the County of Hancock, will be of Public utility, and William Cunningham and others, have petitioned this Court to be incorporated for Erecting the same.

SECT. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That William Cunningham, Jonathan Wilson, William Patterson, Ephraim McFarland, Samuel Russell, Robert Patterson the Second, Abner G. McKeen, Nathaniel Patterson, Ephraim McKeen, Jacob Eames, R. B. Cochran & John S. Osborn, together with those who may hereafter associate with them, be, and they are hereby incorporated into a body politic, by the name of the Belfast Bridge Company, for the purpose of building and maintaining a Bridge over the River in the town of Belfast, in the said County, at the upper ferrying place, one mile from the mouth of said River; and as such, they may sue and be sued, may appoint one or more Agents or Attorneys, to prosecute or defend them, and may have and keep one Common Seal which they may alter, break or change at pleasure.*

Persons
incorporated.

Rate of toll.

SECT. 2ND. *Be it further Enacted, That for reimbursing to the said William Cunningham and Others, before-named, and their associates, the money they may expend in building and supporting the said Bridge, a toll is hereby granted and established, for the sole benefit of the said William Cunningham and others, before-named, and their Associates, according to the rates following, to wit:— For each foot passenger, Three cents — For each Man and Horse, Twelve Cents & five milles — For each Horse and Chaise, sulkey or Riding Chair, Twenty-five Cents — For each Sleigh or Sled drawn, by one beast, Twelve Cents &*

five milles — For each Sleigh, Sled, Waggon or Cart, drawn by two beasts, Twelve Cents & five milles; — For each Sled, Cart or Waggon drawn by more than two beasts, Seventeen Cents — For neat Cattle in Drovers or Single, Two Cents each — For Sheep or Swine, One Cent each.

SECT. 3D. *Be it further Enacted*, That the said Bridge shall be well-built, of good and suitable materials, at least twenty feet wide, with sufficient rails on each side for the safety of passengers, and be provided with a Draw of sufficient width for Vessels to pass through; and the Proprietors shall keep the said Bridge, in good, safe and passable repair. And if the said Corporation should unreasonably neglect to keep said Bridge in good repair, as aforesaid, on such neglect being made to appear to the Court of General Sessions of the Peace for the County of Hancock, it shall be in the power of said Court to prohibit the Proprietors aforesaid from receiving toll from any person or persons, passing said Bridge, untill it is by them put into such repair as shall be deemed sufficient by the said Court. And the said toll shall Commence whenever said Bridge shall be fit and safe for Carriages to pass over it, and shall Continue to said Corporation and their Successors, for the term of twenty years from the passing of this Act, subject to alterations by the General Court.

Directions for building the Bridge & keeping it in repair.

SECT. 4TH. *And be it further Enacted*, That if the said William Cunningham, & others beforenamed, and their associates, shall neglect, for the term of two Years, to build said Bridge, then this Act shall be void.

To be built within two years.

Approved February 10, 1801.

1800. — Chapter 41.

[January Session, ch. 5.]

AN ACT TO INCORPORATE THE PLANTATION OF LITTLEBOROUGH, IN THE COUNTY OF KENNEBECK, INTO A TOWN BY THE NAME OF LEEDS.

SECT. 1. *Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same*, That the plantation heretofore called Littleborough, in the County of Kennebeck, as described within the following bounds, Vizt. Beginning at the Northwest corner of Greene, thence runing Northerly on the Great Amariscoggin River, to the line of Liver-

Leeds Incorporated.

more, thence Easterly on the Southerly line of said Livermore, till it strikes the line of Wayne, thence Southerly by the line of Monmouth to Greene, thence Northwest to the bounds first mentioned, together with the Inhabitants thereon, be and hereby are incorporated into a Town by the name of Leeds. — And the said Town is hereby vested with all the powers, privileges and immunities, which other towns, do or may enjoy by the Constitution and Laws of this Commonwealth.

First meeting.

SECT. 2. *And be it further Enacted*, That John Chandler, Esqr. be, & he is hereby empowered to issue his Warrant, directed to some suitable Inhabitant of the said town of Leeds, requiring him to notify and warn the Inhabitants thereof, qualified to Vote in town Affairs, to meet at such time and place, as shall be expressed in said Warrant, to choose all such Officers as towns are by Law required to choose in the month of March or April annually.

Approved February 16, 1801.

1800. — Chapter 42.

[January Session, ch. 6.]

AN ACT FOR SETTING OFF JACOB BASSETT, AND OTHERS, FROM THE TOWN OF SUTTON, TO THE TOWN OF NORTHBRIDGE.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Jacob Bassett, Sarah Carpenter, Elisha Putnam, James Prentice, Calvin Prentice, Joshua Bassett, Alvin Bassett, Stephen Goldthwait, Jehu Bartlet, Abner Adams & James Taylor, with their respective families and estates, be, and hereby are set off from the town of Sutton, in the County of Worcester, and annexed to the town of Northbridge, in the same County, and shall forever hereafter be considered as part of said town of Northbridge, there to do duty & receive privileges, as other inhabitants of said town of Northbridge. *Provided nevertheless*, That the beforenamed persons, with their estates, so taken from the said town of Sutton, and annexed to the said town of Northbridge, shall be holden to pay all taxes already legally assessed on them by said town of Sutton; & shall also be held to pay their proportionable part of all such State and County taxes as shall hereafter be laid on said town of Sutton previous to the settlement of another valuation of this Commonwealth: *And Provided also*,

Persons set off and provision respecting taxes and the poor.

That any person having heretofore owned & resided on any of said lands, who by force of any Law in this Commonwealth, in virtue of such ownership and residence, has now a legal settlement in said town of Sutton, shall hereafter, in case he should become poor and need support, be relieved and supported by, and at the expense of the said town of Northbridge.

Approved February 17, 1801.

1800. — Chapter 43.

[January Session, ch. 7.]

AN ACT TO ALTER AND DETERMINE THE TIMES AND PLACES FOR HOLDING THE COURTS OF GENERAL SESSIONS OF THE PEACE, AND COURTS OF COMMON PLEAS, WITHIN AND FOR THE COUNTY OF LINCOLN; AND FOR REPEALING THE SEVERAL LAWS HERETOFORE MADE FOR THAT PURPOSE.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all the Laws heretofore made, and now in force, for determining the times & places for holding the Courts of Common Pleas, and Courts of General Sessions of the Peace, within and for the said County of Lincoln, so far as respects the times and places of holding the said Courts, be, and they hereby are repealed.

Laws repealed.

SEC. 2. *Be it further enacted,* That the times and places for holding the said Courts of Common Pleas and Courts of General Sessions of the Peace, within and for the said County of Lincoln, shall hereafter be as follows, viz. At Warren on the second Monday of January; at Pownalborough on the second Monday of May; & at Topsham on the fourth Monday of August annually.

Times, &c. for holding courts.

SEC. 3. *Be it further enacted,* That all actions, suits, writs, processes, appeals and recognizances, already taken, commenced, sued out or made; or that hereafter may be commenced, sued out, or made returnable to the Courts aforesaid at Pownalborough, on the first Tuesday of June next; and all actions, suits, processes, recognizances and prosecutions of every kind, now pending, or that may be pending in either of said Courts, which were to have been holden on said first Tuesday of June next, shall be returnable to, entered, proceeded upon & tried before the said Courts to be holden by virtue of this Act at said Pownalborough on the second Monday of May next. *Provided,*

Provision relative to suits commenced.

That all suits, processes, recognizances, and prosecutions that have been or may be commenced and made returnable to the Courts that were to have been holden at Pownalborough on the first Tuesday of June next, shall be continued to the next terms of said Courts, unless the parties agree that the cause in which they are interested, shall be proceeded on and have day in said Courts to be holden on the second Monday of May next.

Approved February 17, 1801.

1800. — Chapter 44.

[January Session, ch. 8.]

AN ACT FOR RELIEVING THE COUNTY OF SUFFOLK IN THE CHOICE AND SERVICE OF JURORS, AND FOR FURTHER REGULATING THE ADMINISTRATION OF JUSTICE THEREIN.

Preamble.

Whereas the number of Grand Jurors now by law to be chosen by the Towns in the County of Suffolk is unnecessarily inconvenient and burdensome,

Towns exempted from appointing certain grand jurors.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That from and after the passing of this Act the several Towns in the said County be, and they are hereby exempted from appointing annual Grand Jurors to serve at the Court of General Sessions of the peace to be held therein, or at the Municipal Court for the Town of Boston, and from appointing Petit Jurors to serve at the said Court of Sessions, as heretofore by law required: and such Jurors as may have been before appointed and shall be then liable to serve as aforesaid shall be discharged from the said Services from and after the last day of April next.

The grand jury of the supreme court to attend municipal court.

SECT. 2. *Be it further enacted, by the authority aforesaid,* That such Jurors as are now appointed or may hereafter be appointed by the Town of Boston, to serve on the Grand Jury at the Supreme Judicial Court within and for the said County of Suffolk, shall be summoned and shall attend the Municipal Court for the Town of Boston by law to be holden within and for the said Town, from and after the said last day of April next, untill other Grand Jurors are appointed & returned to serve at the Supreme Judicial Court in the County aforesaid, And are hereby vested with all the powers given by the Constitution and Laws of this Commonwealth to Grand Jurors, touching

all matters within the jurisdiction of the said Municipal Court: and that the Petit Jurors, who are or shall hereafter be appointed in the Town of Boston, to serve in the Court of Common Pleas in said County, and who shall not be less than fifteen in number, shall also be appointed for and returned to the said Municipal Court: and it shall be their duty to attend the said Municipal Court and to serve in all causes where by law trial by jury may be required, and until another Petit Jury be appointed for the said Court of Common Pleas, and the said Petit Jurors shall be summoned accordingly. And the said Grand Jurors and Petit Jurors shall receive for their services in the said Municipal Court the like compensation and in like manner as such Jurors are now by law intitled to at the Court of Sessions.

The petit jury of the court of common pleas to attend municipal court.

SECT. 3. *Be it further enacted by the authority aforesaid,* That the Supreme Judicial Court to be by Law holden within and for the said County of Suffolk shall have cognizance and Jurisdiction of all crimes and other matters heretofore cognizable by the said Court of Sessions, and triable by a Jury, the Causes of which may arise in any other part of the County of Suffolk, than the Town of Boston; And that all appeals from the judgments of Justices of the Peace, in Criminal matters happening within the said Town of Boston, and which might have heretofore been made to the said Court of General Sessions of the Peace, shall be made to & be cognizable by the said Municipal Court.

Supreme court to have cognizance of certain actions.

SECT. 4. *Be it further enacted, by the authority aforesaid,* That the Precepts of the said Municipal Court may be directed to all such Officers, and run into any Counties within this Commonwealth, that Precepts from the said Court of General Sessions of the Peace might by law: and that the Grand and Petit Jurors appointed and summoned to attend at the said Municipal Court shall be Subject to the same penalties for non-attendance as such Jurors are now respectively subject to by law for not attending at the Court of General Sessions of the Peace.

Precepts of municipal court to run in other counties, &c.

SECT. 5. *And be it further enacted, by the Authority aforesaid,* That the terms now by law established for holding the said Municipal Court on the first Mondays of March and September, annually, be, and hereby are abolished.

Certain sessions abolished.

Approved February 17, 1801.

1800. — Chapter 45.

[January Session, ch. 9.]

AN ACT FOR ALTERING THE TIMES FOR HOLDING CERTAIN COURTS IN THE COUNTY OF KENNEBECK.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That so much of the third Section of an Act, entitled, “An Act to divide the County of Lincoln, and to constitute the northerly part thereof a separte County, by the name of the County of Kennebeck,” as relates to the times of holding the Courts of General Sessions of the Peace, and Courts of Common Pleas in said County of Kennebeck, be, and the same is hereby repealed; and that there shall be held and kept at Augusta, within and for said County of Kennebeck, a Court of General Sessions of the Peace, and a Court of Common Pleas, on the second Tuesday of May next; and that after the said next term of the Court of General Sessions of the Peace & Court of Common Pleas to be holden on the second Tuesday of May next, there shall be held and kept at Augusta, within and for the said County of Kennebeck, a Court of General Sessions of the Peace, and a Court of Common Pleas, on the third Tuesday of March and August annually, and also a Court of Common Pleas on the second Tuesday of December annually.

Part of a former law repealed.

Times for holding courts.

Provision relative to appeals and recognizances.

SEC. 2. *Be it further enacted,* That all appeals made, and recognizances taken, or that may be taken, before the second Tuesday of May next, either to the Court of General Sessions of the Peace, or Court of Common Pleas, shall be considered to all intents and purposes, as if the same had been made to the said Courts respectively to have been holden on the second Tuesday of May, as aforesaid, and shall be therein entered, have day, and be acted upon accordingly; and that all writs and processes served, or which may be served fourteen days before the said second Tuesday of May, returnable to the said Court of Common Pleas, which was to have been holden in and for said County on the second Tuesday of June next; and all processes returnable to the said Court of General Sessions of the Peace, which was to have been holden within and for said County on the first Tuesday of June next, which may be served in due season, before the said second Tuesday

Writs and processes.

of May next, shall respectively be returnable to, have day in, and be acted upon in the same manner, as if they were made respectively returnable to said Courts, to be holden on the second Tuesday of May next, as aforesaid. And all matters and things now depending in either of said Courts, and which stand continued to the terms thereof, which were to have been holden on the first Tuesday of June next, shall have day, and be acted upon in said Courts respectively, now to be holden on the second Tuesday of May next, in the same manner, as if said Courts had originally been appointed to be holden at that time: *Provided however*, That on all writs and processes whatsoever, commenced or issued and returnable to the term which was to have been holden in said County in June next, where there shall be no appearance on the part of the defendants, and where the defendants shall appear & move for a continuance to the then next term of said Court to be holden in said County, the Court shall direct and grant a continuance as of course.

Continuance may be granted.

SEC. 3. *And be it further enacted*, That the Jurors returned to serve at the Court of Common Pleas in said County of Kennebeck, shall be liable to serve as Jurors of the Court of General Sessions of the Peace in the same manner as if they had been returned for the Court of General Sessions of the Peace as the Law directs, any Law to the contrary notwithstanding.

Jurors to serve at court of sessions.

Approved February 17, 1801.

1800. — Chapter 46.

[January Session, ch. 10.]

AN ACT TO INCORPORATE AND ESTABLISH A SOCIETY BY THE NAME OF THE KENNEBECK AGRICULTURAL SOCIETY.

Whereas important advantages may arise to the Community from instituting a Society, for the purpose of promoting Agriculture in the district of Maine; and divers persons having petitioned to this Court to be incorporated into a Society for that purpose:

Preamble.

SECT. 1. *Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the Same*, That the said petitioners, vizt. William Howard, Joseph North, Nathaniel Dummer, Daniel Cony, Chandler Robbins, James Bridge, Daniel Stone, Joseph Wingate, William Brooks, Charles Vaughan,

Persons incorporated.

Henry Dearborn, Samuel Moody, Eliphalet Gillet, Henry Sewall, Benjamin Vaughan, Jedediah Prescott, Seth Williams, Robert Page, John Chandler, Samuel Dutton, Seth Gay and John Merrick, together with such Others as have or Shall become members thereof, be, and they are hereby incorporated into, and made a body politic and corporate forever by the name of The Kennebeck Agricultural Society.

Empowered to hold estate.

SECT. 2. *Be it further Enacted by the Authority aforesaid,* That the said Corporation be, and are hereby declared and made Capable in Law of having, holding, purchasing and taking in fee-simple, or any less Estate, by Gift, grant devise, or otherwise, any Lands, tenements, or other Estate, real and personal; *Provided,* — That the value of the said real Estate shall not Exceed the sum of twenty thousand Dollars, and the annual income of the said personal Estate shall not exceed the Sum of two thousand Dollars; and may also sell, alien or dispose of the same Estate, real & personal, not using the same in Trade or Commerce.

To have a common seal.

SECT. 3. *Be it further Enacted, by the Authority aforesaid,* That the said Corporation shall have full power to make, have and use a Common Seal, and the same to break, alter and renew at pleasure; that it shall be Capable in Law to sue or be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of Record, or other Courts or places whatsoever, in all Actions, real, personal and mixed — and to do and execute all and Singular other matters and things, that to them shall and may appertain to do.

To make rules, regulations, &c.

SECT. 4. *Be it further Enacted by the Authority aforesaid,* That the said Corporation may make, establish and put in execution, such laws and regulations, as may be necessary for the government of said Corporation; *Provided,* that the same shall in no Case be repugnant to the Laws and Constitution of this Commonwealth — And for the well-governing of the said Corporation, and the ordering their Affairs, they shall have such Officers as they shall hereafter, from time to time elect and appoint; and such Officers as shall be designated by the Laws & regulations of the said Corporation for the purpose, shall be Capable of exercising such power for the well governing and Ordering the affairs of the said Corporation, and calling and holding such occasional meetings for that pur-

pose, as shall be fixed and determined by the said Laws and regulations.

SECT. 5. *Be it further Enacted*, That the place of holding the first meeting of the said Society, shall be in the Town of Augusta or Hallowell; and that William Howard, Esquire, be, and he hereby is Authorized and impowered, to fix the time for holding the said meeting, and to notify the same to the members of the said Society, by causing the same to be published in the Kennebeck Gazette, printed at Hallowell, fourteen days before the time fixed on, for holding the said meeting. First meeting.

Approved February 17, 1801.

1800. — Chapter 47.

[January Session, ch. 11.]

AN ACT TO ESTABLISH THE DIVIDING LINE BETWEEN VASSALBOROUGH AND HARLEM IN THE COUNTY OF KENNEBECK.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the line between the towns of Vassalborough and Harlem, shall extend forty rods on an east-south-east course from the south-east corner of Vassalborough, from thence on a line that will meet a line running west-north-west, one hundred and four rods from the north-east corner of said Vassalborough; & the aforesaid lines shall, in future, be considered and taken to be the dividing line between said towns of Vassalborough and Harlem, any thing in the Acts of incorporation of said towns to the contrary notwithstanding.

Approved February 17, 1801.

1800. — Chapter 48.

[January Session, ch. 12.]

AN ACT IN ADDITION TO, AND FOR REPEALING A CERTAIN PART OF AN ACT, ENTITLED, "AN ACT FOR ESTABLISHING A CORPORATION BY THE NAME OF THE FIFTH MASSACHUSETTS TURNPIKE CORPORATION."

Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same, That so much of the first section of the aforesaid Act, as directs that the said Turnpike road shall go to Westminster Meeting House, be, & hereby is repealed;

and that said Corporation be hereby authorized to make the Turnpike road to the northward of said Meeting House, in the most convenient direction, subject in every other respect to the act to which this is in addition.

Approved February 18, 1801.

1800. — Chapter 49.

[January Session, ch. 13.]

AN ACT TO INCORPORATE CERTAIN PERSONS, AS TRUSTEES OF A FUND FOR THE SUPPORT OF A CONGREGATIONAL MINISTER IN THE TOWN OF SHREWSBURY.

Preamble.

Whereas there are in the Treasury of the town of Shrewsbury, certain securities and monies, amounting to one thousand nine hundred and twenty Dollars, which the town, at a legal meeting, have appropriated as a fund for the support of a Congregational Minister in said town. And whereas the inhabitants of the town aforesaid have raised, by subscription and otherways, a further sum of two thousand two hundred and forty-three Dollars for that purpose, and have petitioned the Legislature for an Act of incorporation of certain persons for the due management thereof:

Trustees.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That* Jonah Howe, Asa Rice, Thomas Knowlton, Joseph Stone, Nathan Pratt, Thomas Witherby, John Bragg, Nathan Howe and Samuel Haven be, and are hereby appointed Trustees to manage such funds as are or shall be raised and appropriated to the uses aforesaid, in and for the town aforesaid; and for that purpose they are hereby incorporated into a Body Politic, by the name of The Trustees of the funds appropriated to the support of a Minister of the congregational denomination in the town of Shrewsbury; and they and their successors in said Office, are hereby vested with full power to receive into their hands, all subscriptions, donations, securities for real or personal estate, & monies already subscribed, given or raised, or which hereafter may be subscribed or given for that purpose, and to put the same to use or interest for the purpose aforesaid; *Provided,* That the same fund shall never exceed the sum of eight thousand Dollars in the whole, and apply the whole, or so much as may be necessary of the interest arising there-

Empowered to receive subscriptions, &c.

Fund and income.

from, to pay the salary of such Minister as aforesaid, as the majority of the Church and Congregation have settled or may settle; but not in any case to lessen, or make use of any part of the principal: And in case the whole of said annual income & interest should be more than sufficient to pay the salary as aforesaid, then the surplus, if any there be, shall be appropriated for the support of Schools in said town, or for enlarging said fund, as the town may from time to time order or direct; and if it shall so happen, that said Trustees shall become seized of lands or tenements by mortgage, as security for the payment of any debts due to said Society or Corporation, or by levying executions on lands for the discharge of debts due to said Trustees or Town, and the fee thereof shall in due course of law be vested therein, it shall be lawful for said Trustees, for the time being, to execute good and well authenticated warrantee deeds of the same.

Trustees may
execute deeds.

SEC. 2. *Be it further enacted*, That the Trustees before-mentioned shall forever hereafter hold a meeting in the town of Shrewsbury, in the month of April annually, the time and place of said meeting to be notified by the major part of the Trustees, by posting an advertisement thereof in some public place in said town, seven days, at least, before the time of said meeting; at such meeting the major part of the Trustees present, may, annually, choose a Treasurer, with whom the money or securities for money, constituting the funds, may be deposited, and who shall, under the controul, and by the order of the Trustees, or major part of them, receive in, demand, sue for and recover as well from all subscribers to said fund, their heirs, executors and administrators, the sums they have respectively subscribed for the purposes aforesaid, or the interest of the same only, as from any person who shall hereafter subscribe a sum for the purposes aforesaid, his heirs, executors & administrators, and shall deliver up, or pay out such money or securities; and the person so chosen shall give bond, if required, at the discretion of the Trustees, for the faithful performance of his duty; and the major part of the Trustees present at such meeting, are also empowered to chuse a Clerk annually, who shall be under oath to keep a true record of the proceedings and doings of the Trustees; and the Trustees are further empowered, from time to time, at any of their meetings called in the manner aforesaid, to fill up the vacancies occasioned by the death, resignation or removal of any of the Trustees.

Annual meet-
ing.

Trustees may
be called to
account.

SEC. 3. *Be it further enacted*, That the said town shall have full power, from time to time, to call said Trustees to an account for their conduct in managing said fund; and the estate of each Trustee shall be liable to be taken in execution on any judgment against such Trustees, recovered by the said town, which is hereby authorized to commence and prosecute an action against said Trustees, or any of them, for any embezzlement, or neglect of refunding monies in their hands; and the debt or damage recovered by the said town, in any such judgment, shall be to, and for the use aforesaid.

Judgment
against a Trustee
to exclude
him from office.

SEC. 4. *Be it further enacted*, That if judgment shall be recovered against the said Trustees, or any of them for embezzlement or neglect, as aforesaid, such Trustee or Trustees shall, by that fact, vacate his or their said Office, & the vacancy shall be filled up in the manner before provided.

Approved February 18, 1801.

1800. — Chapter 50.

[January Session, ch. 14.]

AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS OF THE SOUTHWESTERLY PART OF PETERSHAM, AND THE NORTHWESTERLY PART OF HARDWICK, IN THE COUNTY OF WORCESTER, AND THE NORTHEASTERLY PART OF GREENWICH, IN THE COUNTY OF HAMPSHIRE, INTO A TOWN BY THE NAME OF DANA.

Dana incorpo-
rated.

Boundaries.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same*, That all the Land described in the following boundaries, together with the Inhabitants thereon, be, and hereby are incorporated into a town by the name of Dana, vizt. Beginning at the Southwest corner of Petersham, on the East line of New Salem, and running on said line three miles & sixty rods, to the Southeast corner of said New Salem; thence East, seventy-four rods, thence South, two hundred & thirty rods; thence East, thirty rods, thence South, one Mile, and one hundred & thirty rods; thence East, fourteen degrees South, two hundred and sixty rods, to Hardwick west line; thence south, thirty seven degrees west, on said Hardwick line, one hundred & twenty rods; thence East, thirty-two degrees south, two hundred and forty rods, to the Middle of Swift River; thence by a line drawn on the middle of said Swift River to the confluence of Pantapaug pond;

thence North, thirty eight degrees East, one mile, through said Pond, to the North-East corner thereof, at a Stump and Stones on land of Luther Page; thence North, fifteen degrees East, two hundred rods, to the center of the Bridge across said Swift River on the County road; thence East, twenty-one degrees North, one hundred rods, to the South-east corner of Land of Stephen White; thence North, twenty-two degrees East, eighty rods; thence, North, six degrees East, two hundred and eighty rods; thence North, five degrees West, one mile and eighty rods, to the Eastern declivity of Three-penny Morris hill, (so called;) thence North, ten degrees East, to the North-east corner of land of Seth Williams, one mile & eighty rods; thence West, fourteen degrees North, one hundred & thirty rods, — thence West, twenty five degrees South, two hundred rods; thence West, nineteen degrees North, to the first mentioned bound. And the Inhabitants of the said Town of Dana, are hereby invested with all the Powers, privileges, rights, and immunities, which other towns are or may be intitled to enjoy, by the Constitution & Laws of this Commonwealth. And the whole of the said town of Dana is hereby annexed to, and made a part of, the County of Worcester.

SECT. 2. *Be it further enacted*, That the Inhabitants of the said town of Dana, shall be holden to pay their proportion of all rates and taxes, already assessed or granted by the Commonwealth, or by the Counties or towns, to which they heretofore severally belonged, or which shall be hereafter granted by the Commonwealth or County, until a new valuation shall be taken and established in this Commonwealth, in the same manner, as though this Act had never passed, and shall support all the poor who had their legal settlement, in either of said towns of Petersham, Hardwick or Greenwich, and are now removed therefrom, and have not gained a settlement elsewhere, and whose dwelling place or home, was, before such removal, within the limits which now constitute the town of Dana.

Provision respecting taxes, and the poor.

SECT. 3. *And be it further enacted*, That Daniel Bigelow, Esquire be, and he is hereby authorised to issue a Warrant directed to some suitable Inhabitant of the said town of Dana, requiring him to notify the Inhabitants thereof, to meet at such time and place as shall be appointed in said Warrant, for the election of all such Officers as towns are entitled to choose in the months of March or April annually.

First meeting.

Approved February 18, 1801.

1800. — Chapter 51.

[January Session, ch. 15.]

AN ACT FOR ALTERING THE TIME OF HOLDING THE COURT OF GENERAL SESSIONS OF THE PEACE, & COURT OF COMMON PLEAS WITHIN AND FOR THE COUNTY OF ESSEX, FROM THE SECOND TUESDAY OF APRIL, TO THE SECOND TUESDAY OF MARCH.

Preamble.

Whereas by the alteration of the time of holding the Supreme Judicial Court in said County, it has become necessary that the time of holding said first mentioned Courts, should be altered, Therefore,

Time of holding court at Ipswich altered.

SEC. 1. *Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same,* That the Court of General Sessions of the Peace, and Court of Common Pleas, which by Law are to be holden at Ipswich, within and for the County of Essex, on the second Tuesday of April annually, shall be holden at the same place, on the second Tuesday of March annually.

Provision for certain business.

SEC. 2. *Be it further enacted,* That all writs and processes, excepting writs and processes against Corporations, which shall not have been served thirty days before the second Tuesday of March next, and all recognizances, appeals and continuances which have been, or may before the twenty-fifth day of February current, be commenced at, taken for, or pending in the said Court of Common Pleas, or Court of General Sessions of the Peace, which, before the passing of this act, were to have been holden on the second Tuesday of April next, may be returned to, entered, have day in, and be proceeded upon and determined in the Courts to be holden on the second Tuesday of March next.

Provision relative to actions against corporations.

SEC. 3. *And be it further enacted,* That all actions and processes against Corporations, commenced, or which shall, before the twenty fifth day of February current, be commenced at the Court of Common Pleas, which, before the passing of this Act, was to have been holden on the second Tuesday of April next, and shall not have been served thirty days before the second Tuesday of March next, may be returned to, entered, have day in, be proceeded on and determined by the Court of Common pleas to be holden at Salem, within and for the County of Essex, on the second Tuesday of July next, in the same manner

as if such action or process had been originally commenced, and made returnable to said Court last mentioned.

Approved February 18, 1801.

1800. — Chapter 52.

[January Session, ch. 16.]

AN ACT TO ESTABLISH AN ACADEMY IN THE TOWN OF NEW CASTLE IN THE COUNTY OF LINCOLN, BY THE NAME OF THE LINCOLN ACADEMY.

SEC. 1. *Be it enacted by the Senate & House of Representatives in General Court assembled, and by the authority of the same,* That there be, and hereby is established in the town of New Castle in the County of Lincoln an Academy by the name of The Lincoln Academy, for the purpose of promoting Piety, Religion, and Morality, and instructing Youth in such of the Liberal Arts and Sciences, as the Trustees shall direct.

Lincoln Academy established

SEC. 2. *Be it further enacted,* that the reverend Kiah Bailey and Samuel Nickels esqr., both of New Castle, the reverend Jonathan Ward of New Milford, the reverend Alden Bradford, and the honorable Thomas Rice of Pownalborough, the reverend William Riddle and Thomas McClure esqr. of Bristol, the reverend John Sawyer and William McCobb esqr. of Boothbay, David Dennis esqr. and Mr. Mathew Cottrill of Nobleborough, the honorable Henry Knox esqr. of Thomastown, and Mr. Moses Carlton of New Milford be, and they hereby are appointed Trustees of the aforesaid Academy, and they are hereby incorporated into a Body Politic, by the name of The Trustees of the Lincoln Academy; and they and their successors shall be, and continue a Body Politic and corporate by the same name forever.

Trustees incorporated.

SEC. 3. *Be it further enacted* that the said Trustees and their Successors shall make and have a common Seal, which they may break, change and renew from time to time, as they may see fit; and they may sue & be sued, in all actions, real, personal or mixed, and prosecute and defend the same to final judgment & execution, by the name of The Trustees of the Lincoln Academy, and may appoint an Agent or Agents to prosecute or defend such suits.

To have a seal, &c.

SEC. 4. *Be it further enacted,* that the Trustees aforesaid, and their successors be, and they hereby are made

To appoint officers of the Academy.

the Visitors, Trustees and Governors of the said Academy, in perpetual succession forever, to be continued in the way and manner hereafter specified, with full power and authority to elect and constitute such Officers of the said Academy, as they shall judge necessary and convenient; and to make and ordain such laws, orders and rules, not repugnant to the laws of this Commonwealth, for the good government of said Academy, as to them shall seem fit and requisite.

Quorum of Trustees.

SEC. 5. *Be it further enacted*, that the number of the Trustees aforesaid, shall not at any one time be more than thirteen, nor less than seven, which last number, at least, shall be necessary to constitute a quorum for transacting business; and the eldest Trustee present at any legal meeting, shall be considered, and shall act as Chairman of such meeting.

Vacancies to be filled.

SEC. 6. *Be it further enacted*, that as often as one or more of the Trustees shall die or resign, or in the Judgment of the major part of the Trustees shall be rendered incapable, by age or otherwise, of discharging the duties of his Office, the Trustees then surviving, shall elect one or more persons to fill up the vacancy or vacancies.

Property may be held.

SEC. 7. *Be it further enacted*, that the Trustees aforesaid, and their successors be, and they hereby are rendered capable in law to take and hold by gift, grant, devise bequest or otherwise, any lands tenements or other estate, real or personal — *provided* that the annual income of said real estate shall not exceed the sum of Two thousand Dollars, and the annual income of their personal estate, shall not exceed the sum of Seven thousand Dollars; and all deeds and instruments, which the said Trustees may lawfully make, shall be sealed with their seal, and shall bind the said Body Politic, and their estates real and personal, under the name of The Trustees of the Lincoln Academy.

Conditional grant of land.

SEC. 8. *Be it further enacted*, that if the said Trustees of the said Academy, shall within three years from the passing of this Act, furnish evidence to this Court, that funds are secured to the use of said Academy by private donation or otherwise, to the amount of Three thousand Dollars, the said Trustees shall be then entitled to a grant of half a Township of land from this Commonwealth, for the use and support of said Academy.

First meeting.

SEC. 9. *And be it further enacted* that Samuel Nickels esqr., one of the Trustees aforesaid, be, & he hereby is

authorized and empowered to appoint the time and place for holding the first meeting of said Trustees, & notify them thereof.
Approved February 23, 1801.

1800. — Chapter 53.

[January Session, ch. 17.]

AN ACT FOR INCORPORATING CERTAIN PERSONS, FOR THE PURPOSE OF BUILDING A BRIDGE OVER TAUNTON GREAT RIVER, BETWEEN THE TOWNS OF DIGHTON AND BERKLEY, IN THE COUNTY OF BRISTOL, AT OR NEAR THE COMMON LANDING PLACE IN SAID DIGHTON, NEAR THE DWELLING HOUSE OF DAVID STANDISH.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Samuel Tobey, William Baylies, Thomas B. Richmond, George Ware, Benjamin Crane, Luther Crane, Thomas Carpenter the second, with such other persons as now are associated, or may hereafter associate with them, for the purpose hereafter mentioned, their heirs and assigns, be, and they hereby are made and constituted a Corporation, or Body Politic, for the purpose of building a Bridge over Taunton Great River, between the towns of Dighton and Berkley, in the County of Bristol.

Persons incorporated.

SEC. 2. *Be it further enacted,* That any two of the aforesaid Proprietors may, by posting up notifications at some public places in the towns of Dighton and Berkley, warn and call a meeting of the proprietors, to be holden at any suitable time and place, after thirty days from the first publication of said advertisement; and the Proprietors by a vote of a majority of those present, or duly represented at the said meeting, (allowing one vote to and for each single share in all cases; *provided however,* that no one proprietor shall be allowed more than six votes,) shall chuse a Clerk, who shall be sworn to the faithful discharge of said office, and shall also agree on a method of calling future meetings, and at the same, or a subsequent meeting or meetings, may elect such Officers, and make and establish such rules and bye laws, as to them shall seem necessary or convenient for the regulation and government of the said Corporation, for carrying into effect the purpose aforesaid, and for collecting the toll herein after granted and established; and may annex penalties to the breach of any bye laws, not exceeding five

Meeting to be called.

Officers may be chosen, and rules established.

Dollars: And all representations at said meeting shall be filed with the Clerk, and this Act, & all rules, regulations and proceedings shall be fairly and truly recorded, by the said Clerk, in a book or books to be provided and kept for that purpose.

Location of
bridge.

SEC. 3. *Be it further enacted*, That the said Proprietors be, and they hereby are authorized & empowered to erect a Bridge over Taunton Great River, so called, between the towns of Dighton & Berkley, in the County of Bristol, at or near the common landing place, near the dwelling house of David Standish in said Dighton, with a convenient Draw for the passing of Vessels, at least twenty eight feet wide, which Draw shall be constructed with strong abutments; and on each side thereof there shall be a pier, sufficient to secure all such vessels as may attempt to pass through said Draw, for the use of such Vessels, free of wharfage, or expense of any kind. And the said proprietors shall constantly keep some suitable person or persons at the said Bridge, who shall raise said Draw for any vessel that may be passing up or down the river aforesaid, without toll or expense. And in case any vessel, about to pass said Bridge, shall be detained at the Draw more than five minutes before the same shall be begun to be raised, the Proprietors of said Bridge shall forfeit and pay to the owner or owners of such vessel, the sum of ten Dollars for each and every such detention, to be recovered by action of debt, in any Court proper to try the same.

Draw to be
constructed.

And for the purpose of reimbursing the said Proprietors the money by them to be expended in building and supporting said Bridge,

Toll.

SEC. 4. *Be it further enacted*, That a toll be, and hereby is granted and established for the sole benefit of said proprietors, according to the rates following, to wit, For each foot passenger, three cents; — for each horse and rider, six cents five milles; — for each horse and chaise, chair or sulkey, seventeen cents; — for each coach, chariot, phaeton or other four wheeled carriage for passengers, twenty-five cents; — for each curricule, twenty-five cents; — for each sleigh drawn by one horse, twelve cents & five milles; — for each cart, sled, or other carriage of burden, drawn by one beast, twelve cents five milles, if drawn by two beasts, seventeen cents, if drawn by more than two beasts, twenty cents; — for each horse without

a rider, & for neat Cattle, four cents each; — for sheep and swine, nine cents per dozen. And one person, and no more, shall be allowed to each team as a driver, to pass free of toll. And all Companies of Militia, who shall have occasion to pass said Bridge, to perform military duty, shall pass free of toll. And at all times of night, while the river is open and navigable, the Draw shall be kept raised from the time the Toll Gatherer leaves the Bridge in the evening, untill his return thereto in the morning. And the toll shall commence on the day of the first opening of said Bridge, and shall continue for the term of Forty years. And at the place where the toll shall be received, there shall be erected, and constantly exposed to view, a sign board with the rates of toll fairly and legibly written or printed thereon in large letters.

Militia to pass free.

Sign board to be erected.

SEC. 5. *Be it further enacted*, That the said Bridge shall be well built with suitable materials, at least twenty-four feet wide, and covered with planks, with sufficient rails on each side, and boarded up sixteen inches high from the floor of said Bridge, for the safety of Passengers travelling thereon; and the same shall be kept in good repair at all times.

Bridge.

SEC. 6. *And Be it further enacted*, That if the said Proprietors shall neglect, for the space of four years from the passing of this Act, to build and erect said Bridge, then this Act to be void & of no effect.

Time of building limited.

Approved February 24, 1801.

1800. — Chapter 54.

[January Session, ch. 18.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT FOR THE DUE REGULATION OF WEIGHTS & MEASURES."

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the time allowed to each County Treasurer within this Commonwealth, to procure one complete sett of beams, and of the brass, copper, pewter and iron Weights and Measures, well tried, proved and sealed by the State Standards, as required in the Act to which this is in addition, be extended to the first day of January, in the year of our Lord, one thousand eight hundred and two; & that the time allowed to the Treasurer of each Town and District within this Commonwealth, to

Time for procuring standard weights and measures extended.

procure a complete sett of the beams, weights, and copper or pewter measures, conformable to the State Standards, as required in the Act to which this is in addition, be extended to the first day of January; in the year of our Lord one thousand eight hundred and three.

Prosecution not to be instituted.

SEC. 2. *Be it further enacted*, That no prosecution be instituted against any Treasurer, for any neglect in procuring said weights and measures previous to passing this Act.

Certain wooden measures allowed to be kept as standards.

SEC. 3. *And Be it further enacted*, That it shall be lawful for the Treasurer of any Town or District aforesaid, to procure a wooden half-bushel, peck and half-peck, conformable as to breadth and contents to the copper or pewter measures of the same denomination, required by the Act to which this is in addition, which wooden measures, when tried, proved & sealed, in manner as provided by the said recited act, shall be considered and allowed as the Standard of such Town or District, in lieu of such copper or pewter measures aforesaid, & shall have the same force and effect in Law, any thing in the Act, to which this is in addition, to the contrary notwithstanding.

Approved February 26, 1801.

1800. — Chapter 55.

[January Session, ch. 19.]

AN ACT TO INCORPORATE SAMUEL PARKER AND OTHERS, INTO A SOCIETY BY THE NAME OF THE BOSTON DISPENSARY.

Preamble.

Whereas certain Persons did, in the year 1796, associate, and establish a charitable Institution in the Town of Boston, for the purpose of affording medical Advice and Relief to the sick Poor of said Town, under the name of The Boston Dispensary. And Whereas said Institution has been of General and Essential Service to such Persons as are not of ability to procure Medical Advice and Aid for themselves; and the Managers of said Dispensary have represented to this Court the Difficulties under which they labour for want of an Incorporation, and have petitioned for an Act remedial of those Difficulties. And inasmuch as the Intentions of said Persons appear to be deserving of Encouragement:

SECT. 1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Reverend*

Samuel Parker, Samuel Stillman and Samuel West, Doctors in Divinity; William Tudor, John Andrews, Thomas Davis, Stephen Gorham and Samuel Dunn, Esquires, Jonathan Amory, Junr. Thomas Brewer and Benjamin Bussey, Merchants; and Nathaniel Smith, Physician; all of said Boston, the Managers of said charitable Institution, together with their Associates, be, & they hereby are incorporated & made a Body Politic for the Purposes aforesaid, by the name of The Boston Dispensary; and that they, their Associates & Successors, have perpetual succession by the said name, and have power to make Bye Laws for the preservation and Advancement of said Institution, not repugnant to the Laws of this Commonwealth.

Persons incorporated.

Bye laws may be made.

SECT. 2. *Be it further enacted*, That the said Boston Dispensary be, and it is hereby Authorized & empowered to make, appoint and have a common Seal, and is hereby made liable to be sued, and enabled to sue and defend, in its Corporate Capacity, in any of the Courts of Record of this Commonwealth; and is hereby licensed and empowered to make purchases, and to receive Grants & Donations of Real & personal Estates, and to hold the same for the charitable Purposes aforesaid; *Provided* the Rents and Profits of the real Estate, together with the Interest of the Personal Estate, shall not exceed the sum of five thousand Dollars; and to manage & dispose of such Estates as to the said Corporation shall appear fit.

Common seal authorized.

Income limited.

SECT. 3. *And be it further enacted by the Authority aforesaid*, That the contributors to said Institution shall meet at Boston, on the second Thursday in October, annually, for the purpose of Electing, by ballot, Twelve Managers & a Treasurer, public Notice of the time and place of holding such meeting being given once, at least, in two of the News papers published in said Town, seven days before the day of Meeting, and Votes may at all elections be given either in Person or by Proxy.

Annual meeting directed.

SECT. 4. *And be it further enacted*, That the business of said managers shall be to appoint the Physicians, Surgeons & Apothecary of said Dispensary, to provide Medicines for the Patients recommended by the Contributors, and to regulate all Affairs relative to the Institution, any three of whom shall constitute a Quorum. And all Instruments which the said Managers shall lawfully make & execute shall, when signed, by their Chairman, Treasurer or

Powers and duties of the Managers.

Secretary, and sealed with their common Seal, bind the said Corporation and be Valid in Law.

First meeting.

SECT. 5. *And be it further enacted*, That the Reverend Samuel Parker be, and hereby is Authorized, by public Notice in two of the Boston News papers, to call the first meeting of said Contributors, at such time and place as he shall judge proper, at which meeting the said Corporation shall have all the Power vested in them at their stated annual meetings in October, but the Officers then chosen shall not continue in Office longer than the next meeting in October, unless elected anew.

Approved February 26, 1801.

1800. — Chapter 56.

[January Session, ch. 20.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT ESTABLISHING THE NINTH MASSACHUSETTS TURNPIKE CORPORATION."

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That it shall and may be lawful for the said Corporation to erect their second, or westerly Gate, at or near the dividing line between this Commonwealth and the State of Connecticut, in lieu of erecting the same a little west of the Meeting-house in Douglass, as by said Act is provided, any thing in said Act to the contrary notwithstanding.

Location of second gate.

Penalty for attempt to evade the toll.

SEC. 2. *And be it further enacted*, That if any person shall with his Cattle, Team, Carriage or Horse, turn out of the said road to pass the said Gate, on ground adjacent thereto, with intent to avoid the toll due by virtue of the act to which this is in addition, such person shall forfeit and pay three times so much as the legal toll would have been; to be recovered by the Treasurer of said Corporation, to the use thereof, in an action of debt.

Approved February 28, 1801.

1800. — Chapter 57.

[January Session, ch. 21.]

AN ACT FOR THE SUPPRESSION OF LOTTERIES NOT AUTHORIZED BY LAW, AND TO PREVENT THE SALE OF ANY TICKETS IN SUCH LOTTERIES.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the*

Authority of the same, That if any person or persons, after the first day of April next, shall, within this Commonwealth, aid or assist in the erection of any Lottery, not authorised by a Law of this Commonwealth, or of the Congress of the United States, by printing, writing or otherwise, or shall aid and assist, in any Lottery established, or erected in any other of the United States, by advertising any Tickets in any such Lottery for sale, or by publishing the Scheme of any such Lottery, such person or persons, shall, for each, and every such offence, forfeit and pay a sum not exceeding fifty Dollars, nor less than five Dollars, at the discretion of the Court, one moiety thereof to the use of this Commonwealth, and the other moiety to the use of the person, who shall inform and complain of the same.

Penalty for assisting in an unlawful lottery.

SEC. 2D. *And be it further enacted*, That every person who shall, within this Commonwealth, sell, give, or otherwise dispose of, any ticket in any Lottery, not authorised by any Law of this Commonwealth, or of the United States, or who shall receive or purchase any such Lottery Ticket, as aforesaid, shall forfeit and pay for each, and every offence, the sum of five dollars, for every ticket so sold, given, disposed of, received, or purchased, in manner aforesaid: *Provided nevertheless*, That if any such receiver or purchaser shall first inform or complain, against the person or persons who shall have given, sold, or disposed of any such ticket, so that he or they shall be convicted thereof, such receiver or purchaser, shall not, in such case, be liable to the penalty aforesaid, but shall be exempted therefrom.

Penalty for selling, giving, buying or receiving tickets.

Proviso.

SEC. 3D. *Be it further enacted*, that any purchaser, or holder of any lottery ticket, or tickets, which shall have been sold, given, or disposed of, contrary to the provisions of this Act, shall and may recover the amount which he shall have paid, for any such ticket or tickets, of the person or persons, of whom he shall have purchased or received the same, whether the same shall have been drawn a blank, or a prize, by an action on the case for Money had and received, before any Court proper to try the same.

Money paid for tickets recoverable.

SEC. 4TH. *Be it further enacted*, That all penalties and forfeitures given or limited by any Act of this Commonwealth in whole or in part, to the use of this Commonwealth, may be recovered by indictment in any Court proper to try the same.

Recovery of penalties.

Notes, &c. given
for tickets to
be void.

SEC. 5TH. *Be it further enacted*, That all notes, obligations, contracts and securities given in consideration of any lottery ticket or tickets sold contrary to the provisions of this Act, shall be, and the same are hereby declared null and void.

Amoskeag Lot-
tery excepted.

SEC. 6TH. *Be it further enacted*, That this Act shall not be construed to extend to a lottery authorized by an Act of the Legislature of the State of New Hampshire, passed on the twenty-seventh day of December, in the Year of our Lord one thousand seven hundred and ninety nine, intituled, an Act to authorize Samuel Blodget Esq. to set up a lottery for the purpose of locking Amoskeag Falls, nor to prevent the sale or disposal of any ticket, or tickets in said Lottery, or the advertizement of the sale thereof—untill the purposes of the said Act shall be fully accomplished. *Approved February 28, 1801.*

1800. — Chapter 58.

[January Session, ch. 22.]

AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS OF THE SOUTH-EAST PART OF STURBRIDGE, THE SOUTH-WEST PART OF CHARLTON, AND THE WEST PART OF DUDLEY, ALL IN THE COUNTY OF WORCESTER, INTO A PARISH, BY THE NAME OF THE SECOND RELIGIOUS SOCIETY IN THE TOWN OF CHARLTON.

Persons incor-
porated.

SEC. 1ST. *Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same*, That Ralph Wheelock, Abel Mason, Joshua Harding, Benjamin Freeman, Jedediah Marcy, Oliver Plympton, John Ammidon, Luther Ammidon, Gershom Plymton, Joseph Shaw, Robert Edwards, Calvin Ammidon, Jephtha Clark, Jeremiah Shumway, Oliver Hooker, Eleazer Putney, junr., Solomon Clark, Daniel Morse, junr., Calvin Perry, Moses Clark, Asa Walker, David Dix, Henry Pratt, Jason Morse, junr., Lemuel Mason, James Dyer, Joseph Sabin, Eleazer Putney, Jedediah Ellis, Israel Marsh, Jonathan Mason, Moses Mason, John Marsh, Samuel Newell, Zebina Abbot, Elias Plymton, Duty Marsh, Denison Wheelock, Gershom Plymton, jun., Nathan Brown, John Holbrook, Ephraim Wheelock, William Love, Asa Morse, Jonathan Perry, Oliver Thayer, Ralph Harding, Abisha Sabin, John Plympton, Thomas Cheney, Jesse Morse, Perley Stone, John Mason, Moses Marcy, Edward Morris, Theodore

Marcy, Joseph Barrett, Ephraim Bacon, Enoch Bacon, Silas Ammidon, Ralph Vinton, Jonathan Perry the 2d, Ruggles Morse, William Blood, Charles Dugar, junr., David Clemmons, Alexander Brown, Rufus Brown, Gload Dugar, Charles Dugar, John Heath, Ebenezer Clark, John Wait, Nathaniel Searls, Joseph Barrett, junr., Daniel Morse, jun., Alpheus Morse, Jeremiah Morse, Freeman Pratt, James Wheelock, John Marcy, Abel Mason, junr., Samuel Weatherly, Abisha Hooker, Fletcher Foster, Moses Wheelock, Calvin Wheelock, Moses Foster, Samuel Robbins and Jacob Mason, with their present estates, be, and are hereby incorporated into a Parish, by the name of the second religious Society in the Town of Charlton, with all the powers, privileges, immunities, duties, and obligations, which other Parishes in this Commonwealth are intitled or subjected to by Law, *provided nevertheless*, that they pay all taxes assessed upon them before the passing of this Act.

SEC. 2D. *And be it further enacted*, That Oliver Plympton, Esquire, be, and he hereby is empowered to issue his warrant to some principal inhabitant of said Parish, requiring him to notify and warn the members thereof aforesaid, to meet at the meeting house in said Parish, at such time as shall be appointed in said warrant, for the purpose of choosing such officers as may be necessary, agreeably to the Laws of the Commonwealth, to manage the affairs of the said Parish, and that the members thereof, qualified by Law to vote, be, and hereby are empowered to choose such officers accordingly.

Meeting for
choice of offi-
cers.

Approved February 28, 1801.

1800. — Chapter 59.

[January Session, ch. 23.]

AN ACT IN FURTHER ADDITION TO AN ACT, ENTITLED, "AN ACT TO ASCERTAIN THE QUALITY OF BUTTER, AND FOR THE MORE EFFECTUAL INSPECTION OF THE SAME," AND TO THE ACT, ENTITLED, "AN ACT TO ASCERTAIN THE QUALITY OF HOG'S LARD, & MAKING FURTHER PROVISION FOR THE INSPECTION OF BUTTER."

SEC. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same*, That in addition to the marks and brands now required by law to be impressed on every cask, keg or firkin of Butter or Lard, duly inspected,

New brand
directed.

there shall be impressed, by the Inspector or Deputy Inspector, with a brand, the word *Third*, on any cask, keg or firkin of Butter or Hog's Lard, which shall appear to be of a quality correspondent; & each cask, keg or firkin of Butter or Lard, inspected as aforesaid, shall also be branded with the word *Butter* or *Lard*, as the case may be.

Additional fees.

SEC. 2. *And be it further enacted*, That for inspecting, branding and weighing each cask, keg, or firkin of Butter or Hogs Lard, and delivering to the owner an invoice or weigh-note of the same, the Inspector, or any Deputy Inspector, shall have and receive three cents in addition to the four cents allowed in the Act to which this is in addition, to be paid by the purchaser of the same. And for each certificate required by Law to be issued upon the inspection of Butter or Hog's Lard exported out of this Commonwealth, the Inspector, or any Deputy Inspector, shall receive twenty cents, in addition to the ten cents heretofore established by law for such certificates.

Approved March 3, 1801.

1800. — Chapter 60.

[January Session, ch. 24.]

AN ACT TO INCORPORATE BENJAMIN HODGES AND OTHERS, INTO A SOCIETY, BY THE NAME OF THE SALEM EAST INDIA MARINE SOCIETY.

Preamble.

Whereas Benjamin Hodges & others, have petitioned to be incorporated for the laudable purposes of affording relief to disabled Seamen, and to the indigent widows and families of deceased members and others; and of promoting a knowledge of navigation and trade to the East Indies.

Corporate name and powers.

SECT. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same*, That Benjamin Hodges, Benjamin Carpenter, John Osgood, and Jacob Crowninshield, together with all others, who now are, or hereafter may be associated with them, be, and they hereby are constituted a body politic & corporate forever, by the name of The Salem East India Marine Society, and by that name, may sue and be sued, plead and be impleaded, answer, and be answered unto, defend and be defended, in all Courts and places whatsoever, in all actions, real, personal and mixed; and the said Corporation shall have full power and Authority, to make, have and Use a common Seal, and the

Same to break, alter, and renew at pleasure, and shall have and enjoy, all the privileges and powers incident to a Corporation.

SECT. 2. *Be it further enacted*, That the said Corporation be, and the same is hereby made capable in Law, of having and holding, by gift, grant, devise, or otherwise, any Estate, real or personal, *provided*, the same shall not exceed Forty thousand Dollars in value. Estate may be held.

SECT. 3. *Be it further enacted*, That the said Corporation, may annually, or at any special meeting, called for the purpose, elect all such Officers, and make, establish, & put in execution such by-laws, rules & regulations, as to calling future meetings, the election and admission of members, and the Government thereof, as they shall judge to be necessary; *provided*, that the same shall in no respect be repugnant to the Laws and Constitution of this Commonwealth. Officers to be elected, &c.

SECT. 4. *And be it further enacted*, That, the aforementioned Benjamin Hodges, Benjamin Carpenter, and John Osgood, or any two of them, be, and they hereby are authorized, by a notification under their hands, published in the Salem Gazette, three weeks successively, to call a meeting of the members of said Society, to be holden at any suitable place in said Salem. First meeting.

SECT. 5. *Provided nevertheless*, That, the said Society, shall neither directly nor indirectly, deal or trade in buying or selling any goods, wares, or merchandize, or commodities whatsoever; *provided, also*, no person shall be eligible as a member of said Society, unless such as have actually navigated the Seas near the Cape of Good Hope or Cape Horn. Restricted from trading, &c.

Approved March 3, 1801.

1800. — Chapter 61.

[January Session, ch. 25]

AN ACT TO ESTABLISH AN ACADEMY AT NANTUCKET, BY THE NAME OF THE NANTUCKET ACADEMY.

Whereas Joseph Chase and others, have subscribed upwards of three thousand Dollars, for the purpose of erecting and supporting an Academy at Nantucket, and have erected a building convenient for its use: Preamble.

SEC. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same*, That there be, and hereby is established Nantucket Academy established.

in the Town and County of Nantucket, an Academy, by the name of The Nantucket Academy, for the purpose of promoting piety, religion, and morality, and for the education of youth in such languages, and in such of the liberal arts and sciences, as the Trustees, hereafter chosen, shall direct; and that Joseph Chase, Shubael Coffin, the second, Samuel Cary, Roland Gelston, Isaac Coffin, Micajah Gardner, George Myrick, Joshua Coffin, Amaziah Gardner, Grafton Gardner, Samuel Riddle, Gersham Drew, Frederick Brown, Robert Folger, Peter Chase, Benjamin Swift, Jonathan Myrick junr, Thomas Varney McCleave, William Cobb, Ebenezer Raymond, Latham Gardner, John Elkins, Charles Norris, Obed Aldridge, Wilson Rawson, Jedediah Fitch, William Folger junr. and Walter Folger junior, together with such others as may hereafter associate with them, be, and hereby are incorporated into a Body politic, by the name of The Proprietors of the Nantucket Academy; and that they, and their successors shall be, and continue a Body Politic and Corporate, by the same name forever; & that they, at their first meeting, shall elect nine of the said Proprietors as Trustees for said Academy.

Trustees.

Empowered to hold estate.

SEC. 2. *Be it further enacted*, That all the monies, lands or other property, and things already subscribed & given, or which shall be hereafter given, granted, devised, bequeathed, transferred or assigned to the said Trustees, for the purposes aforesaid, or either of them, shall be confirmed to the said Trustees, and to their successors in that trust, forever; and that the said Trustees may have and hold in fee simple, by gift, grant, devise, bequest or otherwise, any or all lands, tenements, hereditaments & other estate, real or personal, *provided* the annual income thereof shall not exceed the sum of Five thousand Dollars; & may sell and dispose of the same, and apply the rents, issues and profits thereof in such manner as the end and design of the said Institution shall, in their discretion, require.

Trustees to choose officers, to regulate the calling of meetings, &c.

SEC. 3. *Be it further enacted*, That the said Trustees shall have power, from time to time, to elect such Officers of the said Academy as they shall judge necessary, and to fix the tenures of their respective offices; to remove any Trustee from the Corporation, when, in their opinion, he shall be incapable, by reason of age or otherwise, of discharging the duties of his office; to fill all vacancies in

said Corporation, to determine the times and places of the meetings of said Corporation, the manner of notifying, and the method of electing and removing such Trustees; to elect, & prescribe the powers & duties of the Officers of the said Corporation; and also prescribe the powers and duties of the Preceptor, Teachers, and all other Officers of the Academy; & to make and ordain reasonable rules, orders and bye laws, not repugnant to the laws of this Commonwealth, with reasonable penalties for the good government of the said Academy.

SEC. 4. *Be it further enacted*, That the Trustees may have a common seal, which they at pleasure may break, alter and renew; and that all deeds signed and sealed with such seal, delivered and acknowledged by the Secretary of said Corporation, by order of the Trustees, shall be good and valid in law, and that the said Trustees may sue and be sued, in all actions, real personal and mixed, and prosecute and defend the same to final judgment and execution, by the name of The Trustees of the Nantucket Academy. Common seal authorized.

SEC. 5. *Be it further enacted*, That the number of the Trustees of said Academy shall not, at any one time, exceed nine, nor be less than seven, five of whom shall constitute a quorum to do business, and a majority of the members present at any legal meeting, may decide on all questions proper to come before the Trustees. Quorum of Trustees.

SEC. 6. *Be it further enacted*, That there be, and hereby is granted to the said Trustees, and to their successors forever, for the use of the said Academy, one half a Township of six miles square of the unappropriated lands belonging to this Commonwealth in the District of Maine, (excepting the ten Townships on Penobscot river) to be laid out and assigned by the Committee for the sale of eastern lands, under the restrictions and reservations made in similar grants. Land granted.

SEC. 7TH. *And be it further enacted*, That Isaac Coffin, Esqr. be, and he is hereby authorized to fix the time and place for holding the first meeting of the said Proprietors, and to notify them thereof. First meeting.
Approved March 3, 1801.

1800. — Chapter 62.

[January Session, ch. 26.]

AN ACT IN FURTHER ADDITION TO AN ACT, ENTITLED, "AN ACT IN ADDITION TO AN ACT, ENTITLED, AN ACT FOR INCORPORATING THE SEVERAL RELIGIOUS SOCIETIES IN NEWBURY PORT, IN THE COUNTY OF ESSEX."

Preamble.

Whereas the proprietors of the house of public worship of the first religious Society in Newbury Port, having erected, and being now in finishing a new house of public worship for the said society, and having, at a meeting of the said proprietors, duly called and holden on Thursday, the fifteenth day of January in this present year, passed divers votes for the just apportionment of the expences of building the said new house, for the convenient disposition of the pews therein, and for the equitable distribution of the nett proceeds of the sales of their old meeting-house; and having requested the aid of the Legislature in confirming their said proceedings, which request appearing reasonable;

Rule for apportioning the value of the old meeting-house.

SEC. 1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, & by the authority of the same,* That the list and valuation of the pews in the said old meeting house, for the year eighteen hundred, signed by James Kettell, Henry Hudson and William Wyer, junr., Assessors of the said proprietors, and lodged in the office of their Clerk, be the rule by which to apportion to and among the said proprietors, the nett proceeds of the sale of the said old house, and the land under and adjoining the same, in the manner agreed to by the said proprietors.

Value of the new house to be estimated.

SEC. 2. *Be it further enacted by the authority aforesaid,* That Joshua Carter, Ebenezer Stocker, Nathan Hoyt, Michael Hodge, Israel Young, John Greenleaf and Theophilus Bradbury, esqr., or the greater part of them, shall be a Committee, with full power and authority to estimate the cost of the said new house, & of the lot of land it stands upon; and to apportion the same upon all the pews therein, (excepting such as may be reserved for the use of the Ministers,) according to their relative situations, which apportionment shall be considered as their prime cost, and the same apportionment under the hands of them, or the major part of them, shall be filed in the Office of the said Clerk, and by him recorded, and shall

be the rule by which all taxes hereafter to be raised on the said pews shall be assessed, until a new valuation of the said pews shall be made in due form of law

SEC. 3. *Be it further enacted by the authority aforesaid*, That Joshua Carter, Ebenezer Stocker & Nathan Hoyt, or the major part of them, shall be a Committee with full power to sell the said pews at public auction to the highest bidder, they conforming to such regulations, limitations & conditions as have been or may be prescribed by the said proprietors; and upon such sale to execute and acknowledge deeds thereof to the purchasers, to hold in fee simple; which deeds, so executed and entered of record, by the Clerk of the said proprietors, for the fees established by law for recording deeds of pews, shall convey a legal title to the said pews in fee simple as aforesaid, any law to the contrary notwithstanding: *Provided however*, That any vacancy in either of the said Committees, may be filled up by the said proprietors at any legal meeting.

Pews to be sold.

SEC. 4. *And be it further enacted by the authority aforesaid*, That the votes of the said proprietors, passed at the said meeting, providing for the distribution of the nett sales of the said old house and land, be, and the same are hereby confirmed, and that such distribution be made in the same manner to the same proprietors, in the same proportions, and upon such terms, conditions & limitations, as are therein expressed: *Provided however*, if the proprietors of the said New Meeting house should stand in need of any further sums of money for the building & finishing of the said new house, and for the purchase of the land on which it stands, the same may be raised by a tax or taxes on the pews therein, the same to be assessed and collected according to Law.

Votes confirmed.

Proviso.

Approved March 6, 1801.

1800. — Chapter 63.

[January Session, ch. 33.]

AN ACT TO INCORPORATE WILLIAM BOND AND OTHERS, PROPRIETORS IN COMMON OF A CERTAIN MINE IN JODIN HILL, SO CALLED, SITUATE IN THE TOWN OF NEWFIELD, IN THE COUNTY OF YORK, FOR THE PURPOSE OF EXPLORING & WORKING SAID MINE, & OTHER PURPOSES THEREIN MENTIONED.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, & by the author-*

Persons incorporated.

ity of the same, That William Bond, Foster Waterman, John Minott, James Loring, John West and William Manning, all of Boston, in the County of Suffolk, with all such other persons as they may hereafter judge proper to admit, be, & they are hereby made and constituted, to all legal purposes, a Body Politic and Corporate, by the name of The Ossapee Mining Company, thereby to sue & be sued, and with liberty to have and use a common Seal, and the same to break & alter at pleasure.

Corporate name.

Empowered to explore mines, purchase lands, &c.

SEC. 2. *Be it further enacted*, That the said Corporation shall have power, in their corporate capacity, aforesaid, to explore, dig, work, refine or prepare for market, any ores, minerals, metals or fossils contained in said hill, or any where within the town of Newfield, or in the next adjoining towns, connected with those of the hill aforesaid, first purchasing the fee of the land, or agreeing with the owners thereof for the use of the same to their full satisfaction, & to be lawfully seized of lands supposed to contain mines, and of such lands as may be necessary for the erection of buildings and works requisite for realizing the products of said Mines, estimating the soil and situation of said lands, to the value of Fifty thousand Dollars, & of any chattel or personal interest to the value of Thirty thousand Dollars, actually employed in the business of mining.

Number of shares.

SEC. 3. *Be it further enacted*, That the property of said Corporation shall be, and hereby is divided into one hundred shares, which shares shall be deemed personal estate, to be numbered progressively, beginning at Number One, & every original member shall have a Certificate, under the seal of said Corporation and signed by the Treasurer, certifying his property in such share as shall be expressed in said Certificate.

Certificates to be issued.

Clerk & Treasurer to be chosen.

SEC. 4. *Be it further enacted*, That said Corporation shall have power, from time to time, at any legal meeting, to choose a Clerk, who shall be sworn to the faithful performance of his duty, a Treasurer, and such other Officers as to said Corporation shall appear necessary, and to make all reasonable rules and regulations, not repugnant to the Constitution and Laws of this Commonwealth; *Provided* the proprietors of sixty-seven shares assent thereto: And the said William Bond is hereby authorized to call the first meeting of said Corporation, at which meeting said Corporation may agree on the mode of calling meetings in future.

SEC. 5. *Be it further enacted*, That said shares shall be transferable by deed, under hand & seal of the Proprietor, acknowledged before some Justice of the Peace, and recorded by the Clerk, in a book kept for that purpose, and in no other manner, except as herein after provided; and the exhibit of such deed, so recorded, and the delivery of said Certificate to the Treasurer, shall entitle the purchaser to a new Certificate, *mutatis mutandis*.

Transfer of shares.

SEC. 6. *Be it further enacted*, That said shares shall be liable to attachment on mesne process, or to be levied on by execution at the suit of any creditor of an individual proprietor, the Officer having attachment or levy to make, leaving with the Treasurer, or at his usual place of abode, special notice thereof in writing; and said Officer's deed to a purchaser at public sale on execution, executed, acknowledged and recorded as aforesaid, shall, when produced to the Treasurer, entitle the purchaser to a new certificate, executed as aforesaid.

Attachment of shares.

SEC. 7. *Be it further enacted*, That when the executor or administrator of a deceased proprietor of any share or shares, shall deliver to the Treasurer the certificate or certificates executed to said Proprietor deceased, said executor or administrator shall be entitled to receive a new certificate of said share or shares executed to him in his said capacity, who shall hold, sell or dispose of the same as of any other personal estate of the deceased, and his deed or deeds, executed, acknowledged, recorded and produced as aforesaid, and the delivery of said Certificate, or Certificates to the Treasurer, shall entitle the purchaser his heir or legatee to a new Certificate or certificates, executed as aforesaid.

Administrators entitled to new certificates.

SEC. 8. *Be it further enacted*, That the Treasurer shall constantly keep a schedule of the Proprietors' names, and their number of shares in said Corporation, constantly open for inspection, on demand of any person & payment of ten cents for each inspection: And whenever any Officer shall have process or execution against said Corporation, and cannot find sufficient property of said Corporation to attach, or whereon to levy, then the property of any member or members of said Corporation, shall be liable in the same manner as if the process had been instituted, or judgment rendered against him or them.

Proprietors' names to be free for inspection, &c.

SEC. 9. *And be it further enacted*, That the time & place of all public sales of any share or shares, shall be

Sale of shares to be advertised.

made known at least twenty days before such sale, by publishing the same in some News paper in the County of York, if any there be, and in the paper published by the Printer to the General Court for the time being.

Approved March 6, 1801.

1800. — Chapter 64.

[January Session, ch. 27.]

AN ACT MORE EFFECTUALLY TO PREVENT THE FORGERIES OF BANK BILLS.

SECT. 1. *Be it enacted, by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That if any person shall falsely make, alter, forge or counterfeit; or cause or procure to be made, altered, forged or Counterfeited; or willingly aid or assist in falsely making, altering, forging, or Counterfeiting, any bill or note to the similitude of any bill or note issued by order of the president, directors, and company of any bank or banking incorporation, which now is, or hereafter may be established by and under the Authority of this Commonwealth, or of any one of the United States, and signed by the President and countersigned by the Cashier thereof, with intention to defraud the said Banks, or any other body politic or person; — or shall utter or publish as true, any false, altered, forged, or counterfeited bill or note, issued, signed, and countersigned as aforesaid, with an intention to defraud any of the said Banks, or any other body politic or person, knowing the same to be falsely altered, forged or counterfeited, every such person, being thereof convicted before the Supreme Judicial Court, shall be sentenced to be imprisoned and kept to hard labour, for a term not less than three years nor more than ten years; or shall be imprisoned not exceeding ten years, and fined not exceeding five Thousand dollars, at the discretion of said Court.

Punishment for counterfeiting bills, or assisting therein.

SECT. 2. *Be it further enacted,* That if any person shall knowingly make or mend, or begin to make or mend, any paper, plates, rolling-press, or any tool whatsoever, used, adapted or designed, for the making, altering, forging or counterfeiting any of the Bills or notes aforesaid, with an intent to use, or with an intent or expectation that the same should be used and employed in making, altering, forging or counterfeiting any of the Bills or Notes aforesaid;

Punishment for making or mending the apparatus, &c.

every such person, being thereof convicted before the said Supreme Judicial Court, shall suffer the same punishment as is provided in the first Section of this Act, for making, altering, forging or counterfeiting any of the bills or notes aforesaid.

SECT. 3. *Be it further enacted*, That if any person shall have in his possession, any plate, engine, press, stamp, or any tool or material whatever, used, adapted or designed for the making, altering, forging or counterfeiting any of the bills or notes aforesaid, with an intent to use and employ the same, or that they should be used and employed in making, altering, forging or counterfeiting any of the Bills or Notes aforesaid; every such person, being thereof convicted, before the said Supreme Judicial Court, shall suffer the same punishment, as is provided in the first Section of this Act for making, altering, forging or counterfeiting any of the Bills or Notes aforesaid.

Punishment for having in possession materials with intent to use in counterfeiting, &c.

SECT. 4. *Be it further enacted*, That all laws heretofore made and passed, for the punishment of such persons as shall make, alter, forge or counterfeit, any of the Bills or Notes aforesaid, or who shall utter or pass the same, shall be, and the same are here-by repealed, except so far as they respect any offence committed before the passing of this Act.

Laws repealed.

Approved March 6, 1801.

1800.—Chapter 65.

[January Session, ch. 28.]

AN ACT TO CONTINUE IN FORCE AN ACT PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND NINETY SIX, ENTITLED, "AN ACT ESTABLISHING & REGULATING THE FEES OF THE SEVERAL OFFICERS AND OTHER PERSONS HEREAFTER MENTIONED, AND FOR REPEALING THE LAWS HERETOFORE MADE FOR THAT PURPOSE.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the said Act be, and hereby is continued in force, untill the last day of June, in the year of our Lord One thousand eight hundred and two, any thing in any Act to the contrary notwithstanding.

Approved March 6, 1801.

1800. — Chapter 66.

[January Session, ch. 29.]

AN ACT FOR ASCERTAINING THE RATEABLE ESTATE WITHIN THIS COMMONWEALTH.

SECT. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the Authority of the same,* That the assessors for each town, district and plantation in this Commonwealth, for the year One thousand Eight hundred and One, shall, on or before the first day of November next, take and lodge in the Secretary's Office, a true and perfect list, agreeably to the list hereunto annexed, of all Male polls, including Negroes & Mulattoes, of sixteen years old & upwards, whether at home or abroad, (distinguishing those of sixteen years old & upwards, to twenty-one years, from those that are twenty-one years old & upwards, also distinguishing such as are exempted from taxation,) and of all rateable estate, both real and personal, lying within, or adjacent to their respective towns, districts or plantations, (not exempted by law from paying State taxes) expressing by whom Occupied or possessed, particularly distinguishing such adjacent estate, and particularly mentioning dwelling houses & shops, under the same roof or adjoining thereto, shops separate from them, distill-houses, sugar-houses, tan-houses, slaughter-houses, pot, and pearl-ash works, ware-houses, wharves, grist-mills, fulling-Mills, saw-Mills, iron-works, and furnaces, bake-houses, and all other buildings and edifices of the value of Twenty Dollars & upwards, and the number of tons of vessels, and small craft of every kind, upwards of five[s] tons burthen, computing the same according to the rules established by the Laws of the United States, whether at home or abroad: and the amount of each persons whole Stock in trade, including all Goods, wares, & merchandize, at home or abroad, paid for, or not paid for, also those in their hands by factorage, also government securities of all kinds, particularly distinguishing securities of the United States, whether due for Loans, upon their late established funds, or otherwise, and all other monies at interest more than any creditor pays interest for, also the whole amount of all monies on hand, including such as may be deposited in any Bank, or with any Agent, exclusive of such as may

ASSESSORS
directed.The property
which is to be
valued.

belong to any Stockholder, as such ; the amount of Stock held by the Stockholders in any Bank ; the number of ounces of plate of all kinds, number of shares in any toll-bridges or turn-pikes ; horses, neat cattle, and swine, of the respective ages, in the said list mentioned. And the said assessors, in taking the said valuation, shall distinguish the different improvements of land, and return the list in the following manner, vizt. — The number of acres of pasture-land, with the number of Cows the same, with all the after-feed of the whole farm, will keep ; the number of barrels of Cyder that has been annually produced on an average, upon the whole farm, since the last valuation ; the number of Acres of tillage land, annually improved for that purpose ; bushels of grain and Corn of all sorts, the same will yearly produce ; the number of Acres of Salt marsh, with the tons of hay annually produced therefrom ; the number of Acres of English, upland, & fresh-meadow mowing land, with the tons of hay of each sort, annually produced therefrom ; also all Cow rights, and all wood land of every kind, and lands belonging to any town, or other propriety, improved & unimproved ; also the number of acres of land improved for roads, and covered with water, according to the best estimation of the assessors ; and all such lands, the owners, & occupiers of which, are holden to pay a quit-rent to Harvard-College, pursuant to the direction of the original donor or donors, that the same may be considered in the valuation which may be established in pursuance of this Act ; excepting however, the Polls of the President Fellows, Professors, (including the Professor of Divinity) Tutors, Librarian, & Students, of Harvard, Williams, and Bowdoin Colleges, of settled Ministers, of grammar School masters, & Preceptors of the several incorporated Academies, with their estates, under their own actual occupation & improvement, and also all the estates belonging to the said Harvard, Williams, and Bowdoin Colleges, and to the said Academies. — *Provided always*, That the several Articles of the produce of the lands herein before enumerated, shall not be taken into consideration in forming a valuation for any other purpose, than for ascertaining the relative value of lands, in the various parts of this Commonwealth. And the said Assessors shall cause all the Columns of the several Articles contained in the several lists, to be carefully cast up and footed ; and the lists of the Polls &

Exceptions.

Proviso.

rateable estates to be taken as aforesaid, shall be taken as of the first day of May next.

ASSESSORS TO
take an oath.

SECT. 2. *Be it further enacted*, That the said Assessors, before they enter on this work, shall take the following Oath or affirmation, vizt. You, A. B. being chosen an Assessor for the year One thousand, eight hundred & one, Do swear or affirm, that you will faithfully & impartially, according to your best skill and judgment, do and perform the whole duty of an Assessor, as directed and enjoined by an Act of this Commonwealth, made in the present year, entitled, “An Act for ascertaining the rateable Estate within this Commonwealth,” without favour or prejudice. So help you God. Which oath or affirmation may be administered by such Officers, as are now authorized by law to administer the usual oaths to town Officers. And every Assessor shall be allowed, by the town, district, or plantation, to which he belongs, the sum of One dollar, for every day he shall be necessarily employed, in doing the duties enjoined by this Act.

Compensation
of Assessors.

Penalty for
misconduct of
Assessors.

SECT. 3. *And be it further enacted*, That if any Assessor of any town, district or plantation, within this Commonwealth, for the year aforesaid, shall refuse to take such Oath or affirmation, or having taken the same, shall neglect or refuse to do & perform the duties required by this Act, or shall Act any way deceitfully therein, he shall, for each of those offences, forfeit and pay a fine of fifty Dollars. And every person liable to be taxed, and not out of this Commonwealth, on and from the first day of May next, to the first day of September next, who shall refuse, or willfully neglect to give the Assessors, in writing, & on Oath or affirmation, if required, (which Oath or affirmation the Assessors are hereby respectively empowered to administer) a true account of all his or her rateable estate, according to the true intent and meaning of this Act, shall be doomed by the said Assessors, according to their best skill & judgment, to the full amount of his or her rateable estate, and shall likewise be subjected to pay a fine of Six Per Centum on the whole amount of the sums in which they shall have been thus doomed by said Assessors. And the Oath last-mentioned, shall be of the following form, vizt. You C. D. do swear or affirm that all your rateable estate, conformable to this list here shewn by you, doth not exceed this account, by you now exhibited, according to the best of your knowledge and judgment. So help you God.

Individuals to
give accounts
of their estates
on oath.

SECT. 4. *Provided nevertheless, and be it further Enacted,* That every person conscientiously scrupulous of taking an Oath in the form required by law, who shall be required to take either of the Oaths aforesaid, shall be excused therefrom, upon solemnly & sincerely affirming the truth of the declarations, therein contained, under the pains and penalties of perjury.

Affirmation to be accepted in certain cases.

SECT. 5. *And be it further enacted,* That the Treasurer of this Commonwealth shall forthwith transmit to the Sheriffs of the several Counties a suitable number of Copies of this Act, & of blank lists of the form prescribed in this Act, sufficient for the use of the Assessors of the several towns, districts & plantations in their several Counties, who are hereby enjoined & required, immediately on receipt thereof, to cause the same to be delivered to the Clerks of the several towns, districts, & plantations aforesaid.

Treasurer directed.

SECT. 6. *And be it further enacted,* That the Assessors of each town, district, & plantation in this Commonwealth, for the Year One thousand eight hundred & one, shall, on or before the said first day of November next, transmit to the Secretary's Office, a true & attested Copy of the valuation, by which the Assessors of said towns, districts & plantations, made the State tax in their respective towns, districts & plantations, for the Year One thousand eight hundred. And all fines & forfeitures, arising by this Act, may be recovered in any Court of Record proper to try the same, by Action of debt, One moiety to him or them, who shall sue for the same, and the other moiety to the use of the Commonwealth.

Return to be made on or before Nov. 1, 1800.

SECT. 7. *And be it further enacted,* That the following shall be the form of the list for the valuation, for the year One thousand eight hundred & One.

Recovery of fines.

A List of the Polls and Estates, real & personal, of the several Proprietors & Inhabitants of the Town of

Form of Valuation list.

in the County of _____ taken pursuant to an Act of the General Court of this Commonwealth, passed in the Year of Our LORD, One thousand eight hundred & one, entitled, "An Act for ascertaining the rateable property within this Commonwealth," by the Subscribers, Assessors of the said _____ duly elected and sworn.

Number of Polls rateable, sixteen years old & upwards to twenty one years.

Number of Polls rateable, twenty one years old and upwards.

Number of Male Polls not rateable, not supported by the town.

Number of Male Polls not rateable, supported by the town.

Number of Dwelling Houses.

Number of Shops within, or adjoining to Dwelling Houses.

Number of other Shops.

Number of Distill-houses.

Number of Sugar-houses.

Number of Tan-houses.

Number of Slaughter houses & other working houses.

Number of Pot & Pearl Ash works.

Number of Ware houses.

Number of Ropewalks.

Number of Grist mills.

Number of Fulling Mills.

Number of Saw Mills.

Number of Slitting Mills.

Number of other Mills.

Number of Iron Works & Furnaces.

Number of Bake houses.

Number of Barns.

Number of all other buildings & edifices of the value of Twenty Dollars and upwards.

Number of Superficial feet of Wharf.

Number of Tons of Vessels & small craft of five Tons burthen, & upwards, at home or abroad, computing the same, according to the rules established by the Laws of the United States.

The Amount of every person's whole stock in Trade, goods, wares, and Merchandize, at home or abroad, paid for or not paid for.

The annual Amount of Commissions, arising from Factorage.

The Amount of securities of the United States, of this State, or any of the United States, and at what[e] rate of Interest.

The Amount of Money on hand, including such as may be deposited in any Bank, or with any Agent, and exclusive of such as may belong to any Stockholders as such.

The Amount of Stock, held by the Stockholders in any Bank.

Number of Ounces of Plate.

Number of Shares in any Toll Bridges or Turnpikes, and the value of such Shares with the annual income thereof.

Number of acres Tillage land, including Orchards tilled.

Number of bushels of Wheat.

Number of bushels of Rye.

Number of bushels of Oats.

Number of bushels of Indian Corn.

Number of bushels of Barley.

Numbe[r] of bushels of Peas & Beans raised on the said tillage land per year.

Number of Pounds of Hops.

Number of Acres of English & upland mowing, including Orcharding mowed.

Number of Tons of Hay, the yearly produce of the same.

Number of Acres of fresh meadow.

Number of Tons of Hay the yearly produce of the same.

Number of Acres of Salt Marsh.

Number of Tons of Hay, the yearly produce of the same.

Number of Acres of Pasturage including the Orcharding pastured.

Number of Cows the same will keep, with the after feed of the whole farm.

Number of barrels of Cyder, which can be made yearly upon the whole farm.

Number of Cow Rights.

Number of acres Woodland, exclus[iv]e of Pasture land inclosed.

Number of Acres of unimproved Land.

Number of Acres of Land unimprovable.

Number of Acres of Land owned by the Town.

Number of Acres owned by any other Proprietors.

Number of Acres of land used for roads.

Number of Acres of land covered with Water.

Number of Horses three years old and upwards.

Number of Oxen four years old and upwards.

Number of Steers & Cows three years old and upwards.

Number of Swine six months old & upwards.

Amount of Estates doomed. *Approved March 6, 1801.*

1800. — Chapter 67.

[January Session, ch. 30.]

AN ACT FOR PROVIDING A PASSAGE FOR FISH FROM MYSTICK RIVER TO ELL POND, SO CALLED, IN THE TOWN OF MALDEN.

Preamble.

Whereas sundry inhabitants of the town of Malden, and Samuel Tufts, have made an agreement respecting the passage of fish in the waters leading from Mystick river, to Ell pond in said town.

Persons authorized to construct a passage-way for fish.

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same,* That it shall, and may be lawful for Cotton Sprague and others, being sundry inhabitants of the westerly part of Malden, who have petitioned this Court to adopt some measures for securing a passage for Shad and Alewives from Mystick river to Ell pond, so called, in said Malden, at their own expence, to construct a passage way for said fish, over the mill dam of Samuel Tufts which stands on the stream leading from said pond, and for that purpose to cut away so much of the waste board between the two eastermost posts of said Dam, as to reduce the same four inches below his right to flow, so as to admit of said passage way to pass over said Dam in that place, and so up said stream, which said passage way shall be built, and kept in repair for the term of five years from the passage of this Act, from the tenth day of April to the twentieth day of May inclusive, in each year, at the expence of said petitioners, unless at any time said passage way should be wantonly or maliciously injured or destroyed, in which case it shall be the duty of the inhabitants of said town of Malden, to repair the same; & if the inhabitants of said town shall neglect or refuse to repair the same accordingly, within seven days after the same shall have been injured as aforesaid, it shall be lawful for any one or more of said petitioners forthwith to repair the same, and to recover of said inhabitants double the expence of such repairing, with costs of suit, by an action on the case, in any Court proper to try the same.

Sam'l. Tufts to keep his dam in repair.

SEC. 2. *Be it further enacted,* That it shall be the duty of the said Samuel Tufts, during the said term of five years, to keep his said Dam in as good repair as it now is; & if at any time the same shall be out of repair, and he shall not repair the same in a reasonable time, that

it shall and may be lawful for any one or more of the petitioners to repair the same, and to recover of said Samuel Tufts, double the amount of the expence thereof with costs of suit, by an action of the case, in any Court proper to try the same; and also that the said Samuel Tufts shall not improve any Mill, from the fifteenth day of April to the fifteenth day of May annually, except his Mills for Grain.

SEC. 3D. *Be it further enacted*, That it shall be lawful for said town of Malden, at their annual meeting in March or April annually, during said term, to choose a Committee of three, five or seven freeholders of said town, whose duty it shall be, and they, or the major part of them, are hereby authorized and impowered to keep the stream aforesaid free and clear of all obstructions to the passage of said Fish through the whole course of said stream from Mystick river to Ell pond; *provided* that nothing herein contained shall give said Committee any right to destroy or impair said Mill Dam: *Provided also* that nothing in this Act contained, shall be so construed, as in any manner to affect any interest in said stream, or the priviledges or appurtenances thereto belonging, claimed by said town or said Samuel Tufts.

Committee to
be chosen
annually.

SEC. 4. *Be it further enacted*, That during the said term of five years, it shall not be lawful for any person to take any Shad or Alewives in said stream, oftener or more than two days in each week viz — from sunrise on Monday morning to sunrise on Tuesday morning; and from sunrise on Friday morning to sunrise on Saturday morning in each week. And if any person shall offend against this prohibition, he shall forfeit and pay the sum of ten Cents for each fish which he may so take, to be recovered with costs of suit, by any one or more of said Committee who may first sue for the same, by action of debt, in any Court proper to try the same; one half of which forfeiture shall enure to the use of said town, and the other half to him or them who may sue therefor.

Fishing regu-
lated.

SEC. 5TH. *And be it further enacted*, That this Act shall continue and be in force, for and during the term of five years next after the passing the same, and no longer, except as to any prosecutions for any penalties or actions for recovery of any expences which may then be depending according to the provisions thereof.

Duration of act.

Approved March 7, 1801.

1800. — Chapter 68.

[January Session, ch. 31.]

AN ACT IN ADDITION TO AN ACT, INTITLED, “AN ACT TO REGULATE THE ALEWIFE FISHERY IN THE TOWN OF BRIDGWATER, IN THE COUNTY OF PLYMOUTH, AND FOR REPEALING ALL LAWS HERETOFORE MADE FOR THAT PURPOSE:” PASSED IN THE YEAR OF OUR LORD ONE THOUSAND, SEVEN HUNDRED AND NINETY SEVEN.

Whereas it is represented to this Court, that by reason of the broken state of the Dam, at a place called the Great River Mills, in Bridgwater, it is impracticable to take fish at said Place: Therefore,

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That it shall, and may be lawful for the Town of Bridgwater, the present Year only, to take said fish at such times, and places as were provided by an Act, intitled, “an Act for regulating the Alewife fishery in the Town of Bridgwater, in the County of Plymouth, and for repealing all Laws heretofore made for that purpose,” passed the ninth day of March, in the Year of our Lord one thousand seven hundred and Ninety-one, the law to which this is an addition to the contrary notwithstanding: Provided, said Town shall, at their annual meeting in March instant, vote the same, which the town are hereby authorized to do at said meeting:— Any Law to the contrary notwithstanding.

Approved March 7, 1801.

1800. — Chapter 69.

[January Session, ch. 32.]

AN ACT TO CHANGE THE NAMES OF BILLY HAGER, SILVANUS COLEMAN, THE THIRD, ALEXANDER McLEOD CLARK, JOHN TYLER, RODOLPHUS STRATTON, JAMES ALLEN AND JOHN PARKMAN.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That from and after the passing of this Act Billy Hager of Marlborough, in the County of Middlesex, son of William Hager, of said Marlborough, shall be allowed to take the name of William Hager; that Silvanus Coleman, the third, of that name, of Nantucket, in the County of Nantucket, son of Jonathan Coleman, of said

Persons whose names are altered.

Nantucket, shall be allowed to take the name of Davis Coleman; that Alexander McLeod Clark, of Medfield, in the County of Norfolk, son of Elias Clark of said Medfield, shall be allowed to take the name of Alexander Clark; that John Tyler, of Boston in the County of Suffolk, son of John Tyler late of Mendon, in the County of Worcester, deceased, shall be allowed to take the name of John Eugene Tyler; that Rodolphus Stratton, of Northfield, in the County of Hampshire, shall be allowed to take the name of Adolphus Smith; that James Allen, of Boston, in the County of Suffolk, son of Thomas Allen, of Pasque-tank County, in the State of North Carolina, shall be allowed to take the name of James Armour Allen; and that John Parkman, of said Boston, son of William Parkman, of Concord, in the County of Middlesex, shall be allowed to take the name of John Augustus Parkman; And said Persons shall, in future, be respectively known and called by the names, which they are respectively allowed to take as aforesaid, and the same shall be considered as their only proper names to all intents and purposes.

Approved March 7, 1801.

1800. — Chapter 70.

[January Session, ch. 34.]

AN ACT PROVIDING FOR THE CESSION OF A TRACT OF LAND ON CAPE POGUE IN THE COUNTY OF DUKE'S COUNTY.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, — That there be, and hereby is granted to the United States of America a tract of Land not exceeding four Acres, situated at that part of Martha's Vineyard called Cape Pogue, for the purpose of erecting a Light House on the same; which quantity of Land shall be laid out by the United States at the time of erecting said Light House, and a description thereof in writing entered in the Registry of Deeds in the County of Dukes County.

Land ceded to the United States.

Provided however, and be it further enacted, That the Cession and Grant aforesaid, is upon this express condition, that this Commonwealth shall retain a concurrent jurisdiction with the *United States* in and over the Land aforesaid, so far as that all civil processes, and such Criminal processes as may issue under the authority of this Commonwealth, against any person or persons charged

Concurrent jurisdiction retained.

with Crimes committed without the Land aforesaid, may be executed therein, in the same way and manner as though this Cession had not been made & granted.

Approved March 7, 1801.

1800. — Chapter 71.

[January Session, ch. 35.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT MAKING FURTHER PROVISION IN THE JUDICIAL DEPARTMENT."

Two Justices to form a quorum in certain cases.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That any two Justices of the Supreme Judicial Court shall constitute a quorum for holding said Court, and for discharging the duties thereof, in like manner and to the same purposes as three or more Justices now do by virtue of said act, whenever it may happen that any one of the said Justices, required to make a quorum on either of the circuits of said Court, may be unable to sit in particular cases, by reason of sickness, by accident, by being interested, or that he is related to, or has been of Counsel for either of the parties.

Sittings altered in certain counties.

SEC. 2. *Be it further enacted,* That instead of the said Court being holden at Northampton on the third Tuesday of September, it shall be holden at Northampton, within and for the County of Hampshire, on the second Tuesday of September; and the said Court, now by law to be holden at Worcester on the first Tuesday of September, shall be holden at Worcester, within and for the County of Worcester, on the fourth Tuesday of September; and that instead of the times at which the said Court is now by law to be holden in the Counties of Plymouth and Berkshire, it shall be holden at Plymouth, within and for the County of Plymouth, on the fourth Tuesday of June; and at Lenox, within and for the County of Berkshire, on the first Tuesday of September, and on the third Tuesday after the fourth Tuesday of April.

Provision respecting business commenced.

SEC. 3. *Be it further enacted,* That all writs, recognizances, warrants, complaints, appeals, and every other matter and thing, which, before the passing of this Act, might or should be returned to, or entered at the Court aforesaid, at the times appointed for holding the same, by the Act to which this is an addition, and which are hereby altered; and all parties & persons, that have been, or may

be required or directed to appear and attend at the aforesaid times; and all actions, suits & matters, that may be pending in the said Court, at the times aforesaid, shall be returned to, entered at, appear, attend, have day, and be tried & determined in the said Court, at the times & places appointed by this Act for holding the same, according to the true intent & meaning thereof.

SEC. 4. *And be it further enacted*, That all actions and suits which were commenced in the Counties of Hancock & Washington, and which, prior to the passing of the said Act, were pending in the said Court then next to be holden in the County of Lincoln, for the Counties of Lincoln, Hancock, and Washington; and all indictments & criminal prosecutions of any kind, for offences committed within the respective Counties of Hancock and Washington, and pending as aforesaid, together with all recognizances, *scire facias*, and suits wherein the Commonwealth is a party, & wherein the adverse party resides within either of the Counties of Hancock or Washington, which were pending as aforesaid, shall be transfered and removed to, be heard, tried, have day, entered and proceeded upon in the said Supreme Judicial Court which shall be holden at Castine, within the County of Hancock, for the Counties of Hancock and Washington, on the tenth Tuesday next after the third Tuesday of April next; and all papers, depositions and documents belonging to all such actions, suits, indictments, *scire facias*, prosecutions and recognizances, that were filed in the Clerk's office of said Court, within the County of Lincoln, shall be delivered over to the Clerk of said Court that shall be appointed for the Counties of Hancock & Washington.

New arrangement respecting actions, &c. commenced in Hancock and Washington counties.

Approved March 7, 1801.

1800. — Chapter 72.

[January Session, ch. 36.]

AN ACT DETERMINING THE TIMES AND PLACES OF HOLDING THE SEVERAL COURTS OF GENERAL SESSIONS OF THE PEACE, AND THE COURTS OF COMMON PLEAS IN THE COUNTIES OF HAMPSHIRE, AND BERKSHIRE; AND ONE TERM OF SAID COURTS IN THE COUNTY OF WORCESTER.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the first day of July next, the times for holding the Courts of General

Sittings of inferior Courts in Hampshire,

Berkshire and Worcester counties, altered.

Sessions of the Peace and Courts of Common Pleas within and for the Counties of Hampshire and Berkshire, respectively, shall annually be as follows; viz. Within and for the County of Hampshire, at Northampton, on the first Monday in November, and February, & on the fourth Monday of May, and August; within and for the County of Berkshire, at Lenox, on the second Monday in January, April and October, and on the first Monday of July; at Worcester, within and for the County of Worcester, on the Monday preceding the first Tuesday of September, instead of the Monday preceding the second Tuesday of August, annually.

SEC. 2. *And be it further enacted*, That from, and after the first day of July next, all the Laws heretofore enacted, and now in force, determining the times for holding the several Courts aforesaid, within and for either of the Counties of Hampshire, and Berkshire aforesaid, so far as respects the times for holding the said Courts, be, and the same hereby are repealed.

Approved March 7, 1801.

1800. — Chapter 73.

[January Session, ch. 37.]

AN ACT FOR REGULATING THE TAKING AND DISPOSING OF THE FISH CALLED ALEWIVES WITHIN THE LIMITS OF THE TOWN OF WEYMOUTH, AND FOR THE MORE EFFECTUALLY SECURING TO THE SAID TOWN THE ADVANTAGES THEREOF.

Preamble.

Whereas the Town of Weymouth in the County of Norfolk at a very considerable expence, purchased and opened a passage for the fish called Alewives into White-man's Pond and the great Pond so called, being wholly within said Town, and conveyed into them a Number of said Fish, whereby a great increase has arisen; it is therefore but just and reasonable, that the benefits arising from the taking and disposing of the said Fish should be wholly vested in the said Town — Wherefore —

Fish Committee to be annually chosen.

SECT. 1. *Be it enacted by the Senate & House of Representatives in General Court assembled and by the Authority of the same*, that the taking and disposing of the said fish called Alewives shall be under the care and management of a Committee of the said Town, who shall dispose of them in such manner, for the benefit of the said Town as they shall judge best, and account with the

Treasurer of said Town for the proceeds thereof on or before the first day of November annually, and the money arising therefrom shall be appropriated to the Use of Schooling in the said Town—And the said Committee shall have a reasonable allowance for their Service and lay their accounts before the Selectmen of the said Town for allowance and approbation—And the said Committee shall consist of Five Freeholders, chosen by Ballot in the months of March or April annually, who shall be sworn to the faithfull discharge of their duty; and if any person chosen to serve on the said Committee, shall refuse to serve, or if chosen shall neglect to take said Oath for the space of seven days after being legally notified of such choice, he shall forfeit and pay to the use of the said Town the sum of ten dollars.

SECT. 2. *Be it further enacted*, that the said Committee or either of them shall have full power and Authority to remove from or out of the River, Brooks or Streams leading to the said Ponds, any obstructions that may be made to the free passing of the said fish into the said Ponds or repassing from them into the Sea; And the said Committees going, or either of them, on to the land of any Person or Persons for this purpose, shall not be deemed or held as a Trespass—And the said Committee or the major part of them shall determine the particular places where the said fish shall be taken, and give public notice thereof by posting up one or more Notifications, in some conspicuous place or places in the said Town on or before the first day of May annually. *Provided however*, That the said fish shall not be taken on any other days than Mondays, Wendesdays & fridays between the rising and sitting of the Sun on the said days, nor by any other instrument or ways than by a Scoop or Dipnet.

Committee to remove obstructions, &c.

SECT. 3. *Be it further enacted*, that no person shall catch or take any of the said fish in any of the Rivers, brooks or Streams leading to or from the said Ponds without the direction or leave of the said Committee, or the major part of them and whoever shall presume at any time hereafter, to take, kill or haul ashore any of the said fish with Seines or dragnets in either of the ponds aforementioned, or in Weymouth back River so called, or in the River, Brooks or Streams through which the said fish pass into the sd. Ponds, or shall with any Seines

Fish not to be taken without the leave of the Committee.

or Drag nets or in any other way obstruct the passage of the said fish to or from the said ponds, or either of them, or shall Obstruct the said Committee or either of them in the Execution of their duty, in all and every of these Cases, the offender shall for each offence forfeit and pay a sum not exceeding thirteen dollars nor less than ten dollars and in case the offence be committed in the night a sum not exceeding thirty dollars nor less than twenty dollars.

Town Treasurer to prosecute for breaches of this act.

SECT. 4. *Be it further enacted*, That it shall be the duty of the said Committee to give notice to the Treasurer of the said Town of Weymouth of all offences committed against this Act that shall come to their knowledge, and the Treasurer thereof is hereby vested with full power and Authority to sue for & recover, from time to time, all fines and forfeitures incurred by any breach of this Act, in any Court proper to try the same, and such fines & forfeitures shall be to the use of the said Town, saving where any person shall give information of any breach of this Act, the informer upon conviction of the offender shall be intitled to one third part of the forfeiture. — And no person shall be considered as disqualified from being an evidence on any trial that may be had pursuant to this Act, on account of his being an Inhabitant of the said town of Weymouth, or of his being one of the Committee aforesaid.

Former law repealed.

SECT. 5. *And be it further enacted*, that an Act passed in the year of Our Lord one thousand seven hundred & eighty eight entitled “An Act empowering the Town of Weymouth to regulate & order the taking & disposing of the fish called Shad & Alewives within the limits of that Town” be and the same is hereby repealed; except for the purpose of recovering any fines or forfeitures that may have been incurred under the said Act.

Approved March 7, 1801.

1800. — Chapter 74.

[January Session, ch. 38.]

AN ACT IN ADDITION TO THE SEVERAL ACTS FOR REGULATING ELECTIONS.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the*

authority of the same, That it shall be the duty of the Assessors of each Town and District within this Commonwealth, on or before the first day of March annually, to make out and deliver to the Selectmen thereof, a correct and alphabetical list of all such inhabitants of their respective Towns or Districts, as shall appear to them qualified by the Constitution of this Commonwealth, or of the United States respectively, to vote for Governor, Lieutenant Governor, Senators, Representatives in the General Court, or Representatives in Congress; which list it shall be the duty of such Town or District at any time within ten days then next following, to revise and correct, as to them shall appear necessary, so that the same shall, in their opinion, be a complete list of such of the inhabitants within their respective Towns or Districts, as shall be constitutionally qualified to vote in the elections aforesaid. And the Assessors of every plantation, are alike required to furnish themselves with like lists, on or before the tenth day of March annually; and it shall be the duty of the Selectmen of the several Towns and Districts, & the Assessors of Plantations aforesaid, respectively to publish the said list within their respective Towns, Districts or plantations, by causing true copies thereof to be posted up at two or more public places in such Towns, Districts or Plantations fourteen days at least before the first Monday in April annually; and it shall also be the duty of the Selectmen of such Towns or Districts, and the Assessors of such Plantations, to be provided with, and have a complete list as aforesaid, at every meeting for the choice of Governor, Lieutena[n]t Governor, Senators, Representatives of the General Court, or Representatives of Congress, which lists shall at all times be so corrected, previous to the opening any such meeting, as to represent the qualified voters for the particular election then to be made; and no such meeting shall be opened at an earlier hour than eleven of the Clock in the forenoon of the day of election; & it shall be the duty of such Selectmen or Assessors to be in session at some convenient place, immediately preceeding such meeting, for so long time as they shall judge necessary to receive evidence of the qualifications of persons whose names have not been entered on the list published as aforesaid; and of the time and place of such

Assessors to make out an annual list of qualified voters.

Lists to be published.

Selectmen to sit to receive evidence of qualification.

meeting, public notice shall be given at the time the lists are published, as aforesaid.

Senators to be voted for on one list.

SEC. 2. *Be it further enacted*, That whenever a meeting is holden in any town or place, for the purpose of choosing persons for Counsellors and Senators, the Selectmen or Assessors, presiding at such meeting, be, & hereby are directed to call on the voters in such meeting, qualified for choosing such Officers, requiring each of them to give in their votes on one list for as many different persons as are then to be chosen to the same Office.

Penalty for giving more than one vote.

SEC. 3. *Be it further enacted*, That if any person at any meeting for an election for any of the Officers aforesaid, shall knowingly & designedly give in more than one vote or list, at any one time of balloting at any such election, he shall, in addition to the fine already provided by Law against any Elector giving more than one vote in any election, forfeit and pay a fine, not exceeding Thirty Dollars.

No person to vote till permitted by the Selectmen.

SEC. 4. *Be it further enacted*, That no person shall be permitted to give in his vote at any meeting of a Town, District or Plantation, holden for an election to any of the Offices aforesaid, untill the Selectmen of such Town or District, or the Assessors of such Plantation, presiding at such election, shall have had opportunity to enquire his name, and found the same in the list aforesaid; and any person wilfully voting, contrary to the provision of this Act, or who shall give any false answer to such Selectmen or Assessors, being duly thereof convicted, shall forfeit and pay a fine not exceeding Twenty Dollars for each & every offence, according to the nature & aggravation thereof.

Penalty for negligence of Selectmen.

SEC. 5. *Be it further enacted*, That if any Selectman or Assessor of any Town or District, or the Assessors of any Plantation, shall knowingly & corruptly neglect, or refuse to comply with, or to perform the several duties respectively required of him or them, as pointed out, in and by this Act, he shall, for each and every such offence, forfeit & pay a fine not exceeding Fifty Dollars, according to the nature & aggravation thereof.

Recovery of fines.

SEC. 6. *Be it further enacted*, That all fines and forfeitures for any breach of this Act, may be recovered by indictment, before the Supreme Judicial Court, or by action of debt before any Court proper to hear & determine the same; one half to the use of this Commonwealth,

and the other half to the use of any person who shall prosecute or sue for the same.

SEC. 7. *And be it further enacted* that this Act shall be in force from and after the first day of July next.

Approved March 7, 1801.

1800. — Chapter 75.

[January Session, ch. 39.]

AN ACT RESPECTING BOATS & LIGHTERS EMPLOYED IN TRANSPORTING STONES, GRAVEL OR SAND, WITHIN THIS COMMONWEALTH.

SECT. 1. *Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That every boat or lighter, employed in transporting stones, gravel or sand, within this Commonwealth, shall be marked at light water mark, and at least at five other places, with the figures four, twelve, sixteen, twenty four and thirty, legibly made, on the Stem and Stern post thereof; which figures shall express, the weight, such boat or lighter is capable of carrying, when the lower part of the respective numbers shall touch the Water, in which the said Boat or Lighter shall float. And every person who shall use or employ any Boat or Lighter, for the purpose of transporting Stones, gravel or Sand, as aforesaid, which shall not be marked as in this Act is provided, shall forfeit & pay the sum of fifty Dollars, to be recovered by an Action of the Case in any Court proper to try the same, by any Person who will sue therefor. And any Person who shall put, or Cause to be put, on any Boat or lighter as aforesaid, any false marks as aforesaid, shall be subject to the like penalty to be recovered in like manner.

Lighters to be marked.

Penalty for falsely marking.

SECT. 2. *And be it further enacted,* That it shall be the duty of the Selectmen, in any Town where Boats & lighters are owned, which may be employed in transporting Stones, gravel or sand, as contemplated in this Act, to appoint, annually, in the months of April or May, some suitable Person, to ascertain the Capacities of all such Boats & Lighters, and mark the same, as is prescribed in this Act; who shall be under Oath, faithfully to perform the duty as herein prescribed.

Selectmen directed to appoint persons to mark boats etc.

Approved March 7, 1801.

1800. — Chapter 76.

[January Session, ch. 40.]

AN ACT FOR REGULATING THE MANUFACTURE, AND SALE OF BREAD.

Bread to be sold by weight.

SEC. 1. *Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of April next, all soft bread, whether baked in loaves or biscuit, which shall be exposed to sale by any baker, or other person, shall be sold by weight.

Weights and marks directed.

SEC. 2. *Be it further enacted by the authority aforesaid,* That all soft biscuit, which shall hereafter be offered for sale, shall weigh four or eight ounces, and be marked with the initial of the bakers christian Name, and his surname at length, and the weight of the biscuit; and all loaves of soft bread shall be of some one of the following weights; vizt. one pound, two three, or four pounds, and be marked with the weight of the loaf and the maker's name; and if any baker, or other person, shall offer, or expose to sale, any soft Bread or Biscuit, which shall not severally be marked, and conform to one of the weights before mentioned, every such person, so offending, shall forfeit and pay the sum of eight Dollars, to be recovered by action of debt, before any Justice of the Peace within and for the County, where such offence shall happen, by any person who shall sue for the same, together with legal cost, one half of the penalty aforesaid to be for the use of the person who prosecutes, and the other half to the use of the poor of the Town where such offence may be committed.

Penalty for offering to sell bread not weighed and marked.

Former laws repealed.

SEC. 3. *And be it further enacted,* That all Laws heretofore made for regulating the assize of Bread, be, and hereby are repealed, from and after the first day of April next; excepting so far as relates to the recovery of any forfeiture, fine or penalty incurred, or which may be incurred previous to that time by a breach of any of said Laws.

Approved March 7, 1801.

1800. — Chapter 77.*

[January Session.]

AN ACT TO APPORTION AND ASSESS A TAX OF ONE HUNDRED & THIRTY THREE THOUSAND FOUR HUNDRED AND THIRTY FIVE DOLLARS AND THIRTEEN CENTS, AND PROVIDING FOR THE REIMBURSEMENT OF TWENTY THREE THOUSAND SEVEN HUNDRED AND SEVENTY SIX DOLLARS, PAID OUT OF THE PUBLIC TREASURY TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES, FOR THEIR ATTENDANCE THE THREE LAST SESSIONS OF THE GENERAL COURT.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That each Town, District, Plantation and other place herein after named, within this Commonwealth, shall be assessed, and pay the several sums with which they stand respectively charged in the following Schedule. Viz.*

* Not printed in session pamphlet.

COUNTY OF SUFFOLK.

TOWNS.	Representatives' Pay.	Proportion of \$133,435 13	Total.
BOSTON	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Hingham	890 0	12244 58	13134 58
Chelsea	168 0	633 61	801 61
Hull	48 0	253 89	301 89
		45 0	45 0
	1106 0	13177 8	14,283 8
			Thirteen thousand one hundred & thirty four Dollars & fifty eight cents
			Eight hundred & one Dollars & sixty one cents
			Three hundred & One Dollars & eighty nine cents
			Forty five Dollars
			Fourteen thousand, two hundred & Eighty three Dollars & eight cents

COUNTY OF ESSEX.

TOWNS.	Representatives' Pay.	Proportion of \$133,435 13	Total.
Salem	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Ipswich	298 0	3121 67	3349 67
Newbury Port	292 0	1087 0	1319 0
Lynn	140 0	1240 83	1380 83
Lynnfield	248 0	2361 67	2609 67
Glocester	113 77	518 61	632 38
Roxley	32 23	146 94	179 17
Saisbury	114 0	1005 56	1119 56
Wenham	154 0	577 50	731 50
Manchester	126 0	511 39	637 39
Audover	36 0	150 0	186 0
Haverhill	181 11	181 11	181 11
Marblehead	160 0	1063 62	1223 62
Topsfield	126 0	653 61	779 61
Amesbury	150 0	1041 80	1191 80
Beverly	58 0	298 89	356 89
	110 0	433 61	543 61
	146 0	1027 78	1173 78
			Three thousand three hundred & forty nine Dollars, & sixty seven cents
			One thousand three hundred & nineteen Dollars
			One thousand three hundred & eighty Dollars & eighty three cents
			Two thousand six hundred & nine Dollars & sixty seven cents
			Six hundred & thirty two Dollars & thirty eight cents
			One hundred & seventy nine Dollars & seventeen cents
			One thousand One hundred & nineteen Dollars & fifty six cents
			Seven hundred & thirty one Dollars & fifty cents
			Six hundred & thirty seven Dollars, & thirty nine cents
			One hundred & eighty six Dollars
			One hundred & eighty one Dollars, & Eleven cents
			One thousand two hundred & twenty three Dollars & sixty two cents
			Seven hundred & seventy nine Dollars & sixty one cents
			One thousand one hundred & ninety one Dollars & eighty cents
			Three hundred & fifty six Dollars & eighty nine cents
			Five hundred & forty three Dollars & sixty one cents
			One thousand one hundred & seventy three Dollars & seventy eight cents

<i>Bradford</i>	140 0	468 33	Six hundred & Eight Dollars & thirty three cents	608 33
<i>Borford</i>	110 0	338 6	Four hundred & forty eight Dollars & six cents	448 6
<i>Mechen</i>	100 0	371 94	Four hundred & Seventy One Dollars & ninety four cents	471 94
<i>Middleton</i>		217 50	Two hundred & Seventeen Dollars & fifty cents	217 50
<i>Davers</i>	174 0	755 0	Nine hundred & twenty nine Dollars	929 0
<i>Hamilton</i>	36 0	247 16	Two hundred & eighty three Dollars & Sixteen cents	283 16
	2734 0	17819 58	Twenty thousand, five hundred & fifty three Dollars & fifty eight cents	20,553 58

COUNTY OF MIDDLESEX.

	Dolls. Cts.	Dolls. Cts.		Dolls. Cts.
<i>Charlestown</i>	114 0	727 78	Eight hundred & forty one Dollars & seventy eight cents	841 78
<i>Wadertown</i>	198 0	427 22	Five hundred & sixty five Dollars & twenty two cents	565 22
<i>Melford</i>	46 0	382 78	Four hundred & twenty eight Dollars, & seventy eight cents	428 78
<i>Cambridge</i>	168 0	1034 72	One thousand, two hundred & two Dollars, & seventy two cents	1202 72
<i>Concord</i>	128 0	503 33	Six hundred & thirty one Dollars, & thirty three cents	631 33
<i>Sabbury</i>	84 0	370 83	Four hundred & thirty four Dollars, & eighty three cents	434 83
<i>Woburn</i>	8 0	341 24	Three hundred & forty nine Dollars & twenty four cents	349 24
<i>Reading</i>	146 0	507 22	Six hundred & fifty three Dollars & twenty two cents	633 22
<i>Malden</i>	140 0	307 64	Four hundred & forty seven Dollars & sixty four cents	447 64
<i>Grafton</i>		488 33	Four hundred & eighty eight Dollars & thirty three cents	488 33
<i>Billerica</i>	50 0	401 11	Four hundred & fifty one Dollars & Eleven cents	451 11
<i>Chelmsford</i>	150 0	392 22	Five hundred & forty two Dollars & twenty two cents	512 22
<i>Marlboro'</i>	156 0	573 33	Seven hundred & twenty nine Dollars & thirty three cents	729 33
<i>Dunstable</i>		156 11	One hundred & fifty six Dollars & Eleven cents	156 11
<i>Tyringboro'</i>	164 45	164 45	One hundred & sixty four Dollars & forty five cents	164 45
<i>Sherburne</i>	158 0	269 44	Four hundred & twenty seven Dollars & forty four cents	427 44
<i>Stow</i>	53 29	240 56	Two hundred & Ninety three Dollars & eighty five cents	293 85
<i>Buxboro'</i>	24 71	111 39	One hundred & thirty Six Dollars & ten cents	136 10
<i>Newton</i>	140 0	463 61	Six hundred & thirty Dollars & sixty One cents	603 61
<i>Frammingham</i>	52 0	496 53	Five hundred & forty eight Dollars & fifty three cents	548 53
<i>Dracut.</i>	128 0	290 56	Four hundred & Eighteen Dollars & fifty Six cents	418 56
<i>Weston</i>	98 0	381 11	Four hundred & Seventy Nine Dollars & eleven cents	479 11

COUNTY OF MIDDLESEX — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,435 13	Total.
<i>Lexington</i>	Dolls. Cts. 124 0	Dolls. Cts. 342 78	Dolls. Cts. 466 78
<i>Hopkinton</i>	142 0	255 56	255 56
<i>Holliston</i>	44 0	335 0	477 0
<i>Stoneham</i>	140 0	320 0	364 0
<i>Westford</i>		116 67	116 67
<i>Bedford</i>		365 0	505 0
<i>Wilmington</i>		225 0	225 0
<i>Townsend</i>	106 0	188 33	188 33
<i>Teunokbury</i>	72 0	337 11	337 11
<i>Acton</i>	57 25	245 56	317 56
<i>Carlisle</i>	44 75	228 6	285 31
<i>Waltham</i>	162 0	178 33	223 8
<i>Shirley</i>		393 89	555 89
<i>Pepperel</i>	124 0	163 33	163 33
<i>Lincoln</i>	30 0	295 56	419 56
<i>Ashby</i>	60 0	227 22	257 22
<i>East Sudbury</i>	38 0	213 33	263 33
<i>Natick</i>		277 50	315 50
<i>Burlington</i>		181 11	181 11
		161 26	161 26
	3116 0	13,956 11	17,072 11
			Seventeen thousand & Seventy two Dollars & eleven cents

COUNTY OF HAMPSHIRE.

TOWNS.	Representatives' Pay.	Proportion of \$133,435 13	Total.
<i>Springfield</i>	Dolls. Cts. 88 0	Dolls. Cts. 483 33	Dolls. Cts. 571 33
<i>Hadley</i>	108 0	326 11	434 11
<i>Westfield</i>	130 0	473 33	603 33
			Five hundred & Seventy one Dollars & thirty three cents
			Four hundred & thirty four Dollars & eleven cents
			Six hundred & three Dollars & thirty three cents

<i>Hatfield</i>	295	56	Two hundred & Ninety five Dollars & fifty six cents	295	56
<i>Deerfield</i>	454	17	Four hundred & fifty four Dollars & Seventeen cents	454	17
<i>Northampton</i>	628	61	Six hundred & fifty eight Dollars & Sixty Seven cents	628	61
<i>Eastampton</i>	208	33	Two hundred & Eighteen Dollars & twenty seven cents	208	33
<i>Northfield</i>	274	17	Three hundred & twenty Six Dollars & Seventeen cents	274	17
<i>Sunderland</i>	154	17	One hundred & fifty four Dollars & Seventeen cents	154	17
<i>Brimfield</i>	383	33	Four hundred & nine Dollars & thirty three cents	383	33
<i>Blainford</i>	348	6	Four hundred & Sixty four Dollars & Six cents	348	6
<i>Pelham</i>	235	83	Two hundred & ninety three Dollars & Eighty three cents	235	83
<i>Palmer</i>	219	17	Two hundred & forty seven Dollars & seventeen cents	219	17
<i>Southampton</i>	44	0	Two hundred & Seventy one Dollars & seventy eight cents	247	17
<i>South Hadley</i>	238	20	Two hundred & ninety Dollars & twenty cents	271	78
<i>Greenfield</i>	295	46	Three hundred & ninety four Dollars & Sixty two cents	290	20
<i>Gill</i>	104	26	One hundred & thirty nine Dollars & ten cents	394	62
<i>New Salem</i>	333	6	Three hundred & Seventy one Dollars & six cents	139	10
<i>Montague</i>	225	83	Two hundred & twenty five Dollars & eighty three cents	371	6
<i>Granville</i>	486	39	Six hundred & twelve Dollars & thirty nine cents	225	83
<i>Greenwich</i>	253	33	Two hundred & Seventy one Dollars & thirty nine cents	612	39
<i>Amherst</i>	353	61	Four hundred & fifty nine Dollars & Sixty one cents	271	33
<i>Monson</i>	317	22	Four hundred & nine Dollars & twenty two cents	409	22
<i>Belchertown</i>	336	39	Four hundred & forty four Dollars & thirty nine cents	444	39
<i>Colraine</i>	295	83	Four hundred & twenty five Dollars & eighty three cents	425	83
<i>Shutesbury</i>	131	11	One hundred & thirty one Dollars & eleven cents	131	11
<i>Ware</i>	164	72	One hundred & Sixty four Dollars & Seventy two cents	164	72
<i>Barnardston</i>	159	72	Two hundred & forty eight Dollars & forty three cents	248	43
<i>Leyden</i>	143	33	Two hundred & twenty two Dollars & Sixty two cents	222	62
<i>Chesterfield</i>	278	6	Three hundred & twenty Dollars & six cents	320	6
<i>South Brimfield</i>	151	67	One hundred & Seventy Dollars & ninety one cents	170	91
<i>Holland</i>	100	56	One hundred & thirteen Dollars & thirty two cents	113	32
<i>Warwick</i>	214	17	Two hundred & Sixty two Dollars & eighteen cents	262	18
<i>Orange</i>	35	99	One hundred & ninety six Dollars & fifty five cents	196	55
<i>Wilbraham</i>	404	3	Four hundred & Seventy eight Dollars & three cents	478	3
<i>Charlément</i>	127	50	One hundred & Sixty seven Dollars & fifty cents	167	50
<i>Chester</i>	220	83	Two hundred & twenty Dollars & eighty three cents	220	83
<i>Conway</i>	452	22	Five hundred & sixty six Dollars & twenty two cents	566	22
<i>Granby</i>	185	56	Two hundred & twenty nine Dollars & fifty six cents	229	56

COUNTY OF HAMPSHIRE — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,452 13	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Ashfield	66 0	273 33	339 33
Shelburne	76 0	252 22	328 22
Worthington	98 0	302 22	400 22
Southwick	54 0	193 33	247 33
Williamsburg		208 61	208 61
Whately		181 67	181 67
Norwich		142 50	142 50
West Springfield	140 0	674 45	814 45
Leverett		129 72	129 72
Weshampton	12 0	155 0	167 0
Buckland	38 0	117 50	155 50
Cummington	21 17	192 22	213 39
Plainfield	10 83	98 33	109 16
Montgomery		92 78	92 78
Wendell		113 33	113 33
Goshen		164 17	164 17
Middlefield		137 50	137 50
Longmeadow	10 0	232 50	242 50
Ludlow		126 39	126 39
Rove		86 11	86 11
Heath		90 69	90 69
Hawley	52 0	107 22	159 22
Russell		62 78	62 78
	2670 0	14980 14	17650 14
			Seventeen thousand Six hundred & fifty Dollars & fourteen cents
			Three hundred & thirty nine Dollars & thirty three cents
			Three hundred & twenty eight Dollars & twenty two cents
			Four hundred Dollars & twenty two cents
			Two hundred & forty seven Dollars, & thirty three cents
			Two hundred & Eight Dollars & Sixty one cents.
			One hundred & eighty One Dollars & Sixty seven cents
			One hundred & forty two Dollars & fifty cents
			Eight hundred & fourteen Dollars & forty five cents
			One hundred & twenty nine Dollars & Seventy two cents
			One hundred & Sixty Seven Dollars
			One hundred & fifty five Dollars & fifty cents
			Two hundred & thirteen Dollars & thirty nine cents
			One hundred & nine Dollars & Sixteen cents
			Ninety two Dollars & Seventy eight cents
			One hundred & thirteen Dollars & thirty three cents
			One hundred & Sixty four Dollars & Seventeen cents
			One hundred & thirty seven Dollars & fifty cents
			Two hundred & thirty two Dollars & fifty cents
			One hundred & twenty six Dollars & thirty nine cents
			Eighty six Dollars & eleven cents
			Ninety Dollars & sixty nine cents
			One hundred & fifty nine Dollars & twenty two cents
			Sixty two Dollars & seventy eight cents

COUNTY OF PLYMOUTH.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Plymouth</i>	168 0	615 56	Seven hundred & eighty three Dollars & fifty six cents	783 56
<i>Sitate</i>	136 0	866 66	One thousand & two Dollars & Sixty six cents	1002 66
<i>Duxbury</i>	36 0	341 53	Three hundred & seventy seven Dollars & fifty three cents	377 53
<i>Marshfield</i>	92 0	466 39	Five hundred & fifty eight Dollars & thirty nine cents	558 39
<i>Bridgewater</i>	168 0	1512 78	One thousand six hundred & eighty Dollars, & seventy eight cents	1680 78
<i>Middleboro</i>	152 0	1229 44	One thousand three hundred & eighty one Dollars & forty four cents.	1381 44
<i>Rochester</i>	102 0	572 22	Six hundred & Seventy four Dollars & twenty two cents	674 22
<i>Plympton</i>	30 0	220 97	Two hundred & fifty Dollars & ninety seven cents	250 97
<i>Peabroke</i>	54 0	513 89	Five hundred & Sixty Seven Dollars & eighty nine cents	567 89
<i>Abington</i>	138 0	464 58	Six hundred & two Dollars & fifty eight cents	602 58
<i>Kingston</i>	30 0	288 75	Three hundred & eighteen Dollars & seventy five cents	318 75
<i>Hanover</i>	28 0	260 56	Two hundred & eighty eight Dollars & fifty six cents	288 56
<i>Halifax</i>	26 0	193 61	One hundred & ninety three Dollars & sixty one cents	193 61
<i>Wareham</i>	26 0	182 92	One hundred & eighty two Dollars & ninety two cents	182 92
<i>Carver</i>	26 0	202 22	Two hundred & twenty eight Dollars & twenty two cents	228 22
	1160 0	7932 8	Nine thousand & ninety two Dollars & eight cents	9092 8

COUNTY OF BARNSTABLE.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Barnstable</i>	166 0	548 61	Seven hundred & fourteen Dollars & sixty one cents	714 61
<i>Sandwich</i>	30 0	463 19	Four hundred & ninety three Dollars & sixty one cents	493 19
<i>Yarmouth</i>	56 0	239 72	Two hundred & ninety five Dollars & seventy two cents	295 72
<i>Eastham</i>	28 0	76 75	One hundred & four Dollars & Seventy five cents	104 75
<i>Falmouth</i>	132 0	307 78	Four hundred & thirty nine Dollars & seventy eight cents	439 78
<i>Harwich</i>	140 0	327 78	Four hundred & sixty seven Dollars & seventy eight cents	467 78
<i>Truro</i>	94 0	139 17	One hundred & thirty nine Dollars & seventeen cents	139 17
<i>Chatham</i>	94 0	156 39	Two hundred & fifty Dollars & thirty nine cents	250 39

COUNTY OF BARNSTABLE — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,435 13	Total.
<i>Provincetown.</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Wellfleet</i>	66 11	Sixty six Dollars & eleven cents	66 11
<i>Dennis.</i>	143 75	One hundred & eighty three Dollars & seventy five cents	183 75
<i>Orleans</i>	200 0	Two hundred Dollars	200 0
	90 0	One hundred & ninety three Dollars & ninety four cents	193 94
	776 0	Three thousand, five hundred & forty nine Dollars & nineteen cents	3549 19

COUNTY OF BRISTOL.

TOWNS.	Representatives' Pay.	Proportion of \$133,435 13	Total.
<i>Taunton</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Rehoboth</i>	152 0	Nine hundred & eighty Dollars & Sixty one cents	980 61
<i>Dartmouth</i>	190 0	One thousand & eighty three Dollars & thirty three cents	1083 33
<i>Swansey</i>	164 0	Seven hundred & eighty six Dollars & fifty cents	786 50
<i>Freetown</i>	112 0	Four hundred & forty six Dollars & seventy two cents	446 72
<i>Attleborough</i>	110 0	Five hundred & Sixty three Dollars & thirty four cents	563 34
<i>Norton</i>	619 58	Six hundred nineteen Dollars & fifty eight cents	619 58
<i>Dighton</i>	120 0	Five hundred & twenty three Dollars & thirty four cents	523 34
<i>Easton</i>	62 0	Three hundred ninety four Dollars and fifty cents	394 50
<i>Raynham</i>	40 0	Three hundred & sixty two Dollars & eight cents	362 8
<i>Berkley</i>	80 0	Three hundred & forty five Dollars & ninety seven cents	345 97
<i>Mansfield</i>	36 0	Two hundred & seventy eight Dollars & fifty cents	278 50
<i>New Bedford</i>	40 0	Two hundred & seventy two Dollars & fifty cents	272 50
<i>Westport</i>	112 0	Nine hundred & Six Dollars & forty five cents	906 45
<i>Somerset</i>	48 0	Five hundred & ninety nine Dollars & Sixty seven cents	599 67
	22 0	Two hundred & eighty two Dollars	282 0
	1248 0	Eight thousand four hundred & forty five Dollars & nine cents	8445 9

COUNTY OF DUKES COUNTY.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Elgarton</i>	42 0	211 11	Two hundred & fifty three Dollars & eleven cents	253 11
<i>Tisbury</i>	38 0	193 89	One hundred & ninety three Dollars & eighty nine cents	193 89
<i>Chilmark</i>	80 0	326 39	Three hundred & sixty four Dollars & thirty nine cents	364 39
		731 39	Eight hundred & eleven Dollars & thirty nine cents	811 39

COUNTY OF NANTUCKET.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.	
<i>Nantucket</i>	164 0	888 47	One thousand & fifty two Dollars & forty seven cents	1052 47

COUNTY OF YORK.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>York</i>	162 0	760 0	Nine hundred & twenty two Dollars	922 0
<i>Kittery</i>	134 0	796 67	Nine hundred & thirty Dollars & sixty Seven cents	930 67
<i>Wells</i>	192 0	826 67	One thousand & eighteen Dollars & sixty seven cents	1018 67
<i>Berwick</i>	120 0	1046 67	One thousand one hundred & Sixty Six Dollars & Sixty seven cents	1166 67
<i>Biddeford</i>	66 0	333 33	Three hundred & ninety nine Dollars & thirty three cents	399 33
<i>Arundel</i>	80 0	380 0	Four hundred & sixty Dollars	460 0
<i>Buxton</i>	122 0	317 78	Four hundred & thirty nine Dollars & Seventy eight cents	439 78
<i>Lebanon</i>	12 0	213 33	Two hundred & twenty five Dollars & thirty three cents	225 33
<i>Sandford</i>		166 67	One hundred & Sixty Six Dollars & sixty seven cents	166 67
<i>Alfred</i>		133 33	One hundred & thirty three Dollars & thirty three cents	133 33
<i>Pepperelboro'</i>	124 0	333 33	Four hundred & fifty seven Dollars & thirty three cents	457 33
<i>Fryeburgh</i>	74 0	140 0	Two hundred & fourteen Dollars	214 0
<i>Cozhall</i>		157 22	One hundred & fifty seven Dollars & twenty two cents	157 22
<i>Shapleigh</i>		180 0	One hundred & eighty Dollars	180 0

COUNTY OF YORK — CONCLUDED.

TOWNS	Representatives' Pay.	Proportion of \$133,455 13	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Parsonsfield	.	160 0	160 0
Waterboro'	.	166 67	166 67
Limerick	.	108 88	108 88
Limington	.	133 33	133 33
Newfield	.	48 88	48 88
Cornish	.	54 45	54 45
Bethel	.	45 55	45 55
Phillipsburgh	.	133 33	133 33
Brownfield	.	42 24	42 24
Waterford, Lovell, Porterfield, Hiram & Oxford,	(No Valuation)		
	1086 0	6678 33	7764 33
		Seven thousand seven hundred & Sixty four Dollars & thirty three cents	

COUNTY OF WORCESTER.

TOWNS	Representatives' Pay.	Proportion of \$133,455 13	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Worcester	86 0	855 28	941 28
Lancaster	132 0	422 78	554 78
Mendon	134 0	415 0	549 0
Brookfield	96 0	889 31	985 31
Orford	96 0	366 25	362 25
Leicester	12 0	246 25	358 25
Rutland	92 0	415 14	507 14
Sutton	150 0	790 14	940 14
Westboro'	90 0	327 78	417 78
Uzbridge		401 11	401 11
		Nine hundred & forty one Dollars & twenty eight cents	
		Five hundred & fifty four Dollars & seventy eight cents	
		Five hundred & forty nine Dollars	
		Nine hundred & eighty five Dollars & thirty one cents	
		Three hundred & sixty two Dollars & twenty five cents	
		Three hundred & fifty eight Dollars & twenty five cents	
		Five hundred & seven Dollars & fourteen cents	
		Nine hundred & forty Dollars & fourteen cents	
		Four hundred & seventeen Dollars & seventy eight cents	
		Four hundred & one Dollars & eleven cents	

Southboro'	40 0	243 89	Two hundred & eighty three Dollars & eighty nine cents	283 89
Shrewsbury	130 0	345 97	Four hundred & seventy five Dollars & ninety seven cents	475 97
Lunenburg	162 0	339 45	Five hundred & one Dollars & forty five cents	501 45
Dudley	96 0	269 44	Three hundred & sixty five Dollars & forty four cents	365 44
Harrard	166 0	412 8	Five hundred & seventy eight Dollars & eight cents	578 8
Grafton	36 0	322 8	Three hundred & fifty eight Dollars & eight cents	358 8
Upton		225 28	Two hundred & twenty five Dollars & twenty eight cents	225 28
Hardwick	138 0	462 8	Six hundred Dollars & eight cents	600 8
Bolton		275 69	Three hundred & Seventy one Dollars & forty four cents	371 44
Berlin	95 75	150 42	Two hundred & two Dollars & sixty seven cents	202 67
Sturbridge	52 25	505 83	Six hundred & twenty one Dollars & eighty three cents	621 83
Holden	116 0	318 6	Three hundred & Seventy two Dollars & six cents	372 6
Leominster	54 0	339 3	Three hundred & Seventy three Dollars & three cents	473 3
Western	34 0	294 86	Three hundred & twenty four Dollars & eighty six cents	324 86
Douglas	30 0	238 33	Three hundred & two Dollars & thirty three cents	302 33
New Brantree	64 0	293 61	Three hundred & forty three Dollars & Sixty one cents	343 61
Spencer	50 0	410 69	Four hundred & ninety two Dollars & sixty nine cents	492 69
Petersham	82 0	506 67	Five hundred & seventy Dollars & sixty seven cents	570 67
Charlton	64 0	489 30	Five hundred & forty three Dollars & thirty cents	543 30
Templeton	54 0	289 72	Three hundred & thirty seven Dollars & seventy two cents	337 72
Athol	48 0	230 56	Three hundred & thirty four Dollars & fifty six cents	334 56
Oucham	104 0	189 86	One hundred & eighty nine Dollars & eighty six cents	189 86
Fitchburgh		267 92	Three hundred & seventy seven Dollars & ninety two cents	377 92
Winchendon	110 0	266 39	Three hundred & twenty Dollars & thirty nine cents	320 39
Royalston	54 0	245 0	Two hundred & ninety nine Dollars	299 0
Ashburnham	54 0	193 33	One hundred ninety three Dollars & thirty three cents	193 33
Praxton		194 72	One hundred & ninety four Dollars & seventy two cents	194 72
Northboro'	50 0	216 94	Two hundred Sixty Six Dollars & ninety four cents	266 94
Hudburston	36 0	248 89	Two hundred & eighty four Dollars & eighty nine cents	284 89
Westminster	108 0	364 72	Four hundred & seventy two Dollars & seventy two cents	472 72
Princeton	44 0	427 64	Four hundred & Twenty one Dollars & sixty four cents	471 64
Northbridge		122 78	One hundred & twenty two Dollars & seventy eight cents	122 78
Barre	156 0	597 50	Seven hundred & fifty three Dollars & fifty cents	753 50
Ward		177 78	One hundred & seventy seven Dollars & seventy eight cents	177 78
Milford	78 0	252 92	Three hundred & thirty Dollars & ninety two cents	330 92

COUNTY OF WORCESTER — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,455 13	Total.
<i>Sterling</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Gardner</i>	54 0	443 47	497 47
<i>Boylston</i>	70 0	151 11	151 11
<i>Gerry</i>		296 53	366 53
		216 53	216 53
	3318 0	16966 11	20284 11
		Four hundred & ninety Seven Dollars & forty Seven cents	
		One hundred & fifty one Dollars & eleven cents	
		Three hundred & sixty Six Dollars & fifty three cents	
		Two hundred & sixteen Dollars & fifty three cents	
		Twenty thousand, two hundred & eighty four Dollars & eleven cents	

COUNTY OF BERKSHIRE.

TOWNS.	Representatives' Pay.	Proportion of \$133,455 13	Total.
<i>Sheffield</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Mt. Washington</i>	50 76	503 75	554 51
<i>Stockbridge</i>	3 24	32 22	35 46
<i>New Marlboro'</i>	134 0	389 3	523 3
<i>Agremont</i>	100 0	342 50	442 50
<i>Pittsfield</i>	48 0	180 0	228 0
<i>Grt. Barrington</i>	118 0	507 22	625 22
<i>Sandisfield</i>	106 0	361 53	467 53
<i>Southfield</i>	92 65	375 83	468 38
<i>Tyringham</i>	7 45	30 28	37 73
<i>Lanesboro'</i>	90 0	320 28	410 28
<i>New Ashford</i>	103 68	402 22	505 90
<i>Williamston</i>	16 32	63 33	79 65
<i>Becket</i>	154 0	423 61	577 61
<i>Lenox</i>	122 0	175 97	297 97
		293 33	415 33
		Five hundred & fifty four Dollars & fifty one cents	
		Thirty five Dollars & forty six cents	
		Five hundred & twenty three Dollars & three cents	
		Four hundred & forty two Dollars & fifty cents	
		Two hundred & twenty eight Dollars	
		Seven hundred & fifteen Dollars & twenty two cents	
		Four hundred & Sixty Seven Dollars & fifty three cents	
		Four hundred & Sixty eight Dollars & thirty eight cents	
		Thirty seven Dollars & seventy three cents	
		Four hundred & ten Dollars & twenty eight cents	
		Five hundred & five Dollars & ninety cents	
		Seventy nine Dollars & sixty five cents	
		Five hundred & Seventy seven Dollars & Sixty one cents	
		One hundred & seventy five Dollars & ninety seven cents	
		Four hundred & fifteen Dollars & thirty three cents	

<i>Windsor</i>	54 0	151 95	Two hundred & five Dollars & ninety five cents	205 95
<i>Partridgefield</i>	84 0	205 55	Two hundred & eighty nine Dollars & fifty five cents	289 55
<i>Alford</i>		138 89	One hundred & thirty eight Dollars & eighty nine cents	138 89
<i>London</i>		66 11	Sixty six Dollars & Eleven cents	66 11
<i>W. Stockbridge</i>	52 0	220 28	Two hundred & Seventy two Dollars & twenty eight cents	272 28
<i>Richmond</i>		340 14	Three hundred & forty Dollars & fourteen cents	340 14
<i>Hancock</i>		190 56	One hundred & ninety Dollars & fifty six cents	190 56
<i>Washington.</i>		121 39	One hundred & twenty one Dollars & thirty nine cents	121 39
<i>Lee</i>	54 0	270 42	Three hundred & twenty four Dollars & forty two cents	324 42
<i>Adams.</i>	108 0	294 44	Four hundred & two Dollars & forty four cents	402 44
<i>Dalton.</i>		130 70	One hundred & thirty Dollars & seventy cents	130 70
<i>Bethlehem</i>		43 89	Forty three Dollars & eighty nine cents	43 89
<i>Cheshire</i>		290 0	Three hundred & forty two Dollars	342 0
<i>Saroy & Clarksburch,</i>				
	1550 0	6955 42	Eight thousand five hundred & five Dollars & forty two cents	8505 42

COUNTY OF CUMBERLAND.

	Dolls. Cts.	Dolls. Cts.		Dolls. Cts.
<i>Portland</i>	132 0	670 0	Eight hundred and two Dollars	802 0
<i>Scarborough</i>	104 0	614 45	Seven hundred & eighteen Dollars and forty five cents	718 45
<i>North Yarmouth.</i>	130 0	528 33	Six hundred & fifty eight Dollars & thirty three cents	658 33
<i>Falmouth</i>	110 0	637 78	Seven hundred and forty seven Dollars and seventy eight cents	747 78
<i>Branswick</i>	84 0	311 11	Three hundred and ninety five Dollars and eleven cents	395 11
<i>Harpwell</i>	68 0	229 45	Two hundred & ninety seven Dollars and forty five cents	297 45
<i>Wintham</i>		235 55	Two hundred thirty five Dollars & fifty five cents	235 55
<i>Gorham</i>		410 0	Four hundred and ten Dollars	410 0
<i>Cape Elizabeth</i>	54 0	278 89	Three hundred & thirty two Dollars & eighty nine cents	332 89

COUNTY OF CUMBERLAND—CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,455 13	Total.
<i>New Gloucester</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Gray</i>	134 0	241 11	375 11
<i>Stanish</i>		135 56	135 56
<i>Turner</i>		163 33	163 33
<i>Freeport</i>	52 0	133 33	133 33
<i>Durham</i>		352 78	404 78
<i>Hebron</i>	48 0	160 0	160 0
<i>Buckfield</i>		71 67	119 67
<i>Paris</i>		57 22	57 22
<i>Bridgetown</i>		37 22	37 22
<i>Poland</i>		76 11	76 11
<i>Jay</i>		130 56	130 56
<i>Livermore</i>	100 0	33 61	33 61
<i>Norway</i>		33 61	133 61
<i>Orisfield</i>		37 22	37 22
<i>Hartford</i>		65 56	65 56
<i>Sumner</i>		16 80	16 80
<i>Rumford</i>		16 80	16 80
<i>Raymond</i>		33 61	33 61
<i>Peppscot</i>		64 72	64 72
<i>Gore, Flinestown</i>			
<i>Yingstowen,</i>			
	1016 0	5776 38	6792 38
			Six thousand seven hundred and ninety two Dollars & thirty eight cents.

COUNTY OF LINCOLN.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Poneralborough	120 0	316 94	Four hundred & thirty six Dollars & ninety four cents	436 94
Georgetown	78 0	382 78	Four hundred & sixty Dollars & seventy eight cents	460 78
New Castle	30 0	187 62	Two hundred & seventeen Dollars and sixty two cents	217 62
Woolrich	76 0	253 47	Three hundred & twenty nine Dollars & forty seven cents	329 47
Botolphtham	52 0	157 50	Two hundred and nine Dollars and fifty cents	209 50
Topsham	112 0	213 33	Three hundred & twenty five Dollars & thirty three cents	325 33
Booth-Bay	233 89	233 89	Two hundred & thirty three Dollars & eighty nine cents	233 89
Bristol	168 0	433 20	Six hundred & one Dollars and twenty cents	601 20
Waldoborough	112 0	306 81	Four hundred & eighteen Dollars & eighty one cents	418 81
Edgecumbe	173 89	173 89	One hundred & seventy three Dollars & eighty nine cents	173 89
Warren	74 0	183 33	Two hundred fifty seven Dollars & thirty three cents	257 33
Thomaston	104 0	188 61	Two hundred and ninety two Dollars and sixty one cents	292 61
Bath	266 67	266 67	Two hundred & sixty six Dollars and sixty seven cents	266 67
Union	70 97	70 97	Seventy Dollars and Ninety Seven cents	70 97
Bowdoin	115 42	189 42	One hundred & eighty nine Dollars & forty two cents	189 42
Nobleborough	116 39	116 39	One hundred & sixteen Dollars & thirty nine cents	116 39
Cushing	6 0	166 67	One hundred & seventy two Dollars & sixty seven cents	172 67
Cambden	18 0	102 22	One hundred & twenty Dollars and twenty two cents	120 22
Dresden	125 11	125 11	One hundred and twenty five Dollars & eleven cents	125 11
New Milford	136 44	136 44	One hundred & thirty six Dollars & forty four cents	136 44
Lewiston	30 0	105 0	One hundred & thirty five Dollars	135 0
Litchfield	47 22	47 22	Forty seven Dollars and twenty two cents	47 22
Thompsonborough	115 41	115 41	One hundred and fifteen Dollars and forty one cents	115 41
Ballston	163 33	163 33	One hundred & sixty three Dollars & thirty three cents	163 33
Madunkook	69 17	69 17	Sixty nine Dollars and seventeen cents	69 17
Bowdoin adjacent	13 33	13 33	Thirteen Dollars and thirty three cents	13 33
Plymouth Company	150 0	150 0	One hundred & fifty Dollars	150 0
Wales & Little River	(No Valuation)			
	1054 0	4794 72	Five Thousand eight hundred and forty eight Dollars & seventy two cents,	5848 72

COUNTY OF HANCOCK.

TOWNS.	Representatives' Pay.	Proportion of \$133,435 13	Representatives' Pay.	Proportion of \$133,435 13	Total.
<i>Castine</i>	Dolls. Cts. 70 0	Dolls. Cts. 139 17	Two hundred & nine Dollars & seventeen cents		Dolls. Cts. 209 17
<i>Belfast</i>	114 0	80 69	Eighty Dollars & sixty nine cents		80 69
<i>Fenobscot</i>	118 0	92 78	Two hundred and six Dollars & seventy eight cents		206 78
<i>Orrington</i>		89 72	Two hundred & seven Dollars & seventy two cents		207 72
<i>Sedawick</i>		110 28	One hundred & ten Dollars & twenty eight cents		110 28
<i>Hesborough</i>		56 67	Fifty six Dollars and sixty seven cents		56 67
<i>Deer-Isle</i>	114 0	128 33	Two hundred & forty two Dollars & thirty three cents		242 33
<i>Blue Hill</i>		99 17	Ninety nine Dollars and seventeen cents		99 17
<i>Trenton</i>		90 83	Ninety Dollars and eighty three cents		90 83
<i>Sullivan</i>	40 0	71 11	One hundred and eleven Dollars and eleven cents		111 11
<i>Gouldsborough</i>		82 78	Eighty two Dollars and seventy eight cents		82 78
<i>Mount Desert</i>		77 64	Seventy seven Dollars and sixty four cents		77 64
<i>Yinalhaven</i>		94 72	Ninety four Dollars and seventy two cents		94 72
<i>Frankfort</i>		60 97	Sixty Dollars & ninety seven cents		60 97
<i>Bangor</i>		45 0	Forty five Dollars		45 0
<i>Buckton</i>		100 0	One Hundred Dollars		100 0
<i>Prospect</i>		93 33	Ninety three Dollars & thirty three cents		93 33
<i>Hampden</i>		71 67	Seventy one Dollars and sixty seven cents		71 67
<i>Northport</i>		15 7	Fifteen Dollars & seven cents		15 7
<i>Eden</i>		77 64	Seventy seven Dollars and sixty four cents		77 64
<i>Orland</i>		47 86	Forty seven Dollars and thirty six cents		47 36
<i>Duck Trap</i>		15 7	Fifteen Dollars and seven cents		15 7
<i>Sullivan adjacent</i>		24 17	Twenty four Dollars & seventeen cents		24 17
<i>Waldo claim</i>		137 50	One hundred & thirty seven Dollars & fifty cents		137 50
<i>Lincolnshire Co. or 20 associates</i>		30 55	Thirty Dollars & fifty five cents		30 55
<i>Ten original Proprietors</i>		15 28	Fifteen Dollars and twenty eight cents		15 28
<i>Ellsworth & Stillwater</i>					
	456 0	1947 60	Two thousand four hundred and three Dollars & fifty cents		2403 60

COUNTY OF WASHINGTON.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Macbias</i>	198 47		
<i>Steuben</i>	39 72	Two hundred and thirty eight Dollars and forty seven cents	238 47
<i>Columbia</i>	44 58	Thirty nine Dollars and seventy two cents	39 72
<i>Addison</i>	49 17	Forty four Dollars and fifty eight cents	44 58
<i>Harrington</i>	41 67	Forty nine Dollars & seventeen cents	49 17
<i>Eastport</i>	20 0	Forty one Dollars & sixty seven cents	41 67
		Twenty Dollars	20 0
	40 0	Four hundred and thirty three Dollars and sixty one cents	433 61

COUNTY OF NORFOLK.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Deatham</i>	120 0		
<i>Roxbury</i>	234 0	629 45	749 45
<i>Dorchester</i>	184 0	1070 83	1304 83
<i>Weymouth</i>	110 0	829 17	1013 17
<i>Braintree</i>	48 0	448 6	558 6
<i>Medfield</i>	25 85	359 44	407 44
<i>Dover</i>	18 15	262 8	287 93
<i>Milton</i>	144 0	184 17	202 32
<i>Wrentham</i>	10 0	401 25	545 25
<i>Brookline</i>	48 0	534 86	544 86
<i>Needham</i>	52 0	346 11	394 11
<i>Medway</i>	140 0	362 22	414 22
<i>Bellingham</i>	32 0	361 25	501 25
<i>Warepole</i>	116 0	203 33	235 33
<i>Stoughton</i>	28 0	264 17	380 17
<i>Sharon</i>	22 0	211 87	239 87
<i>Cohasset</i>	8 0	237 22	259 22
<i>Franklin</i>	46 0	250 42	258 42
		378 6	424 6

COUNTY OF NORFOLK — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$183,435 13	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Foxborough	180 0	One hundred & eighty Dollars	180 0
Hallowell	102 0	Four hundred & eighty one Dollars & seventeen cents .	481 17
Quincy	26 0	Three hundred & fifty two Dollars & sixty seven cents .	352 67
Randolph	26 0	Three hundred & nine Dollars & eighty two cents .	309 82
Canton	1540 0	Ten thousand and forty three Dollars & sixty two cents .	10043 62

COUNTY OF KENNEBEC.

TOWNS.	Representatives' Pay.	Proportion of \$183,435 13	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Augusta	114 0	Two hundred and eighty eight Dollars & three cents .	288 3
Hallowell	104 0	Two hundred & seventy eight Dollars & two cents .	278 2
Yassalboro'	34 0	One hundred & sixty six Dollars & ninety four cents .	166 94
Winthrop	144 0	One hundred & ninety one Dollars & seventy eight cents .	191 78
Winslow	24 0	Three hundred & nine Dollars & fifty five cents .	309 55
Pittstown	88 61	Two hundred & ten Dollars & sixty seven cents .	210 67
Greene	86 67	Eighty eight Dollars & sixty one cents .	88 61
Canaan	105 28	Eighty six Dollars and sixty seven cents .	86 67
Fairfield	117 78	One hundred & five Dollars & twenty eight cents .	105 28
Norridgewock	73 61	Seventy three Dollars & sixty one cents .	73 61
Readfield	118 0	One hundred & seventeen Dollars, & seventy eight cents	117 78
Monmouth	124 0	Two hundred and one Dollars, & sixty one cents .	201 61
Sudney	80 56	One hundred & fifty six Dollars & ninety five cents .	156 95
Mount Vernon	53 47	One hundred & ninety eight Dollars & seventy two cents .	198 72
Farmington	18 6	Eighty Dollars & fifty six cents .	80 56
Clinton		Fifty three Dollars & forty seven cents .	53 47
Harlem		Eighteen Dollars & six cents .	18 6

Starks, Fayette, Belgrade, New Sharon, Wayne, Cornville, Anson, Strong, Leeds, Chester & Goshen,	(No Valuation)	662 0	1964 31	Two thousand six hundred & twenty six Dollars & thirty one cents .	2626 31

SUM TOTAL OF THE SEVERAL COUNTIES.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.		Dolls. Cts.
Suffolk	1106 0	13177 8	Fourteen thousand two hundred & eighty three Dollars, & eight cents	14283 8	
Essex	2734 0	17819 58	Twenty thousand five hundred & fifty three Dollars & fifty eight cents	20553 58	
Middlesex	3116 0	13956 11	Seventeen thousand & seventy two Dollars & eleven cents	17072 11	
Hampshire	2670 0	14980 14	Seventeen thousand six hundred & fifty Dollars & fourteen cents	17650 14	
Plymouth	1160 0	7932 8	Nine thousand & ninety two Dollars & eight cents	9092 8	
Barnstable	776 0	2773 19	Three thousand five hundred & forty nine Dollars, & nineteen cents	3549 19	
Bristol	1248 0	7197 9	Eight thousand four hundred & forty five Dollars & nine cents	8445 9	
Dukes County	80 0	731 39	Eight hundred & eleven Dollars & thirty nine cents	811 39	
Nantucket	164 0	888 47	One thousand & fifty two Dollars & forty seven cents	1052 47	
York	1086 0	6678 33	Seven thousand seven hundred & sixty four Dollars & thirty three cents	7764 33	
Worcester	3318 0	16966 11	Twenty thousand two hundred & eighty four Dollars & eleven cents	20284 11	
Berkshire	1550 0	6955 42	Eight thousand five hundred & five Dollars & forty two cents	8505 42	
Cumberland	1016 0	5776 38	Six thousand seven hundred & ninety two Dollars & thirty eight cents	6792 38	
Lincoln	1054 0	4794 72	Five thousand eight hundred & forty eight Dollars & seventy two cents	5818 72	
Hancock	456 0	1947 50	Two thousand four hundred & thirty three Dollars & fifty cents	2403 50	
Washington	40 0	393 61	Four hundred and thirty three Dollars & sixty one cents	433 61	
Norfolk	1540 0	8503 62	Ten thousand & forty three Dollars & sixty two cents	10043 62	
Kennebec	662 0	1964 31	Two thousand six hundred & twenty six Dollars & thirty one cents	2626 31	
	23776 0	133485 13	One hundred & fifty seven thousand, two hundred & eleven Dollars & thirteen cents	157211 13	

SECTION 2D. *Be it further enacted* that the Treasurer of this Commonwealth, do forthwith send his Warrants directed to the Selectmen or Assessors of each Town, District, Plantation or other place within this Commonwealth, the inhabitants whereof are taxed as aforesaid, requiring such Selectmen or Assessors respectively to assess in Dollars & Cents, the sum hereby set upon such Town, District, Plantation or other place in manner following, that is to say — All the male polls above the age of sixteen years, within their respective Towns, Districts, Plantations, or other places adjoining them, belonging to no other Town, District or Plantation (provided such places were returned in the last Valuation,) all the polls aforesaid, being Minors, Apprentices or servants, under the government of a Master or Mistress, to be taxed to such Master or Mistress respectively, at twenty eight Cents each, and the remainder of such sum, so set to each Town, District, Plantation or other place respectively as aforesaid, (after deducting the sums assessed on the polls as aforesaid) to assess on the inhabitants of such Town, District Plantation, or other place as aforesaid, according to the just value of the real estate of each inhabitant of such Town, District, Plantation or other place respectively, by him, her or them possessed on the first day of May next, in his, her or their own right, or in the right of others, lying within the said Town, District, Plantation or other place improved or not improved (excepting Pews in houses of public worship) and on the nonresident Proprietors of real estate lying within such Town, District, Plantation or other place, in their own right or in the right of others improved or not improved, saving all agreements between Landlords & Tenants, and where no agreement is, the Landlord to reimburse such Tenant one half of such tax; and also on the inhabitants of such Town, District, plantation or other place, and all other persons possessing estates within the same, according to the proportion of the amount of the just value of their respective personal estates, including monies at interest, more than they pay interest for, although the same be secured by an absolute conveyance of real estate, if a bond of defeasance, or promise of conveyance has been given, & all other debts due more than they are indebted for, money of all kinds on hand, public securities of all kinds, and bank stock, held in any Bank, & shares or property held in any incorporate Bridges or Turnpike

roads, according to the just value thereof, and also the just amount of the value of all goods, wares & merchandize, or any other stock in trade, vessels of all sorts at home and abroad, with all their stores and appurtenances, Mules, Horses, neat Cattle each of one year old and upwards, & swine of six months old & upwards, and all other property of the several kinds returned in the last valuation, (excepting sheep, household furniture, wearing apparel, farming utensils, and tools of Mechanics) on the said first day of May. And the Assessors of the respective Towns, Districts, Plantations and other places as aforesaid, shall estimate all the before enumerated articles at six per centum upon the real value thereof in the places where they are (excepting unimproved lands which shall be estimated at two per centum, where they are situated,) and on the amount of the incomes of the inhabitants within their respective Precincts as aforesaid, from any profession, handicraft, trade, or employment, or gained by trading on sea or land. And the Treasurer in his said Warrant shall likewise require the said Assessors respectively to make a fair list of such assessments, setting forth in distinct columns against each persons name how much he or she is assessed for polls, how much for real estate, and how much for personal estate and income as aforesaid; and if as guardian, or for any estate in his or her possession in trust, to be distinctly expressed; and also to insert in their rate bills the number of acres of unimproved land which they have taxed to each of the nonresident proprietors of lands within their respective Towns, Districts, Plantations or other places, and also the real value at which they have estimated the same, and the list or lists so compleated and signed by them in manner aforesaid, or by the major part of them to commit to the Collector or Collectors, Constable or Constables of such Town, District, plantation or other place respectively with a Warrant or Warrants in due form of Law, for collecting and paying the same to the Treasurer of this Commonwealth, on or before the first day of April in the year of our Lord, One thousand eight hundred & two; and also to return a Certificate of the name or names of such Collector or Collectors, Constable or Constables, with the sum total committed to them respectively to collect, to the said Treasurer some time before the first day of December next.

SEC. 3. And whereas there are many persons within

this Commonwealth, who are engaged in trade, & who almost entirely negotiate their business, and hire shops, stores & wharves in other towns than where they dwell or reside, and whose property and ability in this regard cannot be so well known to the assessors of the several Towns, Districts or Plantations wherein such persons dwell or reside, as to the Assessors of the several towns wherein their business is transacted as aforesaid ;

Be it therefore enacted, that all such persons within the description aforesaid, shall be assessed by the Assessors thereof, and pay taxes for such of their goods, wares, and merchandize, or other stock in trade ships & vessels as are sold, used and improved in such towns, other than where they reside, and not in the towns where such persons dwell or reside ; and they shall accordingly give in on oath if required, a list of their whole estates respectively, to the Assessors of their respective towns or places of residence, distinguishing what part thereof is rateable in other towns, and in default thereof shall be doomed by the Assessors of such towns or places where they respectively reside, or have their home — *provided always* that this clause be not in any case so construed as to enable any town to tax any inhabitant of any other town for any estate for which such other town was charged in the last Valuation.

SEC. 4. *Provided nevertheless, & be it further enacted* that the President, Professors, Tutors, Librarian and Students of Harvard, Williams & Bowdoin Colleges, who have their usual residence there, and who enjoy no other pecuniary Office or employment, also Ministers of the Gospel & Latin grammar School Masters are not to be assessed for their polls and estate under their own actual management or improvement lying in the Towns, Districts or Parishes where they are settled ; and also all persons who have the management or improvement of the estates of Harvard College, Williams College & Bowdoin College, in this Commonwealth, are not to be assessed for the same ; nor Indians for their polls and estates : & if there be any others who by reason of age infirmity or poverty are unable to pay towards the public charges, and in the judgment of the Assessors ought to be relieved in their taxes, in any such case, the Assessors respectively may exempt the polls and estates of such persons, or abate any part of what they are set at as they on their oaths shall deem just and equitable.

SEC. 5. *Be it further enacted*, that the Justices of the Peace, at their several Sessions in their respective Counties, when duly authorized for the assessment of a County Tax, shall apportion the same on the several Towns, Districts, Plantations & other places in their respective Counties as aforesaid, in the respective proportions of this Tax; & the Assessors of each Town, Parish, District or other place within this Commonwealth, in making County, Town, Parish or Society Taxes, shall govern themselves by the same rules, and assess the polls in their respective Towns, Parishes, or Societies, in the same proportions as the said polls pay towards the several sums, with which the said Towns or other places, by this Act, respectively stand charged having regard to all such alterations of polls or property, as may happen within the same, subsequent to assessing the Tax laid by this Act:

Provided always, that it shall and may be lawful for any Town District or Plantation, to levy, make and collect any County, Town, Parish or Society Tax and for that purpose to cause a Valuation to be taken at any time of the year, which the said town or other place shall determine to be expedient at a legal meeting warned for that purpose. And the Assessors of the several Towns, which by this Act are charged with the pay of Representatives, shall assess such additional sum on the polls and estates as aforesaid within their respective towns, and shall apportion the same in the same proportion, at which such polls and estate shall be respectively set, for raising the sum of One hundred & thirty three thousand, four hundred & thirty five Dollars, & thirteen Cents.

SEC. 6. *Be it further enacted* that the Treasurer of this Commonwealth shall send his Warrant to the Sheriff of the County of Lincoln requiring him to collect the sum by this Act assessed on the lands belonging to the Plymouth Company, so called; and shall issue his Warrant to the Sheriff of the County of Hancock, requiring him to collect the sums which by this Act are directed to be assessed on the lands lying within the claims of the heirs and assigns of the late Brigadier Waldo, also of the Lincolnshire Company of twenty Associates, and of the Ten original Proprietors so called, all which sums are to be collected in the same manner as Collectors or Constables are authorized, & directed to proceed in collecting the Taxes laid on non-resident proprietors of unimproved

lands, and to be paid into the Treasury of this Commonwealth on, or before the first day of April in the year of our Lord, One thousand eight hundred and two.

SEC. 7. *Be it further enacted*, that no order shall be drawn by the Treasurer of this Commonwealth, on any Constable or Collector of this Tax, for any part of the same.

SEC. 8. *Be it further enacted*, that Twenty thousand Dollars of the sum ordered to be assessed & paid by this Act, be and hereby is appropriated towards paying the interest on the public debt, and the residue for defraying the expenses of Government.

SEC. 9. *And be it further enacted* that the Selectmen or Assessors of each Town, District, Plantation or other place within this Commonwealth, the inhabitants whereof are to be taxed as required in this Act, be, and hereby are directed to make their several rate lists, to be committed to Collectors or Constables in the forms prescribed at the foot of this Act.

Form of Rate Lists to be made by Assessors & committed to Collectors or Constables.

STATE TAX.					
Names of Persons to be Taxed.	No. of Polls.	Poll Tax.	Real estate.	Personal estate & income.	Total.
		Dollars. Cents.	Dollars. Cents.	Dollars. Cents.	Dollars. Cents.

Form of Rate Lists of non-resident Proprietors of unimproved lands.

STATE TAX.						
Names of Persons to be taxed — if known.	No. of each lot, if known.	No. of Division or [or] description of the range, if known.	No. of Acres.	Value.	Tax.	Total.
				Dollars. Cents.	Dolls. Cts.	Dollars. Cents.

Approved February 28, 1801.

RESOLVES
OF
MASSACHUSETTS.
1800.

RESOLVES

OF THE

GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF *SUFFOLK*,
ON WEDNESDAY, THE TWENTY-EIGHTH DAY OF
MAY, *ANNO DOMINI*, 1800.

BOSTON:

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RESOLVES

OF THE

GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS.

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF
SUFFOLK, ON WEDNESDAY, THE TWENTY-EIGHTH DAY
OF *MAY*, A. D. 1800.

His Excellency CALEB STRONG, Esquire.
Governor.

His Honor MOSES GILL, Esquire.*
Lieutenant Governor.

COUNSELLORS.

Honorable Thomas Dawes,
John Hastings,
Eleazer Brooks,
Oliver Wendell,
Stephen Choate,
Esqrs.

Honorable Elisha May,
Nathaniel Wells,
Elijah Brigham,
Fisher Ames,
Esqrs.

SENATORS.

Hon. SAMUEL PHILLIPS, Esq. L.L.D. *President*.

County of SUFFOLK.

Hon. John C. Jones,
Jonathan Mason, Esqrs.

MIDDLESEX.

Hon. Ebenezer Bridge,
Timothy Bigelow,
Josiah Bartlett, Esqrs.

ESSEX.

Hon. Ebenezer March,
John Treadwell,
Nathaniel Marsh, Esqrs.

HAMPSHIRE.

Hon. David Sexton,
Samuel Fowler,
Thomas Dwight,
Ebenezer Hunt, Esqrs.

* His Honor MOSES GILL, was chosen Lieutenant Governor, by a very large majority of the suffrages of his fellow-citizens, but died on the 20th of May, before his induction to office for the present year.

SENATORS—*Concluded.*

YORK.

Hon. Simon Frye,
Richard F. Cutts, Esqrs.

PLYMOUTH.

Hon. Isaac Thompson,
Beza Hayward, Esqrs.

BRISTOL.

Hon. Samuel Tobey, Esq.

BARNSTABLE.

Hon. John Dillingham, Esq.

DUKES COUNTY AND NAN-
TUCKET.

Hon. Isaac Coffin, Esq.

WORCESTER.

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Hon. Stephen Longfellow,
Daniel Davis, Esqrs.

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David Rosseter, Esqrs.

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Hon. Alexander Campbell,
Nathaniel Dummer, Esqrs.

NORFOLK.

Hon. William Aspinwall,
Benjamin Hichborn,
John Ellis, Esqrs.

Mr. EDWARD P. HAYMAN, *Clerk.*

Dr. PETER THACHER, *Chaplain.*

HOUSE OF REPRESENTATIVES.

Hon. EDWARD H. ROBBINS, Esquire, Speaker.

County of SUFFOLK.

Boston, Joseph Russell,
William Smith,
Samuel Cobb,
John Lowell, jun.

Boston, Joseph Hall,
Samuel Parkman,
Nathan Frazier,
Hingham, Jotham Gay.

County of ESSEX.

Salem, Ebenezer Beckford,
Benja. Pickman, jun.
William Prescott.
Danvers, Gideon Foster,
Samuel Page.
Ipswich, Nathaniel Wade,
Joseph Swazey,
Jonathan Cogswell.
Newbury, Josiah Little.
Newburyport, Enoch Titcomb,
William Coombs,
Jonathan Marsh,
Joshua Carter,
William Bartlett.

Marblehead, Elisha Story,
Joshua Prentiss,
John Selman.
Lynn & Lynnfield, James Robinson,
Audover, Joshua Holt,
Beverly, Moses Brown,
James Burnham,
John Stephens.
Rowley, George Todd.
Salisbury, Samuel March.
Haverhill, Benjamin Willis.
Gloucester, John Rowe,
Amsbury, Joseph Hoyt,

HOUSE OF REPRESENTATIVES— *Continued.**County of ESSEX — Concluded.*

<i>Bradford</i> , Peter Russell,	<i>Wenham</i> , Samuel Blanchard,
<i>Methuen</i> , William Russ,	<i>Hamilton</i> , Manassah Cutler.
<i>Bozford</i> , Thomas Perley,	

County of MIDDLESEX.

<i>Cambridge</i> , Aaron Hill,	<i>Weston</i> , Artemas Ward,
Jeduthan Willington.	<i>Medford</i> , Nathaniel Hall,
<i>Watertown</i> , William Hunt,	<i>Hopkinton</i> , Timothy Shepherd,
<i>Charlestown</i> , Aaron Putnam,	<i>Westford</i> , Amos Fletcher,
<i>Woburn</i> , Loammi Baldwin,	<i>Waltham</i> , Abner Sanderson,
<i>Concord</i> , Joseph Chandler,	<i>Stow & {</i> Charles Whitman,
<i>Newton</i> , Timothy Jackson,	<i>Borboro', } Joseph Heald,</i>
<i>Reading</i> , James Bancroft,	<i>Dracut</i> , William Hildreth,
<i>Marlborough</i> , Jonathan Weeks,	<i>Townsend</i> , John Campbell,
<i>Billerica</i> , Oliver Crosby,	<i>Holliston</i> , James Mellen,
<i>Framingham</i> , Jonathan May-	<i>Acton & {</i> Jonas Brooks,
nard,	<i>Carlisle, } Samuel Hoar,</i>
<i>Lexington</i> , Joseph Simonds,	<i>Lincoln</i> , Stephen Patch,
<i>Chelmsford</i> , William Adams,	<i>Ashby</i> , Jacob Reeves.
<i>Sherburne</i> , Daniel Whitney,	
<i>Sudbury</i> , Jonathan Rice,	
<i>Malden</i> , Jonathan Oaks,	

County of HAMPSHIRE.

<i>Springfield</i> , George Bliss,	<i>Hadley</i> , Samuel Porter,
<i>W. Springfield</i> , Jonathan Smith,	<i>Palmer</i> , James Smith,
jun.	<i>Montague</i> , Henry Wells,
<i>Wilbraham</i> , John Bliss,	<i>Northfield</i> , Elisha Hunt,
<i>Northampton & Easthampton</i> ,	<i>Belchertown</i> , Park Holland,
John Taylor,	<i>Colrain</i> , Hugh McLellan,
<i>South Hadley</i> , Ruggles Wood-	<i>Charlemont</i> , Joseph Nash,
bridge,	<i>Southwick</i> , Saul Fowler,
<i>Amherst</i> , Zebina Montague,	<i>Granville</i> , David Robinson,
<i>Granby</i> , David Smith,	Israel Parsons.
<i>Hatfield</i> , John Hastings,	<i>Greenfield & Gill</i> , Solomon
<i>Westfield</i> , James Taylor,	Smead,
<i>Williamsburg</i> , Elisha Hubbard,	<i>Southampton</i> , Lemuel Pomeroy,
<i>Conway</i> , Malachi Maynard,	<i>Blandford</i> , William Knox, 3d.
<i>Brimfield</i> , Abner Morgan,	<i>Bernardston & Leyden</i> , Lemuel
<i>S. Brimfield & Holland</i> , Oliver	Foster,
Wales,	<i>Westhampton</i> , Aaron Fisher,
<i>New Salem</i> , Varney Pearee,	<i>Buckland</i> , Lemuel Taylor.
<i>Worthington</i> , Ezra Starkweather,	<i>Cumington & Plainfield</i> , Eben-
<i>Chesterfield</i> , Spencer Phelps,	ezer Snell,
<i>Monson</i> , Abner Brown,	<i>Long Meadow</i> , Hezekiah Hale.
<i>Pelham</i> , Isaac Abercrombie,	

County of PLYMOUTH.

<i>Plymouth</i> , Nathaniel Goodwin,	<i>Middleboro'</i> , Nathaniel Wilder,
<i>Scituate</i> , Elijah Turner,	<i>Rochester</i> , Elisha Ruggles,
<i>Marshfield</i> , Elisha Phillips,	<i>Plimpton</i> , Seth Cushing,
<i>Bridgewater</i> , Nahum Mitchell,	<i>Pembroke</i> , Kilborn Whitman,

*HOUSE OF REPRESENTATIVES — Continued.**County of PLYMOUTH — Concluded.*

<i>Kingston</i> , Jedediah Holmes,	<i>Hanover</i> , Benjamin Bass,
<i>Abington</i> , Aaron Hobart,	<i>Carver</i> , Nathaniel Sherman.

County of BARNSTABLE.

<i>Barnstable</i> , Isaiah L. Greene,	<i>Wellfleet</i> , Lemuel Newcomb,
<i>Sandwich</i> , William Bodfish,	<i>Falmouth</i> , David Nye,
<i>Yarmouth</i> , David Thacher, jun.	<i>Chatham</i> , Richard Sears,
<i>Eastham</i> , Elisha Mayo,	<i>Orleans</i> , Richard Sparrow.
<i>Harwich</i> , Ebenezer Broadbrooks, jun.	

County of BRISTOL.

<i>Taunton</i> , Nicholas Tillinghast,	<i>Raynham</i> , Josiah Dean,
<i>Rhoboth</i> , Frederick Drown,	<i>Easton</i> , Abiel Mitchell.
<i>Swansey</i> , Christopher Mason,	<i>Mansfield</i> , Benja. Bates,
<i>Dartmouth</i> , Holder Slocum,	<i>Berkley</i> , Luther Crane,
<i>Norton</i> , David Clap,	<i>New Bedford</i> , Seth Spooner,
<i>Dighton</i> , George Ware,	<i>Somerset</i> , Phillip Bowers.
<i>Freetown</i> , Nathaniel Morton, jun.	

County of YORK.

<i>York</i> , Joseph Bragdon,	<i>Arundel</i> , Thomas Perkins, 3d.
<i>Kittery</i> , Andrew P. Fernald.	<i>Pepperellborough</i> , Richard Cutts,
<i>Wells</i> , Nathaniel Wells,	<i>Lebanon</i> , Thos. M. Wentworth,
Jacob Fisher.	<i>Buxton</i> , Jacob Bradbury.
<i>Berwick</i> , John Lord,	

County of DUKE'S COUNTY.

<i>Edgarton</i> , William Mayhew,	<i>Chilmark</i> , Matthew Mayhew, jun.
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County of NANTUCKET.

Nantucket, Micajah Coffin.

County of WORCESTER.

<i>Worcester</i> , Nathaniel Paine,	<i>Sturbridge</i> , Josiah Walker,
<i>Lancaster</i> , Samuel Ward,	<i>Hardwick</i> , John Hastings,
<i>Mendon</i> , Phillip Ammidown,	<i>Western</i> , Joseph Field,
<i>Brookfield</i> , John Cutler,	<i>Leominster</i> , Jonas Kendall,
<i>Oxford</i> , Silvanus Town,	<i>Holden</i> , John Dodds,
<i>Charlton</i> , Levi Davis,	<i>Douglas</i> , Aaron Marsh,
<i>Sutton</i> , Jonathan Woodbury,	<i>Grayton</i> , Nathaniel Adams,
<i>Leicester</i> , Thomas Denny,	<i>Royalston</i> , John Norton,
<i>Spencer</i> , Benjamin Drury,	<i>Petersham</i> , Daniel Bigelow,
<i>Rutland</i> , Daniel Walker,	<i>Athol</i> , Josiah Goddard,
<i>Hubbardston</i> , William Marean,	<i>Templeton</i> , Leonard Stone,
<i>New Braintree</i> , Benjamin Josslyn,	<i>Princeton</i> , Ebenezer Parker,
<i>Southborough</i> , Elijah Brigham,	<i>Winchendon</i> , Samuel Prentiss,
<i>Northborough</i> , Nahum Faye,	<i>Dudley</i> , Aaron Tufts,
<i>Shrewsbury</i> , Jonah Howe,	<i>Barre</i> , Edmund Howes,
<i>Lanzenbury</i> , Thomas Kimball,	<i>Milford</i> , Samuel Jones,
<i>Harvard</i> , Joseph Stone,	<i>Sterling</i> , Benjamin Richardson,
<i>Bolton & Berlin</i> , Silas Holman,	<i>Boylston</i> , James Longley.

HOUSE OF REPRESENTATIVES — *Continued.**County of CUMBERLAND.*

<i>Falmouth</i> , Archelaus Lewis,	<i>Brunswick</i> , Ebenezer H. Goss,
<i>Portland</i> , Woodbury Storer,	<i>Harpeswell</i> , Benjamin Dunning,
<i>North Yarmouth</i> , Samuel P. Russell,	<i>New Gloucester</i> , Nathl. C. Allen,
<i>Scarborough</i> , Joseph Emerson,	<i>Freeport</i> , John Cushing,
<i>Cape Elizabeth</i> , Mark Dyer,	<i>Licemore</i> , David Larned.

County of LINCOLN.

<i>Pownalboro'</i> , David Payson,	<i>Camden</i> , Samuel Jacobs,
<i>Georgetown</i> , Mark Langdon Hill,	<i>Thomaston</i> , Henry Knox,
<i>New Castle</i> , John Farley,	<i>Cushing</i> , John McKellar,
<i>Topsham</i> , Benja. Jones Porter,	<i>Bowdoin</i> , James Rogers,
<i>Bristol</i> , Samuel Tucker,	<i>Litchfield</i> , John Neal.

County of BERKSHIRE.

<i>Sheffield & Mt. Washington</i> , Paul Dewey,	<i>Lenox</i> , Joseph Goodwin,
<i>Great Barrington</i> , John Kellogg,	<i>Stockbridge</i> , Ephraim Williams,
<i>Partridgefield</i> , William Frissell,	<i>Egremont</i> , Joseph Benjamin,
<i>New Marlborough</i> , Benjamin Wheeler,	<i>Tyringham</i> , Adonijah Bidwell,
<i>Williamstown</i> , Tompson J. Skinner,	<i>Sandisfield & Southfield</i> , John Canfield,
<i>Williamstown</i> , Tompson J. Skinner,	<i>Windsor</i> , Joshua Beals,
<i>Williamstown</i> , Tompson J. Skinner,	<i>Richmond</i> , Nathan Pierson,
<i>Lancsborough & New Ashford</i> , Gideon Wheeler,	<i>West Stockbridge</i> , Ezekiel Stone,
<i>Pittsfield</i> , John Chandr. Williams,	<i>Adams</i> , Abraham Howland,
	<i>Cheshire</i> , Daniel Brown.

County of HANCOCK.

<i>Sullivan</i> , Paul Dudley Sargent.	<i>Hamplden</i> , Daniel Neal.
<i>Orrington</i> , Oliver Leonard.	

County of WASHINGTON.

Muchus, Phineas Bruce.

County of NORFOLK.

<i>Roxbury</i> , Ebenezer Seaver,	<i>Stoughton</i> , Lemuel Gay,
Joseph Ruggles,	<i>Sharon</i> , Jonathan Billings,
Joseph Heath.	<i>Medway</i> , Abner Morse,
<i>Dorchester</i> , John How,	<i>Walpole</i> , Seth Bullard,
Perez Morton.	<i>Wrentham</i> , Nathan Comstock,
<i>Milton</i> , Edward H. Robbins,	<i>Franklin</i> , John Boyd,
<i>Braintree</i> , Ebenezer Thayer,	<i>Bellingham</i> , Laban Bates,
<i>Weymouth</i> , Eliphalet Loud,	<i>Cohasset</i> , Thomas Lothrop,
<i>Dedham</i> , Isaac Bullard,	<i>Quincy</i> , Moses Black,
<i>Brookline</i> , Stephen Sharp,	<i>Randolph</i> , Joseph White,
<i>Medfield & Dover</i> , John Baxter,	<i>Canton</i> , Joseph Bemis.

HOUSE OF REPRESENTATIVES — *Concluded.**County of* KENNEBECK.

<i>Winslow</i> , Elnathan Sherwin,	<i>Lewiston</i> , John Herrick,
<i>Hallowell</i> , Thomas Fillebrown,	<i>Monmouth</i> , John Chandler,
<i>Winthrop</i> , Nathan Fairbanks,	<i>Farmington</i> , Stephen Titcomb,
<i>Pittston</i> , Samuel Oakman,	<i>Mount Vernon</i> , Nathaniel Dudley.

HENRY WARREN, Esq. *Clerk.*
 Rev. THOMAS BALDWIN, *Chaplain.*

Chapter 1.

RESOLVE FOR THE CHOICE OF AN ADDITIONAL NOTARY PUBLIC FOR ESSEX CO. TO RESIDE IN SALEM.

Resolved, That for the better accommodation of the Inhabitants of Salem in the County of Essex, there be chosen for the present year an additional Notary Public for said County, to reside in said Town.

June 4, 1800.

Chapter 2.

RESOLVE ON THE PETITION OF WILLIAM FESSENDEN, AS GUARDIAN TO THE HEIRS OF HENRY YOUNG BROWN, ESQ. GRANTING THE HEIRS A FURTHER TIME TO PAY A CERTAIN SUM OF MONEY.

On the Petition of William Fessenden as Guardian to the Heirs of Henry Young Brown Esqr. deed. praying the resolve passed Feby. 26th 1799, directing the Treasurer of the Commonwealth to give up and discharge a bond in the Treasurers Office, dated Feby. 16th 1765, signed by Henry Young Brown & others conditioned for the payment of two hundred pounds.

Resolved that a further time of one year be given to the Heirs of said Henry Young Brown deed. to pay into the Treasury — five Hundred dollars in full for the above bond, they paying Intrest on the last mentiond sum from the first day of June Instant.

June 4, 1800.

ANSWER OF THE SENATE TO THE GOVERNOR'S SPEECH AT THE OPENING OF THE SESSION.

May it please your Excellency,

The Senate, with particular and sincere satisfaction, offer you their congratulations upon your election to the

Chief Magistracy of the Commonwealth. Your fellow citizens by their free and uninfluenced suffrages, have called you to preside in their councils, and constituted you their political father. We rejoice in common with the friends of virtue, patriotism, and religion, in this distinguished mark of their affection and confidence; and we indulge the pleasing expectation and belief, that your administration will be guided by that spirit of mildness, and that unshaken attachment to the Government and its laws, which during a long series of publick Services you have so eminently manifested.

The loss which our country has lately sustained, by the death of some of its most worthy and beloved citizens, is a subject of "Mournful regret," and affords a solemn lesson, to those who are called to succeed them in places of honor and preferment. And we trust that its instructive and affecting influence, will have a tendency to double their zeal in the cause of virtue and their Country. The removal of the late Governor Sumner by death was indeed an afflicting event. Amiable and exemplary in private life; punctual, intelligent, vigilant, and patriotic in his public functions, he would long have continued the friend, the ornament, and the pride of his fellow citizens, if their affections and prayers could have prolonged his useful and valuable life.

America has lost in General Washington her first and best friend; and the world, a disinterested and an enlightened benefactor! That such a man, under Providence, was the founder of our government, and the able and faithful guardian of its rights;—that he conducted its armies to victory, and its citizens to independence and happiness;—that he stood firm and uncorrupted at the helm of the nation, amidst the storms of party, and the dangerous and uncertain operation of systems of experiment;—that he triumphed over vice, anarchy, and the enemies of publick order;—that he has transmitted to posterity a new and great example of private and patriotic virtue; and therein an inheritance, which if rightly improved, will extend its happy influence to remotest posterity;—And that he closed the career of a life devoted to his country and the good of mankind, with the hopes and joys of a philosopher and a christian, are considerations which ought, amidst the universal sorrow for his loss, to create in the breast of every American, not

only the highest gratitude, but an unalterable attachment to his country's welfare.

We realize with your Excellency, and our fellow citizens at large, the loss sustained by the death of the late Lieutenant Governor. The early friends of American freedom will long remember with gratitude, his zeal and faithfulness in her cause. His reward has been the unequivocal testimony of the esteem of his fellow citizens, by their repeated and almost unanimous elections to the second Office in their gift.

Whatever may be the event of our negotiations with the French Government, it will be a source of satisfaction to the People of the United States, that every measure has been adopted, which wisdom and prudence could dictate, to reconcile our differences in an amicable manner. Having been patient under multiplied and aggravated encroachments upon our rights as a neutral nation, we have the fullest confidence, that the independent and enlightened citizens of America, will cheerfully submit to every measure and every duty, which the safety and honor of their Country may demand. We cordially unite with your Excellency in opinion that the restoration of harmony will greatly depend upon our preparations for defence. And when the faithful pen of history, shall record our sincere and ardent desires for reconciliation and peace, may it also record the grateful acknowledgments of Americans, to the Author of every "good and perfect gift," for the blessings of the best government by which society has ever been united.

The Senate receive and reciprocate with great satisfaction and sincerity, your Excellency's sentiments upon the subject of morality and religion.

Our Ancestors early recognized the great and important truth, that religion and good government are intimately connected, and must stand or fall together.

If the People of New England have experienced great prosperity, or manifested an attachment to the interests of Science, beyond any former example, it is evidently the salutary result of those institutions of religion and learning, which were among the first works of their pious and patriotic founders. We lament with deep regret, the disposition of any of our citizens, to depart from the ancient manners and habits of our Country. In a government like ours, which can be supported only by the virtue

and the intelligence of the people, its foundation is essentially undermined and endangered, by a propensity to innovation and licentiousness. We shall consider it among the first duties of the legislature to endeavour, by every rational and constitutional method, to check its alarming progress; and we feel a sincere and unfeigned gratification, that the principles and example of your Excellency will not only have a tendency to support and encourage the friends of religion, but also to reclaim its deluded enemies.

The good effects of our ancient religious institutions have been so long and so amply experienced that we ardently hope the legislature will consider their support and encouragement, among the first objects of its care; and that the people at large, will be enabled to form a just estimate of their nature and excellence.

Your Excellency will be pleased to accept the assurances of the Senate, of their cordial wishes for the success of your administration; and we join with you in the solemn supplication, that the “Almighty may succeed our united endeavours to render the people of the Commonwealth, prosperous and happy.”

June 5, 1800.

ANSWER OF THE HOUSE OF REPRESENTATIVES TO THE GOVERNOR'S SPEECH AT THE OPENING OF THE SESSION.

May it please your Excellency,

The invitation of the citizens of a State so large & respectable as that of Massachusetts, at a moment so interesting as the present, to fill the important office of its Chief Magistrate, as it evinces the public opinion of the virtues and talents of the Man thus distinguished, must be highly gratifying to a patriotic mind.

The integrity and ability with which you have performed the various duties of the high and important stations in which you have been placed leave us no room to doubt that you will fill your present dignified office with reputation to yourself, and satisfaction to the Community, notwithstanding the apprehensions which you have been pleased to express. Indeed our expectations are raised from our past observation, that diffidence, virtue and talents are almost inseparable companions.

If errors, from which no mortal is exempt, should elude your Excellency's wisdom, you may place a just reliance

on the candor & magnanimity of your fellow citizens — As the mistakes of virtue they would obliterate them from their recollection.

The occasion unavoidably obtrudes upon our reflections the unexampled losses we have lately sustained by the decease of some of our most respected fellow citizens. By the death of our late excellent Governor this State was deprived of a man, who was greatly & deservedly esteemed in private, and highly respected in public life. Since which afflictive dispensation, the whole Nation has been called to lament the loss of the illustrious Washington, the first and best of men; and however vain the attempt to rival his singular greatness and attainments, would be, yet his integrity, his purity, his unaffected piety, his respect for religious institutions, and his zeal for the public good may, and ought to be imitated by all.

We regret with your Excellency the recent death of our Chief Magistrate the Lieutenant Governor — An early decided & firm friend to the rights of his Country, who long experienced the confidence of his fellow citizens in various high and distinguished offices in the Commonwealth.

Quiting these subjects of mournful regret, we ought to cherish the most fervent gratitude to the Supreme Being, that we enjoy the blessings of a free and undisturbed Government — that the laws are respected — and that notwithstanding any diversity of political opinion, internal tranquility, domestic happiness, good humour and kind offices so generally prevail among the citizens of this Commonwealth.

While carnage and desolation with unusual fury have laid waste some of the fairest portions of Europe, it has pleased Divine Providence to permit this Country to progress in the cultivation of those useful arts which enrich and ameliorate the condition of man.

Invited by their resources, their extensive sea coast, and their characteristic enterprise, to embark largely in a Commerce rendered doubly profitable by their neutrality, the United States have experienced frequent interruptions to their trade by unprovoked infractions of the law of Nations.

Within the last few years these injuries have proceeded from a Nation for whom we had cherished the most friendly sentiments, and the most conciliating measures to obtain redress, which human wisdom could devise, have been

pursued without success. We did not even place ourselves in a posture of defence, until the roused feelings of the American People taught them a sentiment, which the late President had often in vain addressed to their understandings, “that if we desire peace, it must be known that we are prepared for war.”

The history of our intercourse with foreign Nations will be the lasting record of the purity, the impartiality the pacific policy, the wisdom and the prudence of the Executive Authority of the United States. It must be satisfactory to know that hopes are entertained that the existing negotiation with the French Government will put an end to the injuries we have so long and so justly complained of. Every enlightened friend to his Country must ardently desire, that we may not be compelled to renounce the advantages of our neutral situation: — However, the event is in the hand of God, and let it terminate as it may, it is the duty of all good citizens to adhere to the Government of their choice, and to submit with cheerfulness to those expenses which have been the price of their security. If in the issue of our controversy with France, we should not have occasion to resort to arms, it may be attributed, in a great measure, to the spirited preparations which we had made for resistance.

We agree with your Excellency that the Constitution has summarily pointed out the great duties of Legislatures and Magistrates, and if, in the discharge of our respective trusts, we adhere to the spirit, as well as the letter of that Constitution, we may reasonably flatter ourselves that “public and private charity, industry & frugality, honesty and punctuality, sincerity, good humour and all social affections and generous sentiments” will prevail among the people.

As the distribution of public employments depends in a great measure upon the first Executive Magistrate, we felicitate ourselves and our fellow citizens, upon the election of a man who will with the strictest impartiality select and reward superior talents and meritorious services, when accompanied by a virtuous life, and moral and religious principles.

No opinion has been more prevalent among civilized nations, & we believe none better founded, than that “religious principles in the people are essential to morality and the support of lawful Government, and that the obli-

gation to piety is imposed on man by his nature." If lately these opinions have been ridiculed, and demoralizing Philosophers have patronized sentiments diametrically opposite, — if the authenticity of revealed religion has been openly denied and its doctrines represented as unfriendly to social or individual happiness — If the Author of our Holy Religion has been vilified in some Countries, and man reduced to a level with the brute creation by denying the immortality of the Soul; it becomes us who have so lately and so solemnly professed our belief of the truths of christianity to endeavour to prevent the progress of these principles of infidelity by every mild and prudent measure — by promoting the means of general knowledge and information, — by excluding vicious and profligate persons from the instruction of youth, — by encouraging, and supporting honorably public teachers of religion & morality, and more especially enforcing by example the effects of that pure religion which we regard as the surest source of human felicity.

In your Excellency's laudable, patriotic and zealous exertions for the public good, we place the fullest confidence; and we doubt not your ready concurrence in every measure tending to secure to the people the benefits of a mild and just Government; and we most cordially join with your Excellency, in supplicating the Almighty Ruler of Nations to succeed our mutual endeavours to promote the peace, prosperity and happiness of this Commonwealth.

June 5, 1800.

Chapter 3.

RESOLVE ON THE MEMORIAL OF THE CLERK OF THE COURT OF GENERAL SESSIONS OF THE PEACE FOR THE COUNTY OF DUKES COUNTY, AUTHORIZING HIM TO ISSUE HIS WARRANT TO THE CONSTABLES OF THE SEVERAL TOWNS, TO ELECT GRAND JURORS, AS PRESCRIBED BY LAW.

Whereas the Justices of the Court of General Sessions of the peace holden at Edgartown within and for the county of Dukes County on the third Tuesday of April last dismissed the Grand jurors returned to serve in said Court of General Sessions for the current year on account of the illegality of their appointment by reason whereof the said County is destitute of a Grand jury & no provision is by law made for the appointment of a new Grand jury: Therefore

Resolved that the Clerk of the Court of General Sessions of the peace for sd. County be & he is hereby authorised and empowered to issue his warrant to the constables of the several towns in said County requiring them severally to elect & appoint in manner as is by law prescribed such & so many good & lawful men as have been usually directed to serve as Grand jurors for said County at the several Courts of General Sessions of the peace in said County untill by law a new grand jury can be summoned — and the Constables of the several towns to whom such warrants shall be directed & the selectmen & town clerks of said towns shall be holden to perform all the duties enjoined on them & subject to the penalties by law prescribed in like manner as in case of Grand jurors chosen and appointed at the usual annual town meetings in march or april — and the said Grand jurors appointed & chosen pursuant to this resolve shall possess like qualifications be subject to like penalties & perform like duties as if chosen at the annual town meetings, and the doings & proceedings of the Grand jury appointed pursuant to this resolve shall be in all respects valid as though chosen in March last.

June 5, 1800.

Chapter 4.

RESOLVE ON THE PETITION OF JOHN EMERY, AGENT IN BEHALF OF THE BAPTIST SOCIETY IN BERWICK, RENDERING VALID THE PROCEEDINGS OF SAID SOCIETY.

On the petition of John Emery, Agent for and in behalf of “the Baptist Society in Berwick,” in the County of York, shewing that said Society purchased, in the year 1796, a parsonage farm for the benefit of the minister thereof, for the sum of one thousand dollars, and that doubts have arisen respecting the validity of the votes and proceedings of said Society, in purchasing said farm, and voting the said sum for that purpose — Therefore

Resolved, that all the votes and proceedings of said Society respecting the purchasing of said farm, and voting, granting and collecting the said sum of one thousand dollars for the purpose aforesaid be and hereby are made legal and valid to all intents and purposes whatsoever, any informality in the same to the contrary notwithstanding.

June 6, 1800.

Chapter 5.

RESOLVE APPOINTING A COMMITTEE TO SETTLE THE TREASURER'S ACCOUNTS.

Resolved, that the Honorable Thomas Dawes and John Coffin Jones Esquires be a committee to examine and adjust the Accounts of the Treasurer of this Commonwealth, from the first day of July last, to the first day of July next, and that the said Committee are impowered and directed to deface all notes, due bills and orders, issued under the authority of this Commonwealth, by any Officer thereof, that have been redeemed by the Treasurer during the time aforesaid: And to report an account of their proceedings at the Session of the General Court which will be next after the first day of January next.

June 6, 1800.

Chapter 6.

RESOLVE RESPECTING THE CHOICE OF ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, AND REQUESTING THE GOVERNOR TO TRANSMIT A CERTIFICATE OF SUCH CHOICE.

Resolved that the General Court on the thirteenth day of November next (being then in session) will by joint ballot of the Senate & House of Representatives elect and choose Sixteen persons as electors of President and Vice President of the United States, not being Senators or Representatives in the Congress of the United States, or Persons holding any Office of Trust or Profit under said United States; one of whom at least, shall be an inhabitant of each district, which is or may be assigned for the choice of Representatives, in the Congress of the United States.

And be it further resolved, that his Excellency the Governor be, and he hereby is requested forthwith, after such election, to transmit to each person, so chosen an Elector, a certificate of such choice; and the said Electors are hereby required to meet on the first Wednesday of December next, at ten O'Clock, in the forenoon, at the State House, in Boston, for the purpose of voting by ballot, for two Persons as President and Vice President of the United States — and for their Travel and attendance the said Electors shall receive the same compensation as members of the Legislature of this Commonwealth are entitled to receive.

June 6, 1800.

Chapter 7.

RESOLVE ON THE PETITION OF ANDREW WILLEY.

On the petition of Andrew Willey, praying that he and his sureties may be discharged, from the penalties of their recognizances, on which judgements of the Supreme Judicial Court were rendered against them in April term 1799.

Resolved That the said Andrew Willey, together with Joseph Wheelwright Samuel Lancy, and Joseph Hayward his sureties be, and they are hereby discharged from the penalties aforesaid.

June 7, 1800.

Chapter 8.

RESOLVE ESTABLISHING THE PAY OF THE MEMBERS OF THE GENERAL COURT.

Resolved that there be allowed & paid out of the Treasury of this Commonwealth, to each member of the Council Senate, and House of Representatives Two Dollars per day for each days attendance the present Session, and the like sum for every ten miles distance from their respective places of abode, to the place of the sitting of the General Court.

And it is further Resolved that there be paid to the President of the Senate and Speaker of the House of Representatives, each, two dollars per day, for each and every day's attendance, over and above their pay as members.

June 7, 1800.

Chapter 9.

RESOLVE ON THE PETITION OF NATHAN BARTLETT, GRANTING FIFTY DOLLARS IN FULL COMPENSATION FOR THE LOSSES HE SUSTAINED IN CONSEQUENCE OF A WOUND HE RECEIVED WHILE PERFORMING MILITARY DUTY.

On the Petition of Nathan Bartlett of Kittery in the County of York a Private Soldier in Capt. Mark Fernalds company of Cavalry — praying for relief on account of a wound he received in his right hand whilst performing military duty on the 26th day of October 1796 — in said Company.

Resolved that there be paid out of the Treasury of this Commonwealth to the said Nathan Bartlett the sum of Fifty dollars in full for his losses, and for Doctors Bills as sett forth in his Petition.

June 7, 1800.

Chapter 10.

RESOLVE ON THE PETITION OF DANIEL TILLINGHAST, AUTHORIZING BENJAMIN ADAMS, OF UXBRIDGE, TO MAKE SALE OF THE REAL ESTATE MENTIONED.

On the petition of Daniel Tillinghast setting forth that he together with Samuel Aborn Jun. of Providence in the State of Rhode Island are administrators of the Estate of Robert Gibbs Tillinghast late of said Providence merchant deceased; that the said deceased Estate is insufficient to pay his just debts, and praying for leave to make Sale of a small real Estate in the town of Uxbridge in the county of Worcester and Commonwealth aforesaid.

Resolved that Benjamin Adams Esqr. of Uxbridge be & he hereby is authorized & empowered to make sale at publick vendue of all the real Estate which lies in the town of Uxbridge aforesaid whereof Robert Gibbs Tillinghast aforesaid died seized & possessed for the most the same will fetch and to make and execute a good deed or deeds of the same — (Reserving however the Right of dower of Patience widow of the said Robert, in the premises according to law;) the said Benjamin first giving notice of such sale in the same manner that administrators are obliged by law to do in cases where they have leave to make sale of real Estate, also to give bond to the Judge of probate in the county of Worcester for the faithfull payment of the proceeds of said sale over to the administrators of the said Roberts Estate.

June 7, 1800.

Chapter 12.*

RESOLVE ON THE PETITION OF THE INHABITANTS OF POLAND, ABATING A TAX ON SAID TOWN.

On the petition of the Inhabitants of Poland.

Resolved for reasons set forth in the said petition that the sum of Seventy four Pounds one shilling & eight pence, being the Class Tax of the said town in the year 1782, be and hereby is abated to the said town, and the Treasurer is directed to govern himself accordingly.

June 10, 1800.

* Chapter 11, in Session pamphlet, is a message from the Governor transmitting a letter to the Legislature, and is to be found among the messages.

Chapter 13.

RESOLVE ESTABLISHING THE PAY OF THE SECRETARY AND OF THE TREASURER AND RECEIVER GENERAL.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth, to John Avery Esquire Secretary of this Commonwealth twelve hundred and twenty three dollars fifty cents which with two hundred and seventy six dollars fifty cents, which he received in fees before the thirty first day of May last shall be in full for his services as Secretary as aforesaid for one year from the first day of June Eighteen hundred being at the rate of Fifteen hundred dollars per year to be paid in quarterly payments.

That from the first day of June current there be allowed and paid out of the Public Treasury the sum of Fifteen hundred dollars to the Treasurer and R[e]ceiver General of this Commonwealth for his services as Treasurer the present year to be paid him in quarterly payments as the same shall become due.

June 11, 1800.

Chapter 14.

RESOLVE ON THE PETITION OF SAMUEL B. LYON, COMMANDING OFFICER OF AN ARTILLERY COMPANY IN THE TOWN OF DORCHESTER, DIRECTING THE QUARTER MASTER GENERAL TO REPAIR THE GUN HOUSE.

On the Petition of Samuel B. Lyon Commanding Officer of the company of Artillery in the Town of Dorchester in the first Brigade and first Division of the Militia of the Commonwealth Setting forth that the Gun House in Dorchester the Property of the Commonwealth is in Such a Situation that the Publick Property is Exposed to great Ingury.

Resolved for Reasons Set forth in said petition that the Q[ua]rter Master General be and he hereby is Directed to Repair the Same at the Publick Expence as Soon as may be in Such a manner as he Shall Judge most for the Intrest of the Commonwealth.

June 11, 1800.

Chapter 15.

RESOLVE ON THE MEMORIAL OF THE BOSTON BOARD OF HEALTH, GRANTING THEM 1000 DOLLARS FOR THE ERECTION OF BUILDINGS ON RAINSFORD ISLAND, AND APPOINTING THEM AGENTS FOR THAT PURPOSE.

On a Memorial of the Board of Health for the Town of Boston, praying that additional Buildings may be erected

on Rainsford's Island for the accommodation of Patients who may be there.

Resolved, that two Buildings be immediately erected on said Island, under the direction of the said Board of Health, and that the sum of One thousand Dollars be appropriated for that Purpose.

Resolved, that the Board of Health for the Town of Boston, be, and they are hereby Appointed Agents in behalf of the Commonwealth to carry the foregoing Resolution into Effect, with full Powers to make the necessary contracts not to exceed the sum aforesaid and that they lay their Accounts for the Expences attending the said Buildings before the Committee of Accounts, who are hereby authorized to Act on, and to pass the same.

June 11, 1800.

Chapter 16.

REPORT RESPECTING THE DELINQUENCY OF SHERIFFS AND TOWN OFFICERS IN NOT RETURNING VOTES FOR GOVERNOR, &c.

The Committee of both houses appointed to enquire into & report a state of facts relative to the delinquency of those Sheriffs, towns & Selectmen, who have neglected to make returns of the Votes for Governor Leut. Governor Senators & Councillors the present year, ask leave to report

That in the County of Essex, they find the Votes from the town of Wenham were not delivered at the Secretarys office untill the 12th day of May —

That in the County of Hampshire, the returns from the town of Monson, were not delivered at the Secretarys office until the 20th of May, and that no returns have been recd. at said office from the town of Russell in the Same County.

That in the County of York, no returns have been recd. from the town of Waterford, and that the returns from the town of Phillipsburgh, were not delivered at the Secretarys office untill the 20th of May —

That in the County of Barnstable, the returns from the town of Truro, were not delivered at the Secretarys office untill the 20th of May, & that no returns have been recd. from the District of Marshpee in the same County —

That in the County of Cumberland, no returns have been recd. from the towns of Jay, and Rumford, or from the plantation of Flintston —

That in the County of Lincoln, no returns have been recd. from the plantation of Medumcock —

That in the County of Hancock, the returns from the town of Orrington, were not delivered at the Secretarys office untill the 23d of May, and that no returns have been recd. from the towns of Eden & Elsworth in the County aforesaid —

That in the County of Berkshire, no return has been recd. from the town of Loudon —

That in the County of Washington, the returns from the town of Columbia were not delivered at the Secretarys office untill the 3d of June, and that no returns have been recd. from the town of Addisson in the same County —

And that in the County of Kennebeck, no returns have been recd. from the plantations of Littleborough, Sandy river No. 3, or new vineyard —

The Committee further report, That they cannot at the present session of the Gen. Court, be furnished with the necessary evidence with which a full statement of facts ought to be accompanied; — And that as the property and characters of the delinquent Sheriffs & town officers, may be materially affected by an investigation of this important subject, the Committee further report, that the Secretary of the Commonwealth be, directed to give public Notice to the Sheriffs of those Counties, and the Selectmen & town Clerks of those towns, in which the returns aforesaid have not been seasonably made, to appear on the second Wednesday of the first Session of the Genl. Court which shall [shall] be holden next after the first day of January next, to shew cause (if any they have) why the Attorney General should not be directed to prosecute them for such fines or penalties, as they may have incurred in consequence of such delinquency, by inserting this report in the Massachusetts Mercury, and in one of the Newspapers published in each of the Counties wherein such delinquency may have happened (if any Newspaper be therein published) three weeks successively, the last publication to be thirty days at least, before the said second Wednesday. — All which is submitted.

DANL. DAVIS, *per Order.*

June 11, 1800.

Chapter 17.

RESOLVE ON THE PETITION OF THE INHABITANTS OF CAPE ELIZABETH, AUTHORIZING THE COURT OF GENERAL SESSIONS TO APPORTION THE EXPENSE OF THE HIGHWAY UPON THE SEVERAL TOWNS.

Resolved that the Court of General Sessions of the Peace in said County of Cumberland be & they hereby are authorised & empowered (if they see fit) upon Consideration of the Expense of the highway lately laid out & accepted by said Court, leading from None Such Bridge to Portland Bridge, to apportion the same upon the several Towns within said County.

June 11, 1800.

Chapter 18.

RESOLVE ON THE PETITION OF OLIVER LEONARD, AUTHORIZING SALEM TOWN TO CARRY INTO EFFECT A CERTAIN RESOLVE RESPECTING THE SALE OF LANDS ON PENOBSCOT RIVER.

On the Petition of Oliver Leonard, agent for the thirty two settlers on the nine townships of indian land so called.

Resolved, that the Hon. Salem Town, Esq. be and hereby is authorised to carry into effect the Resolve of the 22d of June 1799, respecting the sale of lands on each side of Penobscot river, at any time previous to the first day of July next.

June 12, 1800.

Chapter 19.

RESOLVE ON THE PETITION OF JUSTIN ELY, ESQ. AUTHORIZING HIM TO PREVENT ANY STRIP OR WASTE ON THE LANDS MENTIONED.

On the Petition of Justin Ely representing that divers ill disposed persons frequently make strip and waste and commit trespasses on a certain Township of land called No. 1 in the first range upon the River Schodic in the District of Maine, which he contracted to purchase of the Committee for the sale of eastern lands.

Resolved, that the said Justin be and he hereby is authorised and empowered to take all proper and legal measures to prevent any strip or waste being done on the lands in said Township; and to commence and prosecute to final judgment and execution any action or actions of trespass

in his own name for the recovery of damages to his own use for any trespass or trespasses that have been subsequent to said contract, or hereafter may be committed, on the said lands, or on any of them, in the same manner, and to the same effect as tho' he owned the fee, of the said Township of land, or was in the actual possession of the same.

June 12, 1800.

Chapter 20.

RESOLVE ON THE PETITION OF TURNER PHILLIPS AND JOHN WINTHROP, ADMINISTRATORS OF JOHN WINTHROP, LATE OF BOSTON, DECEASED.

On the petition of Turner Phillips & John Winthrop administrators of John Winthrop late of Boston in ye County of Suffolk Esquire deceased stating that the said John did some time prior to his decease contract to sell to Joseph Coolidge of Boston aforesaid merchant a certain House & Land in Cambridge Street in Boston aforesaid for ye purpose of widening said Street but owing to ye indisposition & sudden death of himself & wife the said contract was not actually executed & praying that they may be empowered to convey said land agreeable to the contract aforesaid.

Resolved, that the said Phillips & Winthrop in their said capacities be & they are hereby empowered to make and execute a good and sufficient deed of the said lot to the said Coolidge his heirs & assigns, he paying the money agreed to be paid for ye same together with ye interest thereof.

June 12, 1800.

Chapter 21.

RESOLVE ON THE PETITION OF HON. EDWARD CUTTS, ESQ. AND DANIEL SEWELL, ESQ. AUTHORIZING THE COURT OF SESSIONS TO MAKE THEM SUCH EXTRA ALLOWANCE FOR TRAVEL AS SHALL BE THOUGHT REASONABLE.

On the Petition of the Honble. Edward Cutts Esqr. Judge of Probate of Wills &c. for the County of York, and Daniel Sewell Esqr. Register of Probate for said County.

Resolved that the Court of General Sessions of the Peace for said County be and are hereby Authorised and Empowered to mak[e] them such an allowance for Travel (to

RESOLVES, 1800. — MAY SESSION.

be paid out of the Treasury of sd. County) as may be thought reasonable, not exceeding the sum allowed for Travel to Justices of the Peace. June 12, 1800.

Chapter 22.

RESOLVE ALLOWING THE ACCOUNTS OF THE GUARDIANS OF THE DUDLEY INDIANS AND GRANTING THE SUM OF 42 DOLLARS 98 CENTS IN SETTLEMENT THEREOF.

Whereas it appears by examining the accounts of the Guardains of the Dudley Indians from the 27th of May 1799 — to the 22d Day of May 1800 — that there is due from the Commonwealth to said Gaurdains the Sume of forty two Dollars and ninty eight Cents in full for the expenses attending their Gaurdingship to the 22d Day of May 1800: therefore

Resolved that there be allowed and paid out of the Treasury of this Commonwealth from the monies due to the said Indians to the Said Guardians the Sume of forty two Dollars & ninty Eight Cents in full for the expences attending their Gaurdainship to the Said 22d Day of May 1800. June 12, 1800.

Chapter 23.

RESOLVE FOR REPAIRING PROVINCE HOUSE AND GRANTING 1500 DOLLARS FOR THAT PURPOSE.

Resolved that Peleg Coffin Esq. Treasurer of this Commonwealth, be directed to make such alterations and repairs in the Province House and out houses, as are proper and necessary to be made, for the accomodation and convenience of his excellency the Governor to reside in, and that Fifteen hundred Dollars be allowed and paid out of the Treasury for that purpose, and the said Treasurer is directed to lay his accounts for said disbursements before the Legislature for examination and allowance as soon as said repairs are completed. June 12, 1800.

Chapter 24.

RESOLVE ON THE PETITION OF DAVID FOSTER, GRANTING AN ADDITIONAL ALLOWANCE TO HIS FORMER GRANT.

On the petition of David Foster of Pembroke in the County of Plymouth, an Invalid Pensioner of this Commonwealth, praying that his pension may be increased.

Resolved for reasons set forth in his petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said David Foster, a further sum of Eighteen Dollars annually, as a pension, in addition to Fifty two Dollars, already established upon him for life by a Resolve of the 25th September 1793.

June 12, 1800.

Chapter 25.

REPORT RESPECTING THE PRINTING BUSINESS.

Resolved, that Messrs. Young and Minns be and hereby are appointed the Printers of this Commonwealth for the space of one year, commencing on the first day of June instant; and that they furnish the paper, and do and perform the printing in a workmanlike manner, and on as good paper as has been usually used for like purposes; and the acts of the ensuing year to be on as good paper as the Resolves of the General Court were printed upon the last year, and to the acceptance of the officers respectively who shall direct the work to be done.

And be it further Resolved, that there shall be allowed and paid out of the Treasury of this Commonwealth, to the said Young and Minns, for paper and printing aforesaid, at the rate following, to wit—

For eight hundred books, containing the laws that may be passed by the Legislature during the year, and for the same number of books containing the Resolutions passed within the period aforesaid, and covered with blue paper as usual, one hundred and fifty dollars, if the said Laws and Resolves, with an index for the Resolves make forty pages of folio fools-cap, if less or more than forty pages, the price aforesaid to be increased or diminished in proportion as the number of pages shall be less or more than forty; the said books, with the indexes as aforesaid, to be ready to be delivered as soon after each session of the General Court as they can be completed. And if the whole number are not delivered to the Representatives and Senators, and, to the Selectmen, for the use of the several towns in the Commonwealth by the first day of June next, the number then remaining on hand shall be delivered at the Secretary's office.

For Proclamations for Thanksgiving and for Fast at the rate of twenty five dollars for nine hundred.

Blanks for Regimental returns, ruled, full sheet, three

cents each; ditto for Captains muster rolls, Captain's returns, Infantry returns, Cavalry returns one cent and a half for each blank; ditto for Governor's Warrants on the Treasury, for Officers' Commissions, civil and military, for Sargeants' warrants, for Officers' resignations, for General orders, for Treasurer's executions, for Treasurer's receipts, one cent for each blank; for one hundred and fifty tax acts fifteen dollars, and in that proportion for the whole number the Treasurer may order; for warrants to accompany the tax acts, three cents each; blanks for certifying leave of absence to the members of the General Court one cent each. For election Sermons eight cents and one half cent each; blanks for precepts to choose federal Representatives, two cents each, provided two hundred and fifty blanks shall be ordered at one time, if a less number is ordered at one time, the price to be proportionably higher, if a greater number, the price of each blank diminished. They the said Young and Minns to do and perform all other printing business that may be ordered by the Legislature, or any officer of the Commonwealth not before enumerated, in the same proportion to the prices aforesaid as the work so ordered shall be to the books and blanks before mentioned, the same to be determined by the Committee on accounts.

And it is further Resolved, That the said Young and Minns shall not be held to deliver the whole number of books containing the laws and Resolves, as aforesaid, at the time in this Resolve mentioned unless the Secretary shall furnish the said Young and Minns with copies of the Acts and Resolves that have or may be passed by the General Court within the year aforesaid, on or before the 15th day of April next; and shall also furnish them with a form of the index, in four days after the said Young and Minns shall deliver to said Secretary a sheet or sheets containing the Resolves aforesaid.

June 13, 1800.

Chapter 26.

REPORT OF THE AGENTS FOR PUBLISHING THE MAPS OF THE COMMONWEALTH OF MASSACHUSETTS. GRANT TO.

Resolved That the sum of One thousand six hundred and thirty five dollars, be paid out of the Treasury of this Commonwealth to the Agents, appointed to superintend the compiling and publishing the Maps of the Common-

wealth, to enable them to defray the expence of engraving and printing the same, they to be accountable therefor.

And it is further Resolved, That the said Agents, proceed in their Contract for four hundred setts, as stated in their report, to be delivered to the Secretary for the disposal of the General Court; and as soon as these shall be compleated to dispose of the Plates and copy-right of printing and vending the same, as may be most for the benefit of the Commonwealth, and account with the Treasurer for the proceeds thereof. *June 13, 1800.*

Chapter 27.

RESOLVE ON THE PETITION OF ELEAZER TWITCHELL, IN BEHALF OF HIMSELF AND ASSOCIATES, FOR PRIVILEGE OF PURCHASING PART OF TOWNSHIP NO. FOUR.

On the Petition of Eleazr. Twitchell in behalf of himself and his associates praying that he & they may be privileged with purchasing the remaining half of the township No. four between bethel and Norway as set forth in said petition.

Resolved that the Committee for the sale of Eastern lands are hereby authorised to Contract and sell the aforesaid land to said Twichel and associates or to any other person or persons that may apply for the same for so much Money as said Committee shall Judge the same to be reasonably worth and to be under such restrictions and reservations as said Committee shall think to be Just and reasonable and to execute a deed for the sam[e] in behalf of this Commonwealth and the money arising from said sale s[h]all be paid into the Treasury. *June 13, 1800.*

Chapter 28.

RESOLVE ESTABLISHING THE PAY OF WILLIAM HARRIS AND JOSEPH LAUGHTON, FIRST CLERKS IN THE SECRETARY AND TREASURER'S OFFICES.

On the Petition of Joseph Laughton and William Harris, First Clerks in the Treasurer's & Secretary's offices, setting forth that the establishment for their services expired on the first day of the present session of the general Court, and praying the same may be renewed.

Resolved That the pay of the said Joseph Laughton and William Harris be at the rate of Two dollars and fifty cents per day, during the time they are in actual service in the

offices aforesd. commencing on the twenty eighth day of May in the year of our Lord 1800, and that the same be paid out of the Treasury of this Commonwealth. This establishment to continue until the last Wednesday of May in the year of our Lord one thousand eight hundred and one.

June 14, 1800.

Chapter 29.

RESOLVE ON THE PETITION OF JOHN DEVOTION AND E. McLANE, CLERKS IN THE SECRETARY'S OFFICE, ESTABLISHING THEIR PAY.

On the Petition of John Devotion and Edward McLane, Clerks in the Secretary's office.

Resolved that the pay of the said John Devotion and Edward McLane be at the rate of one dollar and ninety two cents each per day, during the time they are in actual service commencing on the 28th day of May in the year of our Lord 1800, and that the same be paid out of the publick Treasury of this Commonwealth — This establishment to continue until the first Session of the next general Court.

June 14, 1800.

Chapter 30.

RESOLVE ON THE PETITION OF THOMAS LINCOLN, ADMINISTRATOR OF THE ESTATE OF MARK LINCOLN, LATE OF LEOMINSTER, DECEASED.

On the petition of Thomas Lincoln, Administrator of the Estate of Mark Lincoln late of Leominster in the County of Worcester, deceased, praying for licence to make conveyance of certain lands in the Town of Partridgefield in the County of Berkshire, agreeably to contracts made by the said Mark, in his life time, with Hugh Smith & Oliver Tenny.

Resolved, that the said Thomas Lincoln, in his capacity of Administrator aforesaid, be, & he hereby is authorized to make & execute a good & sufficient deed or deeds, conveying to Hugh Smith & to his heirs & assigns forever, seventy Acres of land in the Town of Partridgefield aforesaid agreeably to contract made by the said Mark with the said Hugh Smith.

Resolved further, that the said Thomas Lincoln, in his said capacity, be & hereby is authorized to make & exe-

cute a good and sufficient deed to Oliver Tenny, conveying to him, & to his heirs & assigns forever, two acres & one hundred rods of land in the said Town of Partridgefield, agreeably to contract made by the said Mark, in his life time, with the said Oliver Tenny. *June 14, 1800.*

Chapter 31.

RESOLVE MAKING AN ALLOWANCE TO ISRAEL JONES, ESQ.
FOR CERTAIN SERVICES.

On the representation of Peleg Coffin Esqr. Treasurer of the Commonwealth. — Setting forth That Israel Jones Esqr. was appointed Agent for the Commonwealth, to obtain a debt due the Commonwealth from Daniel Horsford of the State of Vermont.

Resolved That there be paid out of the Treasury of the Commonwealth to the said Israel Jones the sum of Sixty dollars in full for his services in said agency.

June 14, 1800.

Chapter 31A.*

ORDER TO TREASURER TO PAY THE TOWN OF WILLIAMSTOWN FOR THE SUPPORT OF CERTAIN PERSONS.

Ordered that the Treasurer pay to the town of Williamstown the sum allowed for supporting nursing and cloathing London Wallace and Polly Wallace, the payment of which was suspended untill the further order of the General Court by an order passed the twenty first of June 1799.

June 14, 1800.

Chapter 32.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF PLYMOUTH AND GRANTING A TAX.

Whereas, the Treasurer of the County of Plymouth, has laid his accounts, before the General Court, in manner prescribed by Law, which are hereby allowed, and whereas the Clerk of the Court of General Sessions of the peace for said County, has laid before the General Court an estimate, made by said Court of General Sessions of the peace, of the necessary charges likely to

* Not printed in previous editions. Taken from court record.

arise in said County, the present year, amountg. to seventeen hundd. Dollars :

Resolved, That the sum of Seventeen hundred dollars, be, and hereby is granted as a Tax for said County of Plymouth, to be apportioned, assessed, collected and applied for the purposes aforesaid agreeable to Law.

June 14, 1800.

Chapter 33.

RESOLVE ON THE PETITION OF LIEUT. SAMUEL TREAT, GRANTING HIM EIGHT DOLLARS PER MONTH.

On the Petition of Samuel Treat of Boston, late a Lieut. to the Garrison on Castle Island, praying for Compensation for an Injury received while in the Execution of his Duty, in preventing the escape of three Convicts.

Resolved, their be allowed and paid, out of the Treasury of this Commonwealth to the said Lieut. Samuel Treat, eight dollars p month, commencing the first day of January A. D. 1799, untill the disability be removed.

June 14, 1800.

Chapter 34.

RESOLVE ON THE PETITION OF CAPT. JAMES FALES, AUTHORIZING THE GOVERNOR AND COUNCIL TO ESTABLISH A COMPANY OF ARTILLERY IN THE 5TH REGIMENT, 2D BRIGADE AND 4TH DIVISION OF THE MILITIA OF THIS COMMONWEALTH.

On the Petition of Capt. James Fales, praying for leave to establish a Company of Artillery, in the fifth Regt., second Brigade, & fourth Division, of Militia in this Commonwealth.

Resolved, That his Excellency the Governor, with advice of Council, be and he is hereby authorized to establish a Company of Artillery, in the fifth Regt. Second Brigade, & fourth Division, of the Militia of this Commonwealth, which are to be annexed to the Battalion of Artillery in said second Brigade — Subject however to all such rules regulations and restrictions, as are or may be provided by Law, for regulateing & Governing the Militia of this Commonwealth.

June 16, 1800.

Chapter 35.

RESOLVE ON THE PETITION OF OSGOOD CARLTON, GRANTING HIM COMPENSATION FOR HIS SERVICES IN COMPILING THE MAP OF THIS COMMONWEALTH.

On the Petition of Osgood Carlton praying for Compensation for his services in compiling the Map of this Commonwealth.

Resolved that there be allowed & paid out of the treasury of this Commonwealth to the said Osgood Carlton five hundred thirty six Dollars which with what has already been granted him shall be in full of all his demands for that service.

June 16, 1800.

Chapter 35A.*

ORDER DIRECTING THE SECRETARY TO HAVE CERTAIN ACTS PRINTED.

Ordered that the Secretary of this Commonwealth be directed to cause three hundred copies of the several Acts for regulating the inspection of Salted Beef — and Butter; and the inspection of Nails to be exported from this Commonwealth, to be printed, and to forward such a number to each Collector and Naval Officer of the Customs in this Commonwealth, as he may judge necessary.

June 17, 1800.

Chapter 36.

RESOLVE ALLOWING THE ACCOUNTS OF THE TREASURER OF THE COUNTY OF BRISTOL AND GRANTING A TAX.

Whereas, it is represented to the General Court, by the Court of General Sessions, of the peace for the County of Bristol, that the accounts of the Treasurer of said County, are examined and Settled by a committee of said Court of Sessions in manner prescribed by Law, — and the Clerk of the Court of Sessions for said County, has laid before the General Court, an Estimate, made by said Sessions, of the necessary charges likely to arise in said County the present Year, amounting to One thousand dollars :

* Not printed in previous editions. Taken from court record.

Resolved, that the sum of One thousand dollars, be and the same is hereby granted as a Tax, for said County of Bristol, to be apportioned, assessed, collected and applied, to the purposes aforesaid, agreeably to Law.

June 17, 1800.

Chapter 37.

RESOLVE ALLOWING ACCOUNTS OF THE TREASURER OF THE COUNTY OF MIDDLESEX AND GRANTING A TAX.

Whereas, the Treasurer for the County of Middlesex, has laid his Accounts, before the General Court in manner prescribed by Law, which are hereby allowed, and whereas, the Clerk of the Court of General Sessions of the peace for said County, has laid before the General Court an Estimate, made by the said Court of General Sessions of the peace, of the necessary charges likely to arise in said County the present year, amounting to four thousand five hundred dollars :

Resolved, that the sum of four thousand five hundred dollars, be and hereby is granted as a Tax for said County of Middlesex, to be apportioned, assessed, collected, and applied for the purposes aforesaid, agreeably to Law.

June 17, 1800.

Chapter 38.

ROLL, NO. 43.

The Committee on Accounts, having examined the Accounts they now present :

Report That there are due to the Towns and persons hereafter mentioned, the sums set to their Names respectively, which (if allowed and paid) will be in full discharge of said Accounts, to the dates therein mentioned.

ISAAC THOMSON, *pr. order.*

State Pauper Accounts.

	Dolls. Cts.
To the Town of Abington for Supplies found Margaret Bennit to May 27th 1800	34 49
To the Town of Andover for boarding, Cloathing & Doctoring Partrick Callahan to June 1st 1800	23 40
To the Town of Amesbury for boarding & Cloathing Jonathan Sidwell to May 18th 1800	62 35

	Dolls. Cts.
To the Town of Brookfield for boarding, Cloathing & Doctoring Luke Finney & his wife and Cato Kim to May 1st 1800	38 88
To the Town of Belchertown for boarding, Cloathing & Nursing Betty Demming to May 29th 1800	27 32
To the Town of Boxborough for boarding, Cloathing & Nursing John Kenedy to May 28th 1800	30 93
To the Town of Buckland for boarding John Wilkie to May 19th 1800 including Doctr. Joseph Allens bill	89 20
To the Town of Barre for boarding John Christian Dandrick to June 1st 1800	22
To the Town of Boston for Supporting sundry paupers from Decr. 1st 1799 to June 1st 1800 including Cloathing	2079 97
To the Town of Cape Elizabeth for boarding & Cloathing Betty Carroll and Supplies for James Ramsbottom to May 12th 1800	103 7
To the Town of Coldrain for boarding and Cloathing William Wilson including Doctr. Samuel Ross' bill to May 21st 1800	32 10
To the Town of Conway for boarding Edward Burgess to May 24th 1800	26
To the Town of Charlemont for boarding and Cloathing Dennis Kennedy to May 29th and Abraham Bass to May 30th 1800	49 50
To the Town of Cheshire for boarding & Cloathing Ephraim Richardson and Supplies for the widow Rachel Gray to May 23d 1800	107 41
To the Town of Carlisle for boarding, Cloathing and Doctoring Robert Barber and Matthew Jemmerson to June 7th 1800	41 83
To the Town of Concord for boarding William Shaw to June 1st 1800	24 15
To the Town of Dartmouth for boarding Mary Prince to May 15th 1800 and removing Thomas Lewis, Joshua Lewis and Mary Lewis from the Town of Dartmouth to Richmond in the State of Rhod Island	50
To the Town of Danvers for boarding & Cloathing John Wooden & Joshua Bird to June 10th 1800	44 18
To the Destrict of Dover for boarding Cloathing & Nursing Partrick Cawin to June 9th 1800	26 8
To the Town of Franklin for boarding & Cloathing Alexander Reed to May 26th 1800	63 68
To John Fleet for Doctoring Sundry State paupers in the Town of Boston to May 15th 1800	400
To the Town of Framingham for boarding & Cloathing Betty Stephens and her Child to April 21st and Bennet Foster's boy to the same day 1800	13 64
To Constant Freeman Keeper of the Alms-house in Boston to June 1st 1800	163 35
To the Town of Great Barrington for boarding, Cloathing & Nursing Isaac Hoose, Catharine Hoose, Mary Hoose and Tom (a negro) to May 17th 1800 — Candice & her Child to Jany 7th and said Child to May 17th 1800 and Supplies for Benjamin Worthey to said 17th of May	85 55
To the Town of Groton for boarding & Cloathing the wife and Children of John Claflin Wright to Jany. 10th 1800	133 73

	Dolls. Cts.
To the Town of Greenfield for boarding, Cloathing & Doctoring John Bates, and Eunice Convece to May 20th 1800	50 91
To Josiah Gilman for Doctoring Sundry State paupers in the Town of York to May 24th 1800	16 80
To the Town of Gill for Supplies for Peter Mange to May 24th 1800	9 13
To the Town of Gloucester for Boarding, Cloathing & Nursing Sundry pauper to May 10th 1800	957 97
To the Town of South-Hadley for boarding & Cloathing Peter Pendergrass to May 26th 1800	5 61
To the Town of Hollwell for Supporting Rachel Cummings to the last day of May 1800	48 54
To the Town of Holliston for boarding & Cloathing James Lewis to June 1st 1800	61
To Joseph Hodgkins keeper of the House of Correction in the County of Essex for boarding & Cloathing Sundry State paupers to June 7th 1800 including the Allowance made by the Court of Sessions to April 4th 1800	498 53
To the Town of Lenox for boarding, Cloathing, Doctoring & Nursing Abraham Palmer, his wife and one Child, Christian Crow, & John Brow to May 26th 1800	110 84
To the Town of Leyden for Supplies for Jedediah Fullar, his wife & three Children to May 24th 1800 Doctr. Wings bill included	31 48
To the Town of Leicester for boarding, Cloathing & Nursing Noble Spencer to his death including Funeral expenses	9
To the Town of Mendon for boarding, & Cloathing Robert Ellison to May 25th 1800, and John Hart April 15th 1800	79 41
To the Town of Milton for boarding Nursing & Doctoring James Thomas, alias Alderman an Indian till his death including Funeral expenses—and John Gray to July 14th 1799	47 52
To the Town of Marblehead for boarding, Nursing & Doctoring to May 26th 1800	24 51
To the Town of North-Hampton for boarding & Cloathing Samuel Green to May 24th Nancy McMullen to June 2d and Supplies furnished Patience Davis to April 7th and John Ellis to May 19th 1800	76 18
To the Town of Newbury for Supporting sundry paupers including Cloathing & Doctrs. bills to June 1st 1800	513 20
To the Town of Newbury-Port for boarding and Cloathing Sundry paupers including Doctr. Vergnie's bill to June 1st 1800	674 22
To Amariah Preston for Doctoring Thomas Hardman, State pauper in the Town of Woburn to February 14th 1800	17 40
To the Town of Plimton for Supplies for Simon Brow and Hannah Mitchell to March 1st 1800 Doctr. Bartlets bill included	83 58
To the Town of Pittsfield for Supplies found Paul McKoy and family including Doctr. Sturtevant's bill May 15th 1800	25 95
To Dr. William Stone for Doctoring John Harrington and his family to May 5th 1800	9 99
To the Town of Swanzey for boarding & Cloathing Fenner Pierce (a Negro woman) and four Illegitimate Children born of Salley Robbins to May 23d and Esther Church to May 24th 1800	72 71

	Dolls.	Cts.
To the Town of Sandersfield for boarding, Doctoring & burying Betsey Rynolds	43	
To the Town of Salem for boarding & Cloathing Sundry Paupers to June 2d 1800	922	22
To the Town of Upton for boarding & Cloathing Elizabeth Brown to February 17th 1800	52	53
To the Town of Uxbridge for boarding & Cloathing Betty Trifle & David Mitchell to May 26th 1800	50	
To the Town of West Springfield for boarding and Cloathing Lucy Kent, and Anne Pattee to May 20th and William Bell to May 1st 1800	67	11
To the Town of Wilbraham for boarding & Cloathing John Brown to May 5th 1800	61	55
To the Town of Westfield for boarding and Cloathing James Dewell to June 1st 1800	33	13
To the Town of Washington for boarding & Cloathing Phebe Clark to May 26th inclusive	20	50
To the Town of Williamstown for boarding Rachel Galusha to May 15th 1800	60	20
To the Town of Westford for Boarding and Cloathing Elizabeth Wilson to May 15th 1800, including Drs. bill	69	53
To the Town of Western for boarding, Cloathing, Nursing & Doctoring William Johnson & his wife to May 1st 1800, John Crain to June 11th and John Weakley to June 8th 1800	155	55
To the Town of Weymouth for boarding, Nursing & burying Thomas Wallice	30	
To the Town of Winsor for boarding & Cloathing Benjamin Still and his wife to April 26th 1800	84	8
To the Town of York for boarding Cloathing & Nursing William Kearswell, Sarah Kearswell, Elizabeth Perkins, Mary Crocker & Abigail Chapple to June 1st 1800	125	67
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	8972	36

Militia Accounts.

	Dolls.	Cts.
To Nathaniel C. Allen Brigade Majr. for his services to May 24th 1800	48	87
To George Blanchard Brigade Majr. for his services to Feby. 15th 1800	37	38
To Jonathan Burrows Adj. for his Services to May 1800	22	65
To Samuel Cutts Adj. for his Services to June 1800	14	
To Jeremiah Clap Brigade Majr. for his Services to May 17th 1800	96	2
To Peter Clark Adj. for his Services to Jany. 1800	22	95
To Christopher Hurlburt Adj. for his Services to Sepr. 1799	23	47
To Cyrus Hosmer Adj. for his Services to May 1800	22	10
To Ephraim Hoyt Adj. for his Services to May 1800	10	25
To Caleb Howard Adj. for his Services to Feby. 1800	18	2
To William Jackson Brigade Majr. for his Services to May 22d 1800	39	72
To Joseph Kellogg Adj. for his Services to May 22d 1800	14	37
To Benjamin Leigh Adj. for his Services to Feby. 24th 1800	15	92
To David Powell for money expended for Horses in conveying Artillery in Sepr. last	3	75
To Isaac Patten Adj. for his Services to Sepr. 21st 1799	18	
To Jonathan Snow Adj. for his Services to Jany. 1, 1800	14	25

	Dolls.	Cts.
To William Sprague Adj. for his Services to April 30th 1800	13	5
To Benjamin Spear for money expended for Horses in conveying Artillery in Octr. 1799	9	50
To William Lurvey for money expended for Horses in conveying Artillery in Octr. last	3	75
To Isaac Talbot Adj. for his Services to May 26th 1800	7	10
To Daniel White Adj. for his Services to Sepr. 29th 1799	11	87
For Expences of a Court Martial whereof Colo. Gardner was President held in Boston August 22d 1799	38	33
For the Expences of a Court of Inquirey whereof Colo. Bates was President held at Taunton April 22d 1798 — and August 29th 1798	13	88
To the Board of Officers appointed to determine the Relative Rank of the Majr. Generals of the first, Second & third Divisions of Militia, which sat in Boston on the 16th & 17th days of April 1800 whereof General Goodwin was President	74	16
	<hr/>	
	593	36

Miscellaneous Accounts.

	Dolls.	Cts.
To Joshua Holt for boarding, Cloathing & Schooling Levi Konkapot to June 11th 1800	25	67
To Wheelock & Simmons for Men and Horses for calling the Council together in consequence of the death of the Lieut. Governor	35	
To Jonathan Hastings Depy. Postmaster for Postage to March 31st 1800	21	59½
To Peleg Coffin Esqr. for money paid for Postage, Repairs of the Province House &c. to June 12th 1800	59	84½
To Amos Lincoln for his Services &c. Repairing the province House to June 5th 1800	35	91
To Samuel Gore for his Services and money expended in repairing the Province House Securing Maps, and for paint for the New State House &c. to May 14th 1800	129	24
To James White for Stationary &c. for the Secretary's Office & for the use — General Court to June 9th 1800	323	84
To Silvanus Lapham for Assisting the Messenger of the General Court from the 27th of May to the 17th of June 1800, both included Nineteen days at \$1.50	28	50
To Butlar Goodrich for a journey to Boston after two field peices	30	
To Jacob Kuhn a ballance due to him for money expended over and above the amount of two grants made him June 22 1799 and January 14th 1800	147	52
To Nathan Dane Esqr. a ballance due to him for his Service in Quieting Settlers on the Waldo Patten[t] (so called) Over and above one third part of one Thousand dollars Granted to him, John Sprague & Enoch Titcomb Esqrs. by two Resolves passed March 9th 1797, and June 27th 1798	101	20
To Enoch Titcomb Esqr. a ballance due to him for his service in Quieting Settlers on the Waldo Patten[t] (so called) Over and above one third part of one Thousand dollars Granted to him Nathan Dane, & John Sprague Esqrs. by two Resolves passed March 9th 1797 and June 27th 1798	72	97
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	1011	29

Sheriffs' Accounts.

	Dolls.	Cts.
To Ebenr. Mattoon for Returning Votes for Governor &c. to June 1800	16	
To Joseph Hosmer for Reward and Expence in taking up four Convicts & Committing them in Concord goal; and Retur[n]ing Votes for Governor &c. to May 1800	109	27
To George Partridge Sheriff of Plymouth Co. for distributing precepts and Returning Votes for Federal Representatives in the first southern district and for Returning Votes for Governor &c. to June 1800	10	19
To Simon Learned for Returning Votes for Governor &c. and for his Services Copy & Return of the Statement made by Ephraim Williams Esqr. & the Resolve of the General Court on William Towner Esqr.	17	20
To Edmond Bridge for returning Votes for Governor &c. in May 1800	14	56
To John Cooper Sheriff of the County of Washington for returning Votes for Governor &c. in May 1800	29	60
	<hr/>	
	196	82

Printers' Accounts.

	Dolls.	Cts.
To Alexander Sherman for Printing Laws &c. to June 1st 1800	16	67
To H. Mann for Publishing Laws &c. to Decr. 7th 1799	16	67
To Thomas C. Cushing for publishing the Laws &c. to March 1st 1800	33	33
To Thomas Dickman for publishing the Laws &c. to June 1800	16	67
To Angier March for publishing the Laws &c. to June 20th 1800	33	33
To John Russell for Publishing an Act Respecting Forgd. Orders three months	5	33
To Young & Minns for Printing for the Government, to June 12th 1800	996	47
	<hr/>	
	1118	47

Convict Accounts.

	Dolls.	Cts.
To Nathan Heard Under keeper of the Goal in the County of Worcester for dieting and Cloathing Eli Page to May 28th 1800	43	96
To Jerimiah Stanniford under keeper of the Goal in the County of Essex for dieting and Cloathing John Brooks to the time of his discharg and Samuel Walker to June 7th 1800	41	6
To Oliver Hartshorn under keeper of the Goal in the County of Suffolk for dieting and Cloathing Charles Blade, Elisha Dillingham, & Sampson Freeman to June 11th 1800 — and James Obrian & James Davis to the time of their discharge	126	63
To John Richardson Under Keeper of the Goal in the County of Middlesix for dieting and Cloathing William Dexter & William Davis to Jany. 10th 1800 — and John Wilson to April 15th 1800, and Removing William Dexter from Boston to Concord	117	
	<hr/>	
	328	65

Aggregate of Roll No. 43.

	Dolls. Cts.
Expences of State Paupers	8972 36
do. Militia	593 36
do. Sheriffs	196 82
do. Miscellaneous	1011 29
do. Printers	1118 47
do. Convicts	328 65
Total	12220 95

Read and Accepted, and thereon

Resolved, That there be allowed and paid out of the Public Treasury, to the several corporations and persons mentioned in this Roll, the sums set against such corporations and persons respectively, amounting in the whole to Twelve Thousand, two hundred & twenty dollars and Ninety five Cents, the same being in full discharge of the Accounts and demands to which they refer.

June 17, 1800.

Chapter 39.

RESOLVE ALLOWING EXTRA PAY TO THE COMMITTEE ON ACCOUNTS.

Resolved, that there be paid, out of the Public Treasury of this Commonwealth to the Committee appointed to examine & pass on accompts, for their attendance on that service during the present session of the General Court the sums annexed to their names in addition to their pay as Members of the Legislature: to the Honorable Isaac Thomson for thirteen days attendance, six dollars & fifty cents; to the Honorable Thomas Hale for thirteen days attendance, six dollars & fifty cents; to Silas Holman James Taylor & Nathl. C. Allen Esquires for thirteen days attendance each, six dollars & fifty cents each, which sums shall be in full for their services aforesaid.

June 17, 1800.

Chapter 40.

RESOLVE ON THE PETITION OF JACOB KUHN, GRANTING HIM AN ADDITIONAL ALLOWANCE.

On the Petition of Jacob Kuhn Messenger of the General Court requesting, an additional allowance.

Resolved that there be allowed & paid out of the Treasury, to Jacob Kuhn, two hundred Dollars, for the present year, commencing the 30th of May last, to be in addition to the sum allowed him by a Resolve [of] March 26 1793, establishing the pay of the Messenger of the General Court.

June 17, 1800.

Chapter 41.

RESOLVE REQUESTING THE GOVERNOR TO DIRECT AN EXAMINATION TO BE MADE INTO THE STATE OF THE HOSPITAL ERECTED AT MARTHA'S VINEYARD.

Resolved that his Excellency the Governor be requested to direct an examination to be made into the state of the Hospital, erected on Martha's Vineyard, & cause the same to be furnished agreeably to a resolve of the General Court passed the 21st day of February last.

June 17, 1800.

Chapter 42.

RESOLVE GRANTING 400 DOLLARS TO JACOB KUHN.

Resolved that there be allowed & paid out of the Treasury of this Commonwealth to Jacob Kuhn Messenger of the General Court the sum of Four hundred Dollars to enable him to purchase fuel &c. for the use of said Court, he to be accountable for the expenditure of the same.

June 17, 1800.

Chapter 43.

RESOLVE GRANTING 44 DOLLARS TO THOMAS WALLCUT.

Resolved that there be allowed & paid out of the Public Treasury forty four Dollars to Thomas Wallcut assistant Clerk of the House of Representatives, in full of his service the present Session.

June 17, 1800.

Chapter 44.

RESOLVE GRANTING 42 DOLLARS TO CHARLES F. AYLWIN.

Resolved, that there be allowed & paid out of the Public Treasury of this Commonwealth to Charles F. Aylwin, Assistant clerk of the Senate, the sum of forty two Dollars — in full for his services the present Session of the General Court.

June 17, 1800.

Chapter 45.

RESOLVE GRANTING THE CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES, ONE HUNDRED AND THIRTY THREE DOLLARS EACH.

Resolved that there be allowed & paid out of the Public Treasury to Mr. Edward P. Hayman Clerk of the Senate One hundred & thirty three Dollars and to Henry Warren Esq. Clerk of the House of Representatives One hundred & thirty three Dollars on account of their services as Clerks aforesaid for the present year, they to be accountable for the same respectively. *June 17, 1800.*

Chapter 46.

RESOLVE DIRECTING THE ATTORNEY-GENERAL TO APPLY TO THE SUPREME JUDICIAL COURT TO SET OFF THIS COMMONWEALTH'S PART OF THE OLD STATE HOUSE.

Resolved that the Attorney General be, and he is hereby directed to apply to the Supreme Judicial Court for an order to set off to this Commonwealth their part of the building in the Town of Boston, commonly called the Old State House and the land thereto belonging, that the said Commonwealth may hold the same in severalty.

June 17, 1800.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON TUESDAY, THE ELEVENTH DAY OF NOVEMBER, ANNO
DOMINI 1800.

1800. — NOVEMBER SESSION.

ANSWER OF THE SENATE TO THE GOVERNOR'S SPEECH AT
THE OPENING OF THE SESSION.

May it Please Your Excellency,

It having been generally understood, that the object of the Legislature, in assembling at this Season of the year, is the appointment of Electors of President & Vice President of the United States, the Senate do not contemplate engaging in any other business which can conveniently be deferred to another Session. And sincerely do we accord with you in the prayer, that our suffrages may be bestowed on the friends of order & good Government, & that the result may promote the best interests of our Country.

It is matter of regret, that any of our fellow Citizens should be so lost to a sense of their duty & interest, as to set the power of Government at defiance, & oppose their individual strength to that of the Community. So far as may depend on us, your Excellency may be assured that proper means will be adopted to suppress such pernicious evils.

We are gratified with the information, which your Excellency has communicated with respect to the improved state of our Militia. We feel confident, that so much dependence is to be placed on their discipline, courage & patriotism that their Country has more to fear from the arts than from the Arms of her Enemies. *November 13, 1800.*

ANSWER OF THE HOUSE TO THE GOVERNOR'S SPEECH AT THE
OPENING OF THE SESSION.

May it Please Your Excellency,

The House of Representatives concur with your Excellency in the sentiment, that the object of their present Session is highly interesting, not only to our immediate Constituents, but to the whole People of the United States, since the welfare & prosperity of a Nation, essentially depend on the character of their Magistrates, and the wisdom with which their government is administered. Seriously impressed with this sentiment, it shall be our zealous endeavour, to select those who are to give their suffrages in this State, in the ensuing important election from the best informed citizens, and who have afforded proofs of their attachment to order & good government. — and may that wise and gracious Providence, which has hitherto directed the Counsels, & prospered the exertions of the American People, overrule and direct our deliberations upon this occasion for the Public good!

While we learn with satisfaction that tranquility generally prevails throughout the Commonwealth, we receive with regret the painful information, that in one County some misguided & deluded Citizens have been guilty of violent infractions of the peace of the Commonwealth, and have manifested a spirit of resistance to the Law.

Your Excellency, and the good citizens of the State, may be assured, that this House will co-operate in all proper measures to detect and punish all such enormities already committed, and to prevent, as far as possible, the commission of them in future: — For they are fully convinced with your Excellency, that indifference on the part of the Government, will serve to embolden the offenders, and to invite, by a hope of impunity, the repetition of similar outrages.

The unusual improved state of the Militia, which your Excellency has noticed, must be highly gratifying to every Friend to the Rights and Dignity of our Country; for with a Militia thus trained, and animated with patriotic and military ardor, — America will not hesitate to assert, or be unable to defend her National rights, against any invader.

The important object of a National election having been the sole occasion of the present extraordinary Session, and

the habits and convenience of the Citizens requiring a meeting of the Legislature at a later Season, we shall endeavour to make the present Session as short, and as little burdensome to the People as possible. *November 13, 1800.*

Chapter 47.

RESOLVE ON THE PETITION OF JESSE SEVERANCE, DIRECTING THE TREASURER TO STAY EXECUTION.

On the petition of Jess[e] Severance, of Conway, in the county of Hampshire, praying that Execution, for the balance due from him, as a collector, for the said town of Conway, may be stayed.

Resolved, for the reasons set forth in the said petition, that the prayer thereof be granted, and that the treasurer, of this Commonwealth be and hereby is directed to stay Execution for the balance aforesaid, until the first day of May next. *November 14, 1800.*

Chapter 48.

RESOLVE ESTABLISHING THE PAY OF THE MEMBERS OF BOTH HOUSES.

Resolved, that there be allowed and paid out of the Treasury of this Commonwealth, to each Member of the Council, Senate, & House of Representatives, two Dollars per day, for each days attendance the present Session, and the like sum for every ten Miles distance from their respective places of abode, to the place of the sitting of the General Court.

And be it further Resolved, that there be paid to the President of the Senate and Speaker of the House of Representatives, each, two dollars pr. day, for each & every days attendance, over & above their pay as Members.

November 14, 1800.

Chapter 49.

RESOLVE ON THE PETITION OF ISRAEL ATHERTON, AUTHORIZING THE JUDGE OF PROBATE TO EXTEND THE COMMISSION OF THE COMMISSIONERS ON THE ESTATE OF CEPHAS PRENTISS.

On the Petition of Israel Atherton administrator on the Estate of Cephias Prentiss late of Lancaster represented

insolvent praying that a further time may be allowed the Creditors of said Estate to bring in & prove their Claims &c.

Resolved that the prayer of the said petition be granted. And the Judge of Probate for the county of Worcester is hereby authorized & impow[er]ed to extend the Commission of the Commissioners on the Estate of the said Cephas Prentiss a further time not exceeding six months from the present day, that the Creditors of the said Estate may exhibit their claims thereon for examination & allowance the said Commissioners giving such notice of this resolve & of the times & places they may appoint for receiving said claims as the said Judge may direct.

November 14, 1800.

Chapter 50.

RESOLVE MAKING A GRANT TO THE MESSENGER OF THE GENERAL COURT FOR THE PURCHASE OF FUEL, &c.

Resolved that there be allowed & paid out of the Treasury of this Commonwealth to Jacob Kuhn Messenger of the General Court the sum of One hundred & fifty Dollars to enable him to purchase fuel &c for the use of said Court, he to be accountable for the expenditure of the same.

November 14, 1800.

Chapter 51.

RESOLVE ON THE PETITION OF ELISABETH LEIGHTON.
GRANT TO.

On the Petition of Elisabeth Leighton, Widow of Boston in the County of Suffolk, praying the allowance of monies expended on a house in Court-Street, belonging to the Commonwealth.

Resolved, that there be allowed & paid out of the Treasury of the Commonwealth, to the said Elisabeth Leighton, the sum of forty eight Dollars, in full, for the repairs, by her made on said House agreeable to the prayer of her petition.

November 14, 1800.

Chapter 52.

RESOLVE ON THE PETITION OF GEORGE PETERS, OF TISBURY, AUTHORIZING HIM, AS GUARDIAN, TO SELL THE LAND MENTIONED.

On the petition of George Peters of Tisbury in the County of Dukes County guardian of Joseph Tacanish an

indian minor praying that he may be licensed to sell a piece of land the property of said Tacanish, lying in Edgarton in said County containing by estimation twenty acres bounded on all sides by land of Samuel Norton.

Resolved for reasons set forth in said petition that the said George Peters guardian as aforesaid he and he hereby is authorized to sell and convey said land for the most the same will fetch and to make and execute a good and sufficient deed or deeds for that purpose — he the said George first giving bond with sufficient surety or sureties to the Judge of Probate for said County in such sum as said Judge shall direct conditioned that he will act faithfully and impartially in all things touching said sale and will account for the proceeds thereof as the law directs in like cases.

November 14, 1800.

Chapter 53.

RESOLVE GRANTING AN ADDITIONAL ALLOWANCE TO EDWARD McLANE.

On the petition of Edward McLane, a Clerk in the Secretary's Office.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth, unto the said Edward McLane, the sum of Fifty eight Cents for each day he shall be in actual service, (to commence with the fourteenth day of Apl. last) in addition to the sum allowed by a Resolve of the fourteenth of June last.

November 14, 1800.

Chapter 54.

RESOLVE ON THE PETITION OF TIMOTHY RICHARDSON 3D., EMPOWERING TAMMA FOSTER AND WILLIAM FOSTER, 2D, TO EXECUTE THE DEED MENTIONED.

On the petition of Timothy Richardson the 3d.

Resolved that the prayer of the said petition be granted, and that Tamma Foster, and William Foster the 2d as administrators on the estate of Silas Foster late of Royals-ton deceased be and they are hereby empowered to make & execute a Deed to the said Timothy Richardson of the Pew sold by the said Silas Foster to the said Timothy Richardson, which deed by them so executed — shall be as good and valid in Law, as tho' the said Deed had been duly executed by the said Silas Foster.

November 15, 1800.

Chapter 55.

GRANT TO THE CLERKS OF THE TWO BRANCHES OF THE LEGISLATURE.

Resolved that there be allowed & paid out of the public Treasury of this Commonwealth, to Edward P. Hayman Esq. Clerk of the Senate Fifty three dollars & $\frac{33}{100}$ & to Henry Warren Esq. Clerk of the house of Representatives Fifty three dollars and thirty three Cents — on account of their services as Clerks aforesaid; they to be accountable for the same respectively.

November 15, 1800.

Chapter 56.

RESOLVE ON PETITION OF EDWARD OXNARD.

On the petition of Edward Oxnard of Portland in the County of Cumberland, Merchant, and Sarah Fox widow and administratrix on the estate of John Fox Esq. of said Portland deceased, praying that said Sarah should be empowered to make & execute a Deed of a certain tract of Land in North Yarmouth in the County aforesaid which land the said John Fox when alive together with said Edward Oxnard sold to Stephen Blasdell of said North Yarmouth, yeoman, but did not give a Deed.

Resolved for reasons set forth in said petition, that the prayer thereof be so far granted that the said Sarah Fox administratrix, as aforesd. be & she is hereby authorized & empowered in conjunction with the said Edward Oxnard, to make & execute to the said Stephen Blasdell a good & lawful Deed of five eighths of a tract of Land in North Yarmouth called the Gore lot adjoining the old town line supposed to contain Sixty acres, on his paying to the said administratrix such sum as now remains due of the price originally stipulated to be paid to the said Fox for the said land, conformable to the terms of the original Contract.

November 15, 1800.

Chapter 57.

RESOLVE TO SUPPLY THE VACANCIES IN THE ELECTORS OF PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES AND DIRECTING TIME OF THE MEETING OF THE SAID ELECTORS.

Whereas it may so happen that one or more of the Electors of President and Vice President may be pre-

vented by death, sickness resignation or otherwise from attending on the day appointed to give their votes: Therefore

Resolved That the said Electors appointed by this court at their present session, be, and they are hereby, directed to meet at the State house in Boston on Tuesday the second day of December next, at ten of the clock in the forenoon for the purpose of supplying such vacancies. And the said Electors who may then and there be present are hereby empowered to fill up all vacancies which may happen as aforesaid, by electing by ballot from the people at large so many suitable persons for Electors of president and vice-president as may be necessary to supply such vacancies, and to declare the person or persons so appointed by the said Electors present and empowered as aforesaid, or the major part of them, to be Elector, or Electors of the President and vice-president of the United States, duly chosen for the purpose, and certify the same to the Governor of the Commonwealth, in order that he may grant all necessary certificates.

And it is further *resolved* — That the Secretary of the Commonwealth be, and hereby is, directed to transmit to the several Electors already appointed by this Court an attested Copy of this Resolve and also that he lay before them any Resignation of an elector which he may receive before the time appointed for electing the president and vice president.

November 15, 1800.

Chapter 58.

RESOLVE PROVIDING FOR THE PAY OF THE ASSISTANT CLERK OF THE SENATE.

Resolved, that there be allowed and paid out of the Treasury of this Commonwealth, to George E. Vaughan, Assistant Clerk of the Senate, the sum of thirty eight dollars, in full for his services the present session of the General Court.

November 15, 1800.

Chapter 59.

GRANT TO THOMAS WALLCUT.

Resolved that there be allowed & paid out of the Public Treasury to Thomas Wallcut Assistant Clerk of the House of Representatives Fourteen Dollars in full of his services the present Session, including two days writing previous to the Session.

November 15, 1800.

Chapter 60.

GRANT TO ISAAC PEIRCE, MESSENGER OF THE COUNCIL, TO PURCHASE FUEL, ETC.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth, unto Isaac Peirce, Messenger to the Governor and Council, the sum of one hundred Dollars, to enable him to purchase Fuel and other necessaries for the Council Chamber and Secy's. Office, he to be accountable for the same. *November 15, 1800.*

Chapter 61.

RESOLVE ON THE PETITION OF SARAH AMOS, AN INDIAN WOMAN, EMPOWERING EZEKIEL LUCE TO MAKE SALE OF THE LAND MENTIONED.

On the Petition of Sarah Amos an Indian woman of Tisbury in the County of Dukes County praying for liberty to Sell Real Estate.

Resolved that the prayer of Said Petition be granted and that Ezekiel Luce be and he is hereby empowered to make Sale of certain land belonging to the Said Sarah Amos bounded as follows on the west by Otice's Line Northerly and Easterly by Indian Land Southerly by land of Stephen Luce and to Sell the same for the most it will fetch, for the purposes of discharging Said Petitioners debts the charge of Sale and for the Support of the Said Sarah: the Said Ezekiel Luce first giving bonds to the Judge of Probate for the County of Dukes County in Such Sum as the said Judge Shall direct conditioned that he will act faithfully and impartially in all things touching the said Sale and will account for the proceeds thereof as the Law Directs in like casses. *November 15, 1800.*

Chapter 62.

RESOLVE ON THE PETITION OF REUBEN SMITH.

On the Petition of Reuben Smith the second of Sandisfield in the County of Berkshire & Nicholas Bond Jun. of Southfield in said County praying for a discharge from a part of the Penalty of a certain Recognizance by them entered into as sureties to James Robberts of Sandisfield aforesd. for the personal appearance of the said James before the Justices of the Supreme Judicial Court which was holden at Lenox within & for the said County of

Berkshire on the first Tuesday of October in the Year of our Lord one thousand seven hundred & ninety nine — in which Recognizance the said James was bound as principal in the sum of one thousand dollars, to the Commonwealth, and the said Nicholas & Reuben severally as sureties in the sum of one thousand dollars — on which recognizance the said Principal & sureties have been defaulted & writs of *scire facias* have issued against them severally for the said sum of one thousand dollars — & the several actions aforesd. against the said sureties stand continued for Judgment to the next Term of said Supreme Judicial Court to be holden at Lenox within & for said County of Berkshire on the last Tuesday of May next.

Resolved that the said Supreme Judicial Court be & they hereby are authorized to render Judgment against the said Nicholas & Reuben in the several actions aforesd. at the same term of said Court for the sum of five hundred dollars each, Debt & Costs of suit — any thing in the Recognizance and writs of *Scire facias* aforesd. contained notwithstanding.

November 15, 1800.

Chapter 63.

RESOLVE REQUESTING THE GOVERNOR, WITH THE ADVICE OF COUNCIL, TO ISSUE A PROCLAMATION OFFERING A REWARD FOR THE APPREHENSION OF CERTAIN NOTORIOUS OFFENDERS IN THE COUNTY OF HANCOCK.

Resolved that his Excellency the Governor be & he hereby is Requested, with the advice & consent of the council to Issue his proclamation offering rewards to any person or persons for apprehending and bringing to legal punishment, any of those notorious offenders who were concerned in firing upon, & wounding Broadstreet Wiggins & others who were surveying land in the county of Hancock on the eighteenth day of July last.

And it is further Resolved that there be, & hereby is granted a sum not exceeding one thousand dollars for the purpose of defraying the expence which may arise in carying this Resolve into Effect.

November 15, 1800.

Chapter 64.

RESOLVE GRANTING HON. THOMAS DAWES AND EDWARD H. ROBBINS, ESQUIRES, AGENTS FOR BUILDING A STATE PRISON, 2,000 DOLLARS TO PAY FOR A LOT OF LAND AT CHARLESTOWN.

Resolved that there be allowed and paid out of the Treasury of this Common wealth to the hon. Thomas Dawes and Edward H. Robbins Esqrs. Agents to build a State Prison, the sum of two thousand Dollars to pay for a lot of land they have purchased of Archibald McNeill in Charlestown to erect a State Prison on. *November 15, 1800.*

Chapter 65.

GRANT TO MESSRS. MANNING AND LORING, PRINTERS.

Resolved that there be paid out of the Public Treasury to Messrs. Manning & Loring — Printers, Five hundred Dollars on account to enable them to fulfill their Contract in completing a new Edition of the Laws of the Commonwealth — On condition that the said Manning & Loring shall make such security as shall be satisfactory to the Treasurer of the Commonwealth, that they will refund the aforesaid money, if they shall not execute their said contract to the acceptance of the Genl. Court.

November 15, 1800.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THURSDAY, THE TWENTY-SECOND DAY OF JANUARY,
ANNO DOMINI, 1801.

1800. — JANUARY SESSION.

Chapter 66.

RESOLVE ON THE REPRESENTATION OF THE TREASURER, RESPECTING A NOTE SIGNED BY PARK HOLLAND AND OTHERS, AUTHORIZING THE TREASURER TO RECEIVE THE SUM MENTIONED, AS SATISFACTION FOR THE JUDGMENT RECOVERED.

On the Representation of the Treasurer of this Commonwealth stating that application has been made to him to receive the monies due on a certain note of hand signed by Park Holland, Isaac Maltby and Jonathan Maynard, dated 2d of March 1795, for the sum of seventeen hundred and thirty two dollars twenty four cents (Judgment of Court having been had thereon as of record appears) in the liquidation of which more interest has been demanded by them under the construction of a Resolve passed 10th June 1799, than is therein intended or expressed. For the full explanation thereof

Be it Resolved that the Treasurer of this Commonwealth be and he is hereby authorised to receive the sum of eleven hundred ninety six dollars and thirty four cents as satisfaction in full for the Judgment recovered on the note aforesaid, and on receipt thereof to discharge said Judgment accordingly.

January 23, 1801.

ANSWER OF THE SENATE TO THE GOVERNOR'S SPEECH AT
THE OPENING OF THE SESSION.

May it Please Your Excellency,

The Senate of Massachusetts receive with great satisfaction your Excellency's address to both Houses of the Legislature. We consider it as affording new proof, not only of the wisdom, but of the purity of intention by which you are governed.

We have abundant cause of gratitude for the general health and uncommon prosperity enjoyed by our fellow citizens throughout the Commonwealth. We shall cheerfully contribute our vigilant and faithful endeavors to preserve their present advantages, and promote their lasting reputation and interest; to check the alarming growth of vice and impiety; to cherish the institutions for moral instruction, and the education of youth, and to maintain the principles of justice, and provide for its equal administration in every part of the Commonwealth.

As the happiness of the great body of the people of the United States, is inseparably connected with the welfare and prosperity of the community, it needs only that they be correctly informed, to remove groundless prejudices, and to extinguish the spirit of party and undue attachment to any foreign country; and to induce a consistency and uniformity of national character.

The conduct of the government of the United States towards the nations of Europe, has been uniformly marked with rectitude and moderation. And the wisdom of those measures of maritime defence which the injustice and jealousy of the contending nations, have compelled us to resort to, is verified in their effects; which have not only justified the expectations of the most sanguine, but must also have created a general confidence in the System which has been so happily successful.

We have equal cause of mutual felicitation for the security which the Federal Government has hitherto afforded to our internal tranquillity; a blessing, which had the old confederation continued, we could hardly have hoped for at this eventful crisis.

And as we have still a confidence in the holy oracles of our religion, & therefore believe that a tree may be known by its fruit, so we think that no honest man can pronounce

that form of Government to be bad, or that Administration wicked or corrupt which, under Heaven has advanced our nation to a degree of prosperity, to which there is no parallel in the history of mankind.

We learn with great satisfaction the prosperous state of the finances of this Commonwealth, & that our publick debt may be soon cancelled without imposing any unusual burdens on our constituents. This desirable state of things is undoubtedly to be considered as one of the happy consequences of adopting the federal constitution; without which our state government would have been unable to satisfy the just claims of their creditors, but by resorting to modes of taxation much more inconvenient than any which the general government have hitherto found necessary.

The several matters of local concern which your Excellency has suggested, shall receive our prompt and serious attention. Impressed as we are, with a full belief that the force of example contributes, in an eminent degree, to the efficacy of the wisest laws, we not only consider it our duty to attempt to provide such additional regulations as may be necessary to secure our constituents in the enjoyment of the fruits of their labor against every species of injustice or oppression, but, by our personal obedience and respect for the laws of our Country, to allure our fellow Citizens to yeild them a voluntary support.

January 26, 1801.

ANSWER OF THE HOUSE OF REPRESENTATIVES TO THE GOVERNOR'S SPEECH AT THE OPENING OF THE SESSION.

May it Please Your Excellency,

The house of Representatives present their thanks to your Excellency for the important communications you have been pleased to make in your address to the two branches of the Legislature.

The general scene of prosperity and progressive improvement exhibited to our view in the various parts of the Commonwealth, do, indeed afford just cause of satisfaction and mutual congratulation.

The fruitfulness of the seasons, the success of our fisheries & commerce, together with the general state of health, and many other blessings of an all bountiful providence during the last year, ought to excite our gratitude; which

will be much enhanced by a contrast of our situation with a great part of Europe where the horrors of war have seemed to threaten the extinguishment of individual and social happiness.

Rejoicing, as we do, in this state of public felicity we shall at the same time faithfully endeavour to secure and perpetuate the interests and reputation of our Constituents; — to check to the utmost of our power the growth of vice and impiety; to cherish the institutions for moral instruction and the education of youth; to maintain the principles of justice and provide for its equal administration in every part of the Commonwealth. For we believe that religion & virtue, justice & general information, are the only securities of a free government.

We cordially unite with your Excellency in sentiment, that our obligations to support the Federal constitution require us to attend to national affairs; to endeavour to diffuse correct information concerning them among our fellow-citizens, to remove groundless prejudices and discountenance the spirit of party, and an undue attachment to any foreign nation, and to do all in our power to increase the respectability of the American character.

The commencement of the maritime war in Europe was distinguish'd by the policy and wisdom of the General Government — Deciding at once upon an exact & impartial neutrality, it had just cause to expect to preserve our rights unmolested by its religious fulfilment of treaties and sacred regard to the laws of nations. But the jealousy of the belligerent powers soon led them to obstruct our commerce which they justified on such pretexts as constrained the government to have recourse to our own exertions for that security, which it in vain expected from their justice — Accordingly a naval force was created the services of which have restrained depredation, and open'd to view resources for a day of still greater trial.

We entirely agree with you, Sir, that delicate and hazardous is the predicament of a neutral nation — Such a position cannot generally be long maintained unless by a respectable armed force — With such a force at its command, a neutral nation may most commonly have its reasonable complaints redressed, without being compelled to the exercise of its energy. —

As we are of opinion that the General Government, in our foreign relations, has uniformly acted with modera-

tion, impartiality and wisdom, so we conceive, that we should, on this occasion, neglect our public duty were we not to express our full approbation of its measures.

All, who shall recollect the languor and difficulties which pervaded our internal public affairs in the period which succeeded our revolutionary war, and which continued until the establishment of the Federal government, will be convinced that we were then utterly unprepared to meet the great exigencies which have since arisen. That the General Government, in a crisis of the affairs of mankind, has hitherto, by the favor of Divine Providence, preserved the Citizens of the United States from the unlimited evils of disunion, and anarchy, will not be question'd by any candid person, who reflects on the circumstances of the times.

The objections which the opponents of the administration have brought forward against it, at various times are amply refuted, by the present highly improved condition of the United States.

But through whatever medium the operations of the general government may be view'd by others the House of Representatives freely give it as their opinion that the first twelve years of its administration which have been directed in succession by the virtues & talents of a Washington and an Adams will forever form an honorable & brilliant part of the American history. That each succeeding year may equal or surpass the happiness of the former, may increase the affection and consolidate the good understanding of the Citizens of the respective states for each other, must be the devout wish of every sincere American!

The people of this State will well recollect that when the federal constitution was form'd, they were oppressed with an almost insupportable weight of taxes, from which they are relieved by a settlement of the public accounts, and the assumption of the State debts.

The information respecting the finances of the State is highly satisfactory, and when the Treasurer shall exhibit a particular statement thereof, the subject shall receive the consideration its importance merits.

The report of the Quarter master General shall also be duly noticed, and it affords this House great satisfaction to learn that our military stores are so abundant, that our well organiz'd militia, whose discipline reflects so much

honor on the Commonwealth, may be fully supplied, in case the public service should render it necessary.

The provisions for the suppression of Lotteries not allowed or established by the Legislature; the Inspection laws, and the other subjects recommended in your Excellency's communication will receive a respectful attention in the course of the present session, which we hope will be conducted with that spirit of candor and harmony, which you have been pleased to observe, prevailed in the former session.

We are happy in the reflexion that the rights and liberties of our fellow-citizens are secured by wise standing laws, should any measures occur which will tend to meliorate their condition, or increase their security we will cheerfully adopt them — But we are fully sensible that the wisest and best laws will not be duly observ'd unless they are enforced by the example of those who make & execute them.

The active patriotism and love of order, which have distinguish'd your Excellency's life, are sure pledges of your zealous disposition to co-operate in every measure calculated to promote the public welfare.

January 27, 1801.

Chapter 67.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF NORFOLK AND GRANTING A TAX.

Whereas the Treasurer of the County of Norfolk has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed: And Whereas the Clerk of the Court of General Sessions of the Peace for the said County of Norfolk has laid before the General Court an estimate made by the said Court of General Sessions of the Peace for the said County of Norfolk of the debts due from, and of the necessary charges likely to arise within the said County the present year amounting to Three Thousand & six hundred Dollars:

Resolved that the sum of Three thousand and Six hundred Dollars be & hereby is granted as a tax for the said County of Norfolk, to be apportioned, assessed, collected, & applied in manner as the Law directs.

January 27, 1801.

Chapter 68.

RESOLVE ON THE PETITION OF CÆSAR GIMBEE, &C. AUTHORIZING THE TRUSTEES OF THE GRAFTON INDIANS TO MAKE SALE OF THE LAND MENTIONED.

On The Petition of Cæsar Gimbee & Moses Gimbee Two of the Grafton Indians so called, praying that the Trustees of said Indians may be impowred to sell and convey certain real Estate belonging to the [*said*] Cæsar Gimbee & Moses Gimbee.

Resolved, for the reasons set Forth in said Petition, That Benj. Heywood & Isaac Harrington Trustees of the Grafton Indians, be and they are hereby empowred to make sale of about seventeen Acres of Land lying in Grafton belonging to the said Cæsar & Moses Gimbee, for the best Benefit & advantage of the said Cæsar & Moses — and that the said Heywood & Harrington Trustees aforesaid, be and they are hereby empowred, to make and execute good and sufficient conveyances of the right which the said Cæsar and Moses Gimbee have in & unto the Land aforesaid — and that the proceeds of the sale be appropriated to the use of the said Cæsar & Moses Gimbee.

January 27, 1801.

Chapter 69.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF ESSEX AND GRANTING A TAX.

Whereas The Treasurer of the County of Essex has laid his accounts before the General Court in manner prescribed by Law, which accounts are hereby allowed : And Whereas the Clerk of the Court of General Sessions of the Peace for said County, has laid before the General Court an estimate, made by the said Court of General Sessions of the Peace for the said County of Essex of the necessary charges likely to arise within said County the present year amounting to Two Thousand One hundred & twenty Dollars :

Resolved that the said sum of Two thousand, One hundred & twenty Dollars, be and hereby is granted as a tax for said County of Essex, to be apportioned assessed, collected, & applied in manner as the Law directs.

January 27, 1801.

Chapter 70.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF WASHINGTON AND GRANTING A TAX.

Whereas the Treasurer of the County of Washington has laid his accounts before the General Court in manner prescribed by Law, which accounts are hereby allowed: and Whereas the Clerk of the Court of General Sessions of the Peace for said County has laid before the General Court an estimate, made by the said Court of General Sessions of the Peace for said County of Washington of the necessary charges likely to arise within the said County the present year, amounting to Eight hundred & twenty-five Dollars:

Resolved that the sum of Eight hundred and twenty five Dollars, be and hereby is granted as a Tax for the said County of Washington — to be apportioned, assessed, collected, and applied in manner as the Law directs.

January 27, 1801.

Chapter 71.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF BARNSTABLE AND GRANTING A TAX.

Whereas the Treasurer of the County of Barnstable, has laid his accounts before the General Court in manner prescribed by Law, which accounts are hereby allowed: And Whereas the Clerk of the Court of General Sessions of the Peace for the said County has laid before the General Court an estimate, made by the said Court of General Sessions of the Peace for the said County of Barnstable of the necessary charges likely to arise, — within the said County the present year, amounting to Eleven hundred and fifty Dollars:

Resolved that the sum of One Thousand One hundred & fifty Dollars, be and hereby is granted as a Tax for said County of Barnstable to be apportioned, assessed, collected, and applied in manner as the Law directs.

January 28, 1801.

Chapter 72.

RESOLVE ON THE PETITION OF NANCY FAIRBANKS, AND SAMUEL FAIRBANKS.

On the petition of Nancy Fairbank and Samuel Fairbanks administrators of the Estate of Laban Fairbanks late of Mendon in the county of Worcester deceased, praying to be authorized to make a deed of twenty seven acres of land to Nathan Daniels.

Resolved that Nancy Fairbanks & Samuel Fairbanks, administrators of the Estate of Laban Fairbanks late of Mendon deceased, are hereby authorized & empowered in their capacity of administrators aforesaid to make & Execute (to Nathan Daniels) a good & lawfull deed of twenty seven acres of land in Mendon aforesaid being the same land that the Said Laban sold in his life time to the said Nathan, *provided* that he shall pay the said administrators the remainder of the money for which said land was sold, & the interest of the same from the time of said sale, which money shall be applied by them to the payment of the Said deceased's Just debts, and the said administrators shall be accountable to the Judge of probate for the county of Worcester in the settlement of their accounts for the money so received.

January 28, 1801.

Chapter 73.

RESOLVE VESTING THE COMMISSIONERS APPOINTED TO ASCERTAIN THE BOUNDARY LINE BETWEEN THIS COMMONWEALTH AND CONNECTICUT WITH THE NECESSARY POWERS.

Whereas by an act passed on the eighth day of March in the year of our Lord one thousand seven hundred and ninety one entitled "An Act appointing Commissioners on the part of this Commonwealth for ascertaining the boundary line between this Commonwealth and the State of Connecticut" The Honourable John Worthington Nathaniel Gorham and Samuel Lyman Esqrs. were appointed commissioners for carrying into effect the purposes of said act, and whereas, said persons having all resigned said appointment, the Legislature have designated other persons hereinafter named to supply their places: Therefore

Resolved That the Hon. Timothy Bigelow, Esqr. George Bliss and John Hooker, Esqrs. or in case of the death or resignation of either of them such other persons as may hereafter be designated for this purpose by the Legislature be and they hereby are invested with all the authority and power which was delegated by the act aforesaid to the persons therein named, as fully as if their names had been inserted therein and his Excellency the Governour is hereby requested to commission them accordingly.

January 28, 1801.

Chapter 74.

RESOLVE ON THE PETITION OF CAROLINE FRANCOEUR.

On the Petition of Caroline Francoeur, wife to John Francoeur—late of Wrentham in the County of Norfolk Trader praying that she may be impowered generally, either by herself or her Attorney, to appear in all causes that are or may be brought in the name of the said John Francoeur, her husband, now absent in Europe, & to prosecute & defend the same to final Judgment & Execution, & also to appear & defend all actions that are or may be brought against said Francoeur, in his absence &c.

Resolved that the said Caroline Francoeur, for reasons set forth in her petition, be & she is hereby authorised & impowered, during the absence of her husband, to appear either by herself or her Attorney in all causes, that are or may be brought, in her said husband's name & to prosecute the same to final judgment & execution, & also to appear by herself or her Attorney, to defend all actions, that now are, or that may hereafter be commenced against him, *provided*, that the said Caroline first make & execute a Bond, to the judge of Probate for the County of Norfolk, with sufficient sureties, conditioned, that all the property taken & recovered by virtue of this Power, shall be accounted for by the said Caroline, or her Attorney, to the said John Francoeur, should he return and demand it.

January 29, 1801.

Chapter 75.

RESOLVE ON THE PETITION OF THE JUSTICES OF THE COURT OF GENERAL SESSIONS OF THE PEACE FOR THE COUNTY OF WORCESTER, GRANTING A TAX FOR THE BUILDING OF THE COURT HOUSE.

On the petition of the Justices of the Court of General Sessions of the peace, within and for the County of Worces-

ter, praying that a tax upon the Inhabitants of that County of seven thousand six hundred and sixty six dollars sixty seven cents may be granted for the purpose of building a Court house in Worcester in the same County.

Resolved That the prayer of said petition be granted and that a tax of seven thousand six hundred and sixty six dollars sixty seven cents, shall be assessed upon the polls and estates in the County of Worcester, for the purpose of building a Court house in the town of Worcester in said County, in manner following that is to say — four thousand dollars part of said sum shall be assessed on said polls and estates in the present year, and three thousand six hundred and sixty six dollars sixty seven cents the remainder of said first mentioned sum shall be assessed on said polls and estates in the year of our Lord one thousand eight hundred and two. *Provided nevertheless*, that if any town within said County which may be taxed their proportion of either of the sums aforesaid for the purpose aforesaid, shall within ten years next after the assessing of any such tax be severed from said County and incorporated with any other County, such town so severed shall have a right to recover of the said County of Worcester any sum which they shall have been assessed and paid towards the tax aforesaid within the term of ten years next preceding the time of their being so severed; and an action shall accrue to such town to recover and have any such sum, of the said County of Worcester accordingly.

January 29, 1801.

Chapter 76.

RESOLVE ON THE PETITION OF ISAAC PARSONS, ADMINISTRATOR ON THE ESTATE OF JOSIAH NOYES, LATE OF FALMOUTH, IN THE COUNTY OF CUMBERLAND, DIRECTING THE SECRETARY IN THIS CASE.

On the Petition of Isaac Parsons Administrator on ye Estate of Josiah Noyes late of Falmouth in the County of Cumberland deceased.

Resolved that an original Receipt given to said Noyes by ye late Treasurer of ye late province of ye Massachusetts for ye sum of two hundred and fourteen pounds seven shillings lawful money of sd. Province paid into ye Treasury thereof by ye sd. Noyes, be delivered by ye Secretary of the Commonwealth in whose hands ye same now rests, ye sd. Secretary taking a Copy thereof to be attested by himself & acknowledged by said Parsons Admr. of said Noyes to be a true Copy thereof.

January 30, 1801.

Chapter 77.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF YORK AND GRANTING A TAX.

Whereas the Treasurer of the County of York, has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed : And Whereas the Clerk of the Court of General Sessions of the Peace for said County has laid before the General Court an estimate, made by the said Court of General Sessions of the Peace for the said County of York, of the necessary charges likely to arise within the said County the present year amounting to Two thousand Dollars :

Resolved that the sum of Two thousand Dollars be and hereby is granted as a Tax for the said County of York, to be apportioned assessed, collected & applied in manner as the Law directs.

January 30, 1801.

Chapter 78.

RESOLVE ON THE PETITION OF REUBEN SMITH, AUTHORIZING THE SUPREME JUDICIAL COURT TO RENDER JUDGMENT AGAINST HIM FOR A PORTION ONLY OF THE RECOGNIZANCE ENTERED INTO BY HIM.

On the petition of Reuben Smith the second of Sandisfield in the County of Berkshire praying for a discharge in part of a certain recognizance by him entered into for the appearance of James Roberts of Sandisfield aforesaid before the Justices of the Supreme Judicial Court which was holden at Lenox within & for said county of Berkshire on the first tuesday of October in the year of our LORD one thousand seven hundred and ninety nine, on which a writ of *scire facias* has issued against the said Reuben.

Resolved that the said Supreme Judicial Court be and they hereby are authorized to render Judgement against the said Reuben in the action aforesaid, for the sum of four hundred dollars only any thing in the recognizance and writ of *scire facias* aforesaid notwithstanding.

February 3, 1801.

Chapter 79.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF WORCESTER, AND GRANTING A TAX.

Whereas the Treasurer of the County of Worcester has laid his accounts before the General Court in manner prescribed by Law, which accounts are hereby allowed — And Whereas the Clerk of the Court of General Sessions of the Peace for the said County of Worcester has laid before the General Court an estimate made by the said Court of General Sessions of the Peace for the said County of the necessary charges likely to arise within the said County the present year, amounting to Three Thousand Dollars :

Resolved that the sum of Three Thousand Dollars, be and hereby is granted as a Tax for the said County of Worcester, to be apportioned, assessed, collected, and applied in manner as the Law directs.

February 4, 1801.

Chapter 80.

RESOLVE ON THE PETITION OF DAVID FAY, GRANTING HIM EIGHTY DOLLARS.

On the petition of David Fay, an Ensign in the 5th Regiment of the 1st Brigade, in the 4th Division of Militia, setting forth, that in the execution of his duty as a Militia Officer he received a wound by an accidental thrust of a bayonet through his thigh which has subjected him to confinement and expences more than he has ability to bear, and praying relief from this Court.

Resolved that there be paid out of the Public Treasury to the said David Fay, the sum of Eighty Dollars, and his Excellency the Governor with advice of Council is requested to issue a warrant accordingly.

February 5, 1801.

Chapter 81.

RESOLVE ABATING THE TOWN OF COLUMBIA CERTAIN SUMS OF MONEY.

Whereas, by a Resolve, which passed the General Court the 26th of March 1788, all lands which should be sold pursuant to said Resolve, by the Committee for the sale

of Eastern Lands, were exempted from taxes, for the space of ten years; and whereas, Townships No. 12 & 13, which have since been incorporated into a Town, by the name of Columbia were, since the year 1790, sold by said Committee, according to the Resolve aforesaid; notwithstanding which said Town of Columbia was assessed, in the tax for the year 1799, forty four Dollars & fifty eight cents; And in the tax for the year 1800, forty four Dollars & fifty eight cents:

Resolved, that the aforesaid sums be abated to the said Town of Columbia — And the Treasurer is hereby directed, to discharge said Town, from the Taxes aforesaid.

February 5, 1801.

Chapter 82.

RESOLVE ON THE PETITION OF LUCY HECTOR AND HANNAH GIMBIE, EMPOWERING THE TRUSTEES OF THE GRAFTON INDIANS TO SELL A PARCEL OF LAND FOR THEIR BENEFIT.

On the petition of Lucy Hector and Hannah Gimbie two of the Grafton Indians — praying to have the Trustees of said Indians impowered to Sell so much of their land (after their division of said land) as will be Sufficient to defray the Expences of Building them a Small dwelling House.

Resolved for reasons Set forth In Said petition that the Trustees of the Grafton Indians are hereby impowered to Sell So much of the Said Indians land as will Enable them to Build a Small dwelling House Suitable for the Condition of the Indians aforesaid.

February 6, 1801.

Chapter 83.

RESOLVE ON THE PETITION OF JOHN WARREN, ALLOWING HIM TWO YEARS FOR THE COMPLETION OF THE SETTLEMENT OF THE TOWNSHIP MENTIONED.

On the petition of John Warren Esqr. praying for an extension of the time allowed for completing the settlement of Township Number Four in ye fourth Range north of ye Waldo Patent and of number Three in the first Range north of ye Plymouth Claim.

Resolved for ye reasons set forth in said petition, that two years shall be allowed to the said John Warren & his assigns, in addition to ye periods originally granted, for completing the settlement required by the contracts for said townships, upon Township Number Four in the Fourth

range of townships north of the Waldo patent and upon Township Number Three in ye first Range of townships North of the Plymouth claim. *February 6, 1801.*

Chapter 84.

RESOLVE ON THE PETITION OF BENJAMIN THOMPSON, DISCHARGING HIM FROM THE JUDGMENT MENTIONED AND GRANTING HIM 168 DOLLARS.

On the Petition of Benjamin Thompson praying that he & his Son Benja. Thompson Junr. may be discharged from the Judgments mentioned in said Petition & that the Money they have paid on the Executions that have issued on said Judgments may be refunded to them.

Resolved that the Prayer of said Petition be so far granted, that the said Benja. Thompson be wholly discharged from the Judgment mentioned in said Petition & that the Sum collected on the said Execution be refunded to him; and that there be paid out of the Treasury of this Commonwealth to the said Benjamin Thompson the Sum of one Hundred & Sixty eight Dollars.

February 6, 1801.

Chapter 85.

RESOLVE ALLOWING ACCOUNTS OF THE TREASURER OF THE COUNTY OF DUKES COUNTY AND GRANTING A TAX.

Whereas the Treasurer of the County of Dukes County, has laid his accounts before the General Court in manner prescribed by Law, which accounts are hereby allowed; And Whereas the Clerk of the Court of General Sessions of the Peace for the said County has laid before the General Court an estimate made by the said Court of General Sessions of the Peace for the said County of Dukes County, of the necessary charges likely to arise within the said County for the present year, amounting to Four hundred Dollars:

Resolved that the sum of Four hundred Dollars be and hereby is granted as a Tax for the said County of Dukes County, to be apportioned, assessed, collected, and applied in manner as the Law directs. *February 9, 1801.*

Chapter 86.

RESOLVE ON THE PETITION OF JONATHAN H. LOVETT AND OTHERS, AUTHORIZING THE GOVERNOR WITH THE ADVICE OF COUNCIL, TO RAISE A COMPANY OF LIGHT INFANTRY IN 3D REGIMENT, 1ST BRIGADE, AND 2D DIVISION OF MILITIA.

On the Petition of Jona. H. Lovett & others, praying for leave to raise a Company, of Light Infantry, in the Town of Beverly.

Resolved, that his Excellency the Governor, with consent of Council, is hereby authorized to raise a Company of Light Infantry, in said Town of Beverly, being in the third Regiment, first Brigade, & Second Division, of the Militia of this Commonwealth, to be annexed to said third Regiment, and Subject to such rules, and Regulations, as are or may be provided by Law for the Gover[n]ment of the Militia of this Commonwealth. *February 9, 1801.*

Chapter 87.

RESOLVE ON THE PETITION OF JOHN PHILLIPS, JUN. AND OTHERS, AUTHORIZING THE GOVERNOR, WITH ADVICE OF THE COUNCIL, TO RAISE A COMPANY OF LIGHT INFANTRY IN THE 3D REGIMENT, 2D BRIGADE, AND 2D DIVISION OF THE MILITIA.

On the petition, of John Phillips Junior and others, praying for leave to raise a Company of Light Infantry, in the third Regiment, Second Brigade, & Second Division of the Militia.

Resolved, That his Excellency the Governor, with Advice of Council, be & hereby is authorised to raise a Company of Light Infantry, in the aforesaid third Regiment, second Brigade, & Second Division of the Militia of this Commonwealth, to be attached to the said third Regiment, and subject to all the rules & regulations that are or may be, by Law provided for the Gover[n]ment of the Militia within this Commonwealth. *February 9, 1801.*

Chapter 88.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF CUMBERLAND AND GRANTING A TAX.

Whereas the Treasurer of the County of Cumberland, has laid his accounts before the General Court in manner prescribed by Law, which accounts are hereby allowed :

And Whereas the Clerk of the Court of General Sessions of the Peace for the said County, has laid before the General Court, an estimate made by the said Court of General Sessions of the Peace for the said County of Cumberland of the necessary charges, likely to arise within the said County for the present year, amounting to Two Thousand five hundred Dollars :

Resolved that the said sum of Two Thousand five hundred Dollars, be & hereby is granted as a Tax for the said County of Cumberland, to be apportioned, assessed, collected, & applied in manner as the Law directs.

February 9, 1801.

Chapter 89.

RESOLVE ON THE PETITION OF EBENEZER HEARD AND JOHN SCATES, JUN.

On the petition of Ebenezer Heard and John Scates.

Resolved, for reasons set forth in said petition, that the Treasurer of the Commonwealth Be and he is hereby authorised and directed to deliver up to the said Heard & Scates the note signed by Ebener. Heard & John Scates Junr. dated June 5th 1795 for fifty pounds Lawfull money given for the discharge of four Executions in fav[or] of said Commonwealth against said Heard & Scates.

February 9, 1801.

Chapter 90.

RESOLVE ESTABLISHING THE PAY OF THE MEMBERS OF THE GENERAL COURT, AND OF THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE.

Resolved that there be allowed & paid out of the Treasury of this Commonwealth, to each member of the Council, Senate, and House of Representatives, two Dollars φ day, for each days attendance the present session, and the like sum for every ten miles travel from their respective places of abode, to the place of the sitting of the General Court.

And it is further Resolved, that there be paid to the President of the Senate, and Speaker of the House of Representatives, each two dollars per day, for each and every days attendance, over and above their pay as members.

February 9, 1801.

Chapter 91.

RESOLVE ON THE PETITION OF SILAS HALL AND OTHERS, AUTHORIZING THE COMMITTEE FOR THE SALE OF EASTERN LANDS TO ALTER THE CONTRACT WITH SAID HALL AND OTHERS.

On the petition of Silas Hall & others.

Resolved, That the committee for the Sale of Eastern Lands, be & hereby are authorized & directed to alter the contract made by them, in behalf of this Commonwealth, with Silas Hall & others, for a tract of land adjoining the Township of East-Andover, so that it shall only extend to the sale of so much of the said tract as lies southerly of the said Township of East-Andover. *February 9, 1801.*

Chapter 92.

RESOLVE ON THE PETITION OF JOHN CROSBY AND OTHERS, SETTLERS IN HAMPDEN, ALLOWING THEM A FURTHER TIME TO PAY MONEY DUE TO THE COMMONWEALTH.

On the petition of John Crosby, James Philbrook, John Paul, Richard S. Blasdel, Joseph Wheeler, William Patten and Andrew Grant, for an extension of Time to pay for their Lands in the Town of Hampden.

Resolved, that for reasons set forth in their Petition; that one year from and after passing this resolve be allowed to all those in the Town of Hampden who were to have had their Lots for six Dollars and fifty cents, and two years to those who were to have had their Lots for fifty Dollars, to pay the money into the Treasury of this Commonwealth, the settlers paying the Interest upon, the respective sums from the time the above said sums were apportioned upon said Lots to the time of payment, mentioned in this resolve.

February 10, 1801.

Chapter 93.

RESOLVE ON THE PETITION OF SARAH BRUCE, DIRECTING THE TREASURER TO ISSUE A NEW NOTE.

On the petition of Sarah Bruce of Grafton in the County of Worcester, co-administrator with Joseph Bruce, on the estate of Simon Bruce late of Grafton deceased, setting forth that she in her capacity aforesaid, was in possession of a state note, signed by the Treasurer of this Commonwealth, for the sum of One hundred & thirty six Dollars

& fifty eight cents, dated Jany. 8, 1796 bearing interest at 5 p Cent p annum from the first of July 1794, & that four years & six months interest has been paid on said note, & that the same note was lost some time in the month of May 1799.

Resolved that the Treasurer of this Commonwealth be & he is hereby directed to issue a new note to the said Sarah Bruce for the amount of the note said to be lost & for the interest due thereon the said Sarah first giving bond, with sureties sufficient in the opinion of the Treasurer aforesaid to indemnify the Commonwealth against the note said to be lost as aforesaid. *February 10, 1801.*

Chapter 94.

RESOLVE DISCHARGING DAVID SEWALL AND NATHANIEL WELLS, ESQUIRES, A COMMITTEE FOR SELLING THE CONFISCATED UNIMPROVED LANDS OF SIR WILLIAM PEPPERELL, OF THE SUM PAID INTO THE TREASURY.

Whereas it appears that the Account exhibited by David Sewall & Nathaniel Wells Esqrs. appointed a Committee by the Legislature, for selling the confiscated unimproved Land, which formerly belonged to Sir William Pepperell, now of London Baronet, amounting to two thousand & twenty three Dollars & thirty four Cents are well vouched & right cast: therefore

Resolved that the said Account be accepted & that the said Committee be, & hereby are discharged of said Sum, by them paid into the Treasury of this Commonwealth, including the expence of said Committee for executing the Buisiness aforesaid. *February 11, 1801.*

Chapter 95.

RESOLVE ON THE PETITION OF WILLIAM MAREAN, WILLIAM NIGHTINGALE AND OTHERS, DIRECTING THE TREASURER TO STAY HIS EXECUTIONS AGAINST THEM UNTIL JAN. 1, 1802 — WITH A PROVISIO.

On the Petition of William Marean and others praying for an Extention of the time of Payment of a demand against them by the Commonwealth, on Execution.

Resolved that the Treasurer of this Commonwealth be and he hereby is directed to stay his Executions against William Marean, William Nightingale, Nathan Holden, Joseph Clark, John Clark, John Clark junr. Isaac Clark

William Muzzy and Moses Clark untill the first day of January 1802, provided they shall pay on or before the first day of June next the Interest which at the time of Payment shall be due on the Notes, for the recovery of which Judgment has been rendered against them.

February 11, 1801.

Chapter 96.

RESOLVE FOR DISTRIBUTING THE LAWS OF THE UNITED STATES THAT ARE NOW, OR SHALL HEREAFTER BE, DEPOSITED IN THE SECRETARY'S OFFICE.

Resolved, That the Secretary of the Commonwealth be, and he hereby is directed to cause the Laws of the United States, now deposited in his Office, or that shall hereafter be deposited, being the proportion belonging to this Commonwealth, agreeably to an Act of Congress, passed March 3d 1795, and the Act in addition thereto, passed on the 2d day of March 1799, to be distributed in the same manner as directed by a Resolve of this Commonwealth, passed the 31st day of January A D 1798.

February 12, 1801.

Chapter 97.

RESOLVE ON THE PETITION OF PEALPOLE COVEAGME.

On the petition of Pealpole Coveagme an Indian Man praying that he may be authorised to sell and convey a lot of land in a place called Readstown or No. three in the county of Kennebec.

Resolved for reasons set forth in said petition that the said Pealpole Coveagme be and he is hereby authorised to sell and convey lot Number eleven in a place called No. three or Readstown on sandy river in the county of Kennebec, containing one hundred acres any law or resolve to the contrary notwithstanding.

February 12, 1801.

Chapter 98.

RESOLVE DIRECTING THE SECRETARY TO CERTIFY TO THE GOVERNOR AND COUNCIL A BALANCE DUE TO GEORGE MELVILL.

On the petition of Thomas B. Melvill in behalf of himself & his mother Hannah Melvill praying for a ballance due George Melvill late a sergt. in 5th Mass. Regimt. Commanded by Col. Putnam.

Resolved, that the Secretary be directed to certefy to

the Governour & Council the ballance due on the Army books to the said George and the Treasurer is hereby directed on rec[e]iving the Governours warrant therefor to Issue a New Loan Note payable to the Heirs of [of] the said George Melvill for the sum of Twenty three dollars & thirteen cents bearing Interest of 5 p Cent from July 1st 1794 which places him in the same situation as other soldiers who have performed similar services.

February 14, 1801.

Chapter 99.

RESOLVE ON THE PETITION OF JOHN BEVERLY, GRANTING HIM AN ADDITIONAL PENSION, AND AUTHORIZING THE TREASURER OF THE TOWN OF ANDOVER TO RECEIVE THE SAME TO BE DISPOSED OF BY THE OVERSEERS OF SAID TOWN FOR HIS BENEFIT.

On the petition of John Beverly of Andover shewing that he had lost both his feet in the service of his Country as a Soldier in the year 1760, and that the General Court in the year 1763 granted him a pension of six pounds annually; That he is now advanced in years, extremely indigent, and unable to labour, and that from the rise of the prices of the necessaries of life since his pension aforesaid was granted it had become insufficient for his comfortable subsistence.

Resolved That his pension be encreased to forty dollars a year, and that there be allowed and paid out of the Treasury of this Commonwealth to the Treasurer of the Town of Andover annually from this time during the life of said John, and for his use, the sum of forty dollars, to be disposed of by the Overseers of said Town for his benefit.

February 16, 1801.

Chapter 101.*

RESOLVE ON THE PETITION OF ASHER SPAULDIN AND OTHERS, AUTHORIZING THE GOVERNOR AND COUNCIL TO RAISE A COMPANY OF CAVALRY IN THE 2D BRIGADE, 8TH DIVISION OF MILITIA.

On the petition, of Asher Spauldin & others, praying for leave, to raise a Company of Horse, in the 2d Brigade & 8th Division of Militia.

* Chapter 100, in session pamphlet, is a message from the Governor transmitting a resolve of the Legislature of Maryland, and is to be found among the messages.

Resolved, that his Excellency the Governor with advice of Council, be Authorised to raise a Company of Cavalry, within the limits of the Brigade aforesaid, to be annexed to the Squadron of Cavalry, in said second Brigade, to be Subject to all the rules and Regulations of the Militia of this Commonwealth.

February 17, 1801.

Chapter 102.

RESOLVE REQUESTING THE GOVERNOR, WITH THE ADVICE OF THE COUNCIL, TO DIRECT THE DISPOSAL OF THE USELESS PROPERTY STATED IN THE REPRESENTATION OF THE QUARTER MASTER GENERAL, ETC.

Resolved, That his Excellency the Governor, with advice of Council be and he is hereby requested to direct, that the useless public property stated in the representation of the Quarter Master General be sold or otherwise disposed of, and that the Cannon and other articles, exposed to injury, be removed and secured in such manner as he with advice of Council may think most for the Interest of the Commonwealth.

February 17, 1801.

Chapter 103.

RESOLVE AUTHORIZING THE TREASURER TO RECEIVE OF ELIHU DWIGHT, PARK HOLLAND, AND JONATHAN MAYNARD, THE SUM OF 1599 DOLLS. 85 CENTS, FOR A NOTE GIVEN IN 1795.

Resolved that the Treasurer of this Commonwealth be and he is hereby Authorized to receive of Elihu Dwight, Park Holland & Jonathan Maynard, the sum of fifteen hundred ninety nine dollars & eighty five Cents, as satisfaction in full for a Note given by them dated 2d Mar. 1795 for the sum of two thousand one hundred & nine dollars eighty four cents (Judgment of Court being had thereon) said Note being liquidated and reduced Agreeably to Resolve of 10th June 1799—And on receipt thereof to discharge the Judgment of Court recovered on the Note aforesaid.

February 17, 1801.

Chapter 104.

RESOLVE ON THE MEMORIAL OF THE JUDGE OF PROBATE FOR THE COUNTY OF WORCESTER, DIRECTING HIM TO HOLD A COURT OF PROBATE IN THE WEST PARISH OF BROOKFIELD.

On the memorial of the Judge of Probate for the County of Worcester, shewing that the holding a Pro-

bate Court in the West parish in Brookfield, on the fourth tuesday of April is attended with inconvenience to the Public, and that holding a Court, on the second tuesday in April in future, will be more convenient.

Resolved that a Probate Court shall hereafter be holden, in the West Parish of Brookfield in the County of Worcester, on the *second* tuesday in April, instead of the *fourth* tuesday in April.

February 17, 1801.

Chapter 105.

RESOLVE ON THE PETITION OF ABEL CUTLER, DIRECTING THE COMMITTEE FOR THE SALE OF EASTERN LANDS TO EXECUTE DEEDS OF THE LAND MENTIONED.

On the petition of Abel Cutler, of East Sudbury, in the county of Middlesex.

Resolved, for the reasons set forth in the said petition, that the prayer thereof be, so far, granted, that the committee for the sale of Eastern lands be and they hereby are directed to make and execute deeds to the said Cutler & John Peck, named in the said petition, of the township, number five, in the third range, lying in the Distri[c]t of Maine, westerly, of Bingham's purchase and easterly, of the line of New-Hampshire, in such proportions as they the said Cutler and Peck have, respectively, become interested in a contract for the purchase of the said township, made with the committee aforesaid, by one Ashbel Stanley, bearing date, the first day of January A. D. 1795; the said deed to contain all the reservations, and appropriations and enjoin all the settlement duties made and required by the said contract; saving this, that the said Cutler and Peck shall have day, for the term of four years, from the first day of April next, to perform the settlement duties, in the said contract mentioned; *provided* they the said Cutler and Peck, on or before, the first day of April next, cancel and deliver up the said contract to the said committee and pay them, for the use of this Commonwealth, the balance, which shall be found to remain unpaid, of the principal and interest of the sum, which the said Stanley, by the contract aforesaid, had agreed to pay for the township aforesaid.

February 17, 1801.

Chapter 106.

RESOLVE ON THE PETITION OF JOANNA GERRISH, GRANTING HER AN ALLOWANCE AND ANNUAL GRANT.

On the Petition of Joanna Gerrish praying that compensation may be made to her for her right of dower in the estate of her late husband Timothy Gerrish, deceased, which was taken from him by Execution in favour of the Executors of Sir William Pepperrell Baronet, deceased, and Afterwards confiscated to the Government, & sold by a Committee of this Commonwealth, she never having relinquished her Dower therein.

Resolved, for reasons set forth in said Petition, that there be paid out of the treasury of this Commonwealth, to the said Joanna Gerrish the sum of five hundred & fifty dollars, and a further sum of twenty five dollars annually, during her Natural Life. *Provided* she the said Joanna, shall relinquish to the Commonwealth her right of Dower in said Estate. And that his Excellency the Governor be and hereby is requested, on the said Joanna's complying with said Condition, to Issue his Warrants on the Treasury from time, to time accordingly.

February 17, 1801.

Chapter 107.

RESOLVE ON THE PETITION OF NATHAN PATCH.

On the petition of Nathan Patch praying that he may be discharged from two executions issued on a Judgment against him on *Scire Facias* for his recognozance for the appea[ra]nce of Barnabas Sibley & Ezra Coller, who were indicted at March term at the Court of General Sessions of the peace in the County of Worcester seventeen hundred & ninety nine.

Resolved for reasons set forth in said petition, that the said Nathan Patch shall be discharged from both executions issued against him on *Scire Facias* as bail for Barnabas Sibley & Ezra Coller on paying ten dollars, which appears to be the amount due to discharge both the fines imposed on the said Sibley & Coller the costs haveing been paid.

February 17, 1801.

Chapter 108.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF HAMPSHIRE AND GRANTING A TAX.

Whereas the Treasurer of the County of Hampshire, has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed: And Whereas the Clerk of the Court of General Sessions of the Peace for the said County, has laid before the General Court an estimate made by the said Court of General Sessions of the Peace for the said County of the debts due from, and of the necessary charges likely to arise within the said County the present year, amounting to Six Thousand Dollars:

Resolved that the sum of Six thousand Dollars be and hereby is granted as a Tax for said County of Hampshire, to be apportioned, assessed, collected, and applied in manner as the Law directs.

February 17, 1801.

Chapter 109.

RESOLVE AUTHORIZING THE COMMITTEE ON ACCOUNTS TO EXAMINE THE ACCOUNTS OF GAOLERS FOR THE SUPPORT OF ANY STATE PRISONERS CONVICTED AND SENTENCED TO HARD LABOUR.

Resolved, That the Committee of both Houses appointed to examine and pass on public accounts for the time being, be and they hereby are authorized to examine the accounts of the several Gaolers for the support of any State prisoners who have been convicted & sentenced to hard labor since the first day of February, in the year, one thousand, seven hundred and ninety nine, or may be hereafter convicted & sentenced as aforesaid, until the further order of the General Court; and to allow all or any part of said accounts as they may judge reasonable.

February 20, 1801.

Chapter 110.

RESOLVE ALLOWING THE ACCOUNTS OF THE TREASURER OF THE COUNTY OF SUFFOLK AND GRANTING A TAX.

Whereas the Treasurer of the County of Suffolk, has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed; And

Whereas the Clerk of the Court of General Sessions of the Peace for said County has laid before the General Court, an estimate, made by the said Court of General Sessions of the Peace for the said County of Suffolk, of the debts due from, & of the necessary charges likely to arise within said County, for the present year, amounting to Ten thousand Dollars :

Resolved that the sum of Ten thousand Dollars, be and hereby is granted as a tax for the said County of Suffolk to be apportioned, assessed, collected & applied in manner as the Law directs.

February 20, 1801.

Chapter 111.

RESOLVE ON THE PETITION OF SAMUEL DAVIS, DIRECTING THE TREASURER TO ISSUE A NEW NOTE IN LIEU OF ONE SAID TO BE LOST.

On the Petition of Samuel Davis.

Resolved that the Treasurer of this Commonwealth, be and he hereby is directed to Issue to Samuel Davis a Note for four hundred twenty five dollars ninety six cents bearing Interest from July 1, 1794 at five p Cent and to endorse thereon one years Interest paid — in lieu of a Note for the same amount and tenor, said to be lost, *provided* the said Samuel shall give bond to the satisfaction of the Treasurer, condition'd to save the Commonwealth from all demand for or on Account of the Note said to be lost as aforesaid.

February 20, 1801.

Chapter 112.

RESOLVE ON THE PETITION OF STEPHEN JONES, ESQ, AUTHORIZING THE COURT OF GENERAL SESSIONS OF THE PEACE FOR THE COUNTY OF WASHINGTON, TO MAKE HIM COMPENSATION FOR HIS SERVICES AS A JUDGE OF PROBATE, IN ADDITION TO HIS FEES, NOT TO EXCEED ONE HUNDRED DOLLARS PER ANNUM.

On the Petition of Stephen Jones Esqr. Judge of Probate for the County of Washington, praying, that the Court of Genl. Sessions of the Peace for said County, may be empowered to make him an annual allowance for his services as Judge of Probate, not exceeding one hundred Dolls. pr. annum.

Resolved, for reasons set forth in said Petition, That the Court of Genl. Sessions of the peace for said County of Washington, be & they hereby are authorised & empowed

to grant said Stephen Jones, such compensation for his services, as they may consider equitable & just, in addition to the fees that are, or may be established by Law; to be paid out of the Treasury of said County — *Provided* said Compensation or allowance, shall not exceed one hundred Dolls. pr annum.

February 21, 1801.

Chapter 113.

RESOLVE REQUESTING THE GOVERNOR TO PROVIDE FOR THE FURTHER SUPPORT AND EDUCATION OF LEVI KONKAPOT FOR THREE YEARS.

Whereas the time allowed for the education of Levi Konkapot, a son of John Konkapot, late one of the Ousatonuck, or Stockbridge tribe of Indians, (so called) in a Resolve passed the 23d of January 1798, is expired, and it appearing to this Court, that the reasons for undertaking the education of the said Levi Konkapot, still operate, to give him a more finished course of learning, than was provided for by the aforesaid Resolve, that he may be the more extensively useful among his tribe and Nation:

Resolved that his Excellency the Governor be requested, further to provide for the support and education of the said Levi Konkapot, for three years from this date, in the manner prescribed in the Resolve passed the 23d of January 1798.

February 23, 1801.

Chapter 114.

RESOLVE ABATING FINES TO TOWNS FOR NOT SENDING REPRESENTATIVES.

Whereas the towns hereafter mentioned, were fined in the several sums, annexed to their respective names, for not sending a Representative to the General Court, the last year, that is to say,

Hamilton, forty nine Dollars twenty three Cents; Holliston, Sixty four Dollars; Lincoln, Forty five Dollars & forty four cents; East Sudbury, Fifty five Dollars & fifty cents; Williamsburgh, Forty one Dollars & seventy one cents; New Salem, Sixty six Dollars & sixty one cents; Chesterfield, Fifty five Dollars & sixty one cents; Southampton, Forty five Dollars & fifty five cents; Chester, Forty four Dollars & sixteen cents; Cumington & Plainfield, Fifty eight Dollars & eleven cents; Plympton, Forty four Dollars & nineteen cents; Pembroke, One hundred

& two Dollars & thirty seven cents ; Kingston, Fifty seven Dollars & seventy five cents ; Hanover, Fifty two Dollars & eleven cents ; Carver, Forty Dollars & forty four cents ; Mansfield, Forty six Dollars & fifty cents ; Edgartown, Forty two Dollars & twenty one cents ; Sandford & Alfred, Sixty Dollars ; Leicester, Sixty nine Dollars & twenty five cents ; Hubbardston, Forty nine Dollars & seventy seven cents ; New Braintree, Fifty eight Dollars & seventy two cents ; Southborough, Forty eight Dollars & seventy seven cents ; Northborough, Forty three Dollars & thirty eight cents ; Western, Fifty eight Dollars & ninety seven cents ; Leominster, Sixty seven Dollars & eighty cents ; Holden, Sixty three Dollars & sixty one cents ; Royalston, Forty nine Dollars ; Templeton, Fifty seven Dollars & ninety four cents ; Princeton, Eighty five Dollars & fifty three cents ; Winchendon, Fifty three Dollars & twenty seven cents ; Sterling, Eighty eight Dollars & sixty nine cents ; Cape Elizabeth, Fifty five Dollars & seventy seven cents ; Windham, Forty seven Dollars & eleven cents ; Freeport, Seventy Dollars & fifty seven cents ; New Castle, Thirty seven Dollars & fifty two cents ; West Stockbridge, Forty four Dollars & five cents ; Braintree, Seventy one Dollars & eighty nine cents ; Sharon, Forty seven Dollars & forty four cents ; Wrentham, One hundred & six Dollars & ninety seven cents ; Bellingham, Forty Dollars & sixty six cents ; Randolph, Sixty five Dollars & thirty three cents ; Canton, Fifty seven Dollars & seventy six cents ; South Brimfield & Holland, Fifty Dollars & forty four cents ; Stoughton, Forty two Dollars & thirty seven cents ; Woburn, Sixty seven Dollars & twenty cents ; Lebanon, Forty two Dollars & sixty six cents ; Montague, Forty five Dollars & sixteen cents ; Ashby, Forty two Dollars & sixty three cents :

Resolved for reasons set forth, by representations from the aforesaid towns respectively, that the said fines be remitted, and the towns aforesaid, are hereby respectively discharged from paying the same, any Resolve or Order to the contrary notwithstanding. *February 24, 1801.*

Chapter 115.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF LINCOLN AND GRANTING A TAX.

Whereas the Treasurer of the County of Lincoln has laid his Accounts before the General Court in manner prescribed

by law, which Accounts are hereby allowed. And whereas the Clerk of the Court of General Sessions of the Peace for said County of Lincoln has laid before the General Court, an estimate, made by said Court of General Sessions of the Peace, of the necessary charges likely to arise within said County, and of monies necessary for discharging the debts of said County, for the year ensuing, amounting in the whole to the sum of eight thousand six hundred and twenty eight Dollars and ninety cents :

Resolved that the sum of eight thousand six hundred and twenty eight Dollars and ninety cents be and the same hereby is granted as a tax for said County of Lincoln, to be apportioned, assessed, collected, and applied in manner agreeable to law, and the purposes aforementioned.

February 25, 1801.

Chapter 116.

RESOLVE ON THE PETITION OF MAJOR GENERAL SIMON ELLIOT, AUTHORIZING THE GOVERNOR TO FORM THE CAVALRY IN THE 1ST AND 2D BRIGADES, IN THE 1ST DIVISION OF MILITIA, INTO TWO SQUADRONS.

On the Petition of Majr. Genl. Simon Elliot.

Resolved That his Excellency the Governor with advice of Council, be & he is hereby authorised to form the Cavalry, in the first & second Brigades, in the first Division of Militia of this Commonwealth into two Squadrons, one in each of the said Brigades, & when so formed, Each Squadron to be Commanded by a Major.

February 25, 1801.

Chapter 117.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF BANGOR, DIRECTING THE TREASURER TO STAY EXECUTION AGAINST THE TOWN.

On the Petition of the Selectmen of the Town of Bangor praying for the Abatement of Tax Number Six and Seven.

Resolved that the prayer of the Petition be so far granted that the Treasurer of this Commonwealth be and hereby is directed to Stay Execution against the Said Town of Bangor for said Taxes for the term of one year from the date hereof.

February 25, 1801.

Chapter 118.

RESOLVE ON THE PETITION OF EBENEZER WRIGHT.

On the petition of Ebenezer Wright, praying that the Treasurer of this Commonwealth may be impowered to issue a new State Note, to replace one supposed to have been destroyed.

Resolved, for reasons set forth in the petition, that the Treasurer of this Commonwealth be impowered, & he is hereby impowered and directed to issue to the sd. Ebenezer Wright in his sd. capacity of Executor a new note equivalent to that which is supposed to have been destroyed or lost; The sd. Treasurer first taking good & sufficient bonds of the said Wright to refund to the Treasury all the monies due on the note supposed to have been destroyed, if the same shall hereafter appear.

February 25, 1801.

Chapter 119.

RESOLVE ON PETITION OF OLIVER PRESCOTT AND ISAAC FARNSWORTH.

On the petition of Oliver Prescott and Isaac Farnsworth, surviving executors of the last will and testament of Josiah Sartell Esqr. deceased, and John Conant, and Daniel Conant, sons of John Conant, late of Townshend in the County of Middlesex miller decd. praying that the said Oliver and Isaac may be authorized to release and convey to the said John the younger, and Daniel, certain lands, in said Townshend formerly the estate of said John Conant decd. and by him conveyed to the said John the younger and Daniel, and which has been taken in Execution, upon the Judgment herein after mentioned, by said Oliver and Isaac in their said capacity, to satisfy a demand of said Josiahs against said John deceased, and more than one year has elapsed, since said Execution, was extended.

Resolved, for reasons set forth in said petition, that said Oliver and Isaac be, and they are hereby empowered, to release and convey to the said John the younger, and Daniel, all the estate in said Townshend by them taken in execution as aforesaid, provided the said John the younger and Daniel, shall pay to the said Oliver and Isaac, to the

use of the estate of the said Josiah, the full amount of the Judgment recovered by said Oliver and Isaac in their said capacity, against said John Conant decd. at the Supreme Judicial Court, holden at Cambridge in and for said County, on the last Tuesday of October in the year of our Lord One thousand seven hundred and ninety seven, for the sum of three hundred and thirty two dollars and seventeen cents damages, and forty eight dollars and forty seven cents, costs of suit, together with all other costs and fees of levying said Execution, together with the interest of said sums.

February 25, 1801.

Chapter 120.

RESOLVE ON THE PETITION OF WILLIAM PHILLIPS, JUNIOR, EXTENDING THE TIME FOR THE SETTLING DUTY ON TOWNSHIP NO. 3.

On the Petition of William Philips Junior praying that the time Allowed for performing the Settling duty on Township Number Three laying between Androscogin & Kenebeck Rivers and also on Township Number one in the first range Laying between the State of New Hampshire and Kenebeck River may be extended further.

Resolved for reasons set forth in the Petition that the time for performing the Settling duty which was to be performed on or before the first day of May in the Year Eighteen Hundred and three shall be extended to the first day of May in the year Eighteen Hundred and five any Resolve or Contract to the Contrary notwithstanding.

February 25, 1801.

Chapter 121.

RESOLVE ON THE PETITION OF JOHN SWEET, JUN. GRANTING HIM 150 DOLLARS.

On the petition of John Sweet jun , praying for compensation for a wound he received, while performing military duty.

Resolved that the sum of One hundred & fifty Dollars be allowed & paid out of the public Treasury to the said Sweet, in full for the losses & expences incurred in consequence of said wound, and his Excellency the Governor with advice of Council is requested to draw a warrant on the Treasurer accordingly.

February 25, 1801.

Chapter 122.

RESOLVE ON THE PETITION OF JACOB FISHER, AUTHORIZING THE GOVERNOR WITH THE ADVICE OF COUNCIL, TO RAISE A COMPANY OF ARTILLERY IN 2D BRIGADE, 7TH DIVISION OF THE MILITIA OF THIS COMMONWEALTH.

On the Petition of Jacob Fisher & others praying that a Company of Artillery may be raised in the Second Brigade, seventh Division of Militia in this Commonwealth.

Resolved, that his Excellency the Governor, with the consent of the Council be authorised and empowered to raise a Company of Artillery in said Brigade, and within the first Regiment, subject to such rules and regulations as are, or may be provided by law. *February 26, 1801.*

Chapter 123.

RESOLVE ON THE PETITION OF JONATHAN HASTINGS, AUTHORIZING THE TREASURER TO DEDUCT THE VALUE OF LAND DEFICIENT IN TOWNSHIP NO. 3 FROM PURCHASE PRICE.

On the petition of Jonathan Hastings setting forth that there is a deficiency of nineteen hundred and twenty acres of land in Township Number three of the seventh range above Waldo's patent of which he has become the purchaser, and praying indemnity for said deficiency.

Resolved that the Treasurer of this Commonwealth be, and he hereby is, authorized and directed to deduct from the Notes in his possession which were given for said Township the sum which the said nineteen hundred and twenty acres amounts to, estimating the same at the price given therefor, and allowing interest on the money which has been paid or contracted to be paid, on account of said nineteen hundred and twenty acres. *February 26, 1801.*

Chapter 124.

RESOLVE ON THE PETITION OF HANNAH RICE AND ABRAHAM MILLIKEN, EMPOWERING THE SAID HANNAH TO EXECUTE A DEED OF THE LAND MENTIONED.

On the Petition of Hannah Rice, & Abraham Milliken of Scarborough, in the County of Cumberland, praying that sd. Hannah may be empowered to Convey a tract, or parcel of land lying in sd. Scarborough, Containing two Acres & thirty one rods, lying on the Southerly Side of

the road leading to Dunston Meeting House, & is a part of the first tract of land mentioned in a Mortgage deed Given by Benjamin Milliken to Nathel. Weelright Jany. 1763.

Resolved — that the sd. Hannah, in the Capassity of Administratrix, on the Estate of Matthias Rice late of Scarborough Aforesaid Deceased, be, & Hereby is fully Authorized & impowered, to Execute to sd. Abraham Milliken a good & Lawful deed of the land Aforesaid, any deficiency in a bond given by Matthias Rice, in his life time notwithstanding. *February 27, 1801.*

Chapter 125.

RESOLVE ON THE PETITION OF BENJAMIN THOMSON, JUN. DISCHARGING HIM FROM THE JUDGMENT MENTIONED AND GRANTING HIM 40 DOLLARS 75 CENTS.

On the Petition of Benja. Thomson Junr. praying to be discharged from the Judgment mentioned in [in] his Petition and the Money he has paid on the Execution that has issued on Said Judgment may be refunded to him.

Resolved that the Prayer of Said Petition be granted and that the said Benjamin Thomson Jnr. be wholly discharged from the Judgment mentioned in said Petition and that the Sum Collected on said Execution be refunded to him and that there be paid out of the Treasu[re]ry of this Commonwealth to the said Benjamin Thompson Junr. the sum of Forty Dollars and Seventy five Cents being the Sum collected on said Execution.

February 28, 1801.

Chapter 126.

RESOLVE GRANTING THE JUDGES OF THE SUPREME JUDICIAL COURT 500 DOLLARS EACH IN ADDITION TO THEIR PRESENT SALARIES.

Resolved that for the current year, commencing on the First day of January Last, there shall be allowed to each of the Justices of the Supreme Judicial court, at the Rate of Five Hundred Dollars, in addition to his present Salary, as by Law established and payable therewith.

February 28, 1801.

Chapter 127.

RESOLVE MAKING AN ALLOWANCE TO THE ATTORNEY GENERAL.

On the memorial of the Attorney General praying for an additional grant to his Salary from June 22d 1799 to March 1st 1801, also an allowance for attending to the suit against Michael Helligas.

Resolved that there be allowed & paid out of the Public Treasury to James Sullivan Esq. Attorney General, Five hundred & six dollars & twenty five Cents (being at the rate of three hundred Dollars \wp annum) — also the further sum of Two hundred dollars & sixty one Cents being an allowance, one \wp Centum, on twenty thousand & sixty one Dollars fifty two Cents, recovered from the Estate of Michael Hillegas Esqr., in behalf of this Commonwealth, (being appointed their special agent therefor) — the Sum of seventy eight dollars & fifty four Cents, due from the said Attorney Genl. to be first deducted therefrom — which with his usual salary will be in full for his service[s], from the 22d of June 1799 to the 1st of March next.

March 3, 1801.

ADDRESS OF THE LEGISLATURE TO THE PRESIDENT OF THE UNITED STATES, ON HIS RETIRING FROM OFFICE.*

The Committee of both Houses appointed to prepare and report an address to the President of the United States — Report the following — Which is submitted.

SAML. PHILLIPS \wp order.

To John Adams, Esqr.

At the moment, Sir, that you are descending from the exalted station of the first Magistrate of the American Nation, to mingle with the mass of your fellow Citizens, The Senate and House of Representatives of the Commonwealth of Massachusetts, your native State, embrace the occasion, to pour forth the free will offering of their sincere thanks, for the many important and arduous services you have rendered your Country. In the performance of this act the Legislature have but one heart, and that vibrates with affection, respect, and gratitude for your virtues, talents and patriotism.

* Not printed in previous editions.

We conceive it unnecessary to detail the character of him, whose life, from earliest manhood, has been eminently devoted to the public good.

This will be the delightful employment of the faithful and able historian. Our posterity will critically compare the illustrious characters, which have elevated the condition of man, and dignified civil society through the various ages of the World, and will with grateful effusions and conscious pride point to that of their beloved Countryman.

The period of the administration of our general Government, under the auspices of WASHINGTON and ADAMS, will be considered as among the happiest eras of time. The example of their integrity possesses a moral and political value, which no calculation can reach, and will be justly estimated, as a standard for future Presidents of the United States.

We receive you, Sir, with open arms, esteem, and veneration; — confidently hoping that you will possess undisturbed those blessings of domestic retirement, which great minds always appreciate and enjoy with dignity.

We devoutly supplicate THE FATHER OF THE UNIVERSE, that you may realize, while you continue on Earth, all the happiness, of which human nature is susceptible; and, when your course shall be finished here, that your spirit may receive the transcendent rewards of *the just*.

March 3, 1801.

Chapter 128.

RESOLVE ON THE PETITION OF GREENLEAF RAND, AUTHORIZING SARAH REA, TO EXECUTE A DEED OF THE LAND MENTIONED.

On the Petition of Greenleaf Rand, of Windham in the County of Cumberland Joiner, praying that, Sarah Rea Administratrix on the Estate of Caleb Rea late of said Windham physician Deceased, may be empowered to execute a Deed to the Petitioner of a certain hundred acre lot of land, numbered one hundred & thirteen, in the second Division of hundred acre lots in said Windham.

Resolved, That the said Sarah Rea, in the capacity of Administratrix, on the Estate of said Caleb Rea, be & hereby is fully authorised, & impowered to execute to said Greenleaf Rand, a good and lawful Deed of the land aforesaid.

March 4, 1801.

Chapter 129.

RESOLVE ON THE PETITION OF THE PASSAMAQUODDY TRIBE OF INDIANS, APPROPRIATING TO THEIR USE THE REMAINDER OF ONE HUNDRED ACRES OF LAND, UNTIL FURTHER ORDER.

On the Petition of the Passamaquoddy Tribe of Indians.

Resolved for reasons set forth in said Petition, that a Tract of land situated in Passamaquoddy-bay, in the County of Washington, called Pleasant point, containing Ninety acres, the property of this Common wealth, be and hereby is appropriated to the use and improvement of the said Tribe of Indians, till the further order of the Legislature, it being the remainder of one hundred acres of land, purchased by this Common wealth of John Frost, in the year one thousand seven hundred and ninety four.

March 4, 1801.

Chapter 130.

RESOLVE ON THE PETITION OF THE PROPRIETORS OF TOWNSHIP NO. 1, ON THE SOUTHERLY SIDE OF ANDROSCOGGIN RIVER, GRANTING THEM ONE THOUSAND ACRES OF LAND, TO BE LAID OUT UNDER THE DIRECTION OF THE COMMITTEE FOR THE SALE OF EASTERN LANDS.

Whereas the Proprietors of Township No. 1 Southerly Side of [of] Androscoggin River in the County of Cumberland have represented that they purchased said Township of the Committe for the sale of Eastern Lands the 10th Day of June 1796 as survey'd by Samuel Titcomb in Novr. 1787 and that one of the Lines run by said Titcomb includes a part of the Town of Jay which was granted prior to the Sale of said Township No. 1 and have Petitioned the Legislature that the Comonwealth would commence an Action against the Proprietors of said Jay to recover that part of sd. Township No. 1 which is included within the Lines of Jay, or to impower sd. Proprietors to bring said Action, or to compensate them therefor. And Whereas it does not appear that the sd. Town of Jay has more Land within it's present Lines, than was commonly allowd. to Towns laid out at the Time said Jay was laid out, and that altho the Line of Jay which has lately been exactly measured, appears to be longer than was allowd. by the confirmation of said grant owing perhaps to the different allowance made by different Chainmen in passing the Mountains over which

sd. Lines are (by all Parties) allowd. to run, the overplus Land if any would not be an object worth contending for by this Comonwealth—and it appearing that the sd. Township No. 1 does not contain so much Land by about 800 Acres as was included in said Titcombs Survey owing to one of said Titcombs Lines runing more than 100 Rods on sd. Town of Jay: Therefore

Resolved that there be & hereby is granted to the Proprietors of Township No. 1 on the Southerly Side of Andros-cog-ing River in the County of Cumberland, one thousand Acres of the unappropriated Lands in the district of Maine belonging to this Commonwealth, said Land to be laid out under the direction of the Committee for the Sale of Eastern Lands, and is in full for any & all deficiencies of Lands in said Township No. 1 & all expences sd. Proprietors have been at for any Surveys respecting sd. Business.

March 4, 1801.

Chapter 131.

RESOLVE ON THE PETITION OF JOB EASTMAN AND OTHERS, GRANTING TO THE TOWN OF NORWAY 600 ACRES OF LAND FOR THE SUPPORT OF THE MINISTRY AND SCHOOLS, TO BE LAID OUT UNDER THE DIRECTION OF THE COMMITTEE FOR THE SALE OF EASTERN LANDS.

On the Petition of Job Eastman and others a Committee of the Town of Norway praying for a grant of Land for the support of the Ministry and Schools in sd. Town.

Resolved that there be & hereby is granted to the Town of Norway in the County of Cumberland Six-Hundred Acres of the unappropriated Land of this Comonwealth in the District of Maine to be laid out under the direction of the Comittee for the Sale of Eastern Lands, one third part thereof for the use of the first congregational Minister settled in sd. Town, one third part thereof for the use of the Ministry & the residue for the use of Schools in sd. Town.

March 4, 1801.

Chapter 132.

RESOLVE ON THE PETITIONS OF RICHARD ELLINGWOOD AND DANIEL LIVERMORE.

On the Petitions of Richard Ellingwood and Daniel Livermore (in the right of James Boyd) praying to have the deficiency of their respective Lots made up to them.

Resolved, that the Committee for the Sale of Eastern Lands be and they are hereby directed, to appoint a Surveyor to run out, and set off by meets & Bounds to the said Richd. Ellingwood forty five Acres of Land within the Town of Hampden of the unappropriated Lands therein instead of the forty five Acres Lying without the Town of Hampden as run out by Ephraim Ballard — and said Committee upon receiving a return from such Surveyor are hereby Authorized to give said Ellingwood a title to his hundred Acres, and they are Likewise Authorised to give to the said Daniel Livermore a title to his Lot as run out by Ephraim Ballard & Eliashib Delano, they respectively paying the sum required from Settlers by the Resolve of March 26th 1788, with interest on that sum from the first day of June 1789.

March 5, 1801.

Chapter 133.

RESOLVE ESTABLISHING THE PAY OF THE CLERKS IN THE SECRETARY'S AND TREASURER'S OFFICES.

Resolved that ye following Sums be allowed & paid out of the Treasury to the Several Clerks in the Treasurer's & Secretary's Offices to wit — To Joseph Laughton two Dollars & seventy five cents pr. day To William Harris two dollars & seventy five cents per day To Edward McLane two dollars & fifty cents per day To James Foster two dollars fifty cents per day To Edwd. Cazneau two dollars twenty five cents per day during the time they have been or may be actually employed in sd. Service for twelve months from the twenty Seventh Day of September, 1800.

March 5, 1801.

Chapter 134.

RESOLVE APPOINTING AGENTS TO REPAIR TO NORTHAMPTON AND SOUTH HADLEY FALLS TO INQUIRE INTO CAUSE OF SICKNESS, &c.

On the petitions of the Inhabitants of Northampton & Easthampton, & also of the proprietors of Locks and Canals on Connecticutt River.

Resolved for reasons set forth in sd. petitions, that the Hon. Benjamin Goodhue, the Honble. Elijah Brigham & Simon Larned Esqr. be and they hereby are appointed agents to repair to Northampton, & also to South-Hadley falls, at the expense of this Government, as soon as may be convenient; & it shall be their duty to enquire into the

causes of Sickness complained of there, & also to enquire into the situation of the proprietors of sd. Locks & Canals, & the state of their works; & the sd. agents are hereby authorised & required to enquire into the state of the fisheries on sd. River, from the head of sd. dam to the lower guard Lock, at Willimanset falls, so called, & to notify all persons concerned therein, by publications in each of the News Papers, printed at Springfield, Northampton & Greenfield, three weeks before their meeting as aforesd., to appear before them, & to shew cause, why the sd. Fisheries, or any part thereof should not be regulated, or disposed of by the Government — & the sd. Agents are required to make report of a State of facts thereupon, within the first week of the first Session of the next General Court — And the sd. Agents shall have charge of all papers relative to the aforesd. subjects.

March 5, 1801.

Chapter 135.

RESOLVE ALLOWING THE ACCOUNT OF THE TREASURER OF THIS COMMONWEALTH FOR REPAIRS ON THE PROVINCE HOUSE, AND GRANTING HIM 500 DOLLARS TO COMPLETE THE SAME.

Whereas the Treasurer of this Comonwealth has laid his Account of expenditures of Monies, before the general Court for alterations and repairs on the Province House and out Houses made pursuant to a Resolve of 12 June 1800 amounting to \$1362.05 which upon examination appear to be well vouchd. & right-Cast: Therefore

resolved that the sd. Account be and hereby is accepted & allowd. and the sd. Treasurer is hereby discharged of the Sum of \$1362.05 leaving a ballance of \$137.95 on a Warrant drawn on the Treasury for \$1500 Dated June 12th 1800.

Be it further Resolved that there be & hereby is granted a further Sum not exceeding five hundred dollars to be paid out of the Treasury of this Comonwealth to Peleg Coffin Esqr. Treasurer which with the Ballance aforesd. is to enable him to finish & compleat the alterations and repairs necessary on the Province House and appendages, agreeably to Resolve of 12th of June aforesd., the sd. Treasurer to lay his Accounts before the Legislature for examination as soon as the repairs shall be completed.

March 5, 1801.

Chapter 136.

RESOLVE ON THE PETITION OF LEMUEL COX AND WILLIAM HAWES, APPOINTING AARON PUTNAM AND JOSIAH BARTLETT, ESQUIRES, AGENTS TO MAKE PARTITION OF A TRACT OF LAND IN CHARLESTOWN AND TO PAY THE PROCEEDS INTO THE TREASURY.

On the Petition of Lemuel Cox and William Hawes.

Resolved, for reasons set forth in said Petition That Aaron Putnam, and Josiah Bartlett Esqrs. be and hereby are appointed Agents on behalf of this Commonwealth to make partition of a tract of land lying in the Town of Charlestown, the property of this Commonwealth, and the said Cox & Hawes. And to release the Commonwealth's interest in said land to the said Cox and Hawes, or to any other persons if the said Agents shall see fit, and to pay the proceeds thereof into the Treasury of this Commonwealth.

March 5, 1801.

Chapter 137.

RESOLVE ON THE PETITION OF THE FIRST PARISH IN THE TOWN OF NEWBURY, AUTHORIZING THE ASSESSORS TO ASSESS OVER ANEW.

On the petition of the first Parish in the town of Newbury praying to be authorized to assess over anew several taxes which have been adjudged by the Supreme Court deficient in point of form.

Resolved that the present Assessors of said Parish or those next to be chosen in said Parish be, and they hereby are authorized to assess over anew the several taxes which were voted by said Parish in the years 1796, 1797, 1798, and seventeen hundred and ninety nine, according to the rules of law in force in those years respectively, on the polls and estates of all the inhabitants of said Parish then liable to taxation there and such taxes to commit to their Collector, or to the one next to be chosen, with a Warrant in due form of Law to collect the same, said assessors to credit and allow on the book or books committed to said Collector, to all persons who have voluntarily paid their said taxes or any part thereof, the several sums they may have so paid, and which they cannot by law recover back again.

March 5, 1801.

Chapter 138.

RESOLVE ON THE PETITION OF THE INHABITANTS OF THE TOWN OF BANGOR, CONFIRMING THEIR RESPECTIVE LOTS.

On the petition of the Inhabitants of the Town of Bangor, praying for a confirmation of the respective Lots on which they settled, before the seventeenth day of Feby. 1798.

Resolved that all the settlers in the Town of Bangor or their legal representatives, who actually settled before the first day of January 1784 be intitled to a Deed of their respective Lots of one hundred acres each, by paying into the Treasury of this Commonwealth eight Dollars and forty five cents : and all those who actually settled on their respective Lots since the first day of January 1784 and before the seventeenth day of Feby. 1798 — be intitled to a Deed of their respective Lots of one hundred acres each, by paying into the Treasury of this Commonwealth one hundred Dollars.

And be it further resolved, that the Committee for the sale of eastern Lands, be, and they are hereby directed, to cause the several Lots in the Town of Bangor, to be surveyed and run out by meets and bounds to each of the settlers, in said Town, agreeable to this resolve, by some faithfull surveyor, whom they may appoint, the expence of surveying to be paid by the settlers, and a return thereof to be made to said Committee by the first day of November next, and that six months be allowed to each settler after the return of the surveyor, to pay for their Lands, the settlers paying Interest from this date, upon the money for their respective Lots.

And be it further resolved, that if any dispute shall arise between any of the settlers, relative to their dividing lines, the parties in dispute shall chuse each one a man and the Surveyor a third man, the major part of whom, being agreed, upon the lines, the surveyor shall run the lines and set up the bounds accordingly. *March 5, 1801.*

Chapter 139.

RESOLVE FOR GRANTING LANDS TO CERTAIN SOLDIERS, WITH DIRECTIONS TO THE SECRETARY TO PUBLISH THIS RESOLVE IN THE SEVERAL NEWSPAPERS WITHIN THIS COMMONWEALTH.

Whereas application has been made to this Court by a number of persons who served in the late American Army

during the War with Great Britain, praying for a grant of some of the unappropriated lands in this Commonwealth; and as such a grant will promote the settlement of such land as well as be some reward to those citizens, whose meritorious services in the field so essentially contributed to establish our Independence: Therefore

Resolved, That there be and hereby is granted to each non-commissioned Officer and soldier who enlisted into the late American Army to serve during the war with Great Britain, and who was returned as a part of this States quota of said Army, and who did actually serve in said Army the full term of three years, and who were honorably discharged, and unto the Children if any there be; if not to the widow of such non commissioned Officer & soldier and to them only who enlisted as aforesaid and died in said service two hundred acres to be laid out at the expence of the Commonwealth, as soon as there shall appear a number sufficient to take up a quantity of land that shall be equal to one Township of six miles square, to be divided and appropriated under such regulations as the Generall Court shall hereafter prescribe, within the following limits viz., Beginning at the Northeast corner of the land now appropriated by the Committee for the sale of Eastern Lands, on the eastern line of this Commonwealth, thence running west six miles, thence northerly in a line parrallel with the said Eastern boundary line, until a tract shall be compleated sufficient for each noncommissioned officer and private soldier — their Children or Widows as aforesaid to have the aforesaid quantity of two hundred acres, or twenty Dollars as an equivalent for the aforesaid two hundred acres, to be paid out of the Treasury, to the Selectmen of the Town, where any such noncommissioned Officer or Soldier their children or widows as aforesaid resides for his or their use and benefit.

And it is further Resolved, That where any such non-commissioned Officer or soldier has deceased or shall decrease before he shall get possession of the land hereby granted to him, his Children or widow as aforesaid shall be entitled to the same. And in order to secure to the said noncommissioned officers & privates and their children & widows as aforesaid, the benefit of this grant,

It is further Resolved, That all Deeds, mortgages or conveyances of or bonds or contracts of every description

concerning any of said Lands, which may be made by any such noncommissioned officer or private, his Children or Widow before the same shall be laid out, and have a settlement made thereon, and five acres thereof shall have been bro't under improvement shall be null & void. *Provided always*, That no such noncommissioned Officer or soldier his Children or Widow, shall have any benefit from this Resolve, who shall not make application therefor within three years from the time of passing this Resolve, and who shall not make the aforesaid settlement and cultivation within the term of six years. And the Secretary is directed to publish this Resolve in such of the Newspapers printed in this Commonwealth as his Excellency the Governor may direct six weeks successively, directly after passing the same. *March 5, 1801.*

Chapter 140.

RESOLVE ON THE ACCOUNTS OF THE COMMITTEE FOR THE SALE OF EASTERN LANDS, WITH DIRECTIONS TO THE SECRETARY TO PRINT THE REPORT OF THE COMMITTEE BY THE NEXT SESSION, AND INSTRUCTING THE SAID COMMITTEE RESPECTING CONTRACTS, AND MAKING A GRANT TO SAID COMMITTEE ON THE SETTLEMENT OF THEIR ACCOUNTS.

The Committee of both Houses, to whom was committed the report of the Committee for the sale of Eastern lands, have considered the same & report.

That it appears by the accounts exhibited by said Committee for the sale of [of] Eastern lands, that the sum of ten thousand, six hundred & seventy two Dollars, & twenty nine cents, which sum has been increased by compound interest to fourteen thousand, nine hundred & ninety six Dollars & forty nine cents and received by Leonard Jarvis Esqr. late one of said Committee; reference to the communications from two of the aforesaid Committee for the sale of Eastern lands accompanying this report will give the particulars respecting the aforesaid transactions, as it respects said Jarvis.

That they have examined said accounts of the Committee for the sale of Eastern lands, and find them right cast and well vouched.

which is submitted,

NATHANIEL DUMMER *per order.*

Resolved, That the Secretary be, & he is hereby directed to cause three hundred copies of the report of the Committee for the sale of eastern lands, made to the Legislature the present Session, to be printed and lodged in his Office, by the tenth day of May next, one copy of which report to be delivered to the Governor, and one to each member of the Council, Senate, & House of Representatives or to their order respectively.

And it is further Resolved, That in all cases where the Contractors for land have not paid more than ten per cent, on the sum required as a consideration for the land sold, and the time has expired for the fulfilment of said contract, said Committee for the sale of Eastern Lands, shall give public notice in the State paper, & in such other papers as they shall judge necessary.

And it is further Resolved, That unless the contracts of the aforesaid description shall be closed to the satisfaction of said Committee within six months from the first publication of the notice aforesaid, said Committee exhibit to the next General Court, which shall be holden after the expiration of the six months notice as aforesaid, a particular statement of all the deficiencies of the aforesaid description.

And it is further Resolved, That there be paid out of the Treasury of this Commonwealth to the said Committee for the sale of Eastern lands, the ballance due them, being four hundred eighty nine Dollars, & twenty eight cents, excepting said Jarvis' proportion of Commission, being one fifth of two per cent, arising on ten thousand, six hundred, seventy two Dollars, & twenty nine cents, which shall be endorsed on said Jarvis' obligation in the Treasurers Office; And His Excellency the Governor, with advice of Council is requested to draw his Warrant on the Treasury accordingly.

March 5, 1801.

Chapter 141.

RESOLVE ON THE PETITION OF WILLIAM MARTIN AND OTHERS, A COMMITTEE OF THE TRUSTEES OF BOWDOIN COLLEGE, DIRECTING THE COMMITTEE FOR THE SALE OF EASTERN LANDS TO ENGAGE A SURVEYOR FOR THE PURPOSES MENTIONED.

On the Petition of William Martin, Isaac Parker and Elijah Kellogg a Committe of the Trustees of Bowdoin College, praying that the Bounds of Township No. 4 in

the Seventh Range of Townships North of the Waldo Claim may be examin'd and the errors of the original survey corrected.

Resolved that the committee for the Sale of Eastern Lands be and hereby are directed to engage the Surveyor who originally survey'd. sd. Township No. 4 (or some other Surveyor) to examine the Bounds of said Township & correct any errors & mistakes he may find therein said survey to be made at the expence of Government if the Bounds are found incorrect or erroneous, otherwise at the expence of sd. Trustees.

March 5, 1801.

Chapter 142.

RESOLVE APPOINTING THE HON. EDWARD H. ROBBINS, AND NICHOLAS TILLINGHAST, COMMISSIONERS TO ASCERTAIN THE BOUNDARY LINE BETWEEN THIS COMMONWEALTH AND THE STATE OF RHODE ISLAND, AND AUTHORIZING THEM TO APPOINT SURVEYORS; THE SAID COMMISSIONERS TO BE COMMISSIONED BY THE GOVERNOR, WHO IS REQUESTED TO WRITE TO THE GOVERNOR OF THE STATE OF RHODE ISLAND ENCLOSING A COPY OF THIS RESOLUTION.

Whereas it appears by a Petition and representation from the Town of Wrentham, that disputes & difficulties now exist respecting the boundary line between this Commonwealth and the state of Rhode Island, that the *same* lands and buildings adjoining or contiguous to the North line of said State, in some instances have been Assessed, and the Taxes thereon collected under the authority of the respective Governments, whereby, animosities and disturbances between the good Citizens thereof, are excited, and individuals subjected to unreasonable burthens: And whereas it is highly desirable, that measures may be taken that will effect a settlement of the said boundary line, (in all cases, where it has not heretofore been settled and established) by which means, all difficulties & disputes relative thereto, between the respective Governments or any of the Citizens thereof, may in future be prevented, and individuals taxed as aforesaid, be relieved, and although the mode directed and pursued by an Act of this Commonwealth for establishing said line passed in the Year 1791, (viz.) by Commissioners appointed for that purpose, (and which was agreed to by the said State) proved, in some measure abortive, and a settlement at that time was effected only in part; yet it appears to this Legis-

lature that the mode aforesaid is the most eligible way of settling similar disputes, unless circumstances are such as to render a settlement in such manner, impracticable, and it is deemed expedient to make another attempt for a settlement of the said dispute in the mode before directed: therefore

Resolved, that the Hon. Edward H. Robbins & Nichs. Tillinghast Esqrs. be appointed Commissioners on the part of this Commonwealth for ascertaining the boundary line between the same and the said state of Rhode Island, and the said Commissioners are hereby authorised and empowered to meet such Commissioners as may be appointed and vested with similar powers for the above purpose by the Legislature of the said State of Rhode Island, and in conjunction with them, to ascertain, run and mark such boundary line, upon such principles, touching the running said line as from the best documents they can obtain may appear to them just and reasonable, which line when so ascertained and approved by the Legislatures of the respective Governments afore Said shall forever afterwards be considered and held to be the true and just boundary line of jurisdiction, between this Commonwealth and the aforesaid State.

Resolved that in case of disagreement of the Commissioners afore Said, when met for the purposes afore Said, whereby a Settlement of said line may be prevented or if said State of Rhode Island, shall decline appointing Commissioners to meet with the Commissioners appointed by this Commonwealth for the purpose afore said, that the Commissioners on the part of this Commonwealth in either case are hereby Authorised and required to ascertain and clearly describe such line as they from the best documents they can obtain as aforesaid, shall judge the most just and equitable and as in their opinion, shall have the greatest tendency, to prevent further disputes, as to the line of jurisdiction aforesaid and make report to the next General Court as soon as convenient.

Resolved, that said Commissioners on the part of this Commonwealth, when appointed be and they hereby are authorised to employ such Surveyors and Chainmen as they may think proper, to assist in ascertaining the same line as aforesaid, and such Commissioners, prior to their entering on the business herein assigned them, shall receive a Commission from the Governor, under the seal of

this Commonwealth, agreeable to the powers with which they are hereby vested.

And Be it further Resolved that the Governor of this Commonwealth be, and he hereby is requested to transmit a copy of these Resolutions to the Governor of Rhode Is[land], and, that the same may be communicated to the Legislature of said State, in order that measures may be taken on the part of that State, to carry the same into effect.

March 5, 1801.

Chapter 143.

RESOLVE ON THE PETITION OF ISAAC COLLIER AND OTHERS, AND OF JOSIAH LITTLE, ESQ. AGENT FOR THE PEJEPSCOT PROPRIETORS.

On the petition of Isaac Collier and others Inhabitants of Lewiston, Green and the plantation of Littleborough and little river in the counties of Lincoln and Kennebeck, and of a place called the Gore in the county of Cumberland setting forth that a meeting of the pejepsot proprietors has been notified and called for the purpose of appointing and empowering an agent to make a deed to the Commonwealth pursuant to the award of Referees appointed by the government and the said proprietors &c. and praying that no advantage may be allowed them, to the injury of the petitioners, by any act of Government; and the petition of Josiah Little Esq. agent for the said pejepsot proprietors praying he may be allowed to tender a deed which shall be accepted and considered as a full satisfaction, in this respect, of the award of the said Referees, the time prescribed for filing such deed having elapsed notwithstanding.

Whereas it appears by the records of the General Court that a resolve was passed in June 1798 authorising and empowering the attorney general to submit, under a rule of the supreme judicial court at the term thereof then next to be holden at Augusta, if he should think fit, all or any of the controversies, disputes, claims and demands subsisting between the Commonwealth and the pejepsot proprietors, so called, to be mutually agreed upon by the said attorney general and the agent of the sd. pejepsot proprietors, the said submission to be made upon such conditions limitations and restrictions as the said attorney general might think for the benefit and interest of this

Commonwealth, and all concerned, *provided* the same should not be inconsistent with the stipulations therein afterwards recited — And whereas it appears on the records of the supreme judicial court that James Sullivan Esq., attorney general, for and in behalf of this Commonwealth, and Josiah Little Esq. as agent for the said pejepscot proprietors at the supreme judicial court holden at Augusta within the county of Lincoln and for the counties of Lincoln, Hancock and Washington on the second tuesday next following the fourth Tuesday of June A D 1798, did submit, under a rule of the said court, and with an express recognition and allowance on the part of the said proprietors by their sd. agent, of all the stipulations mentioned in the said Resolve, to the determination of Levi Lincoln, Samuel Dexter Junr. and Thomas Dwight Esquires, all the claim and estate which the said proprietors and the sd. Little or either of them or any persons claiming under them have, and which the Commonwealth have, in and to certain tracts of land described in said Rule — And whereas the said Levi Lincoln, Saml. Dexter Junr. and Thomas Dwight Esquires, taking upon themselves the burthens and duties so assigned them, met the said parties and after fully hearing them and considering the allegations proofs and pleas of the parties did award to the said Pejepscot proprietors the lands on which the sd. Isaac Collier and others the Inhabitants aforesaid are settled, described by certain bounds and lines mentioned in their award, on condition that the said proprietors should, within six months from the date of their award, by a deed of release made to the Commonwealth (sufficient in the opinion of the supreme Judicial court, or of the attorney general, to bar the said pejepscot proprietors from any future claims to land northerly of the northerly boundaries of the tracts awarded by them to the said pejepscot proprietors and to confirm the same to the said Commonwealth) release all their the said proprietors claim, right & title to and in the said land situate northerly of the boundaries aforesd. to the said Commonwealth, and shall lodge the same deed within the time aforesaid in the Clerk's office of the same court, or with the said attorney, for the use of the Commonwealth — which award was read and accepted at the February term of the supreme court at Boston A D 1800 as of July term A D 1799 at Pownalborough in [in] the county

of Lincoln, and Judgment accordingly — And whereas the said Josiah Little Esq. as agent for the said proprietors did in fact within the time limited as aforesaid for this purpose by the said award, lodge an instrument or writing purporting to be the deed awarded as aforesaid but which the said attorney general rejected as insufficient, in his opinion, to bar the sd. pejepscot proprietors from any future claim to the lands north of the boundaries aforesaid; and the said proprietors have not in any other manner satisfied that part of the award aforesaid which respects the deed of release — The said Josiah, as agent for the said proprietors and fully authorised for this purpose therefore now comes before this court and offers a deed of release to the Commonwealth of all the lands northerly of the northerly lines and boundaries of the lands awarded to the said pejepscot proprietors as aforesaid, which he says is sufficient to bar the said proprietors from any future claim to the same, and prays that, at the pleasure of this Court, it may be admitted as a satisfaction of the said Condition — But because this general Court feel it to be their indispensable duty to grant equal protection to the citizens of the Commonwealth, and it appears that the rights of a certain description of the petitioners were overlooked in the resolve authorising the submission aforesd., which ought to be preserved and secured: Therefore *resolved*, That the supreme judicial court be, and they hereby are, authorised and empowered at any future term thereof, to receive a deed of release to the Commonwealth from the said proprietors or their agent lawfully empowered thereto, of all the lands northerly of the northerly bounds of the tracts awarded to the said pejepscot proprietors as aforesaid which, in their opinion shall be sufficient to bar the sd. propr. from any future claim to such lands — *Provided* & on condition the said Proprietors or any person or persons holding lands under them, on the Easterly side of Andmoscoging river (except the land in the town of Topsham) or on the Westerly side of said river & north of the South line of Durham within said Pejepscott claim — shall agree to consider the same so far as it respects the Settlers thereon, as undivided lands; And the Commissioners to be appointed by the Governor and Council in pursuance of the Resolve of June 29 1798, shall value all the said Settlers lots in the same manner

as lots on the undivided lands — & said Settlers on all the land aforesaid whether divided or undivided shall be quieted in the same way as settlers on the undivided lands are to be quieted by the Resolve aforesaid.

March 5, 1801.

Chapter 144.

RESOLVE ON THE PETITION OF SUNDRY INHABITANTS OF THE TOWN OF RUSSELL, IN THE COUNTY OF HAMPSHIRE, GRANTING A SUM FOR THE ERECTION OF A BRIDGE.

On the petition of sundry Inhabitants of the town of Russell in the County of Hampshire, praying for the aid of government, in erecting a bridge of permanent materials, at a dangerous pass in said town, formerly called Westfield Mountain, which much exceeds the ability of said town to keep in repair.

Resolved that there be allowed & paid out of the Public Treasury to the said town of Russell, the sum of Sixty two Dollars & seventy eight cents being the amount of their State Tax for the year 1800, to be applied to the purpose of erecting said permanent bridge: *provided* the said town shall produce satisfactory evidence, that the said sum has been faithfully and exclusively applied, to the purposes for which it is granted, within two years from the date of this Resolve.

March 6, 1801.

Chapter 145.

RESOLVE ON THE PETITION OF MOSES SMITH, EMPOWERING ABRAHAM HASKELL, IN BEHALF OF HIS MINOR CHILDREN, TO RELEASE AND RE-CONVEY TO SAID SMITH, THE LAND MENTIONED.

On the Petition of Moses Smith praying that Abraham Haskell may be impowered to reconvey a Certain Tract of Land which he the said Smith had given a deed of to Peter Green.

Resolved for reasons Set forth in Said Petition that the Said Abraham Haskell be and he is hereby impowered in behalf of his minor Children to release and reconvey to the Said Moses Smith all their right Title and interest of in and unto a Certain Farm of about Twenty eight Acres of Land with a house barn and Black-smiths Shop thereon Situate in the Central part of Lancaster and bounded as by the deed given by said Moses Smith to Said Peter Green — any Law to the Contrary notwithstanding.

March 6, 1801.

Chapter 146.

RESOLVE ON THE PETITION OF JAMES SPROUT AND OTHERS, AUTHORIZING THE GOVERNOR, WITH THE ADVICE OF COUNCIL, TO RAISE A COMPANY OF LIGHT INFANTRY IN THE TOWN OF TAUNTON.

On the Petition of James Sprout & others, praying for leave to raise a Company of Light Infantry, in the Town of Taunton, within the second Regiment, Second Brigade & fifth Division of Militia.

Resolved, That his Excellency the Governor with the advice of Council, be and hereby is authorized to raise a Company of Light Infantry, in the second Regiment, second Brigade, & fifth Division, of the Militia of this Commonwealth, to be attached to the said Second Regiment, Subject to all the rules & regulations, that are or may be by Law provided, for the Government of the Militia within this Commonwealth.

March 6, 1801.

Chapter 147.

RESOLVE ON THE PETITION OF DAVID HARDING AND OTHERS, AUTHORIZING THE GOVERNOR, WITH THE ADVICE OF COUNCIL, TO ESTABLISH A COMPANY OF LIGHT INFANTRY IN THE TOWN OF GORHAM.

On the Petition of David Harding and others praying for leave to raise a Company of Light Infantry in the third Regiment of the Second Brigade and Sixth division of the Militia of this Commonwealth.

Resolved that the Governor by and with the advice of the Council be and hereby is authorized and empowered to establish a Company of Light Infantry in the Town of Gorham in the third Regiment, in the Second Brigade, and in the Sixth Division of the Militia of this Commonwealth, which Company when raised is to be annexed to the third Regiment and subject to such Rules and Regulations as are or may be prescribed by Law for regulating the Militia of this Commonwealth—*Provided however*, that none of the Companies of Militia already formed in said Town of Gorham shall be reduced below the number prescribed by Law to form the sd. Company.

March 6, 1801.

Chapter 148.

RESOLVE ON THE PETITION OF ASA TOWN AND OTHERS, AUTHORIZING THE GOVERNOR, WITH THE ADVICE OF COUNCIL, TO ESTABLISH TWO COMPANIES OF CAVALRY IN THE 2D BRIGADE OF THE 2D DIVISION OF MILITIA, IN THE COUNTY OF ESSEX.

On the petition of Asa Town & others praying for leave to form a company of Cavalry in the towns of Andover & Boxford — & Daniel Swett & others praying leave to form a company of Cavalry in the towns of Haverhill, Bradford & Methuen both in the second brigade of the second division of the Militia of this Commonwealth.

Resolved that the Governor with the consent of the Council, be & is hereby authorized & empowered to establish two companies of Cavalry within the limits of the said brigade; & which are to be annexed to the Cavalry composing the squadron now belonging to the brigade aforesaid; subject however to all such rules regulations & Orders as now are or may hereafter be provided for the government of the militia of this Commonwealth.

March 6, 1801.

Chapter 149.

RESOLVE GRANTING 120 DOLLARS TO THE ASSISTANT CLERK OF THE SENATE.

Resolved, That there be paid, out of the Treasury of this Commonwealth, to Geo. E. Vaughan, Assistant Clerk of the Senate, the sum of One hundred & twenty dollars for his services the present Session.

March 6, 1801.

Chapter 150.

RESOLVE GRANTING MONEY TO THE AGENTS FOR SUPERINTENDING THE COMPILING AND PUBLISHING THE MAPS OF THIS COMMONWEALTH, AND AUTHORIZING THEM TO CONTRACT FOR A CERTAIN NUMBER OF SAID MAPS.

Resolved that the Agents for superintending the compiling & publishing the Maps of this Commonwealth be & they are hereby authorized to contract for the printing & doing up of one hundred sets of the Maps of this Commonwealth in addition to the number already contracted for.

& be it further resolved that the sum of nine hundred & sixty eight Dollars & thirteen Cents be paid out of the Treasury of this Commonwealth to the said Agents for the purpose of enabling them to compleat the said Contract — & for said additional maps.

And be it further resolved that the sum of four hundred & fifty Dollars be granted & paid to the said Agents as a full compensation for all their services in superintending the compiling & publishing the Maps of this Commonwealth.

March 6, 1801.

Chapter 151.

RESOLVE DIRECTING THE COMMITTEE FOR THE PRINTING THE STATUTE LAWS OF THE COMMONWEALTH TO EXHIBIT THE ACCOUNT OF THE PRINTERS FOR ADJUSTMENT AND ALLOWANCE.

Resolved, That the committee, appointed to contract for a new Edition of the Statute Laws of this Commonwealth, be, & hereby are, authorized & instructed to receive of the printers, with whom they have contracted, five hundred sets of the said Laws, at the price stipulated, if that number shall be compleated agreeably to the specimen exhibited to the General Court, and said Committee are also hereby authorized to purchase an additional hundred sets of said Volumes if to be obtained at the same rate.

Resolved, That the Books received by the committee aforesaid pursuant to the foregoing Resolution, be deposited in the Secretary's Office, to be disposed of agreeably to the order of the Legislature.

Resolved, That the said Committee lay before the Supreme Executive, an Account of the printers for the aforesaid five hundred sets of Statute Laws and also for the additional hundred for adjustment & allowance. And that the Amount of the said Accounts, so adjusted & allowed, be paid to the said printers, out of the Treasury of this Commonwealth.

March 6, 1801.

Chapter 152.

RESOLVE ON THE PETITION OF THE TOWN OF TRENTON, DIRECTING THE TREASURER TO SUSPEND HIS EXECUTIONS AGAINST SAID TOWN.

On the petition of the town of Trenton, for remission of their State Tax, of One hundred & thirty four Dols.

& twenty nine Cents for the year 1788, — of Thirty three Dollars in the year 1790 — and of Fifty Dollars & seven cents for the year 1791.

Resolved that the Treasurer of this Commonwealth be, & he is hereby directed to suspend his executions against the said town of Trenton, for the taxes aforesaid, until the further order of the General Court. *March 6, 1801.*

Chapter 153.

RESOLVE DIRECTING THE SECRETARY TO DISTRIBUTE THE MAPS OF THIS COMMONWEALTH.

Resolved that the Secretary of the Commonwealth be, and he hereby is directed to cause the maps of the Territory of Massachusetts contracted for with Osgood Carleton, to be distributed in manner following to wit. — To & for the use of the honorable Council two setts; to & for the use of the two Houses of the Legislature six setts, to the Clerk of each town or district, & to the Assessors of each unincorporated plantation within this Commonwealth, one sett, for the use of such town, district or plantation; to the University at Cambridge, to Bowdoin, and Williams Colleges, to the Massachusetts Academy of Arts & Sciences, to the Massachusetts Historical Society, to the Agricultural Society of Massachusetts, and to the Kennebeck Agricultural Society, two setts each. *March 6, 1801.*

Chapter 154.

RESOLVE DIRECTING THE SECRETARY IN WHAT MANNER TO DISTRIBUTE THE LAWS OF THIS COMMONWEALTH.

Resolved that the Secretary of the Commonwealth be & he hereby is directed to cause the laws of this Commonwealth, the publication whereof has been contracted for with Messrs. Manning & Loring, to be distributed in the following manner; to wit; to the Governor and Council, and the two Houses of the Legislature, twenty setts, for their use; to each of the Justices of the Supreme Judicial Court, one sett; to the Treasurer of the Commonwealth one sett; to the Attorney General & Solicitor General, one sett each; to the Judge of Probate in each County, one set, for the use of the Probate Office in such County, to the Sheriff in each County, one sett; to the Clerk of the Court of Common Pleas & of the Court of the General

Sessions of the Peace in each County, one sett, for the use of such Court; to the Clerk of each town or district & to the assessors of each unincorporated plantation within this Commonwealth, one sett, for the use of such town, district, or plantation.

And it is further resolved, that upon the death, resignation, or removal from office of either of said Justices, Clerks, or other Officers aforesaid, he, his executors, or administrators respectively shall be held & obliged to deliver over the sett of the laws, which he shall have received pursuant to this resolve, to his successor in office; and that upon the incorporation of any unincorporated plantation into a town or district, the assessors of such plantation shall deliver over the sett of laws by them received as aforesaid to the clerk of such incorporated town, or district, for the use of the same. *March 6, 1801.*

Chapter 155.

RESOLVE DIRECTING THE SECRETARY TO DELIVER TO THE ATTORNEY GENERAL AND SOLICITOR GENERAL, FROM TIME TO TIME, A CERTIFIED LIST OF TOWNS DELINQUENT IN MAKING ELECTION RETURNS.

Resolved that the Secretary of this Commonwealth be & he hereby is directed from time to time to make out and deliver to the Attorney General & Solicitor General a certified list of those Towns, Districts & Plantations from which the returns of Votes at any election shall not be seasonably made, in order that the process prescribed by law may be brought against the delinquents in manner by law provided. *March 7, 1801.*

Chapter 156.

RESOLVE ON THE PETITION OF ZEBINA CURTIS, AUTHORIZING THE COMMITTEE FOR THE SALE OF EASTERN LANDS TO CREDIT SAID ZEBINA WITH 1000 DOLLARS.

On the Petition of Zebina Curtis.

Resolved, That the Committee for the sale of [of] Eastern lands, be & hereby are authorized and empowered, for the reasons set forth in said Petition to credit the said Zebina Curtis; the sum of One thousand Dollars in part of the purchase money due on twelve thousand two hundred & six acres of land, being the quantity of surplus lands upon a resurvey of Township marked on the plan with the letter C. *March 7, 1801.*

Chapter 157.

RESOLVE GRANTING PAY TO THE COMMITTEE ON ACCOUNTS.

Resolved That there be paid out of the public Treasury of this Commonwealth to the Committee appointed to examine & pass on accounts for their attendance on that service, during the last & present Session the sums annexed to their names, in addition to their pay as members of the Legislature, viz. to the Honble. Isaac Thompson Esq. to the Honble. Thomas Hale Esquire & to Silas Holman Esquire, for forty four days attendance the sum of twenty two Dollars each — to James Taylor Esquire for thirty six Days attendance the sum of eighteen Dollars & to Nathaniel C. Allen Esquire for four Days attendance the sum of two dollars — which sums shall be in full for their services aforesaid.

March 7, 1801.

Chapter 158.

RESOLVE ON THE PETITION OF WILLIAM O'BRIEN, AUTHORIZING JAMES LITHGOW TO SELL AND CONVEY A CERTAIN TRACT OF LAND.

On the petition of William O'Brien.

Resolved that James Lithgow be and he hereby is authorised & impowered to sell & convey to the said William O'Brien a certain tract of land containing twenty acres situate in Dresden on the Eastern river, being part of the Eastern farm so called bounded Westerly on said river, southerly on the south line of said farm, Easterly on a line drawn parallel with & two rods westerly from a small rivulet running across said farm & to extend so far northerly as to compleat the said quantity of twenty acres — it being a part of the lands which are now vested in the said Lithgow as tenant by the curtesy, the right of reversion in which belongs to the infant children of said Lithgow by Ann Lithgow his deceased wife — *provided however* that the said Lithgow shall secure or cause to be secured to his said children the value of said twenty acres of land, to be appraised by three disinterested Freeholders in the County of Lincoln to be appointed by the Judge of Probate in and for said County who is hereby authorised to make the said appointment and to receive the said Lithgow's bond with sufficient sureties to account with his children for their proportions of the sum he shall receive for said land as they respectively come of age.

March 7, 1801.

Chapter 159.

RESOLVE ON THE PETITION OF COBURN BLOOD.

On the Petition of Coburn Blood setting forth that he stands defaulted on a recognizance before the supreme judicial Court holden at Concord in the county of Middlesex at April term 1800 for seven hundred dollars, since which viz. at the October Term of the same Court then next following holden at Cambridge, he appeared, received the sentence and abided the order of said Court and therefore praying that an order of this honble. Court may pass that an execution for the said Sum of seven hundred dollars awarded on judgment entered up agt. the said Coburn Blood, shall not be issued &c.

Resolved, for Reasons set forth in the said petition and for others which appear to this Court, that the Clerk of the supreme judicial Court in the county of Middlesex be directed not to issue his execution against the said Coburn Blood for the sd. Seven hundred dollars forfeited, and for which judgt. has been rendered, as aforesaid, and that the said Sum be released to the said Blood.

March 7, 1801.

Chapter 160.

RESOLVE ON THE STATEMENT MADE BY EPHRAIM WILLIAMS, ESQ. RESPECTING WILLIAM TOWNER, AUTHORIZING THE JUSTICES OF THE PEACE IN THE COUNTY OF BERKSHIRE TO TAKE AFFIDAVITS IN THE CASE.

On the statement made by Ephraim Williams Esq. respecting certain accounts allowed by the Committee of both houses appointed to pass on public accounts to William Towner Esq. and to the Town of Williamstown, the consideration whereof is referred to the first Session of the Next Genl. Court, when the said Towner suggests, that the affidavits of certain persons will be important to him, & prays, that the Genl. Court would provide some mode of obtaining said Affidavits.

Resolved that the several Justices of the Peace in & for the County of Berkshire be and they are hereby authorised, upon the application of the said Towner & at his own charge & expence, to issue a summons to any person or persons to appear before any such justice for the purpose of making affidavit to be used as aforesaid, and to proceed

in taking such affidavit, in the same manner as Justices of the Peace are authorised to do in taking affidavits out of Court in any civil action pending in any Court of common law; and any person so summoned, who shall refuse or neglect to appear accordingly, shall be liable to the same penalties and on like conditions as are provided in cases of persons refusing or neglecting to appear before any Justice of the peace after due summons for the purpose of making affidavit in civil actions pending as aforesaid. And the Justice who shall take any such affidavit or affidavits shall previously notify Daniel Dewey Esq. of Williamstown in said County, to appear if he see cause at the taking thereof in the same manner as adverse parties are by law to be notified in taking affidavits in civil actions: and the said Dewey is hereby authorised to appear accordingly in behalf of the Commonwealth. *March 7, 1801.*

Chapter 161.

RESOLVE ON THE PETITION OF ELISHA RICE.

On the petition of Elisha Rice for compensation for a wound he received in his right hand, while doing military duty on a general muster day, and which has long disabled him from performing his daily labour, on which his family depend for their support.

Resolved that Sixty Dollars be paid out of the Public Treasury to the said Elisha Rice, in full for the losses & expences incurred by said wound, & his Excellency the Governor with advice of Council is requested to grant a warrant accordingly. *March 7, 1801.*

Chapter 162.

RESOLVE ON THE QUARTER MASTER GENERAL'S ACCOUNTS.

On the representation of Amasa Davis Esqr. Quarter Master General.

Resolved that the said Amasa Davis — be, and he hereby is discharged from the sum of Eight Thousand Dollars, being the amount of a Warrent drawn in his Favor on the Treasurer of this Commonwealth March 3d. 1800 allso of Eighty two Dollars recd. of Poor & Man for an old Building sold at auction — and that there be allowed and paid out of the Treasury of this Commonwealth to the said Amasa Davis the sum of Ten Thousand Dollars for defraying the Charges and Expenditures in the Quarter Master

General's department the current year; he to be accountable therefor, and also the Further sum of Three Thousand two Hundred & fifty one Dollars Thirty Eight Cents, for the Ballances of his Accounts, including his Services, office rent & Clerks Wages, and in full thereof from January 17, 1800, to Jany. 17 1801, inclusively.

March 7, 1801.

Chapter 163.

RESOLVE ON THE PETITION OF SAMUEL WEBSTER AND OTHERS, AUTHORIZING THE GOVERNOR, WITH ADVICE OF COUNCIL, TO RAISE A COMPANY OF LIGHT INFANTRY IN THE 3D REGIMENT, 2D BRIGADE, AND 2D DIVISION OF THE MILITIA.

On the Petition of Samuel Webster & others, praying for leave to raise a Company of Light Infantry, in the Town of Bradford, in the third Regiment, Second Brigade & second Division of Militia.

Resolved, That his Excellency the Governor, with the advice of Council, be and hereby is authorised to raise a Company of Light Infantry, in the aforesaid third Regiment, second Brigade, & second Division, of the Militia of this Commonwealth, to be attached to the said third Regiment, Subject to all the rules & regulations, that are or may be, by Law provided for the Government of the Militia, within this Commonwealth. *March 7, 1801.*

Chapter 164.

RESOLVE APPOINTING PARK HOLLAND, ESQ. IN ADDITION TO FRANCIS LE BARON GOODWIN, AS AGENTS IN BEHALF OF THE COMMONWEALTH FOR THE PRESERVATION OF MASTS, &c.

Resolved, That Park Holland Esqr. be & he is hereby appointed in addition to Francis Le Baron Goodwin Esqr. as an Agent in behalf of the Commonwealth to superintend the preservation of all Masts, Timber & other Trees, on the Public Lands in the District of Maine, and to enquire into all trespasses & intrusions on the said lands, and in the name of the Commonwealth to institute & pursue to final judgement such legal process as may be necessary to convict any or all offenders — And the said Agents or either of them or any Person duly authorized by them or either of them are hereby authorized, to seize all Masts or other Timber which shall have been unlawfully cut or taken from off, the said Lands & to sell the same for the

benefit of the Commonwealth. And all civil & military Officers of the County of Hancock are hereby authorised & required to aid & assist said Agents or either of them, in carrying this Resolve into execution. — And the Solicitor General is directed to appear in all Courts in behalf of the Commonwealth to maintain & prosecute, any & all suits that may be instituted pursuant to this or the former Resolve on the same subject, so far as he shall judge it for the interest of the Commonwealth. And the said Agents shall jointly & severally possess all such other powers as are vested in the Agent appointed by the Resolve of the 22 June 1799.

Resolved, That The said Holland from time to time lay his accounts before the General Court for allowance & payment — And the said Agents are hereby severally required to render a statement of all their proceedings under this or the former Resolve, to the next General Court on the second Wednesday of the first Session thereof.

March 7, 1801.

Chapter 165.

RESOLVE ON THE PETITION OF THE INHABITANTS OF THE TOWN OF BELCHERTOWN, CONFIRMING THE TRANSACTIONS OF CERTAIN TOWN MEETINGS.

On the Petition of the Inhabitants of the town of Belchertown in the County of Hampshire praying that the records and doings of the same town may be confirmed and established notwithstanding any informalities in the manner of warning town meetings.

Resolved that the transactions of said town meetings be & they hereby are confirmed and rendered valid notwithstanding any informalities or irregularities in issuing — posting and returning Warrants for said town meetings — *Provided however* that nothing herein contained shall be construed to affect the title to any lands assessed or sold as the estate of any non resident proprietor of lands lying within the town aforesaid.

March 7, 1801.

Chapter 166.

RESOLVE ON THE PETITION OF FRANCIS DANA AND OTHERS, TRUSTEES UNDER THE WILL OF EDMUND TROWBRIDGE.

On the petition of Francis Dana Esqr. & others Trustees under the Will of Edmund Trowbridge.

Resolved that the prayer of the petition of Francis Dana and others, Trustees, named and appointed in and by the last Will and Testament of Edmund Trowbridge late of Cambridge in the County of Middlesex Esqr. deceased, be granted; And that they be, and hereby are accordingly authorised & empowered to sell the whole of the Messuages Lands and Tenements devised to them in Trust, in said last will & testament or such parts thereof as they may judge will be most beneficial to the objects of their Trusts, at private or public sale; and to make good and sufficient Deeds thereof to the purchasor or purchasors, conveying to him or them a Fee Simple Estate therein, the said Devise in Trust to them as aforesaid notwithstanding — And that the said Trustees be and they are hereby further authorised and empowered to vest the net proceeds of such sale or sales, or such part thereof as they may judge best, in any other real Estate, and to take to themselves as Trustees as aforementioned good and sufficient Deeds of all such Messuages Lands or Tenements as they shall so purchase: to be holden by them subject to the same Trust and all the limitations conditions and restrictions of every kind, which the said devised Tenements are or were made subject to in and by the said Will of the said Edmund Trowbridge in like, and in as full and ample a manner as if the same had been actually devised to the said Trustees in and by the said Will — in the very words thereof.

And that in case any surplus of such sale or sales shou'd remain in the hands of the said Trustees, after having purchased other Real Estate as aforesaid, that they may place the same at Interest or in such public Funds or Banks as they may in their discretion judge proper, with liberty of transferring the same from time to time from one to the other: The said surplus both principal & stock, and the Interest or Income thereof, to go & be disposed of in all respects in like manner as the Rents or profits of the Real Estate from which such surplus proceeded, or the Real Estate itself, wou'd go and be disposed of agreeably to the intention of the said Testator declared in his said last Will and Testament: And that the proceeds of the said Devised Tenements which may be sold as aforesaid until the same shall be vested in other Real Estate as aforesaid, shall be subject to the same Trusts, Limitations, and liable to the same appropriations and dispositions as the Stock aforesaid.

It is further Resolved that the powers & authorities herein granted to the said Trustees jointly, shall devolve upon the Survivors or Survivor of them and to the Heir Male of the Survivor in like manner as is provided in and by the said Will and Testament. *March 7, 1801.*

Chapter 167.

RESOLVE ON THE PETITION OF JOHN WARREN, EXTENDING THE TIME FOR COMPLETING THE SETTLEMENTS ON CERTAIN TOWNSHIPS TO TWO YEARS FROM THE LAST DAY OF JUNE NEXT.

Whereas a Resolve passed the sixth day of Feby. instant on the petition of John Warren for extending the time for completing the settlements on two townships of land therein described for the term of two years, but doubts have arisen as to the period from which said time is extended: therefore

Resolved that the said term of two years be and hereby is extended from the last day of June next.

March 7, 1801.

Chapter 168.

RESOLVE MAKING ALLOWANCE FOR THE CHAPLAINS AND CLERKS OF BOTH HOUSES.

Resolved that there be allowed & paid out of the Treasury of this Commonwealth to the Revd. Peter Thacher Chaplain of the Senate Sixty Dollars, to the Revd. Thomas Baldwin Chaplain to the House of Representatives sixty Dollars — to Edward P. Hayman Clerk of the Senate Three hundred and Thirteen Dollars & to Henry Warren Esq. Clerk of the House of Representatives Three Hundred & Thirteen Dollars in full for their services respectively the present year and that the Treasurer be & he is hereby directed on receiving a warrant therefor — to pay the same out of the same funds & in the same manner as the Members of the General Court are paid for their services the present session. *March 7, 1801.*

Chapter 169.

RESOLVE FOR PAYING THOMAS WALLCUT.

Resolved that there be allowed and paid out of the Public Treasury one hundred Dollars to Thomas Wallcut

Assistant Clerk of the House of Representatives in full for his services the present Session, and including four days employed in writing previous to the Session.

March 7, 1801.

Chapter 170.

RESOLVE APPOINTING SILAS HOLMAN AND VESTING HIM WITH ALL THE POWERS FORMERLY HELD BY HERMAN BRIMMER, ESQ. RESPECTING THE REAL ESTATE OF JOHN JEYKELL, ESQ. DECEASED.

Resolved that Silas Holman Esq. be and he hereby is appointed an Agent and Vested with all the authority and powers and made accountable in the same way and manner that Herman Brimmer, late deceased, was by a Resolve passed by the General Court, March the ninth in the Year of our Lord one Thousand Seven hundred and Ninety one Respecting the Real Estate of John Jeykell deceased, lying in the towns of Stow and Boxborough in the County of Middlesex.

And be it further Resolved that the Attorney General be and he hereby is directed by Inquest of Office to endeavour to Vest the said Real Estate in the Commonwealth agreeably to law.

March 7, 1801.

Chapter 171.

RESOLVE DIRECTING THE TREASURER TO DISCHARGE THE BALANCE DUE FROM NOAH GOODMAN, ESQ. DECEASED, ON THE BOOKS OF THE TREASURY.

Whereas there appears by the books of the Treasury, that at the time of the decease of Noah Goodman Esquire late Collector of Excise for the County of Hampshire, there was due from him to the Commonwealth the sum of Two hundred & fifty Dollars & ninety six cents, and that he left no estate to pay the same: Therefore

Resolved, that the Treasurer of this Commonwealth be, and he is hereby directed to discharge the said ballance on the books of the Treasury.

March 7, 1801.

Chapter 172.

RESOLVE ON THE PETITION OF THE SELECTMEN OF GOULDSBOROUGH, ABATING CERTAIN TAXES.

On the petition of the Selectmen of Gouldsborough in behalf of said town, praying for an abatement of taxes

number Six Seven, Eight & nine & setting forth their inability to pay the same.

Resolved — That taxes number Six Seven, Eight & nine, levied on the town of Gouldsbrough, be abated to said town, and that the Executions issued for the same taxes, be discharged, & the treasurer of this Commonwealth is hereby directed to credit the said town with the amount of the same taxes respectively — any law or resolve to the contrary notwithstanding. *March 7, 1801.*

Chapter 173.

RESOLVE GRANTING 500 DOLLARS FOR DIGGING A WELL AT RAINSFORD ISLAND AND FOR OTHER PURPOSES.

On the memorial of the Board of Health, for the town of Boston, representing that it is highly necessary for the convenience of the sick that a well should be dug at the South-westerly head of Hospital island, nigh the long Hospital, that all communication may be cut off between that and the other building on the said Island, when malignant and contagious diseases prevail, which cannot be effected, unless water can be obtained near to said Hospital — That an addition is much wanted to the small pox hospital about eighteen feet square, for the accommodation of the nurses, and that several other alterations in and repairs to the said building are necessary and expedient.

Resolved for the reasons set forth in the said memorial and to accomplish the purposes therein mentioned that there be allowed and paid from the Treasury of this Commonwealth to Amasa Davis, Esqr. one of the members of said board, a sum not exceeding five hundred dollars, to be expended for the purposes aforesaid, the said Amasa to be holden to account for the same and to exhibit his account to the General Court for allowance.

March 7, 1801.

Chapter 174.

RESOLVE ON THE PETITION OF PAUL DUDLEY SARGENT, ESQ. IN BEHALF OF THE TOWN OF SULLIVAN, DIRECTING THE TREASURER TO STAY HIS EXECUTION AGAINST SAID TOWN.

On the petition of Paul Dudley Sargent Esquire, in behalf of the Town of Sullivan, praying for remission of the costs on sundry State Taxes.

Resolved that the further consideration of the said petition be referred to the next Session of the General Court, for further evidence ; and that the Treasurer be and he is hereby directed to stay his execution against the said Town of Sullivan for One hundred Dollars & eighty three Cents, untill the further order of the General Court.

March 7, 1801.

Chapter 175.

RESOLVE ON THE PETITION OF EBENEZER BREWER, EMPOWERING ELIZEBETH SUMNER TO EXECUTE A DEED OF THE TRACT OF LAND MENTIONED.

On the Petition of Ebenezer Brewer, administrator on the estate of Nathan Burdett deceased, praying that Elizebeth Sumner, Administratrix on the Estate of Increase Sumner, late of Roxbury in the County of Norfolk Esquire, Deceased, may be impowered to make and execute a Deed of a Tract of Land, in said Roxbury, and that the said Ebenezer be impowered to hold and convey the same for the benefit of the Estate of the said Nathan Burdet.

Resolved Tha[d][t] the said Elizebeth Sumner be and hereby is impowered to make and execute a good & lawfull Deed, to the said Ebenezer Brewer, of a Certain piece of Land in Roxbury aforsaid, bounded on a new Street lately laid out near Mr. Stephen Hawes's called Lott Number three, lying between two lots bought by Thomas Williams at Vendue, being fifty feet wide on said Street, and extending back of that width to Dudleys wall: and that the said Ebenezer Brewer Administrator on the Estate of Nathan Burdet, Cordwainer Deceased represented insolvent, be & hereby is impowered to Hold convey the said land, & execute a good & Lawfull Deed of the Same for the benefit of said Estate & all Concerned, and shall hold said estate, to the same uses and purposes, and subject to the same legal operation and distribution, as tho' the said Increase Sumner, had in his life time, conveyed the same to the said Burdett in his life time.

March 7, 1801.

Chapter 176.

ROLL NO. 44.

The Committee on Accounts, having examined the accounts they now present ; — *Report*, that there are due

to the corporations and persons hereafter mentioned, the sums set to their names respectively, which (if allowed and paid) will be in full discharge of said accounts to the dates therein Mentioned.

Which is Respectfully submitted.

ISAAC THOMSON *pr. Order.*

Pauper Accounts.

	Dolls. Cts.
To the Town of Attleborough for boarding, Cloathing, Doctoring and Nurssing Hannah Jane to her death including her funeral Expences, and Lamond Gibson to Decr. 18th 1800	188 10
To the Town of Andover for Necessaries for Phillip Johnson and Doctoring, Nurssing, and Removing him to Greenland	22 20
To the Town of Alford for boarding, Cloathing, Nurssing & Doctoring William Maxfield to Octr. 24th 1800	55 12
To the Town of Adams for Supporting Catharine a negro woman to Jany. 17th 1801	49
To the Town of Boxford for boarding, Cloathing & Nurssing Catharine Welsh, and Mehitabel Hall, to Jany. 2d 1801	78 3
To the Town of Belchertown for boarding, Cloathing & Nurssing Betty Demmon to Jany. 21st 1801	51 10
To the Town of Boston for Supporting Sundry paupers from June 1st 1800 to Decr. 1st 1800 Viz. Overseers a/c Selectmens a/c for boarding, Doctoring & Nursing &c. in the Epidemick Sickness 1798 Hospatel Island	2035 51
	495 25
	2530 76
To the Town of Blandford for boarding, Cloathing, Doctoring and Nurssing James Carter to Jany. 23 1801	82 30
To the Town of Brookfield for boarding & Cloathing Luke Tinney and his wife, Cato Kim to Jany. 1st 1801	80 99
To Josiah Bartlet for Doctoring Jonathan Nichols and his wife to Decr. 31st 1800	41 87
To the Town of Berwick for boarding Ambrose Vickery to Feby. 1st 1801	36 40
To the Town of Boxborough for boarding & Cloathing John Kennedy to Decr. 28th 1800	45 34
To the Town of Billerica for boarding & Doctoring Thomas Torrant, and Supplies for James Ingols & Mical Taylor to Jany. 1st 1801	61 40
To the Town of Buckland for boarding and Cloathing John Wilkie to Jany. 26th 1801	43 20
To Boothbay for boarding, Cloathing, Doctoring & Nurssing John Haskins to Jany. 22d 1801	266 92
To the Town of Beverly for Boarding, Cloathing, Doctoring & Nurssing Jane McComb, Morris Nash, Matthias Claston and Thomas Douglas to Feby. 1st 1801	253

	Dolls. Cts.
To the Town of Charlestown for boarding, Cloathing & Nurssing Jonathan Nichols and his wife to Decr. 31st 1800	272 89
To the Town of Conway for boarding & Cloathing John Atsatt to Jany. 22d 1801	60
To the Town of Concord for boarding & Cloathing Sundry poor debtors in Concord goal & for boarding, Cloathing, Nurssing, & Doctoring William Shaw to Jany. 17th 1801	80 94
To the Town of Chelmsford for boarding & Cloathing a boy of John McClenning, to Jany. 8th 1801	30
To the Town of Coldrain for boarding, Cloathing, Doctoring & Nurssing William Wilson, William Osborn & Rachel Carr to Jany. 1st 1801	142 7
To the Destrict of Carlisle for boarding, Cloathing & Doctoring Robert Barber and Matthew Jemmerson to Jany. 31st 1801	86 17
To the Town of Canton for boarding, Cloathing, Doctoring and Nurssing Cesar Seyler (a Negro) to his death including funeral expences	61 10
To the Town of Charlton for boarding & Cloathing Thomas Adams to Jany. 1st 1801	81 98
To the Town of Cambridge for boarding, Cloathing, Nurssing & Doctoring Peggy Conden to Jany. 28th 1801	57 5
To the Town of Charlemont for boarding & Cloathing Abraham Bass & Dennis Kennedy to Jany 22d 1801	75 88
To the Town of Duxbury for Supplies for Peggy Mitchel to March 1800	26 16
To the Town of Durham for boarding, Cloathing & Nurssing the family of John Johnson (deceasd) to Jany. 1st 1801	135 94
To the Town of Danvers for boarding & Cloathing John Wooden and Jerusha Bird to Feby. 3d 1801	76 59
To the Town of Dartmouth for boarding & Cloathing John Quanawan & Mary Prince to Jany. 1st 1801 and Rachel Carr to her death including funeral expences	140 9
To the Town of Dedham for boarding, Cloathing & Doctoring Robert Clue, and supplies for Eleanor Carryl to Jany. 1st 1801	79 75
To the Town of Dorchester for boarding, Cloathing Doctoring & Nurssing Caleb Barker, James Hilchard, Mrs. Thornton & Betty Annis to Feby. 23d 1801	166 10
To the Town of Dover for boarding, Nursing & Cloathing Patrick Cowin to March 2d 1801	61 94
To the Town of Egremont for boarding & Cloathing the widow Mary Daley & her three Idiot children to Jany. 12th 1801	243
To the Town of East-Hampton for boarding, Nurssing & Doctoring Rebeckah Gardner to the time of her death including funeral expences	50 50
To Constant Freeman keeper of the Alms-house in Boston to Decr. 1st 1800	150 73
To the Town of Freetown for boarding & Cloathing Francis Brow to Feby. 14th 1801	94 24
To Austin Flint for Doctoring Noble Spencer in his last sickness	3 40

	Dolls. Cts.
To the Town of Framingham for boarding, Cloathing, Nursing & Doctoring Bennett Foster & a Child of Betty Stephens to April 21st 1800	33
To the Town of Granby for boarding & Cloathing Ebenr. Derwin and John Murrey to Novr. 4th 1800	102 76
To the Town of Gloucester for boarding, Cloathing & Nursing sundry pauper[s] to Novr. 10th 1800	872 17
To the Town of Greenfield for boarding, Cloathing, & Doctoring John Battis and Eunice Converse to Jan'y. 1st 1801	79 22
To the Town of Goshen for boarding, Cloathing, Doctoring, & Nurssing Marriam Lamphire to Jan'y. 20th 1801	100 22
To the Town of Gill for boarding Peter Mange to Jan'y. 3d. 1801	32
To the Town of Great-Barrington for boarding, Cloathing & Nursing Isaac Hoose, Catharine Hoose, Mary Hoose and Tom (a Negro) and Supplies for Benjamin Worthey to Jan'y. 19th 1801 including the funeral expences for said Worthey	139 15
To the Town of Georgetown for boarding & Cloathing Nicholas Hambarly to Jan'y. 19th 1801	66 20
To the Town of Groton for boarding, Cloathing, Doctoring & Nursing John Claffin Wright, his wife and children, John William Bentrodt his wife & Children and Edward McLane to Jan'y. 10th 1801	298 69
To the Town of Granvill for boarding, Cloathing, Doctoring & Nursing Thomas Williams & his wife to Jan'y 17th 1801	94 99
To Oliver Hartshorn for dieting sundry poor Debtors in Boston Goal to Feby. 25th 1801.	43 18
To Joseph Hodgkins keeper of the House of Correction in Ipswich, County of Essex for boarding & Cloathing sundry paupers to Jan'y. 18th 1801 exclusive of any allowance from the Court of Sessions	281 45
To the Town of Hardwick for boarding, Cloathing & Doctoring David Chamberlain & John Veal to Decr. 28th 1800	176 8
To the Town of Hadley for boarding, Cloathing, Nursing & Doctoring Francis Trayner, Mary Battis and Ceasor Abberdeen (including funeral expences of said Ceasor) to Jan'y. 1st 1801	152 43
To the Town of Hawley for boarding, Cloathing, Doctoring & Nursing Thomas Oaks to Jan'y. 1st 1801	75 58
To the Town of Hopkinton for boarding and Cloathing James Rouch to Feby. 1st 1801	52
To the Town of Hollewell for boarding and Cloathing Rachel Commings and George Frost to Jan'y. 3d 1801,	116 48
To the Town of Holliston for boarding and Cloathing James Lewis to Feby. 6th 1801	43 90
To the Town of Ipswich boarding Cloathing & Doctoring the widow of Dennis Gullahull and William Broadbent to Decr. 31st 1800	154 42
To the Town of Kingstown for boarding and Cloathing Thomas Kitteridge to Jan'y. 15th 1801	80 35
To John Kitteredge for Doctoring sundry paupers in the town Newbury-Port, to Jan'y. 16th 1801	174 97
To William Lyman for Doctoring Sundry paupers in the town of York to Decr. 14th 1800	13 83

	Dolls. Cts.
To the Town of Lincoln for Boarding and Cloathing Thomas Pooock to Feby. 1st 1801	60 93
To the Town of Lyden for Supplies and Doctoring Jedediah Fullar and his family to Jany. 19th 1801	70 12
To the Town of Lunenburg for Boarding & Cloathing John Kiley Feby. 9th 1801	66 32
To the Town of Marblehead for Boarding, Cloathing, Nursing and Doctoring John How, Christian Crow, Abraham Palmer his wife and one Child to Jany. 19th 1801	207 61
To Thomas Manning for Doctoring sundry paupers in the house of Correction in Ipswich to Jany. 1st 1801	37 85
To James Mann for Doctoring Peggy Taylor in Wrentham, to Sepr 2d 1800	27 71
To the Town of Marblehead for Boarding, Cloathing, Nursing and Doctoring John Corbett to his death including funeral Expences	89 68
To the Town of Marlborough for Boarding and Cloathing Joseph Waters to Jany. 1st 1801	61 84
To the Overseers of the Marshpee Indian Plantation for boarding and Cloathing George Holmes and George George to Jany. 15th 1801	140 59
To Mount Desert for Boarding, Cloathing, Nursing, & Doctoring Charles Branscomb to March 17th 1800	73
To the Town of Manchester for Boarding and Cloathing Thomas Douglas and Caty Grovely one of the Neutral French, to Feby. 2d 1801 including Doctr. Norwood's bill	117 75
To Caleb Mirick for Boarding & Cloathing & Expence of Committing Thomas Robinson to the House of Correction	15 50
To the Town of Milford for Boarding & Cloathing Ebeur. Torrey to Feby. 23d 1801	63 80
To Francis Mantor for Doctoring paupers in Williamsburgh, to May the 7th 1800	13 50
To the Town of Mendon for Boarding & Cloathing Salley Brown and her Hunt Children to Jany. 3d 1801 and Supplies for John Hunt to Feby. 2d 1801	65 81
To the Town of Methuen for Supplies for Thomas Pace to Jany. 17th 1801	42 4
To the Town of Middleborough for boarding & Nursing Alexander Frayshor to Sept. 4th 1800	89 21
To the Town of New-brantree for supporting John Macmullen to July 15th 1800 including Doctrs. bill	6 51
To the Town of Newbury, for Boarding, Cloathing, Doctoring & Nursing Sundry paupers to Jany. 1st 1801 including funeral expences	711 39
To the Town of North-Yarmouth for Boarding, Cloathing, Doctoring & Nursing William Elwell to Feby. 20th 1801 and Paul Mushrowe to his death including funeral expence	179 86
To the Town of Norton Boarding, Cloathing & Nursing Joseph Pratt and Pero, a Negro, to Feby. 2d 1801 including Doctr. Morey's bill	159 42
To the Town of New-Salem for Supporting two Children of Jesse Bedient to Jany. 19th 1801	48 40
To the Town of Nantucket for boarding, Cloathing, Doctoring and Nursing &c. Mary McCarthy & Norry Hilde to Jany. 16th 1801	112 16

	Dolls. Cts.
To the Town of New-Bedford for Supplies for Edward Miller and Patience Synal to Decr. 26th 1800	42 50
To the Town of North-Hampton for boarding, Cloathing, Nursing and Doctoring, Samuel Green, Nancy McMullin, and supplies for Patience Davis to Feby. 1st 1801	82 32
To the Town of Newbury Port for Supporting Sundry paupers to Decr. 31st 1800 — including Cloathing	625 62
To the Town of Oxford for Boarding & Cloathing Catharine Jourden to Jany. 1st 1801 including Doctors bill	61 97
To the Town of Pittsfield for Boarding & Cloathing Molly Welsh to Jany. 26th 1801 and boarding, Cloathing Nursing and Doctoring Nancy McCoy to the time of her death	99 76
To the Town of Plymouth for boarding, Cloathing, Nursing and Doctoring Nathaniel Thomas, and his wife, to Jany. 20th 1801 & Zachariah Eddy, a Vagrant person, to Jany. 14th 1801	105 98
To the Town of Portland for boarding, Cloathing, Nursing & Doctoring Sundry paupers from Jany. 10th 1800 to Jany. 1st 1801	579 61
To the Town of Pembroke for boarding & Cloathing John Monder to Jany. 1st 1801	64 92
To the Town of Patridgfield for boarding & Cloathing Mary Lace to Jany. 15th 1801	89 5
To the Town of Palmer for boarding, Cloathing, Nursing & Doctoring William Mendem to Jany. 4th 1801	63 94
To the Town of Roxbury for Supporting Sundry paupers including Boarding, Cloathing, Doctoring & Nursing to Jany. 1st 1801	612 99
To the Town of Rehoboth for Supporting, Richard Boulton and Anna Carrol to Jany. 1st 1801	59 52
To the Town of Rutland for Supplies for Ceasor Aberdeen and William Henderson to Jany. 19th 1801 including Doctr. Frinks bill	57 22
To the Town of Royalston for boarding and Cloathing Joshua Capron to Jany. 6th 1801	31
To the Town of Rowley for boarding, Nursing, Doctoring and burying Deliah Paul	31 66
To the Town of Reading for boarding, Cloathing, Doctoring, and Nursing Samuel Bancroft	96 20
To the Town of Sudbury for boarding & Nursing John Lolley to Jany. 1801	8
To the Town of Southick for boarding & Cloathing George Read to Jany 22d 1801	62
To the Town Swanzey for boarding & Cloathing four Illigitimate Children to Decr. 6th 1800 — and three of the same and Fenner Pierce & Esther Church to Jany. 24th 1801, and Mary Titticus to her death including funeral expences	136 88
To the Town of Stockbridge for boarding, Cloathing, Nursing & Doctoring Samuel Haney, Joseph Grant, Sarah Hosford Sarah Huney & Henery Cole to Decr. 1st 1800 and Miss Carswell to her death including funeral expence	233 67
To the Town of Standish boarding, Cloathing, Nursing & Doctoring Alice Noble to Novr. 29th 1800	107 24
To the Town of Scituate for boarding, Cloathing, Nursing & Doctoring Elizabeth Breeding to Feby. 3d 1801 and Mary Corlew to Feby. 1st 1801 and Supplies for Mason Humble & Samuel P. Jones to Feby. 3d 1801	138 52

	Dolls. Cts.
To the Town of South-Hadley for boarding, Cloathing, Doctoring Nursing Peter Pendergrass to Jany. 19th 1801	20 26
To the Town of Salem for Supporting Sundry paupers from June 2d 1800 to Jany. 5th 1801 including Doctoring	1347 75
To the Town of Tyringham for Supplies for Ebenr. Ayers, his wife and three Children and Ralf Way to Jany. 1st 1801	97 49
To the Town of Uxbridge for boarding, & Cloathing Betty Trifle and David Mitchell to Jany. 19th 1801, including an Allowance for boarding, Cloathing, Nursing & Doctoring a transient person by the Name of William Clemmon	92 50
To the Town of Upton for boarding & Cloathing Elizabeth Brown to Feby. 10th 1801	51 12
To Thomas Vorse, John Brown & John Balham of Plantation No. 4 for supporting, (by the Request of the Selectmen of East-port) Richard Pomroy, to Novr. 1800	78
To Samuel Ware Junr. for Doctoring Edward Burges to Novr. 1800	9 32
To the Town of West-Stockbridge for Boarding and Nursing John Rowley and Jane Clark to Jany. 12th 1801	60 49
To the Town of Weston for Boarding, Cloathing, Nursing & Doctoring Nancy Cornwell to Feby. 3d 1801	119 79
To the Town of Washington for boarding & Cloathing Phebe Clark to Jany. 5th 1801	35 82
To the Town of Westborough for boarding, Cloathing & Nursing John Scudemor to Feby. 16th 1801	85
To the Town of Wrentham for boarding & Cloathing John Harcourt, Peggy Taylor & Betsy Taylor to Jany. 1st 1801	151 60
To the Town of Westfield for boarding, Cloathing Doctoring and Nursing William Davis & James Dewell to Jany. 1st 1801	106 9
To the Town of Walpole for boarding, Cloathing, Nursing & Doctoring Partrick Hancock, Sally Davis, Clarisa Kelly, her child and William Wabrey to Jany. 1st 1801	174 67
To the Town of Wilbraham for boarding & Cloathing John Brow to Feby. 2d 1801	43 15
To the Town of Williamsburg for boarding, Cloathing and Nursing John Easterwood, Peggy Easterwood and Child to Jany. 1801	56 15
To the Town of Windsor for Supplies for Benjamin Still and wife to Feby. 2d 1801 including funeral expenees for said Benjamin	47 99
To the Town of Western for boarding, Cloathing & Nursing John Wateley to Novr. 9th 1800 John Cain to Jany. 21st 1801 & William Johnson and his wife to Jany. 22d 1801	129 55
To the Town of Worcester for boarding, Cloathing, Nursing and Doctoring Andrew Donenson, to Sepr. 24th 1800 Joseph King to Jany. 20th 1801 Peter Willard to Decr. 18th 1800 and Richard Hevelin to his death including funeral expences	176 34
To the Town of Watertown for Supporting a Malatto, to Feby. 3d 1801	25
To the Town of West-Springfield for boarding, and Cloathing Lucy Kent, and the wife of Thomas Betty and William Bull to Decr. 31st 1800	100 21

	Dolls. Cts.
To the Town Warren for boarding & Cloathing William Moorman to Jany. 5th 1801	84
To the Town of York for boarding, Cloathing & Nursing William Kearswell, Sarah Kearswell, Elizabeth Perkins, Mary Crocker & Abigail Chapple to Jany. 7th 1801 and supplies for Edward Perkins and Sarah Perkins to Jany. 10th 1801	206 51
	18395 69

Militia Accounts. — Courts Martial and of Enquirey.

	Dolls. Cts.
To A Court Martial whereof Majr. General Simon Elliot was President held at Watertown Decr. 2d 1800	166 94
To A Court Martial whereof Col. Denny McCobb was President held at Pownalborough Jany. 12th 1801	37 51
To A Court Martial whereof Majr. Oliver Crosby was President held at Sturbridge April 29th 1800	41 59
To A Court Martial whereof Col. Silas Chapin was President held at Springfield Decr. 31st 1800	50 41
To A Court of Enquirey whereof Majr. Solomon Adams was President held at Norridgewoock Feby. 26th 1800	21 92
To A Court of Enquirey whereof Majr. Ebenr. Cheney was President held at Watertown Sepr. 29th 1800	12 98
To A Court of Enquiry whereof Col. Jonas Lane was President held at Northborough July 22d 1800.	21 62

Expence for Horses to haul Artillery &c.

	Dolls. Cts.
To Josiah Byington for money expended for Horses to haul Artillery &c. in Sepr. 1799	2 50
To Luke Bemis for money expended for Horses to haul Artillery &c. up to Jany 1801	19 33
To Jacob Bliss for money expended for Horses to haul Artillery &c. up to Jany. 1801	5
To Jesse Doggett for money expended for Horses to haul Artillery &c. up to Feby. 1801	7 50
To Moses Dresser for money expended for Horses to haul Artillery &c. up to Jany. 1801	10
To William Eastman for money expended for Horses to haul Artillery &c. up to Jany. 1801	12 92
To Robert Elwell for money expended for Horses to haul Artillery &c. up to Novr. 1800	6
To James Fails for money expended for Horses to haul Artillery &c. to Decr. 1800	7
To Nathan Harrington for money expended for Horses to haul Artillery &c. to Sepr 1800	6 33
To Jedediah Healy for money expended for Horses to haul Artillery &c. to Octr. 1800	5
To John Ingorsol for money expended for Horses to haul Artillery &c. to Jany. 1801	7 50
To John Kidder for money expended for Horses to haul Artillery &c. to Jany. 1801	10
To Samuel B. Lion for money expended for Horses to haul Artillery &c. to Octr. 1800	5
To James Lewis for money expended for Horses to haul Artiler[y] &c. to Sepr. 1800	15

	Dolls.	Cts.
To Joseph Miller for money expended for Horses to haul Artillery &C. to Sept. 1800	17	2
To Nehemiah May for money expended for Horses to haul Artillery &C. to Jany. 1801	8	33
To Sylvester Procter for money expended for Horses to haul Artillery &C. to Novr. 1800	7	50
To Benjamin Somerly for money expended for Horses to haul Artillery &C. to Jany. 1800	15	
To Solomon Severance for money expended for Horses to haul Artillery &C. to Octr. 1800	4	
To Benjamin Spear for money expended for Horses to haul Artillery &C. to Novr. 1800	4	33
To Robert Gardner for money expended for Horses to haul Artillery &C. to July 5th 1800	29	50
To John Bray for money expended for Horses to haul Artillery &C. Feby. 1801,	12	
To Oliver Johonnot for money expended for Horses to haul Artillery &C. to Jany. 1801	33	50
To William Donnison Adj. General, for his Services to Jany. 1801	633	33
To William Hunt Aid de Camp, for his Services to Jany. 19th 1801	63	82
To Nathan Hayward Aid de Camp, for his Services to Jany. 1st 1801	39	33

Briga[g][d]e Majors.

	Dolla.	Cts.
To James Ayers Brigade Majr. for his Services to Feby. 7th 1801	68	87
To Jeremiah Clapp Brigade Majr. for his Services to Feby. 26th 1801	145	15
To Medad Dickinson Brigade Majr. for his Services to Jany. 30th 1801	45	5
To Stephen Dewey Brigade Majr. for his Services to Jany. 1801	25	13
To Barzillai Gannett Brigade Majr. for his Services to Jany. 23d 1801	28	57
To William Hinkley Brigade Majr. for his Services to Jany. 3d 1801	13	66
To Samuel Howard Brigade Majr. for his Services to Decr. 1800	152	91
To William Jackson Brigade Majr. for his Services to Jany. 1801	46	12
To William Jefferd Brigade Majr. for his Services to Jany. 29th 1801	43	
To Jacob Mann Brigade Majr. for his Services to Jany. 1st 1801	88	49
To Sylvester Osborn Brigade Majr. for his Services to Feby. 11th 1801	85	20
To Merrick Rice Brigade Majr. for his Services to Feby. 1800	61	25
To William P. Rider Brigade Majr. for his Services to July 30th 1800	32	15
To William Sever Brigade Majr. for his Services to Novr. 5th 1800	48	
To John Taylor Brigade Majr. for his Services to March 2d 1801	57	90

	Dolls. Cts.
To Seth Tinkham Brigade Majr. for his Services to Feby. 16th 1801	46 80
To Samuel Thayer Brigade Majr. for his Services to Feby. 1801	46 32
To Robert Wheeler Brigade Majr. for his Services to Jany. 24th 1801	16 16
To Sampson Woods Brigade Majr. for his Services to Feby. 12th 1801	54 67

Adjutants.

	Dolls. Cts.
To Nehemiah Abbot Adj. for his Services to July 16th 1800	16 35
To John Adams Adj. for his Services to Jany. 19th 1801	14 98
To Matthias Blossom Adj. for his Services to Decr. 1800	26 65
To Isaiah Byington Adj. for his Services to March 16th 1799	3 17
To the Estate of Thomas Baker Adj., decessd., for his Services to June 1st 1799	8 27
To Peter Buntlar Adj. for his Services to Jany. 10th 1801	23 99
To Aaron Brooks Adj. for his Services to Jany. 1801	15 90
To William Bull Adj. for his Services to Jany. 1801	10 13
To David Boutill Adj. for his Services to Octr. 1799	17 64
To Aaron Burt Adj. for his Services to Octr. 1800	11
To William Bridge Adj. for his Services to Feby. 1801	52 13
To Peter Clark Adj. for his Services to Feby. 18th 1801	37 73
To Walter Dickson Adj. for his Services to Feby. 14th 1801	16 8
To Russell Dewey Adj. for his Services to Jany. 1801	23 12
To Samuel Field Adj. for his Services to Feby. 1801	10 95
To Joseph Farley Adj. for his Services to Jany. 1st 1801	21 68
To Abraham Fuller Adj. for his Services to Jany 1801	13 29
To Levi Fairbank Adj. for his Services to Feby. 1800	9 27
To Seth Field Adj. for his Services to Novr. 1800	12 88
To William Gould Adj. for his Services to Jany. 1st 1801	32 9
To Thomas Goodwin Adj. for his Services to Novr. 1800	12 84
To Cyrus Hosmer Adj. for his Services to Feby. 17th 1801	13 50
To Ebenr. Heath Adj. for his Services to Jany. 1801	20 22
To Timothy Hopkins Adj. for his Services to Octr. 1800	20 25
To Caleb Howard Adj. for his Services to Novr. 1800	18 70
To Jacob Haskell Adj. for his Services to Sepr. 9th 180[1][0]	7 55
To Cyrus Keith Adj. for his Services to Novr. 6th 1800	41 56
To Joseph Morse Adj. for his Services to Novr. 11th 1800	11 5
To John Merrell Adj. for his Services to Jany. 23d 1801	15 91
To Abel Morse Adj. for his Services to Feby. 2d 1801	8 29
To Herbert Moore Adj. for his Services to Novr. 1800	14 25
To Daniel Nash Adj. for his Services to Feby. 1801	8 89
To John Nye Adj. for his Services Jany. 1801	12 40
To Jeremiah O'Brian Adj. for his Services to Decr. 15th 1800	33 5
To Benjamin Poor Adj. for his Services to Feby. 6th 1801	23 84
To Daniel Philbrook Adj. for his Services to Jany. 1801	16 36
To Esaias Preble Adj. for his Services to Jany. 9th 1801	3 31
To Isaac Patten Adj. for his Services to Sepr. 1800	15 81
To George Russell Adj. for his Services to Jany. 1801	19 73
To Daniel Sweet Adj. for his Services to Feby. 14th 1801	6 55
To John Sarjeant Adj. for his Services to Novr. 1800	17 60
To George Stanley Adj. for his Services to Novr. 1800	9 43

	Dolls.	Cts.
To Erastus Smith Adj. for his Services to Decr. 1800	20	15
To Timothy Spaulding Adj. for his Services to Sepr. 1800	37	27
To Samuel Satterlee Adj. for his Services to Novr. 1800	7	25
To Henry Sweet Adj. for his Services to Decr. 17th 1800	15	20
To Quartus Stebbins Adj. for his Services to Decr. 1800	8	
To Nicholas Smith Adj. for his Services to Jany. 1801	35	59
To John Tolman Adj. for his Services to Feby. 18th 1801	5	58
To Silas Winchester Adj. for his Services to Jany. 1801	36	45
To Daniel Ware Adj. for his Services to Jany. 1801	17	65
To David White Adj. for his Services to Jany. 19th 1801	24	75
To Nathaniel Whithier Adj. for his services to Jany. 29th 1801	10	13
To John Wasson Adj. for his services to Decr. 29th 1800	25	92
To Timothy Whiting Adj. for his services to Jany. 28th 1801	24	43
To the Board of Officers, appointed to determine the relative Rank of the Majr. Generals of the first, second & third Divisions of Militia which sat in Boston April 16th & 17th 1800, being omitted in their Pay Roll Viz.		
To Nathaniel Goodwin	12	
To Ebenezer Mattoon	25	33
To John Cutlar	18	67
To Silas Cobb	7	7
To John Whiting	8	8
	71	15
	3513 2	

Miscellaneous.

	Dolls.	Cts.
To John Boyl for Stationary for the Adj. General's office and the Commissioners for quieting Settlers on the Waldo patten to Decr. 31st 1800	123	62
To John Whiting for 250 Blank Books delivered into the Adj. General's Office for the use of the Militia in 1800	83	34
To Joseph How for Repairing State house, Lamps &C. to Feby. 23d 1801	2	24
To the Estate of John Sprague Esqr. decesad. a ballance due for his services in quieting Settlers on the Waldo Patten[l,] so called, over and above one third part of one Thousand dollars granted to him, Nathan Dane & Enoch Titcomb, by two Resolves passed March 9th 1797 and June 27th 1798	101	20
To Wheeler & Lincoln for erecting three Houses on Rainsford's Island by order of the Board of Hea[l]th agreeable a Resolve of the General Court	962	18
To Peleg Coffin Esqr. Treasurer for money expended for Oil for Lamps Standard Measures for the Commonwealth & Postage &C. to Feby. 28th 1801	148	32
To Ephraim Williams Esqr. for time and expence in procuring further evidence Respecting William Towner by order of the General Court	12	28
To Jonathan Hastings for Postage of Letters and packets to December 31st 1800	58	33
To Francis L. Goodwin for his services in taking care of the Indian Lands &c. at Penobscot— to June 5th 1800	55	

	Dolls. Cts.
To Thomas Dawes & John Coffin Jones for their services in examining and adjusting the Treasur[er]'s of the Commonwealths accounts from the first day of July 1799 to the first day of July 1800 inclusive, defacing such Notes, due bills, and orders as were redeemed within the said time agreeable to a Resolve passed in June last \$35 each.	70
To Josiah Gilman for Amputating the hand &C. of Jonathan Young Junr.	32
To Joshua Holt for boarding & Cloathing Levi Konkepot to March 1st 1801	63 85
To Josiah Wheeler for repairs of the New State House to Novr. 6th 1800	8 87
To Thomas Spear for taking care of Hospital Island to Feby. 14th 1801	44 44
To Thomas Wallcot for Services renderd. by request of the Electors for President & Vice President in Decr. 1800	4
To Sylvanus Lapham for his services assisting the Messenger of the General Court from Jany. 19th to March 7th 1801 inclusive	73 50
To Daniel Cowin for his services assisting the Messeng[er] of the General Court from Jany. 20th to March 7th 1801 inclusive	71 75
To Daniel Hoston, Coroner, for expence taking Inquisition on the body of Naham Sawyer of Dover state of New-Hampshire	17 76
	1932 68

Sheriffs.

	Dolls. Cts.
To John Cooper for Retur[n]ing Votes for Representative to Congress Decr. 1800	61 66
To Arthur Lithgow for Returning Votes for Governor &C. and for Representative for Congress — to Jany. 16th 1801	46 80
To Thomas Phillips for Returning Votes for Governor &C. and for Representative for Congress — to Jany. 1801	74
To Ichabod Goodwin for Returning Votes for Governor &C. and for Representative for Congress to Jany. 1801	26 73
To Joseph Dimmik for Returning Votes for Representative to Congress to Jany. 1800	13 33
To Baley Bartlett for Returning Votes for Governor &C. and distributing precepts and Returning Vote for Representatives to Novr. 11th 1800	26 56
To Joseph Hosmer for money paid for apprehending, upon advertizement, four persons which broke Goal on the 16th of Sept. last, and for distributing precepts and Retur[n]ing Votes for Representative for Congress — to Jany. 1801	94 64
To Simon Learned for Returning Votes for Representative to Congress — to Feby. 1801	23 33
To John Wait for Retur[n]ing Votes for Governor &C. and for Representative to Congress — to Feby. 24th 1801	32 6
To Edmond Bridge for Returning Votes for Representative to Congress — to Novr. 30th 1800	30 33
To John Gardner for Returning Votes for Governor &C. to Jany. 1801	10 80
	440 24

Printers.

	Dolls. Cts.
To Young & Minns Printers for the General Court—to Feby. 26th 1801	717 74
To William Butlar for Publishing Acts & Resolves to Feby. 1st 1801	33 33
To Ashley & Brewer (Springfield) for publis[h]ing Acts & Resolves to Jany. 9th 1801	16 67
To Isaiah Thomas Worcester for publishing Acts and Resolves to Feby. 21st 1801	33 33
To David J. Waters for publishing Acts & Resolves (in the Castine Journal) to Jany. 9th 1801	33 33
To Herman Mann for publishing Acts & Resolves in the Dedham paper to Decr. 7th 1800	16 67
	851 7

Convicts.

	Dolls. Cts.
To Jeremiah Staniford, under keeper of the Goal, County of Essex, for dieting & Cloathing, Samuel Walker, from Castle Island, to Feby. 14th 1801	63 17
To Nathan Heard (under keeper of the Goal County of Worcester) for dieting, Cloathing & Nursing &c Eli Page, from Castle Island, to Jany. 21st 1801	77 78
To Oliver Hartshorn (under keeper of the Goal, County of Suffolk) for dieting and Cloathing, Charles Blade, Elisha Dillingham and Sampson Freeman from Castle Island, to Feby. 25th 1801	220 65
To John Richardson under keeper of the Goal County of Middlesix, for Supporting, William Dexter, Thomas Kimball, Garus Proctor, Isaac Moore, Ezekiel Salmon, David Chandler, and Eli Blackman to Feby. 3d 1801	325 99
To Oliver Fisk for Doctoring Convicts in Worcester Goal to Jany. 23d 1801	34 23
	721 82

Aggregate of Roll No. 44.

Expences of State Paupers	18395 69
Do. Militia	3513 2
Do. Miscellaneous	1932 68
Do. Sheriffs	440 24
Do. Printers	851 7
Do. Convicts	721 82
	25854 52
Total	25854 52

Resolved, that there be allowed and paid out of the Public Treasury, to the Several corporations and persons mentioned in this Roll, the sums set against such corporations and persons respectively, amounting in the whole to twenty five Thousand eight hundred, fifty four dollars and fifty two cents, the same being in full discharge of the Accounts and demands to which they refer.

March 7, 1801.

ACTS
AND
LAWS
OF THE
COMMONWEALTH
OF
MASSACHUSETTS.

BOSTON:

PRINTED BY YOUNG & MINNS,
PRINTERS TO THE HONORABLE THE GENERAL COURT OF THE COMMONWEALTH.
M,DCCCI.

Reprinted by WRIGHT & POTTER PRINTING COMPANY, State Printers.
1897.

ACTS AND LAWS

PASSED BY THE GENERAL COURT OF MASSACHUSETTS, AT
THE SESSION BEGUN AND HELD AT BOSTON, IN THE
COUNTY OF SUFFOLK, ON WEDNESDAY, THE TWENTY-
SEVENTH DAY OF MAY, ANNO DOMINI 1801.

1801. — Chapter 1.

[May Session, ch. 1.]

AN ACT ALTERING THE TIMES OF HOLDING THE COURTS IN
THE COUNTIES OF HAMPSHIRE AND BERKSHIRE.

SECT. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this Act, the Supreme Judicial Court shall be holden in the Counties of Hampshire and Berkshire as follows, viz ; in the County of Berkshire on the second Tuesday of September instead of the first Tuesday of the said month, and in the County of Hampshire on the third Tuesday of September instead of the second Tuesday of the same month.

Time of holding Supreme Judicial Court in Berkshire and Hampshire Cos. altered.

SECT. 2. *Be it further enacted,* That all writs, recognizances, warrants, complaints, appeals, and every other matter and thing which before the passing of this act might, or should be returned to, or entered at the Court aforesaid, at the times heretofore appointed for holding the same, and which are hereby altered ; and all parties and persons which have been or may be required or directed to appear and attend at the aforesaid times, and all actions, suits and matters which may be pending in the said Courts at the times aforesaid, shall be returned to, entered at, appear, attend, have day, and be tried and determined in the said Courts at the times appointed by

Writs, &c. referred to the new times of holding the Court.

this Act for holding the same, according to the true intent and meaning thereof.

Time of holding Court of Common Pleas in Berkshire Co. changed.

SEC. 3. *Be it further Enacted*, That so much of an Act, passed at the last session of the General Court, as relates to the time of holding the Courts of Common pleas, and Courts of General Sessions of the peace within and for the County of Berkshire on the first Monday of July, be, and the same is hereby repealed and made null and void, and that all writs, recognizances, complaints, appeals, and every other matter & thing which before the passing of this act might or should be returned to or entered at the same Courts, or either of them, on the first Monday of July next; & all parties and persons which have been, or may be required or directed to appear and attend at that time, and all actions and suits commenced, or which may be commenced, returnable to either of the same Courts at that time; and all matters that are or may be pending in the same, shall be returned to, entered at, appear, attend, have day, and be heard and tried in the same Courts on the second Monday of October next.

Time of holding Court of Common Pleas in Hampshire Co. changed.

SEC. 4. *And be it further enacted*, that the Court of Common pleas, and Court of General Sessions of the Peace for the County of Hampshire, shall hereafter be holden on the third Monday of January annually, instead of the first Monday of February. *Approved June 13, 1801.*

1801. — Chapter 2.

[May Session, ch. 2.]

AN ACT REPEALING PART OF AN ACT PASSED THE FIRST DAY OF MARCH, ONE THOUSAND SEVEN HUNDRED & NINETY EIGHT, INTITLED, "AN ACT FOR THE PRESERVATION OF THE FISH CALLED SALMON, SHAD & ALEWIVES IN THE RIVERS, STREAMS & WATERS, WITHIN THE COUNTIES OF LINCOLN AND CUMBERLAND—& FOR REPEALING ALL OTHER LAWS HERETOFORE MADE FOR THAT PURPOSE, SO FAR AS RESPECTS THEIR OPERATION IN SAID COUNTIES."

Be it enacted by the Senate and House of Representatives, in General Court Assembled, and by the Authority of the same, That the said Act be, and the same hereby is repealed, so far as it respects Pesumpscot River, in the said County of Cumberland. *Approved June 13, 1801.*

1801. — Chapter 3.

[May Session, ch. 3.]

AN ACT TO REGULATE THE ALEWIVE FISHERY IN THE BROOK
 RUNING OUT OF WAKEPEE POND SO CALLED INTO THE SEA,
 IN THE INDIAN PLANTATION CALLED MARSHPEE IN THE
 COUNTY OF BARNSTABLE.

SECT. 1. *Be it enacted by the Senate & House of Representatives in General Court assembled & by the authority of the same,* that the Overseers of the Indian Plantation of Marshpee, or any two of them, shall annually appoint one or more suitable person or persons, to inspect said brook, and to open, or cause to be opened, a sufficient passage way for the fish to pass & repass, through any Mill dams that now are, or may be hereafter erected, *Provided* the owners of any such dams shall refuse or neglect to open such sufficient passage way themselves, and cause the same to be kept open, from the first day of April to the twenty fifth day of May annually, and to prevent any wears, or obstructions, of any kind, which may be made across said brook or any part thereof, which may impede the passage of said Fish. And said Committee shall regulate the times and places for taking said fish, giving liberty to the Indian Inhabitants to take as many of said fish as may be needful for their own Use.

Persons to be appointed to inspect the brook, &c.

SECT. 2. *Be it further enacted* that if any person or persons shall erect any wear, or obstructions of any kind, across said brook, so as to obstruct the passage of said fish, he or they so offending, shall forfeit & pay a sum not exceeding ten Dollars, nor less than three Dollars for each offence.

Penalty for obstructing the passage of the fish.

SECT. 3. *Be it further enacted* that any person not an Inhabitant of the said Plantation, who is desirous of purchasing any of said fish, such person shall pay a sum not exceeding twenty five cents, for each hundred to be delivered them by such person or persons as the said Committee shall appoint, and the proceeds of the same shall be applied to the exclusive benefit of the said Indian & Mulatto Inhabitants of said Plantation.

Price of the fish regulated.

SECT. 4. *And be it further enacted* that all forfeitures & penalties, which may be incurred by any breach of this Act, shall be recovered by any one or more of the said Board of Overseers of the said Indian Plantation, in any

Recovery and appropriation of fines.

Court in the said County of Barnstable proper to try the same. And all such forfeitures shall be applied to the exclusive benefit of the said Indian and Mulatto Inhabitants of the said plantation of Marshpee.

Approved June 13, 1801.

1801. — Chapter 4.

[May Session, ch. 4.*]

AN ACT IN ADDITION TO AN ACT ENTITLED, "AN ACT TO SECURE TO OWNERS THEIR PROPERTY IN LOGS, MASTS, SPARS & OTHER TIMBER, IN CERTAIN CASES."

Preamble.

Whereas the Act aforesaid passed the twenty second day of February seventeen hundred & ninety four, is found by its operation to be insufficient to answer the purposes intended thereby, so far as it respects Saco River in the County of York.

In case of logs,
&c. being
carried on to
improved lands
&c. by floods.

SECT. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That when any log or logs, masts, spars or other timber shall be carried by the floods, into any improved lands adjoining said rivers, the ponds, streams, or waters runing into the same rivers, or forming a part thereof, the owner or owners of such log or logs, mast, spar or other timber, may, at any time within three years, lawfully remove the same from said lands, on tendering or paying to the proprietor or possessor of the land, such reasonable damages as may be occasioned by such log mast or spar lying on said improved lands, and by such removal; and if the owner or owners of such logs, masts, spars or other timber shall not appear and take the same from such lands within the same term of three years or otherwise agree with the proprietors or possessors of such lands, then the same logs, masts, spars or timber shall be deemed the property, and wholly at the disposal of such owner or possessor of said lands.

In case of logs,
&c. being
carried on to
unimproved
lands.

SEC. 2D. *Be it further enacted,* That when any log or logs, mast, spar or other timber shall be carried by the floods into any unimproved lands adjoining said river the ponds, streams, or waters running into the same river or forming part thereof, the owner or owners of such log or logs, mast, spar or other timber, may at any time lawfully remove the same from the said land, on tendering

* Erroneously numbered chapter 3 in session pamphlet.

or paying to the proprietor or possessor of the land such reasonable damages as may be occasioned by such log mast or spar, and the removal of the same.

SEC. 3D. *Be it further enacted*, that if any person or persons shall fraudulently mark anew any log or logs, mast spar or other timber put into any of the rivers, streams or ponds of Saco river, on conviction thereof such offender or offenders shall forfeit and pay a fine of six Dollars for each log, mast, spar or other timber, the mark whereof he or they shall be convicted of having so marked anew; and shall be further liable to pay to the owner or owners of such log, mast, spar or other timber treble the value thereof, which fine and treble value shall be recoverable by such owner or owners by action of trespass on the case in any Court proper to try the same, with legal costs of suit.

Penalty for fraudulently marking logs, &c.

SEC. 4. *Be it further enacted* That any log or logs, mast, spar, or other timber which may be stopped in Saco river, by any artificial obstruction in or across said river, may be removed by the owner or owners thereof: *Provided* that nothing in this act shall extend to such logs, masts, spars or other timber, as now are, or may be forfeited before the passing of this Act, agreeably to the Act to which this is in addition.

Logs, &c. stopped by artificial obstructions, may be removed.

SEC. 5TH. *Be it further enacted*, That the fourth section in the act to which this is in addition, so far as it respects Saco river, be, and it is hereby repealed.

Approved June 16, 1801.

1801. — Chapter 5.

[May Session, ch. 5.]

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT FOR INCORPORATING ISRAEL WATERS & OTHERS, INHABITANTS OF THE TOWN OF CHARLTON, INTO A RELIGIOUS SOCIETY BY THE NAME OF THE PROPRIETORS OF THE NEW CONGREGATIONAL CENTRE MEETING HOUSE IN CHARLTON; AND FOR REPEALING TWO ACTS HERETOFORE MADE FOR INCORPORATING THE CONGREGATIONAL CHURCH IN SAID TOWN, PASSED MARCH THE THIRD, SEVENTEEN HUNDRED AND NINETY EIGHT.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the fourth Section of said Act be & hereby is repealed.

Part of former act repealed.

The raising of money authorized and regulated.

SEC. 2. *And be it further enacted*, That said Proprietors at any meeting regularly called for that purpose, by a major vote of the Proprietors, voting by shares, no share having more than one vote, raise such sum of money as they shall judge necessary for the maintenance of public worship, and other exigencies, and may assess the same on the respective shares or pews, in such way as a major part of said Proprietors shall direct, or on the polls and real and personal estate of said Proprietors, according to the valuation by which the State and Town taxes are assessed next preceding such assessment; and each Proprietor holding more than one share shall be assessed to the full amount of his poll or polls, real and personal estate for each share. And if any proprietor shall neglect for the space of sixty days beyond the time appointed for the paying of any assessment, he or she shall forfeit his or her share or shares, right or rights so neglected, to be disposed of according to the bye laws of said proprietors, and at the pleasure of the same.

Approved June 16, 1801.

1801. — Chapter 6.

[May Session, ch. 6.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT IN ADDITION TO AN ACT ESTABLISHING A SUPREME JUDICIAL COURT WITHIN THIS COMMONWEALTH."

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the Same, That the Supreme Judicial Court shall have the same power and Authority to remove & appoint Clerks in the Counties of Lincoln, Hancock and Kennebeck, as they have by the Law, to which this is an Addition in the other Counties, within this Commonwealth, where the said Courts are holden. — And the Clerk to be appointed for the County of Hancock, shall be Clerk of the Supreme Judicial Court for the Counties of Hancock and Washington.

Approved June 16, 1801.

1801. — Chapter 7.

[May Session, ch. 7.]

AN ACT FOR THE PRESERVATION OF A CERTAIN TRACT OF SALT MARSH, LYING IN THE TOWNS OF SCARBORO', IN THE COUNTY OF CUMBERLAND, & PEPPERRELBORO', IN THE COUNTY OF YORK.

Preamble.

Whereas great injury is done to a certain tract of Marsh lying in the towns of Scarboro', in the County of

Cumberland, and Pepperelboro', in the County of York, bounded North-Easterly by Scarboro', or Black-point river, Westerly, by the upland of Blue-point and Old-Orchard, so called, in said Pepperelboro', and Southeasterly by Pine-point and the Sea; — by reason of sundry ill disposed persons turning out their Cattle, horses, & swine to feed on said Marsh: Therefore,

SECT. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the Authority of the same,* That from and after the first day of August next, any person who shall turn out his horses, cattle, or Swine, to go at large on said Marsh, or Pine-point, or the beach, or seaflats leading thereto, shall forfeit & pay, for each & every such offence, a fine of ten dollars, to be recovered by an Action of debt; and every person whose horses, cattle, or swine as aforesaid, are found going at large on said marsh, pine point, the beach, or Sea flats, as aforesaid, shall be liable to a fine of one Dollar for each and every creature, as aforesaid, thus found going at large; one moiety of the fines aforesaid to accrue to the owners of said Marsh, and the other moiety to the person or persons who shall sue for the same.

Penalty for turning out cattle, &c. on the marsh, &c.

And Whereas, between the aforesaid tract of marsh, and the sea, there interposes a sandy ridge of land, terminating in what is called pine-point, which ridge is chiefly covered with a thick growth of Pines and Shrub bushes, the only barrier against the inroads of the Sea, and which prevents the sand from shifting and blowing over said marsh, and thereby entirely destroying the same: Therefore,

SECT. 2. *Be it further enacted,* That every person, whether he be an owner in said tract of marsh, or ridge of land aforesaid, or not, shall be subjected to a fine of ten dollars, for each & every tree, he may cut down, or otherwise destroy on said ridge of land, or any part thereof; *provided* it is done without the consent of a major part of the aforesaid owners first had & obtained; each moiety of the fines which may accrue in consequence hereof, to be recovered and appropriated, as in the first section of this Act is provided.

Penalty for cutting down trees.

Approved June 18, 1801.

1801. — Chapter 8.

[May Session, ch. 8.]

AN ACT DIRECTING THE USE AND APPROPRIATION OF PART OF THE MONEY, ARISING FROM THE SALE OF THE COMMON & UNDIVIDED LANDS, OF THE PROPRIETORS OF THE TOWN OF ANDOVER, AND FOR OTHER PURPOSES THEREIN MENTIONED.

SECTION 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, & by the authority of the same,* That the Treasurer of the Proprietors of the township of Andover, and his successors in said Office, shall pay over and deliver one half of all the monies and estate which now is, or hereafter may be, in his hands as such Treasurer, unto the reverend William Symmes, the revd. Doctor Thomas Barnard, Nathaniel Lovejoy Esqr., Doctor Thomas Kitteridge, revd. Peter Eaton, Isaac Osgood, Esqr., Doctor George Osgood, Deacon John Adams, Deacon Benjamin Farnum, and Mr. Ebenezer Stevens, who are hereby appointed and constituted Trustees thereof, and whose duty it shall be, and they are hereby authorized to lay out, expend, and appropriate the income and interest thereof to the instruction of Youth of both sexes, in reading, writing, and Arithmetic, in the free School, which is already established & erected in the North-Parish of said Andover, in such manner, as the said Trustees may think most conducive to the Public good.

SECTION 2. *Be it further enacted,* That the said Trustees, be, and hereby are incorporated into a body Politic, by the name of The Trustees of the Free School in the North Parish in Andover. And said Trustees & their successors shall have One Common Seal, which they may break, alter, & renew at pleasure; And four of said Trustees shall constitute a quorum for doing business, and they may sue & be sued in all Actions real, personal & mix'd, & prosecute & defend the same to final judgment & execution by the name of the Trustees of the Free School in the North Parish in Andover. And said Trustees shall have power and authority to elect a President, Treasurer, & such other officers as they shall judge necessary & convenient; and to make & ordain such laws, rules, & orders for the good government of said School, as to them, the Trustees aforesaid, and thier successors, shall, from time to time, seem requisite: *Provided,* That

Treasurer of Andover Proprietors to pay over half the money &c. for the support of the Free school in the North parish in Andover.

Trustees incorporated, empowered and directed.

said rules, laws, and orders be not repugnant to the Laws of this Commonwealth.

SECTION 3. *Be it further enacted*, That the Trustees aforesaid, be, and they hereby are rendered capable in Law, to take and receive by gift, grant, devise, or bequest, or otherwise, any Lands, tenements, or other estate, real & personal, which has been, or may in future be granted for the benefit of said Free School, — *Provided* the annual income thereof, shall not exceed the sum of One thousand dollars, to have & to hold the same under such provisions & limitations as may be expressed in any Deed or conveyance to them made by the donor or donors; and that all deeds & instruments, which the said Trustees shall lawfully make, shall, when made in the name of said Trustees and signed and delivered by the President and sealed with their common Seal, bind the Trustees, and their successors, and be valid in Law.

Trustees may receive gifts, &c.

Annual Income limited.

SECTION 4. *Be it further enacted*, That the aforesaid Trustees, shall have full power & authority to determine at what times & places their meetings shall be holden & upon the manner of notifying the Trustees to convene at such meetings; and the said Trustees shall have full power and authority to determine & prescribe from time to time, the powers & duties of their several Officers, and to fix and determine the tenures of their respective offices.

Trustees' meetings.

SECTION 5. *Be it further enacted*, That on the death or resignation of any of the Trustees, they shall, from time to time, choose some suitable person to fill the vacancy occasioned thereby.

Vacancies to filled.

SECTION 6. *And be it further enacted*, That Nathaniel Lovejoy, Esqr. be, and he is hereby authorized & empowered to fix the time and place of holding the first meeting of said Trustees, and to notify them thereof.

First meeting.

Approved June 18, 1801.

1801. — Chapter 9.

[May Session, ch. 9.]

AN ACT DIRECTING THE USE AND APPROPRIATION OF PART OF THE MONEY ARISING FROM THE SALE OF THE COMMON AND UNDIVIDED LANDS OF THE PROPRIETORS OF THE TOWN OF ANDOVER, AND FOR OTHER PURPOSES THEREIN MENTIONED.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the*

Treasurer of Andover Proprietors to pay over half the money &c. for the support of Free schools in the South parish in Andover.

authority of the same, That the Treasurer of the Proprietors of the township of Andover, and his successors in said Office, shall pay over and deliver one half of all the monies and estate which now is, or hereafter may be, in his hands as Treasurer, unto John Lovejoy Abbot, esqr., Captain Jonathan Abbot, Mr. Joshua Chandler, Mr. Timothy Abbot, Captain Benjamin Jenkins, Captain Zebediah Holt, and Mr. James Bailey, who are hereby appointed and constituted Trustees thereof, and whose duty it shall be, and they are hereby authorized to lay out, expend and appropriate the income and interest thereof to the instruction of youth of both sexes, in reading, writing and arithmetic in the Free Schools which are already, or may hereafter be established and erected in the South Parish of said Andover, in such manner as the said Trustees may think most conducive to the public good.

Trustees incorporated, empowered and directed.

SEC. 2. *Be it further enacted*, That the said Trustees be, and hereby are incorporated into a body politic by the name of The Trustees of the Free Schools in the South Parish in Andover; and said Trustees and their Successors shall have one common seal, which they may break, alter and renew at pleasure, and four of said Trustees shall constitute a quorum for doing business, and they may sue & be sued in all actions real, personal & mix'd, & prosecute & defend the same to final judgment & execution, by the name of the Trustees of the Free Schools in the South Parish in Andover. And said Trustees shall have power and authority to elect a President, Treasurer, and such other Officers as they shall judge necessary and convenient, and to make and ordain such laws, rules and orders for the good government of said Schools as to them, the Trustees aforesaid, and their successors, shall, from time to time, appear requisite: *Provided*, That said rules, laws and orders be not repugnant to the laws of this Commonwealth.

Trustees may receive gifts, &c.

SEC. 3D. *Be it further enacted*, That the Trustees aforesaid be, and they hereby are rendered capable in law to take and receive by gift, grant, devise or bequest, or otherwise, any lands, tenements or other estate, real and personal, which has been, or may in future be granted for the benefit of said Free Schools; *provided* the annual income thereof shall not exceed the sum of One thousand Dollars, to have and to hold the same under such provi-

Annual income limited.

sions and limitations as may be expressed in any deed or conveyance to them made by the donor or donors, and that all deeds and instruments, which the said Trustees shall lawfully make, shall, when made in the name of said Trustees, and signed and delivered by the President, and sealed with their common Seal, bind the said Trustees and their successors, and be valid in law.

SEC. 4. *Be it further enacted*, That the aforesaid Trustees shall have full power and authority to determine at what times and places their meetings shall be holden, and upon the manner of notifying the Trustees to convene at such meetings; and the said Trustees shall have full power and authority to determine and prescribe, from time to time, the powers & duties of their several Officers, and to fix and determine the tenures of their respective offices.

Trustees' meetings.

SEC. 5TH. *Be it further enacted*, That on the death or resignation of any of the Trustees, they shall, from time to time, choose some suitable person to fill the vacancy occasioned thereby.

Vacancies to be filled.

SEC. 6. *And be it further enacted*, That John Lovejoy Abbott, Esqr. be, and he is hereby authorized and empowered to fix the time and place of holding the first meeting of said Trustees, and to notify them thereof.

First meeting.

Approved June 18, 1801.

1801. — Chapter 10.

[May Session, ch. 10.]

AN ACT PROVIDING FOR THE APPOINTMENT OF AGENTS FOR DEMANDING AND RECEIVING FUGITIVES FROM JUSTICE, AND FOR DEFRAYING THE EXPENSE OF TRANSPORTING THEM FROM OTHER STATES IN THE UNION TO THIS COMMONWEALTH.

Whereas it is provided by the Constitution of the United States, that "A person charged in any State with treason, felony, or other crime, who shall flee from Justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up to be removed to the State having Jurisdiction of the crime" 4 Chapr. — *And whereas by an Act of the Congress of the United States of America, passed on the twelfth day of February, in the year of Our Lord one thousand seven hundred & ninety three, it is among other things provided, that the executive authority of each State, to which any such person shall have fled, shall deliver him over on demand*

Preamble.

of the executive authority of the State, where the crime shall have been Committed, to the Agent of the State, which shall make the demand; but no provision has been made in this State for the appointment of such Agents.

Governor authorized to appoint Agents to demand and receive of other states persons charged with crime in this state.

SECT. 1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Governor of this Commonwealth, be, and hereby is authorized, in any such case, to appoint an Agent or Agents to demand of the executive authority of any other of the United States, any person, who shall be charged with treason, felony, or any other crime in this State, and may, by and with the advice of the Council, issue his warrant on the Treasury to defray the expences of such Agent, in making such demand, and in transporting the person so charged from any other State to this.*

Agents from other states to be authorized to transport persons delivered to them &c.

SECT. 2. *And be it further enacted, That, when a demand shall be made on the Executive authority of this State, by that of any other, for the delivery over of any person charged with treason, felony or other crime, in the State from which the demand shall be made, the Governor, with the advice of the Council, shall issue his warrant, under the Seal of the Commonwealth, Authorizing the Agent or Agents who shall make the demand, to transport such person, so delivered over, to the line of this State, on the way to the State which shall make the demand, at the expence of such Agent or Agents, and shall also, in such Warrant, command all civil officers within the State to afford such Agents all needful assistance in transporting such person, so charged, pursuant to such Warrant.*

Approved June 18, 1801.

1801. — Chapter 11.

[May Session, ch. 11.]

AN ACT AUTHORIZING THE PROPRIETORS OF THE THIRD TURNPIKE ROAD IN NEW HAMPSHIRE, TO EXTEND THE SAME ROAD INTO THE TOWN OF TOWNSEND.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Proprietors of the Third Turnpike Road in New Hampshire, be, and they hereby are authorized and empowered to lay out, make and keep in repair a turnpike road not less than four rods wide,*

Proprietors authorized to lay out the road to Townsend.

the path to be travelled on, in which, shall be not less than eighteen feet wide from the line of the State of New Hampshire, on the north side of the town of Townsend, communicating with a turnpike road laid out in said State by said Corporation, to the County road in said town, near Goss's Bridge, so called, a distance of about four miles; and when said road shall be sufficiently made, and shall be approved of by a Committee to be appointed for that purpose by the Court of General Sessions of the peace for the County of Middlesex, the said Corporation shall be, and hereby is authorized to erect a turnpike gate on the same, in such manner and at such place as said Committee shall judge necessary and convenient for collecting the toll, and shall be entitled to demand & receive of every person using the said road, the rates of toll hereafter mentioned, and for that purpose to stop any person riding, leading or driving any horses, cattle, hogs, sheep, sulkey, chair, or chaise, phaeton, coach, chariot, cart, waggon, sleigh, sled or other carriage of burden or pleasure from passing through the said turnpike gate, untill they shall respectively have paid the same; that is to say, for every mile of said road, and so in proportion for a greater or less distance, or greater or smaller number of sheep, hogs or cattle, viz. For every fifteen sheep or hogs one cent; — For every fifteen horses or cattle two cents; For every horse and his rider, or led horse, three fourths of one cent; For every sulkey, chair or chaise with one horse and two wheels, one and a half cents; — For every chariot, coach, stage waggon, phaeton or chaise with two horses and four wheels, three cents; For either of the carriages last mentioned, with four horses, four cents; — For every other carriage of pleasure the like sums according to the number of wheels and horses drawing the same; For each cart or other carriage of burden with wheels, drawn by one beast, one cent; For each waggon, cart or other carriage of burden drawn by two beasts, one and a half cents; if by more than two beasts, one cent for each additional yoke of oxen, or horse; — For each sleigh drawn by one horse, three fourths of one cent; if drawn by two horses, one and a half cents; if by more than two horses, half a cent for every additional horse; — For each sled drawn by one horse, half of one cent; — For each sled drawn by two horses or a yoke of oxen, one cent; and if by more than two horses or one

Rate of Toll.

Penalty for evading the toll.

Exemptions from toll.

The proprietors may purchase land, &c.

Penalty for delays, or unlawful toll.

yoke of oxen, one cent for every additional pair of horses or yoke of oxen. And at all times, when the Toll-gatherers shall not attend their duty, said gate shall be left open. And if any person shall, with his carriage, team, cattle or horses, turn out of said road to pass the said turnpike gate, on ground adjacent thereto, or shall falsely pretend to be exempted by this act from paying toll, with intent to avoid the payment of the toll legally due from him, said person shall forfeit and pay three times so much as the legal toll would have been; to be recovered by the Treasurer of said Corporation to the use thereof, in an action of debt or on the case; *Provided*, that nothing in this act shall be construed to entitle the said Corporation to demand toll of any person who shall be passing with his horse or carriage to or from public worship, or with his horse, team or cattle to or from his common labour on his farm, or to or from any mill, or on the common and ordinary business of family concerns within the town where he dwells, or passing said road on military duty.

SEC. 2D. *Be it further enacted*, That said Corporation may purchase and hold any land over which they may make said road; and the Justices of said Court of General Sessions of the Peace are hereby authorized and required, upon application from said Corporation, to lay out said road, or such part thereof, as, with the consent of said Corporation, they may deem proper. And said Corporation shall be holden to pay all damages which any person shall sustain by taking his land for said road, to be estimated by a Committee of said Court, if the parties agree thereto, otherwise by a Jury in the manner directed by Law for the recovery of damage sustained by laying out public highways.

SEC. 3D. *Be it further enacted*, That if said Corporation, their Tollgatherers, or others in their employment, shall unreasonably delay or hinder any passenger at said gate, or shall demand and receive more toll than is allowed by law, said Corporation shall forfeit and pay a sum not exceeding ten Dollars, nor less than one Dollar, to be recovered by the party aggrieved to his own use, in an action on the case, before any Justice of the Peace for said County of Middlesex, not being a member of said Corporation; the writ in which action shall be served on said Corporation by leaving a copy of the same with the Tollgatherer at said gate, or any officer or individual member thereof, living in said County of Middlesex, seven days, at least, before

the day of trial; and such Tollgatherer, Officer or individual member of said Corporation shall have a right to appear in and defend such suit on behalf of said Corporation. And said Corporation shall be liable to pay all damages which may happen to any person from whom toll is by this act demandable, by means of any defect of Bridges or want of repairs on said road, and shall also be liable to be fined, on presentment of the Grand Jury, for not keeping said road and bridges in good repair, in the same manner as towns are by law liable to be fined.

Road to be kept in repair.

SEC. 4. *Be it further enacted*, That if any person shall cut, break down or destroy said turnpike gate, or shall forcibly pass or attempt to pass the same, without having first paid the legal toll at such gate, he shall forfeit and pay a sum not exceeding fifty dollars, nor less than two dollars, to be recovered by the Treasurer of said Corporation to their use, in an action of trespass in any Court proper to try the same.

Penalty for injuring the gate, &c.

SEC. 5. *Be it further enacted*, That it shall be the duty of said Corporation within six months after said road is completed, to lodge in the office of the Secretary of this Commonwealth an account of the expences of making said road in said town of Townsend, and at the expiration of ten years from the setting up said gate, and thereafter annually, it shall be their duty to exhibit to the Governor and Council of this Commonwealth, a true account of the income arising from said toll, with their annual necessary disbursements on said road, under penalty of forfeiting the benefits of this act; and if, at any time after the expiration of said term, it shall appear to the General Court that said income shall have fully compensated the said Corporation for all monies which they may have expended in purchasing, making, repairing and taking care of the said road, together with an interest thereon at the rate of twelve per cent. by the year, the General Court shall have a right to repeal this act, and thereupon the property of said road shall be vested in said Commonwealth, and be at their disposal.

Account of expenses to be exhibited.

Term of toll conditionally limited.

Approved June 18, 1801.

1801. — Chapter 12.

[May Session, ch. 12.]

AN ACT TO ALTER THE LINE BETWEEN THE SOUTH PARISH IN AUGUSTA, AND THE PARISH IN HALLOWELL, AND TO REPEAL THE SECOND SECTION OF AN ACT, ENTITLED, “AN ACT DIVIDING THE TOWN OF HALLOWELL, IN THE COUNTY OF LINCOLN, INTO THREE PARISHES, AND FOR INCORPORATING THE SAME,” PASSED THE FOURTEENTH DAY OF JUNE, SEVENTEEN HUNDRED AND NINETY FOUR.

Parish line determined, &c.

SEC. 1. *Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the Authority of the same,* That from and after the passing of this Act, the line dividing the towns of Hallowell and Augusta, shall be the dividing line between the south Parish in Augusta, and the Parish in Hallowell, and that any of the inhabitants, their heirs, and assigns, living within that part of the south Parish in Augusta, (agreeable to the original parish line) which are within the limits of the town of Hallowell, shall have full liberty at any time, within the space of one year after the passing of this act, to join themselves, with their estates, to the south Parish in Augusta, by leaving their names with the town Clerks of said Hallowell and Augusta, signifying their intentions so to do; whereupon they shall ever after belong to said Parish.

Permission given to the inhabitants respecting joining any of the parishes.

SEC. 2D. *Be it further enacted,* That any of the inhabitants belonging to the towns of Hallowell or Augusta, who have joined themselves to the parish in Hallowell, or either of the parishes in Augusta, shall have full liberty, to remain members of that Parish, to which they have so joined themselves, together with their families and estates; and that they shall also have full liberty to return, at any time, with their said families and estates to that parish, within which they reside; *provided* they leave their names in writting with the Clerks of the two parishes concerned, certifying their intentions so to do; and upon their returning, as aforesaid, they shall forever after, belong to the said parish in which they reside.

Part of a former law repealed.

SEC. 3D. *Be it further enacted,* That the second section in an act, entitled, “An Act dividing the town of Hallowell, in the County of Lincoln, into three parishes, and for incorporating the same,” passed the fourteenth day of

June, one thousand seven hundred and ninety four, be, and is hereby repealed.

SEC. 4TH. *Be it further enacted*, That any person or persons, who have taken the benefit of the second section of the act beforementioned, shall pay their proportionable part of all debts due from, or monies voted to be raised, by the parish in which they belonged prior to their having left the same by joining themselves to another parish by virtue of the act and section aforesaid. Provision relative to debts.

SEC. 5TH. *Be it further enacted*, That the lines established by an act dividing the town of Hallowell, in the County of Lincoln, into three parishes, and for incorporating the same, passed the fourteenth day of June, one thousand, seven hundred and ninety-four, shall be the lines of said parishes, except the line between the south parish in Augusta and the parish in Hallowell. Parish lines.

Approved June 18, 1801.

1801. — Chapter 13.

[May Session, ch. 13.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER NORTH RIVER, IN THE COUNTY OF PLYMOUTH, BETWEEN THE TOWNS OF SCITUATE & MARSHFIELD AT OAKMAN'S FERRY.

SECT. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the Authority of the same*, That Cushing Otis, Joseph Rogers, George Little, Elisha James, Amos Hatch, James Sparrel, Elijah Curtis, Thatcher Tilden, John Tolman, Benjamin Rogers, Jotham Tilden, with such other persons as now are associated, or may hereafter associate with them, for the purpose hereafter mentioned, their heirs, & assigns, be, and they hereby are made & constituted a Corporation or Body Politic, for the purpose of building a Bridge over the North River, between the towns of Scituate and Marshfield, in the County of Plymouth. Persons incorporated.

SECT. 2. *Be it further enacted*, That any two of the aforesaid proprietors may, by posting up notifications at some public places in the towns of Scituate & Marshfield, warn & call a meeting of the proprietors, to be holden at any suitable time & place after ten days from the first publication of said advertisement; and the proprietors, by a Vote of a majority of those present, or duly repre- Two proprietors may call a meeting.

sented at the said meeting, (allowing one Vote to & for each single share in all cases; *Provided*, however, that no one proprietor shall be allowed more than four Votes) shall choose a Clerk, who shall be sworn to the faithful discharge of said Office, and shall also agree on a method of calling future meetings; and at the same, or a subsequent meeting or meetings, may elect such Officers & make and establish such rules and bye laws, as to them may seem necessary or convenient, for the regulation & government of the said corporation, for carrying into effect the purpose aforesaid, & for collecting the toll herein after granted and established, and may annex penalties to the breach of any bye-laws, not exceeding five dollars; and all representations at said meeting shall be filed with the Clerk, and this Act, and all rules regulations & proceedings, shall be fairly & truly recorded by the said Clerk in a book or books to be provided & kept for that purpose.

A Clerk to be chosen, and regulations to be established.

Where & how the Bridge is to be erected.

SECT. 3. *Be it further enacted*, That the said Proprietors be, and they hereby are authorized and empowered to erect a Bridge over North River, between the towns of Scituate & Marshfield, in the County of Plymouth, at Oakman's ferry, so called, with a Convenient draw, at least thirty feet wide, for the passing of Vessels; and the said proprietors shall constantly keep some suitable person or persons at the said Bridge, who shall, without toll or expence, raise said draw for any and every vessel that may be passing up or down the River aforesaid, so that no such vessel shall be unreasonably detained or delayed in its passage as aforesaid.

And for the purpose of reimbursing said proprietors the money by them to be expended in building & supporting said Bridge:

Rates of Toll.

SECT. 4. *Be it further enacted*, That a toll be, and hereby is granted and established for the sole benefit of said proprietors, according to the rates following, to wit, — For each foot passenger two cents; for each horse & rider five cents; for each horse & chaise, chair, sulky or sleigh twelve cents & five mills; for each Coach, Chariot, or Phaeton, or other four-wheeled carriage for passengers twenty-five cents; for each Curricule twenty-five cents; for each sleigh drawn by more than One horse twenty cents; for each Cart, Sled, or other carriage of burthen drawn by one beast ten cents, if drawn by more than one

beast twelve cents & five mills; for each horse without a rider, & for neat cattle two cents each; for sheep, & swine eight cents for each dozen; — and one person & no more shall be allowed to each team as a driver to pass free of toll. And the toll shall commence on the day of first opening said Bridge, and shall continue for the term of forty years. And at the place where the toll shall be received there shall be Erected, & constantly exposed to view, a sign board, with the rates of toll fairly & legibly written or printed thereon in large letters.

SECT. 5. *Be it further enacted*, That the said Bridge shall be well built, with suitable materials, at least twenty-two feet wide, and covered with planks, with sufficient rails on each side, and boarded up sixteen inches high from the floor of said Bridge, for the safety of passengers travelling thereon; and the same shall be kept in good repair at all times.

Directions respecting the building of the Bridge, &c.

SECT. 6. *And be it further enacted*, That if the said proprietors shall neglect, for the space of four years from the passing of this Act, to build & erect said Bridge, then this Act to be void & of no effect.

Bridge to be built within four years.

Approved June 19, 1801.

1801. — Chapter 14.

[May Session, ch. 14.]

AN ACT ALTERING THE TIME OF HOLDING THE COURT OF GENERAL SESSIONS OF THE PEACE, & THE COURT OF COMMON PLEAS, WITHIN & FOR THE COUNTY OF NANTUCKET, FROM THE LAST TUESDAY OF MARCH TO THE TUESDAY NEXT PRECEDING THE LAST TUESDAY OF MARCH.

SECT. 1ST. *Be it enacted, by the Senate & House of Representatives, in General Court Assembled, and by the Authority of the same*, That the Act intituled, “An Act for determining at what times & places the several Courts of General Sessions of the Peace & the Courts of Common Pleas shall be holden within & for the several Counties within this Commonwealth, & for repealing all Laws heretofore made for that purpose,” so far as it respects the holding of the Court of General Sessions of the Peace, & the Court of Common Pleas, within & for the County of Nantucket on the last Tuesday of March, be, & the same is hereby repealed.

Part of a former act repealed.

SECT. 2D. *Be it further enacted*, That from & after the passing of this Act, the time of holding the Court of

Time for holding the Courts.

General Sessions of the Peace, & Court of Common Pleas, within & for the County of Nantucket, shall be on the Tuesday next preceding the last Tuesday in March.

Law business conformed to the alteration directed by this act.

SECT. 3D. *And, Be it further enacted,* That all Appeals already made, recognizances taken, or that may, before the aforesaid Tuesday, next preceding the last Tuesday of March next, be made or taken, to the aforesaid Court of General Sessions of the Peace, & all actions already commenced, or that may be commenced, & all processes returned, or that may be returnable before the aforesaid last Tuesday of March, & all Appeals claimed, or which may be claimed, & all Actions pending at the aforesaid Court of Common Pleas, which, before the passing of this Act, was to be holden, on the last Tuesday of March, shall be returnable to, entered, made, proceeded on, tried, & determined, agreeably to the true intent of such Writ, Process, Recognizance, or Appeal at the Courts hereafter to be holden in said County, on the Tuesday next preceding the last Tuesday of March.

Approved June 19, 1801.

1801. — Chapter 15.

[May Session, ch. 15.]

AN ACT TO PREVENT DAMAGE BEING DONE TO THE HARBOUR OF WELFLEET IN THE COUNTY OF BARNSTABLE BY EXCESSIVE NUMBERS OF CATTLE, SHEEP AND HORSE KIND FEEDING ON THE BEACH AND ISLANDS ADJOINING THE WESTERLY SIDE OF SAID HARBOUR.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the town of Wellfleet shall be, and they are hereby empowered and directed, at their meeting for the choice of Town Officers in March or April annually, to choose three discreet persons, being freeholders in said town, to inspect and oversee the Islands & Beaches adjoining the westerly side of Wellfleet harbour, and southward of Griffin's Island, so called; and each person, so chosen, shall be sworn faithfully and impartially to discharge the duties required of him by this act. And the overseers of said Islands and Beaches shall meet together annually, on or before the twentieth day of April, at such time and place as the person first chosen by said town shall appoint; the meeting to be by him duly noti-

Overseers of the beaches, &c. to be chosen.

Overseers' meetings.

fied: And the major part of the Overseers present at such meeting, are hereby authorized and empowered to agree upon and determine what numbers of cattle, horse kind and sheep, shall be permitted to feed on the aforesaid Islands and Beaches southward of Griffins Island, so as to do the least damage.

SEC. 2. *And be it further enacted by the authority aforesaid,* That from and after the first day of March next, it shall not be lawful for any person or persons whatsoever to turn out, feed, or let run at large, any neat cattle, sheep or horse kind on the land, Islands, Meadows and Beaches on the westerly side of Wellfleet harbour, and southward of Griffin's Island, in the town of Wellfleet, unless he, she or they shall first obtain a permit in writing, signed by the Overseers of said Islands, Beaches & Meadows, for that purpose. And no person or persons, other than an inhabitant of the said town of Wellfleet, shall be permitted to turn out feed or let run at large, any neat cattle, horse kind or sheep, except such persons as may own some right or interest therein on said Islands Beaches and Meadows.

Not lawful for any person to turn out his cattle to feed on the beach, &c.

SEC. 3D. *And be it further enacted by the authority aforesaid,* That after the publication of this Act, if any person or persons shall presume to turn out, feed, or let run at large any neat cattle, horse kind or sheep, on the Islands, Beaches or Meadows aforesaid, or any part thereof, without permission in writing from the overseers of said Islands, Beaches or Meadows in manner aforesaid; the owner or owners thereof shall forfeit and pay for each offence two Dollars a head for all neat cattle and horse kind, & twenty cents a head for all sheep so turned out to feed or let run at large on the Islands, Beaches or Meadows aforesaid, to be recovered by any inhabitant of the town of Wellfleet, before any Justice of the Peace for the County of Barnstable, by action of debt. And all such cattle, horse kind or sheep, found feeding or running at large on said Islands, Beaches and Meadows, without permission, as aforesaid, shall be liable to be impounded in the town of Wellfleet, and immediate notice thereof shall be given to the owner or owners thereof, if known, otherwise public notice thereof shall be given in writing, by posting up the same in the town of Wellfleet, and in Truro, in some public places, by the person impounding the same; such creatures to be relieved by the pound keeper with

Penalty for breach of this act.

Cattle, &c. found on the beaches to be impounded; and the mode of proceeding in that case.

suitable meat and water, while impounded; & if the owner or owners thereof appear to redeem his, her or their impounded creature or creatures, he, she or they shall pay the following fees, viz. Fifty cents to the impounder for each neat beast or horse kind, and eight cents for each sheep so impounded; and to the pound keeper reasonable costs for relieving such creatures, besides his fees established by law. And if no owner appear within the space of four days to redeem such cattle, sheep or horse kind, so impounded, and to pay the cost occasioned by impounding them, then, & in every such case, the person impounding such creature or creatures shall cause the same to be sold at public vendue, to pay the cost and charges arising thereby; public notice of the time of such sale to be given in the towns of Wellfleet and Truro forty-eight hours, at least, previous to such sale; and the overplus, if any there be, arising by such sale, to be returned to the owner or owners of such creature or creatures so sold, at any time within twelve months next after such sale, upon his, her or their demanding the same; but if no owner appear within the said twelve months, then the said overplus shall accrue, one half to the party impounding such creature or creatures, and the other half to the use of the town of Wellfleet, for the support of the poor of said town.

SEC. 4. *And be it further enacted by the authority aforesaid,* That each person who shall be permitted as aforesaid to turn out feed or let run, on the Islands, Beaches and Meadows aforesaid, any neat cattle, horse kind or sheep, shall pay annually to the Treasurer of the said town of Wellfleet, for each neat beast, horse kind or sheep so running or feeding on said Islands, Beaches or Meadows, such sum as shall be agreed upon and voted by said town of Wellfleet at their meeting for the choice of town officers, in the month of March or April annually; which sums shall be for the use of protecting and securing said Islands, Beaches & Meadows from damage.

SEC. 5. *And be it further enacted, by the authority aforesaid,* That it shall be the duty of the overseers of the Islands, Beaches and Meadows on the westerly side of Wellfleet harbour, and southward of Griffin's Island, chosen agreeably to this act, to see that this act be observed, and to prosecute all breaches thereof. And in case any person chosen as overseer of the aforesaid Islands, Beaches and

An annual privilege to be purchased.

Overseers' duty.

Penalty for refusing to serve as Overseer.

Meadows, agreeably to this act, shall refuse to be sworn, he shall forfeit and pay two Dollars for the use of the poor of said town of Wellfleet; and upon such refusal the said town of Wellfleet shall from time to time proceed to a new choice of such officer or officers.

SEC. 6. *And be it further enacted by the authority aforesaid*, That all laws heretofore made to prevent damage being done to the harbour of Wellfleet, be, and they hereby are repealed.

Former laws repealed.

Approved June 19, 1801.

1801. — Chapter 16.

[May Session, ch. 16.]

AN ACT DIRECTING THE PROCEEDINGS FOR THE SPEEDY REMOVAL OF NUISANCES.

Whereas the laws now in force are inadequate to so speedy a removal of nuisances as the Exigencies of the public may require: Therefore,

Preamble.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the passing of this act any two Justices of the Peace, *quorum Unus*, shall be, and they hereby are authorized to inquire, by a Jury, as is herein after directed, into all nuisancies erected, or which may hereafter be erected by any person, or persons: and if it be found, upon such inquiry, that a nuisance shall have been erected, created or continued by any person or persons; then that such Justices shall cause the same to be abated and removed.

Justices of the Peace authorized to enquire into Nuisances, &c.

SEC. 2D. *And be it further enacted*, That any person or persons may make out his or their complaint in writing, directed to any two Justices of the Peace, *Quorum Unus*, of any existing nuisance, and they shall, as soon as such complaint is exhibited to them, make out their warrant, under their hands and seals, directed to the Sheriff of the same County, commanding him, in behalf of the Commonwealth, to cause to come before them twelve good and lawfull Men of the same County, who shall be drawn, in equal proportions, out of the Jury box for the Supreme Court, by the Selectmen of the three towns next adjoining to the town in which such nuisance may be, at a meeting of such Selectmen, to be holden forthwith for that purpose, upon the requisition of such Sheriff, and they shall be empowered to inquire into the nuisance complained of, which warrant shall be in the form following, Vizt:

Complaints to be made in writing.

Justices to call a Jury and the form of warrant therefor.

FORM OF WARRANT.

Seal (L. S.) H——— ss :
To the Sheriff of the County of GREETING :
 Whereas complaint is made to us, the subscribers, two of the Justices of the Peace within and for the County of *Quorum Unus*, by of in the same County, that of upon the day of , at with force and arms, did unlawfully erect, or cause to exist, a nuisance of the following discription, to wit, (here particularly describe the nuisance) and the same nuisance unlawfully, and unjustly, and with like force and arms doth still keep up and continue : You are, therefore, in behalf of the Commonwealth, commanded to cause to come before us upon the day of at in the same County, twelve good and lawfull men of your County, each one of whom having frechold of the Yearly value of ten dollars, to be impanneled and sworn to inquire into the nuisance afore described.
 Given under our hands and seals this day of in the Year of our Lord

R. S. } *Justices of the Peace*
 N. O. } *Quorum Unus.*

Summons to issue to the party complained against, and form thereof.

And the said Justices shall make out their summons to the party complained against in the form following :

FORM OF THE SUMMONS.

COMMONWEALTH OF MASSACHUSETTS.

H——— ss.
To the Sheriff of the County of *or either of his Deputies*
GREETING :
 We command you, that you summon to appear before the subscribers, two of our Justices of the Peace, within and for our said County of , *Quorum Unus*, at a place called in D——— in the said County, at O'Clock in the noon ; then and there to answer to the complaint of to them exhibited ; wherein it is stated, that (here recite the complaint) and you are to make a return of this writ, with your doings therein, unto our said Justices, upon, or before the said day of
 Witness our said Justices the day of in the Year of our Lord

R. S. }
 N. O. }

Which summons shall be served upon the party complained against, by reading the same in his hearing, or by a copy thereof left at his usual place of abode, fourteen days, exclusively, before the day of trial; and if the party shall not appear to defend, the Justices shall proceed to the inquiry, in the same manner, as if he were present; and when the Jury shall appear, the Justices shall lay before them, the exhibited complaint, and shall administer the following Oath, vizt.

Manner of serving the summons.

FOREMAN'S OATH.

You, as foreman of this Jury, do solemnly swear, that you will, well, and truly try, whether the complaint of now laid before you, be true, according to your evidence, — So help you God.

Oaths to be administered to the Jury.

THE OTHER JURORS' OATH.

The same oath, which your foreman hath taken, on his part, you and each of you shall well and truly observe and keep, — So help you God.

And if the Jury shall find the complaint to be true, then they shall return their verdict in the form following :

FORM OF THE VERDICT.

At a Court of Inquiry, held before R. S. and N. O. Esqrs. two of the Justices of the Peace within and for the said County of *Quorum Unus*, at D, in the said County of upon the day of in the Year of our Lord , the Jury upon their Oaths do find, that is a nuisance, and that the same, on or before the day of at with force and arms, unjustly and unlawfully was erected, or caused to exist, by of and that the said with like force and arms unjustly and unlawfully still continues and keeps up the same nuisance : Wherefore the Jury find upon their Oaths aforesaid, that the said Nuisance ought to be abated and removed without delay.

Form for the Jury's verdict.

And if, by accident or challenge, there shall happen not to be a full jury, the Sheriff shall fill the pannel, *de talibus circumstantibus*, as in other causes : — And if the Jury, after a full hearing of the cause, shall find the complaint

Sheriff to fill the Jury, if deficient in number.

In case of
acquittal de-
fendant to have
costs.

laid before them supported by evidence, they shall all sign their verdict in form aforesaid, otherwise the Defendant shall be allowed his legal costs, and have his Execution therefor under the hands and seals of said Justices.

SEC. 3D. *And be it further enacted*, That if the Jury shall return their verdict, signed by the whole Pannel, that the complaint is supported, the Justices shall enter up Judgment for the complainant to have the nuisance abated and removed, and shall award their writ accordingly, in form following :

FORM OF THE WRIT OF REMOVAL.

COMMONWEALTH OF MASSACHUSETTS.

Form of writ
for the removal
of a Nuisance.

H———SS :

To the Sheriff of our County of _____ *or to either of*
his deputies, _____ *GREETING :*

Whereas at a Court of Inquiry for abatement and removal of a nuisance, held at D, in our County of _____ upon the _____ day of _____ in the Year of our Lord _____ before _____ Esquires, two Justices of the Peace for our said County of _____ *Quorum Unus*, the Jurors impanneled and sworn by our said Justices, did return their verdict in writing, signed by each of them, that the _____ aforesaid described as follows (as in the verdict) is a nuisance, and that the same on or before the _____ day of _____ at _____ with force and arms and unjustly, and unlawfully was erected and caused to exist by _____ of _____ and that the said _____ with like force and arms unjustly, and unlawfully still continues and keeps up the same nuisance ; whereupon, it was considered by our said Justices that the said nuisance be abated and removed : We, therefore, command you that, taking with you the force of the County, if necessary, you cause the said nuisance forthwith to be abated and removed ; and also that you levy of the goods, chattels, or lands of the _____ the sum of _____ being costs taxed against him in the trial aforesaid, together with _____ being the sum estimated by the said Justices as necessary costs which will arise in the abatement and removal of said nuisance, together with thirty three cents more for this writ, and also your own lawful fees ; and for want of such goods, chattels, or lands of the said _____ by you to be found, you are to take the

body of the said _____ and him commit to our Goal in L, in our said County of H— there to remain untill he shall pay the sums aforesaid, together with all fees on the service of this writ, or untill he is delivered by order of law; and make return of this writ with your doings thereon, within thirty days next coming:

Witness our said Justices at D aforesaid the day of _____ in the Year of our Lord

R. S. }
N. O. }

Provided nevertheless, That the party complained against, as aforesaid, may, in person or by attorney, appear before the said Justices, and may there give in evidence, on the trial aforesaid, under the general issue, any special matter or thing of which he could avail himself under any special plea in the regular courts of Law; *Provided also*, That when judgment shall be entered up against him upon the verdict of the Jury aforesaid, he may there appeal from the Judgment of the said Justices to the next Supreme Judicial Court to be holden in the same County, which appeal, when so entered, shall stop all further proceedings of the said two Justices, and no writ on said Judgment, for abatement and removal, shall issue, except as herein after directed: And it shall be the duty of the person appealing, as aforesaid, from the Judgment of the said Justices, to procure attested copies of all the papers in said complaint, under the hands of the said Justices, and to enter his appeal at the next Supreme Judicial Court; and if he shall fail of so doing, the Judgment of the said two Justices shall be in full force against him, and they are hereby authorized and empowered, in such case, to issue their writ for abatement & removal in the same manner as if no appeal had been entered.

An appeal allowed.

SEC. 4. *And be it further enacted by the authority aforesaid*, That the said Supreme Judicial Court be, and they hereby are authorized to take cognizance of said complaint, and judgment, and to try, by the Jurors returned to serve in their said Court, on the Jury of trials, the truth of the facts alledged in said complaint, under the issue aforesaid, and if the said Jury shall find by their verdict, the facts alledged in said complaint to be true, the said Court are further authorized to cause, and order the said nuisance to be abated and removed, and to award

Method of procedure on an appeal.

against the party complained of, such sums as may be necessary to defray the expence of removing said nuisance:—But if the Jury aforesaid shall find that the facts alledged in said complaint are not supported, the party complained of, shall recover against the complainant his legal costs; and Execution shall issue accordingly.

COSTS & FEES. SEC. 5. *And be it further enacted by the authority aforesaid,* That the same costs shall be allowed by the said two Justices, and the Supreme Judicial Court, to parties and witnesses, as are allowed in the regular Courts of law, and that the said two Justices, *Quorum Unus*, shall have the same fees, and be allowed the same sums for the trial aforesaid, as are allowed to Justices in the process of forcible entry and detainer.

PRIVATE ACTIONS NOT BARRED. SEC. 6TH. *And be it further enacted by the authority aforesaid,* That the proceedings under this act shall not bar any party from having and maintaining their private actions for any injury which they may have sustained by reason of the premisses. *Approved June 19, 1801.*

1801. — Chapter 17.

[May Session, ch. 17.]

AN ACT REPEALING PART OF AN ACT, ENTITLED, "AN ACT FOR REGULATING THE ALEWIVE FISHERY IN THE GULF STREAM, SO CALLED, WHICH RUNS BETWEEN THE TOWNS OF SCITUATE IN THE COUNTY OF PLYMOUTH, AND COHASSETT IN THE COUNTY OF NORFOLK," PASSED THE FOURTH DAY OF MARCH IN THE YEAR OF OUR LORD, EIGHTEEN HUNDRED.

Whereas the beneficial effects, contemplated by the act aforesaid, have not been produced thereby:

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the aforesaid act, so far as it provides, that the Selectmen of the towns of Scituate and Cohasset, shall be Fish-Wardens, and so far as it respects, the opening Sluice-ways, through the Mill dams, that now are, or that hereafter may be erected, above the mill dam, erected by Elisha Doane and others, be, and hereby is repealed.

Approved June 19, 1801.

1801.—Chapter 18.

[May Session, ch. 18.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, “AN ACT TO REGULATE THE INSPECTION OF BEEF INTENDED TO BE EXPORTED FROM THIS COMMONWEALTH.”

SECTION 1ST. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same,* That from & after the passing of this Act, it shall be allowable to pack & repack beef in tierces or casks of three hundred weight, under the direction of the Inspector General, or one of his Deputies, appointed by virtue of the act, to which this is an addition, who shall inspect & brand the same, according to the different denominations mentioned in the act aforesaid; & make return of the number of such casks in the same manner as is provided in said Act for barrels & half barrels. And it shall be the duty of the Inspector General to appoint a sufficient number of Deputies in the several Counties in the Commonwealth to accommodate the citizens without any unreasonable delay: And it shall also be the duty of said Inspector & his Deputies to attend, as soon as may be, within twenty-four hours after request made, at any suitable place within the County where he resides, for the purpose of inspecting any quantity of beef exceeding thirty barrels. And it shall be their duty to see the same weighed, packed and salted.

Package of
beef in tierces
authorized.

Deputies.

SECT. 2D. *Be it further enacted,* That two ounces of salt petre be added to each barrel of mess beef intended for exportation in addition to the quantity required by the Act aforesaid, & that not more than two shanks be put in any barrel of cargo beef, number two.

Salt petre to be
used.

SECT. 3D. *Be it further enacted,* That if the Inspector-General of beef, or any of his deputies, having information, or knowledge of any quantity of beef being laden in any port or place within this Commonwealth for exportation, in respect to which there shall not be a conformity to this Act, or the act aforesaid to which this is in addition, it shall & may be lawful for the said Inspector-General, or his deputy, to make seizure thereof forthwith, & to file a libel or information thereupon, in any court proper to try the [the] same: And upon trial of such beef so seized as aforesaid, in case a breach of this Act, or the Act afore-

Inspectors to
make seizures.

said, shall be proved, shall be liable to condemnation & forfeiture; one moiety to the use of the Commonwealth, & the other moiety to the use of the officer seizing & prosecuting for the same.

Bonds to be required.

SECT. 4TH. *Be it further enacted*, That every deputy inspector appointed, or to be appointed, under the act aforesaid, shall give bond to the inspector General with surety to his satisfaction, in a sum not exceeding one thousand, nor less than three hundred dollars, conditioned for the faithful performance of their duty according to the provisions in the act aforesaid. And the inspector general may & he is hereby authorized to administer the several oaths required by this act, & by the act aforesaid, to which this is in addition.

The act to extend to beef transported coastwise.

SECT. 5TH. *Be it further enacted*, That all the provisions, penalties, regulations & requirements contained in the Act aforesaid, & in this act, shall be construed to extend, & shall extend to all beef transported, or intended to be transported coastwise, from any port or place in this Commonwealth to any of the United States, or shipped on board of any vessel for any purpose whatever.

Fees.

SECTN. 6. *Be it further enacted*, That the Inspector General, or his deputy, shall be paid for every tierce or barrel, which shall be inspected & branded as required by law, the sum of eleven cents & an half; & for every half barrel of beef, which shall be inspected & branded as aforesaid, the sum of seven cents, including the sums already allowed by law for inspecting & branding the same. And the Inspector General shall be allowed & paid by his respective Deputies three cents for every tierce or barrel & two cents for every half barrel of beef which shall be by them inspected & branded, including the sum already allowed by law to be paid the Inspector General by his respective Deputies. And it shall be the duty of the Inspector General or his respective Deputies, to brand each tierce, barrel or half barrel of beef by them inspected for exportation with the words *For Bounty*.

Fees for signing certificates.

SECT. 7. *And be it further enacted*, that for every certificate signed by the Inspector, or either of his Deputies, they shall be entitled to receive, for a quantity not exceeding one hundred tierces, barrels or half-barrels, twenty-five cents; for every certificate, including more than one hundred & less than two hundred, fifty cents; & for every

certificate including more than two hundred tierces, barrels or half-barrels, one hundred cents, including the sums already allowed by law for such certificates.

Approved June 19, 1801.

1801. — Chapter 19.

[May Session, ch. 19.]

AN ACT TO ESTABLISH THE TWELFTH MASSACHUSETTS TURNPIKE CORPORATION.

SECT. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same,* That Joseph Goodrich, Elisha Lee, Asahel P. Bennett, Uzziel Clark, John W. Hurlbut, Jeremiah Hieckcock, William Buel, Josiah Kellogg, Horace Bush, Seneca Tuller, Francis Heare, Orson Trowbridge, Obadiah Bush, Elisha Cowles, Jeremiah Hieckcock, Daniel Bush, Isaac Vosburg, Elisha Ensign, Elisha Smith, Michael Halcomb, Stephen Dewey, and Azariah Root, and all such persons as shall associate with them, and their successors, shall be a Corporation by the name of The Twelfth Massachusetts Turnpike Corporation, with all the powers and privileges incident to Corporations, for the purpose of laying out, & making a Turnpike road from the termination of the turnpike road, leading from Hartford near the House of Capt. Uzziel Clark, in Sheffield, from thence Northwestwardly, on the Westward side of Allum-hill, in the most convenient rout to Asahel P. Bennett's dwelling House, thence Northwardly in the most convenient line, to the said Bennett's lower bridge place, so called; from thence in a direct line to the County road, near and in front of Capt. Michael Holcomb's dwelling house; from thence in the most convenient line, having reference to the said County Road, as it is now travelled, near to the guide post by the Barrington river road, so called; thence in the most convenient, and direct line to the dwelling-house of Ephraim Kellogg; thence in the most convenient & direct rout to the dwelling-house of Seneca Tuller, Esqr. from thence in the most convenient and direct rout, to the flat ground, in front of George Messenger's dwelling-house; and from thence in the most convenient rout, to the East end of the aforesaid Hudson Turnpike Road; And for keeping the same in repair, which road shall not be less than four rods Wide, and the path to be travelled

Persons incorporated.

Route of the Turnpike.

on, not less than eighteen feet wide, in any place; and that when said turnpike road shall be sufficiently made, and shall be so allowed and approved by the Justices of the Court of Common Pleas, for the County of Berkshire, at any term thereof, then the said Corporation shall be authorized to erect one Gate on the same, in such convenient place, near the house of George Messenger, as the Justices of the Court of Common Pleas, in said County of Berkshire, shall determine, and also one other Gate, at or near the Bridge to be erected across the Housatonic river, at Asahel P. Bennett's lower bridge place; and shall be entitled to receive for each traveller and passenger, at each of said Gates, the following rates of toll, vizt. For every Coach, Chariot, Phaeton, or other four wheel Carriage, drawn by two horses, fourteen Cents, and if drawn by more than two horses an additional sum of three cents for each horse; for every Cart, Waggon, sled, or sleigh, drawn by two oxen or horses six cents, and if drawn by more than two, an additional sum of two cents, for every such ox or horse; for every curriole nine Cents; for every chaise, chair, or other carriage drawn by one horse, eight cents; for every man & horse three cents; for all horses, oxen, or neat cattle, led or driven, besides those in teams or carriages three cents each; for all Sheep or swine two cents per dozen, and in that proportion for a greater or less number. *Provided*, that no toll shall be taken of any person passing said road on Military duty, to or from public worship, to or from mill, or about his common and ordinary business within the town wherein he resides.

SECT. 2. *Be it further enacted*, That the said Corporation may purchase and hold any lands, over which they make the said road, and the Justices of the Court of the General Sessions of the Peace in said County are hereby authorized, on application from the said Corporation, to lay out such road, as with the consent of the said Corporation they may deem proper, and the said Corporation shall be holden to pay all damages which shall arise to any person by taking his land for such road, where it cannot be obtained by voluntary agreement to be estimated by a committee appointed by the Court of General Sessions of the Peace in said County, saving to either party the right of trial by Jury, according to the Law, which makes provision for the recovery of damages happening by laying out public highways.

Where gates
may be erected.

Toll.

Proviso.

Lands may be
purchased, &c.

SECT. 3. *Be it further enacted*, That if said Corporation, their toll gatherers, or others in their employ shall unreasonably delay or hinder, any traveller or passenger, at either of the said Gates, or shall demand or receive more toll, than is by this Act established, the Corporation shall forfeit and pay a Sum, not exceeding ten dollars nor less than one dollar, to be recovered before any Justice of the Peace, of the County where the Offence shall be committed, by any person injured, delayed, or defrauded in a Special Action on the Case, the writ in which shall be served, on the said Corporation, by leaving a Copy of the same, with their Treasurer or with some individual member of the Corporation, living within the County, wherein the Action may be brought, or reading the Contents thereof, to the said Treasurer, or individual member at least seven days before the day of trial; and the Treasurer of the said Corporation, or individual member, who shall be allowed to defend the same suit, in behalf of the Corporation, and the Corporation shall be liable to pay all damages which shall happen to any person from whom toll is by this Act demandable, for any damages which shall arise from defect of Bridges, or want of repairs within the same way, and shall also be liable to a fine on presentment of the grand Jury, for not keeping the same, or the bridges thereon, in good repair. And if the said road, or any part thereof, shall be suffered to be out of Repair, the Justices of the Court of Common pleas, or a major part thereof, or a Committee to be by them appointed for that purpose, may, after notice in writing served on the Clerk or Treasurer, or any other principal member of said Corporation, seven days before the time of hearing, order the said Gates or either of them to be set open; and, immediately upon the service of such Order, under the hands of said Justices or Committee, on the Clerk of said Corporation, the said Gate or Gates shall be opened and kept open, and no toll demanded or taken thereat, untill the Justices of said Court or said Committee, shall grant an Order for putting up said Gate or Gates & receiving the toll thereat.

Penalty for
delaying
passengers.

Road to be
kept in repair.

In case the road
is not kept in
repair.

SECT. 4. *Be it further enacted*, That if any person shall cut, break down, or destroy any of the said turnpike Gates, or shall forcibly pass, or attempt forcibly to pass the same, without having first paid the legal toll at such Gate, such person shall forfeit and pay a fine not exceeding Fifty Dollars, nor less than two dollars, to be

Penalty for
injuring the
gates, &c.

recovered by the Treasurer of said Corporation, to their use in an Action of trespass; and if any person shall, with his Cattle, team, carriage, or horse, turn out of the said road to pass the said turnpike Gate, on ground adjacent thereto, and again enter on said road, with intent to avoid the toll due by virtue of this Act, such person shall forfeit & pay three times so much as the legal toll would have been, to be recovered by the Treasurer of the said Corporation, to the Use thereof, in an Action of trespass on the Case. *Provided*, that nothing in this Act shall extend to entitle the said Corporation to demand toll of any person, who shall be passing with his horse, Carriage, team, or Cattle on his Common and Ordinary business within the same Town; or to or from any place of public Worship, or to or from any mill, or on military duty.

Transferring
shares.

SECT. 5. *Be it further enacted*, That the shares in the same turnpike road, shall be taken, deemed, and considered to be personal estate, to all intents and purposes, and shall and may be transferable; and the mode of transferring said Shares shall be by deed, acknowledged before any Justice of the Peace, and recorded by the Clerk of said Corporation, in a book to be kept for that purpose; and when any of said shares shall be attached on *mesne process*, or taken on Execution without such previous attachment, an attested copy of such writ of attachment or Execution, shall be left with the Clerk of said Corporation, otherwise such attachment, or taking in execution shall be void. And such shares may be sold on execution, in the same manner, as is or may by law be provided for the sale of personal property by execution; the officer making sale, or the judgment Creditor, leaving a Copy of the Execution, and the Officers return on the same, with the Clerk of the said Corporation, within ten days after such sale, and paying for the recording of the same.

First meeting.

SECT. 6. *Be it further enacted*, That a meeting of the said Corporation, shall be held at the House of William Fellows, Innholder, in Sheffield, in the County of Berkshire, on the second Tuesday of July next, for the purpose of choosing a Clerk, & such other Officers, as may then & there be agreed upon, by the said Corporation, for regulating the concerns thereof, and that the said Corporation may then & there agree upon such method of calling meetings in future, as they may judge proper.

Statement of
income to be
exhibited.

SECT. 7. *Be it further enacted*, That the said Corporation shall, within six months after the said road is com-

pleated, lodge in the Secretary's Office, an Account of the Expences thereof; and that the said Corporation shall annually, exhibit to the Governor and Council, a true Account of the income or dividend arising from the said toll, with their necessary annual disbursements, on said road, and that the books of the said Corporation, shall at all times be subject to the inspection of a Committee to be appointed by the General Court, or to the inspection of the Governor, and Council when called for.

SECT. 8. *Be it further enacted*, That whenever any proprietor, shall neglect or refuse, to pay any tax or assessment, duly voted and agreed upon by the Corporation, to their Treasurer, within sixty days after the time set, for the payment thereof, the Treasurer of said Corporation is hereby authorized, to sell at Public vendue, the share or shares of such delinquent proprietor, one or more as shall be sufficient to defray said taxes, and necessary incidental Charges, after duly notifying in some newspaper printed in the County of Berkshire, the sum due on any such shares, and the time and place of sale, at least twenty days previous to the time of sale, and such sale shall be a sufficient transfer of the share or shares so sold, to the person purchasing, and on producing a Certificate of such sale from the Treasurer, to the Clerk of the said Corporation, the name of such purchaser, with the number of shares so sold, shall be by the Clerk, entered on the book of the said Corporation, and such person shall be considered to all intents and purposes, the proprietor thereof, and the overplus, if any there be, shall be paid on demand, by the Treasurer to the person whose shares were thus sold.

Shares of delin-
quents may be
sold.

SECT. 9. *Be it further enacted*, That the said Corporation, shall at all places, where the said toll shall be collected, erect, and keep constantly exposed to view, a sign or board, with the rates of toll, of all the tollable Articles, fairly and legibly written in large or Capital characters.

Rates of Toll to
be exhibited.

SECT. 10. *And be it further enacted* That the General Court may dissolve said Corporation, whenever it shall appear to their satisfaction, that the income arising from the said toll shall have fully compensated the said Corporation, for all monies they may have expended in purchasing, repairing, & taking care of the said roads, together with an Interest thereon, at the rate of twelve per centum, by the year, and thereupon, the property of the said road shall be vested in this Commonwealth, and be at their

disposal: *Provided*, that if the said Corporation shall neglect to compleat the said turnpike road for the space of three years from the passing of this Act, the same shall become void and of no effect. *Approved June 19, 1801.*

1801. — Chapter 20.

[May Session, ch. 20.]

AN ACT TO PROVIDE FOR THE STORING & SAFE KEEPING OF GUN POWDER IN THE TOWN OF BOSTON, & TO PREVENT DAMAGE FROM THE SAME.

Gun Powder to
be put into the
Magazine.

SECT. 1ST. *Be it enacted by the Senate & House of Representatives, in General Court Assembled, & by the Authority of the same*, That all Gun Powder imported & landed at the Port of Boston, shall be brought to & lodged in the Powder House or Magazine in said Town, & not elsewhere, on pain of confiscation of all Powder put or kept in any other House or place; — one Moiety thereof to and for the use & supply of the Public Store of the State, & the other Moiety to the informer; *Provided nevertheless*, That it shall & may be lawful for any person to keep in his House, or Shop for Sale, by retail, the quantity of Twenty-five pounds of Gun Powder at one time, which quantity shall be kept in brass, copper or tin Tunnels, & no otherwise, under the penalty of forfeiting all such Gun Powder — one Moiety to the use of the Firewards of the town of Boston, & the other Moiety to the use of him or them who shall inform of the same.

Proviso in
favor of
retailers.

Fees of the
Keeper of the
Powder House.

SECT. 2D. *And be it further enacted by the Authority aforesaid*, That for all Powder belonging to Merchants or other private persons, put into the said Magazine, there shall be paid to the use of the Commonwealth twenty cents per barrel, containing one hundred Pounds weight, at the receipt thereof, and ten cents per barrel of like weight, per month, after the first month, during all the time which it shall be stored or kept therein, & twenty five cents upon each delivery of any quantity thereof; out of which (if there be sufficient to answer it), — the charge of looking after the said House & the Powder lodged there shall be defrayed — And the Governor, with the advice & consent of the Council, is hereby authorized to appoint a Keeper of the said Magazine, & to give necessary instructions & orders from time to time, as they shall think fit, for regulating the keeping, turning & managing of all Powder put

into the said Magazine for the preserving thereof. And the said Keeper shall give bond to the Treasurer of the Commonwealth, for the use thereof, in such sum & with such surety as to the Governor & Council shall appear proper, for the faithful discharge of the duties of his office. And the Keeper of said House shall duly attend at proper hours, to be assigned by the Governor & Council, for the receiving & delivering out of Merchants' Powder. And if, at any time, the payment for Merchants' Powder (an account whereof shall be rendered on oath) will not defray the expence of looking after the said House, so much as is wanting shall be paid out of the Publick Treasury.

SECT. 3D. *And be it further enacted*, That no Gun Powder shall be kept on board any Ship or other vessel lying to, or grounded at any Wharf within the Port of Boston; and if any Gun Powder shall be found on board such Ship or Vessel, lying at any Wharf or aground, such powder shall be liable to confiscation, & under the same penalty as if it were found lying in any House or Ware-house.

Powder not to be kept on board vessels aground or at wharves.

SECT. 4TH. *And be it further enacted*, That any person within the town of Boston, that shall presume to keep in his house, warehouse, or other building, any powder, above what is by Law allowed, shall forfeit & pay, for every half barrel, the sum of Twenty Dollars, & so in proportion for any greater quantity over & above the forfeiture & confiscation of the said Powder — one moiety thereof to the use of the Town, — the other moiety to him or them who shall inform of the same.

Fine for illegally keeping Powder in any house, &c.

SECT. 5. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the Firewards of the town of Boston, to prosecute for all breaches of this Act in any Court proper to try the same; & that a Law, made in the year one thousand seven hundred & six, for erecting a Powder house in the town of Boston, & one act made in the year one thousand seven hundred & fifteen; — one act in the year one thousand seven hundred & nineteen, & one act made in the year one thousand seven hundred & eighty in addition to the same, be, & hereby are repealed.

The Firewards to prosecute.

Approved June 19, 1801.

1801. — Chapter 21.

[May Session, ch. 21.]

AN ACT TO CHANGE THE NAMES OF JOSEPH SPRAGUE STEARNS,
JOHN PARKER AND JEDEDIAH BAKER THE THIRD.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this Act Joseph Sprague Stearns, of Salem, in the County of Essex, son of William Stearns, shall be allowed to take the name of Joseph Sprague; that John Parker, of Boston, in the County of Suffolk, son of Isaac Parker, shall be allowed to take the name of John Williams Parker; that Jedediah Baker the third, of Yarmouth, in the County of Barnstable, shall be allowed to take the name of Washington Baker; and said persons shall, in future, be respectively known, and called by the names, which they are respectively allowed to take as aforesaid, and the same shall be considered as their only proper names, to all intents and purposes.

Approved June 19, 1801.

1801. — Chapter 22.

[May Session, ch. 22.]

AN ACT TO INCORPORATE EZRA MARVIN & OTHERS, BY THE
NAME OF THE ELEVENTH MASSACHUSETTS TURNPIKE COR-
PORATION.

Preamble.

Whereas the highway leading from the south line of Massachusetts through the east parish of the town of Granville, and through the towns of Blandford and Becket, untill it comes to the turnpike road laid out by the Eighth Massachusetts Turnpike Corporation north of the Meeting House in said Becket, is rocky & mountainous, & the expense of straightening making and repairing the same through the said towns so that the same may be a good carriage road, is greater than reasonably ought to be required of said towns.

SEC. 1. *Be it therefore enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, That Ezra Marvin, Elihu Stow, Enoch Bancroft, William Cooley, William Cooley junr., Clark Cooley, David Jones, Samuel Bancroft, Jesse Munson, Amos Root, Lee Tinker, Jesse Spelman, Thomas Gillit, Azariah Bancroft, Zadock Cooley, Roswell Rowley,*

Names of
persons incor-
porated.

Abner Warner, Nathan Bates, Oliver Dickinson, Israel Parsons, Timothy Spelman, Martin Moses, Charles Spelman, Asa Seymour, Eli Gibbons, James Coe, Oliver Coe, Samuel Trall, Bethuel Jones, Joel Root, Jonathan Barlow, Daniel Cooley, James Barlow, Richard Dickenson, Aaron Bigelow, Nathan Knox, John Crocker Jun., Levi Boies, Asa Merit, Elihu Noble, Alexander Morrison, William Thompson, Reuben Blair, David Adkins, Perry Button, Benedict Bowditch, Solomon Noble, Russell Atwater, Reuben Atwater, Nathaniel W. Little, Judah Bement, Phineas Ashman, Abner Pease, Samuel Sloper, John Upton, Martin Cannon, David Boies 2d, James Freeland, John Hamilton, Alexander Asburn, Joseph W. Brewster, David McConoughey, David McConoughey jr. Samuel Cannon, Samuel Boies 2d, William Ferguson, Robert Cannon, Solomon Stewart junr., William Boies junr., Andrew Wilson, Samuel Knox, Zadock Brown, Isaac Gibbs, Job Almy, William Stewart, Ephraim Gibbs, Asa Blair, David Boies, David Blair, Samuel Boies 3d, Abner Gibbs, Reuben Boies, Samuel C. Gibbs, James Anderson, Jesse Bruce, James Baird, Aaron Baird, Benjamin Taggard, Timothy Blair, Joseph Frary, Joseph Frary junr., Ephraim Perkins, Abel Dewey, Jabez Wadsworth, Seth Wadsworth, Bille Messenger, Oliver Brewster, Barnabas Adams, James Rudd, Josiah Dwight, David Lyman, David Munroe, John Frary, Eleazer Frary, Edmund Barlow Jun., and all such other persons as shall be associated with them, and their heirs and successors be, and they hereby are constituted a Corporation, by the name of The Eleventh Massachusetts Turnpike Corporation, with all the priviledges and powers incident to Corporations, for the purpose of laying out & making a turnpike road, to begin at the south line of Massachusetts, at or near the ending of a turnpike road lately established by the Legislature of the State of Connecticut, from the city of Hartford to said south line of Massachusetts, thence into and through the east parish of Granville to Blandford Meeting house, and from thence through the town street in Blandford by the usual Pittsfield road, so called, & into the town of Becket by the same road, untill it connects with the road of the Eighth Turnpike Corporation, with such variations only from the said Pittsfield road, as the nature of the ground and the avoidance of hills difficult and dangerous of passage, shall require ;

Corporate
name.

Course of the
road, width, &c.

and making the same in such place or places as the said Corporation shall choose, & for keeping the same in repair; which road shall not be less than four rods wide, and the path to be travelled in not less than eighteen feet wide in any place; And when the said turnpike road is completed from the said south line of Massachusetts to the Meeting house in Blandford, and approved of by a Committee appointed by the Court of General Sessions of the Peace for the County of Hampshire for that purpose, then the said Corporation shall be authorized to erect a Gate in such place on the road so made and completed, as the said Committee shall judge most convenient for collecting the toll, and shall be entitled to receive of each traveller or passenger, at the said Gate, the following rate of toll, viz. For every Coach, Phaeton, Chariot or other four wheel carriage drawn by two horses, twenty five cents; and if drawn by more than two horses, an additional sum of four cents for each horse — For every Cart or Waggon drawn by two oxen or horses, ten cents; & if drawn by more than two oxen or horses the additional sum of three cents for each ox or horse — For every Curricule twelve cents and five milles — For every Chaise, Chair or other carriage drawn by one horse, twelve cents & five milles — For every man and horse five cents — For every sled or sleigh drawn by two oxen or horses, seven cents; if drawn by more than two oxen or horses, an additional sum of two cents for each ox or horse — For every sled or sleigh drawn by one horse five cents, — For all horses, mules, oxen or neat cattle led or driven, besides those in teams and carriages, one cent each. For all sheep or swine at the rate of three cents per dozen. And whenever the said turnpike road is made and completed from the said Meeting house in Blandford to the turnpike road in Becket, and approved of by a Committee appointed by the Court of General Sessions of the Peace for the respective Counties of Hampshire and Berkshire for that purpose, then the said Corporation shall be authorized to erect one other Gate on the same, in such place as the said Committee shall judge necessary and convenient for collecting the toll, and shall be entitled to receive thereat from each traveller or passenger the same rate of toll as at the first mentioned Gate. *Provided* that if the said Corporation shall neglect to finish and complete the whole of the said road within the time herein after prescribed by

Rate of Toll.

An additional gate allowed.

Commutation of Toll.

this act, then the said first mentioned Gate shall be removed. *Provided* also that the said Corporation may, if they see fit, commute the rate of toll with any person, or with the inhabitants of any town through which the said road passes, by taking of him or them a certain sum annually, to be mutually agreed upon in lieu of the toll aforesaid.

SEC. 2. *And be it further enacted*, That the said Corporation may purchase & hold land over which they may make said road; and the Justices of the Court of General Sessions of the Peace in the County where the said road is, are hereby authorized, on application of said Corporation, to lay out said road or any part thereof within their respective Jurisdictions, as with the consent of said Corporation they shall think proper: And the said Corporation shall be liable to pay all damages that shall arise to any person by taking his land for such road, when the same cannot be obtained by voluntary agreement, to be estimated by a Committee of the Court of General Sessions of the Peace in the County where such damage shall arise, saving to either party the right of trial by Jury, according to the Law which makes provision for the recovery of damages arising from the laying out of highways.

Corporation allowed to take and hold land.

SEC. 3. *And be it further enacted*, That if the said Corporation, their Tollgatherers, or others in their employ, shall unreasonably delay or hinder any traveller or passenger at either of said Gates, or shall demand or receive more toll than is by this act established, the Corporation shall forfeit and pay a sum not exceeding ten Dollars, nor less than one Dollar, to be recovered before any Justice of the Peace of the County where the offence shall be committed, by any person injured delayed or defrauded, in a special action of the case, the writ in which case shall be served on said Corporation, by leaving a copy of the same with the Treasurer or any individual member, at least seven days before the day of trial; and the Treasurer of said Corporation, or any individual member, shall be allowed to defend the same suit in behalf of said Corporation. And the said Corporation shall be liable to pay all damages that shall happen to any person from whom the toll is demandable, from defect of Bridges, or want of repairs in said road; and shall also be liable to presentment by the Grand Jury for not keeping the same in repair. And

Penalty for delaying passengers.

Corporation liable for damages, if the road is not kept in repair.

if the said road or any part thereof shall be suffered to be out of repair, the Justices of the Court of Common Pleas, within and for the County wherein the same may be, or a major part of them, or a Committee to be appointed for that purpose by said Justices, are hereby authorized to order said Gates or either of them to be set open, said Justices or their Committee having previously notified the Clerk of said Corporation of complaint having been made of the badness of the road, at least ten days previously to the ordering them to be set open; and immediately upon the leaving such order in writing under the hands of said Justices, or their Committee, with the Clerk of the Corporation, the said Gate or Gates shall be opened, and no toll shall be legally demandable or taken thereat untill the said Justices, or their Committee shall grant a counter order.

Penalty for
injuring the
road.

SEC. 4TH. *And be it further enacted*, That if any person shall cut, break down, or otherwise destroy or injure either of the said turnpike gates, or shall dig up or carry away any earth from said road, or in any manner damage the same, or shall forcibly pass, or attempt to pass by force either of said Gates, without having first paid the legal toll at such Gate, such person shall forfeit and pay a fine not exceeding forty dollars, nor less than two dollars, to be recovered by the Treasurer of said Corporation to their use, in an action of trespass on the case. And if any person with his team, cart, or horse, turn out of said road to pass either of the Gates, and again enter the said road with an intent to evade the toll due by virtue of this act, such person shall forfeit and pay three times as much as the legal toll would have been, to be recovered by the Treasurer of the Corporation to the use of the same, in an action of trespass on the case: *Provided* that nothing in this act shall extend to entitle the said Corporation to demand and receive toll from any person or persons who shall be passing with his horse or carriage to or from public worship, or with his horse team or cattle, to or from his common labour on his farm, or to or from any Grist mill, or on the common & ordinary business of family concerns within the same town, or from any person or persons passing on military duty.

Penalty for
attempting to
evade the Toll.

Proviso.

Shares deemed
personal estate;
may be trans-
ferred, &c.

SEC. 5TH. *And be it further enacted*, That the shares in the said turnpike road shall be taken deemed and considered to be personal estate to all intents and purposes,

and shall and may be transferable ; and the mode of transferring said shares shall be by deed, acknowledged before any Justice of the Peace, and recorded by the Clerk of the Corporation in a Book to be kept for that purpose. And when any share shall be attached on mesne process or taken on execution without such previous attachment, an attested copy of such writ of attachment or execution, shall be left with the Clerk of the Corporation, otherwise the attachment, or taking in execution shall be void, and such shares may be sold on execution in the same manner as is, or may by law be provided for making sale of personal property on execution, the officer making the sale, or the Judgment Creditor leaving a copy of the execution and the officer's return on the same, with the Clerk of the said Corporation, within fourteen days after such sale, and paying for recording the same, shall be deemed and considered as a sufficient transfer of such share or shares in the said turnpike road.

SEC. 6. *And be it further enacted,* That the said Corporation is hereby empowered to grant monies to such persons as rendered services to the proprietors in exploring the rout of the turnpike road or otherwise, previous to the act of incorporation.

Authorized to grant monies.

SEC. 7. *And be it further enacted,* That a meeting of said Corporation shall be held at the house of Solomon Noble, innholder in said Blandford, on Monday the thirteenth day of July next at ten o Clock in the forenoon, for the purpose of choosing a Clerk, who shall be sworn to the faithfull discharge of the duties of said office ; & such other Officers as may then and there be agreed on by said Corporation. And said Corporation may then and there make and establish such rules and regulations as they shall judge necessary, *provided* the same are not repugnant to the laws of this Commonwealth, for regulating the concerns thereof. And the said Corporation may then and there agree upon such method of calling meetings in future, as they shall judge proper.

First meeting, and the business to be transacted.

SEC. 8. *And be it further enacted,* That the said Corporation shall within six months after the said road is completed, lodge in the Secretary's Office an account of the expences thereof ; and shall also annually exhibit to the Governor and Council a true account of the income or dividend arising from said toll, with their necessary annual disbursements on said road.

An account of income and expenses to be exhibited.

Penalty for drawing logs, &c. over the road.

SEC. 9TH. *And be it further enacted*, That if any person shall draw any log tree or stick of timber on or over said turnpike road, except in the months of January and February, unless said log, tree or stick of timber is loaded on a cart or sled, or one end thereof is raised on a sled, cart or other suitable carriage, he shall forfeit and pay to the said Corporation three dollars for every log, tree or stick of timber so drawn on or over said road, to be recovered by action of debt.

Shares of delinquents may be sold.

SEC. 10. *And be it further enacted*, That when any proprietor shall neglect or refuse to pay any tax or assessment duly voted and agreed upon by the Corporation, to their Treasurer, within sixty days after the time set for the payment thereof, the Treasurer of said Corporation is hereby authorized to sell, at public vendue, the share or shares of such delinquent proprietor, one or more, as shall be sufficient to defray said taxes and the necessary incidental charges, after duly notifying, in the News papers printed at Springfield and Stockbridge, the sum due on such shares, and the time and place of sale, at least twenty days previous to the time of sale; and such sale shall be a sufficient transfer of the share or shares so sold, to the person or persons purchasing; and on producing a certificate of such sale from the Treasurer to the Clerk of said Corporation, the name of such purchaser, with the number of shares so sold, shall be, by the Clerk, entered on the books of the said Corporation, and such person shall be considered, to all intents, the proprietor thereof; and the overplus, if any there be, paid on demand by the Treasurer, to the person whose share was thus sold.

Sign-board to be erected.

SEC. 11. *And be it further enacted*, That the said Corporation shall, at the places where the said toll is collected, erect, and keep constantly exposed to view, a sign or board, with the rates of toll, and all the tollable articles, fairly and legibly written or printed thereon in large or capital characters.

Power of dissolving the corporation reserved.

SEC. 12. *And be it further enacted*, That the General Court may dissolve said Corporation, whenever it shall appear, to their satisfaction, that the income, arising from said toll, shall have fully compensated the said Corporation for all monies they may have expended in exploring, purchasing, taking care of and repairing the said road, together with an interest thereon of twelve per centum by the year, and thereupon the property of the said road

shall be vested in this Commonwealth, and be at their disposal. *Provided*, That if the said Corporation shall neglect to complete the said turnpike road for the space of five years from the passing of this Act, the same shall become void and of no effect. *Approved June 19, 1801.*

1801. — Chapter 23.

[May Session, ch. 23.]

AN ACT TO INCORPORATE ROBERT LAPISH AND OTHERS INTO A COMPANY, FOR BUILDING A BRIDGE OVER KENDUSKEAG-STREAM, IN THE TOWN OF BANGOR, IN THE COUNTY OF HANCOCK.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same*, That Robert Lapish, and such others as have, or may hereafter associate with him, and become proprietors, he, and they are hereby incorporated, for the purpose of building a bridge over Kenduskeag-Stream, in the town of Bangor, in the County of Hancock, beginning on the Northerly side of said stream, at a point of Rocks on the place commonly called Budge's-farm, and near Budge's mine, so called, and to cross said stream, and a'join the Bank on the southerly side just above Mr. William Hammond's store, by the name of The Bangor Bridge and Mill Company; and they are hereby vested with all the rights, powers, and privileges usually given to corporations of a similar nature, and by the same name, and style, may sue, and be sued to final Judgment and execution, and do, and suffer all matters, and things, which bodies politic, and corporate, may or ought to do, and suffer, and shall have and use a common seal, which they may break, alter, and renew at pleasure.

Where the bridge is to be built.

Corporate name, &c.

SEC. 2. *And be it further enacted*, That the said proprietors be, and they are hereby impowered to purchase and hold land, or other real estate, which they shall find necessary to effect, the general purpose of said Bridge, not exceeding the amount of five thousand dollars in value, and to hold the same in fee simple; and that the share or shares of any proprietor in said real estate and bridge shall be transferable by deed, ac[k]nowledged, and recorded by the Clerk of the said proprietors in a Book, or Books to be kept for that purpose; and when any share or shares in said bridge and estate shall be attached on *Mesne*

Authorized to hold real estate.

process, as the property of any of the said proprietors, an attested copy of such process shall be left with the Clerk of said proprietors at the time of such attachment, otherwise it shall be void.

How the bridge is to be built.

SEC. 3D. *And be it further enacted*, That the said bridge shall be at least twenty-two feet wide, and covered on the top with timber, or plank of three Inches, and an half thick, and the side be boarded up one foot high, and be railed for the security of passengers, three feet and an half high, at least, and that the said bridge shall be kept, at all times, in good, safe, and passable repair for, and during the term of fifty Years.

First meeting, how to be called, and what business may be transacted.

SEC. 4. *And be it further enacted*, That the said Robert Lapish, with any two of his associates, are hereby authorized to call the first meeting of the said proprietors, by posting an advertizement in three several places in the said town of Bangor, notifying the proprietors to meet at such suitable time and place as shall be appointed in said notification, twenty days, at least, previous to the time fixed for said meeting; and the said proprietors, by a vote of the majority of those present, or represented at said meeting, accounting one vote to each single share in all cases, shall choose a moderator, Treasurer, and Clerk, who shall be sworn to the faithfull discharge of his duty in said office; and shall also agree on a method for calling future meetings, and at the same, or any subsequent meeting, may elect such officers, and establish such rules and bye-laws, as to them shall seem necessary and convenient, for the regulation and Government of the said company, for carrying into effect the purposes of this act: *Provided* the said rules, and bye-laws shall not be repugnant to the laws of this Commonwealth, and may annex penalties to the breach of such bye-laws, not exceeding five dollars: And this Act, and all rules and bye-laws, votes, and proceedings of the said Corporation shall be faithfully and truly recorded by the said Clerk, in a book or books, for that purpose to be provided and kept.

The Company allowed the use of certain tide-waters.

SEC. 5. *And be it further enacted*, That to reimburse the said Robert Lapish, and his associates, for the expence of building and keeping in good repair the said Bridge for fifty years, the said Company shall have, exercise and enjoy for fifty years the priviledge and use of so much of the tide waters that may flow above the said Bridge, as may be necessary for the use of such Mills as may be hereafter erected by said Proprietors.

SEC. 6. *And be it further enacted,* That the highway on each side of said Bridge shall be laid out by, and maintained at the expence of said town of Bangor.

SEC. 7. *And be it further enacted,* That if the said Proprietors shall neglect, for the space of four years from the passing of this Act, to build such Bridges, then this act shall be void and of no effect.

Time of building the bridges limited.

Approved June 19, 1801.

1801. — Chapter 24.

[May Session, ch. 24.]

AN ACT FOR ESTABLISHING TURNPIKE GATES BETWIXT THE LINES OF THE STATE OF CONNECTICUT AND THE NORTH WEST PART OF LOUDON.

Whereas the Road leading from the Line of the State of Connecticut, near Holmes Mills, in Hartland, in the County of Hartford, to Loudon in the county of Berkshire, is circuitous rocky, and mountaineous, and there is much Travelling over the same, and the expence of straightning making, and repairing a Road, through the middle Parish in Granville, the West part of Blanford, and Loudon, so that the same may be safe and convenient, for Travellers with Horses and Carriages, would be much greater, than ought to be required of the proprietors and Inhabitants on the said Road, under their present circumstances:

Preamble.

SEC. 1ST. *Be it therefore Enacted, by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That, John Phelps, Levi Curtiss, Stephen Stow, Nathan Curtiss, Thadeus Squires, Rufus Harvey, Abijah Knapp, Luther Hayes, Isaac Snow, Luther Coe, Moses Parsons, Ephraim Coe, Charles Curtiss, Linus Curtiss, David Curtiss, Rufus Rose, Enoch Johnson, Enoch Coe, Benjamin Bostford, Linus Bates, Elihu Barnes, Hezekiah Robinson, Joel Parsons, Seth Parsons, Bela Scovill, Benjamin Scott, Stephen Pelton, Moses Cook, John Webster, Comfort Beebee, Anthony Parmentor, Titus Hubbard, Thomas Burnham — and all such Persons as shall associate with them and their Successors, shall be a Corporation, by the name of the Thirteenth Massachusetts Turnpike Corporation, with all the Priveledges and Powers incident to Corporations; for the purpose of laying out and making a Turnpike Road, from

Persons incorporated.

Corporate name.

the line of the State of Connecticut, near Holmes' Mill, by the Meeting house, in the middle Parish in Granville, to the north Westerly part of the Town of Loudon, in the County of Berkshire, and for the keeping the same in repair in such Place or Places, as the Corporation shall choose for the same, which Road shall not be Less, than Four Rods wide, and the part to be travelled on, to be not less than Eighteen feet in wedth, in any Place, Excepting Steep side Hills; and there the said Road, shall be of sufficient wedth, for Carriages and Teams of all kinds, to pass each other, and that when said Turnpike Road shall be sufficiently made, and shall be allowed and approved by the Justices of the Court of Sessions, of the County of Hampshire, at any Term thereof, then the said Corporation shall be authorized to Erect Turnpike Gates on the same — in such manner, as shall be necessary and convenient and shall be Entitled to receive from each Travellor and Passenger, Excepting those passing on Millitary duty, the following Rate of Toll, to wit; For every Coach, Phaeton, Charriot and other four-wheel Carriage, drawn by Two horses, Thirty cents, and if drawn by more than two Horses, the additional sum of Five Cents for each Horse — for every Cart, Waggon or Sled, drawn by Two Oxen, or Horses, sixteen Cents — and if drawn by more than Two, the additional Sum of Four Cents, for every such ox, or Horse, — for every curricule, Twelve Cents — For every sleigh drawn by Two Horses, Twelve Cents, and if drawn by more than Two Horses, an additional sum of Four Cents, for each Horse, — for every chaise, chair or other carriage drawn by one Horse, Twelve Cents, for every man and Horse Six Cents — for all Oxen, Horses or neat cattle led or driven, besides those in Teams or Carriages, Four cents each, for all Sheep and Swine, four Cents by the dozen, and in the same proportion for a greater or Less number — and the Justices of the Court of General Sessions, of the Peace in the Counties of Hampshire, or Berkshire, are hereby authorised, on application from said Corporation, to lay out such Road, or any Part thereof, within their respective Counties, as with the consent of the said Corporation, they may deem proper, and the said Corporation shall be holden to pay all Damages which shall arrise to any Person, by taking his Land for such Road, where it cannot be obtained by voluntary agreement, to be estimated by a Committee appointed by the

Rate of Toll.

Land may be taken.

General Sessions of the Peace, in the County in which such Damage shall arise, saving to the Party the right of Tryal by Jury, according to the Law which makes provision for the recovery of Damages, happening by laying out Public high ways.

SEC. 2D. *And be it further Enacted*, that if said Corporation, their Toll gatherers, and others in their employ, shall unreasonably delay, or hinder any Traveller or Passenger at said Gates, or shall Demand, and receive more Toll than is by this act Established — The Corporation shall forfeit and pay a sum not exceeding Ten Dollars, nor less than One Dollar — to be recovered before any Justice of the Peace, in either of the Counties aforesaid, where the offence shall be committed, by any Person Injured, delayed or Defrauded, in a Special action on the case; The Writ in which shall be served on the Corporation, by leaving a Copy of the same with the Treasurer, or with Two Individual members of said Corporation, living within the County wherein the offence shall be Committed, or reading the contents thereof to said Treasurer, or individual members, at least seven days before the day of Tryal, and the Treasurer of said Corporation, or individual members; shall be allowed to Defend the same suit, in behalf of said Corporation, and the Corporation shall be liable to pay all damages, which shall happen to any person from whom toll is by this act Demandable, for any damages, which shall arise from Defect of Bridges, or want of repairs to the said Road — within the same County — and shall also be liable to a fine on presentment of the Grand Jury, for not keeping the same way or Bridges thereon in repair — and if the said Road or any Part thereof, shall be suffered to be out of repair, the Justices of the Court of Common Pleas, within and for the County, wherein the same may be, or a major part of them, or a Committee to be appointed for that purpose by said Justices, are hereby authorised to order said Gate to be set open; said Justices or their Committee, having Previously notified the Clerk of said Corporation, of Complaint having been made of the badness of the Road — at least Ten days previously to the ordering them to be set open: and immediately upon the leaving of such order in Writing, under the hands of said Justices, or their Committee with the Clerk of the Corporation, the said Gate shall be opened, and no Toll shall be Legally demandable or taken thereat — until

Penalty for
delaying
passengers.

Road to be kept
in good repair.

the said Justices or their Committee shall grant a counter order.

Penalty for injuring the road and for attempting to evade the toll.

SEC. 3D. *And be it further Enacted*; That if any Person shall cut, break down, or Destroy, the said Turnpike Gates, or shall forceably pass, or attempt by force to pass the same, without having first paid the legal Toll at such Gates, such persons shall forfeit and pay a Sum, not exceeding forty dollars, nor less than Two dollars, to be recovered by the Treasurer of said Corporation, to their use, in an action of Trespass — and if any person shall with his Carriages, Team, Cattle or Horse, turn out of said Road to pass the Turnpike Gate on Ground adjacent thereto, and again enter on said Road, with an intent to avoid the payment of the Toll, due by Virtue of this act — such person shall forfeit and pay three times so much as the Legal Toll would have been, to be recovered by the Treasurer of the said Corporation, to the use thereof, in an Action of Trespass, on the case, *Provided* that nothing in this Act shall extend to entitle the said Corporation to demand Toll of any Person, who shall be passing with his Horse or Carriage, Team or Cattle, or on foot, on his common & ordinary business, within the same town, or to or from publick worship, or to & from any mill.

Shares considered personal estate.

SEC. 4TH. *And be it further Enacted*, that the Shares in the said Turnpike Road, shall be taken, deemed and considered, to be personal Property or Estate to all intents and purposes.

First meeting of proprietors.

SEC. 5TH. *And be it further Enacted*, That there shall be a meeting of the said Corporation, held at the House of Linus Bates, innholder in Granville, in the County of Hampshire, on the first monday of August next, for the purpose of choosing a Clerk, and such other Officers as may then and there be agreed upon, by the said Corporation, for regulating the concerns thereof, and that the said Corporation may then and there, agree upon such method of calling meetings in future, as they may Judge proper.

Sign-board to be erected.

SEC. 6TH. *And be it further Enacted*, that the said Corporation, shall at the place or places, where the Toll shall be collected, Erect and keep constantly Exposed to View, a Sign, or Board, with the rates of Toll of all the Tollable articles, fairly and Legibly Written thereon, in large or Capital Letters.

Mode of transferring and of attaching the shares.

SEC. 7TH. *And be it further Enacted*, that the mode of Transferring the shares in the said Turnpike, shall be

by Deed, acknowledged before a Justice of the Peace, and recorded by the Clerk of the said Corporation in a Book kept for that purpose, and when any of the said shares shall be attached on *Mesne process*, or taken on execution, without such previous attachments, an attested Copy of such writ of attachment, or Execution, shall be left with the Clerk of the Corporation, otherwise the attachment or taking on Execution shall be void, and such shares may be sold on Execution, in the same manner, as is, or may, by Law be provided, for the sale of personal property by Execution; the Officer making Sale or the Judgment Creditor, leaving a Copy of the Execution and of the Officers return on the same, with the Clerk of said Corporation, within ten days after such sale, and paying for the recording the same.

SEC. 8TH. *And be it further Enacted*, that whenever any proprietor, shall neglect or refuse to pay any Tax or assessment duly voted and agreed upon, by the Corporation to the Treasurer, within Sixty days after the time set for the payment thereof, The Treasurer of said Corporation, is hereby authorised to sell at public vendue, the share or shares, of such delinquent Proprietor, one or more, as shall be sufficient to defray said Taxes and necessary incidental charges, after duly Notifying in the Newspapers printed at Stockbridge & Har[t]ford by Hudson & Goodwin, the sum due on any such shares, and the Time and place of Sale, at least Twenty days previous to the time of Sale, and such sale, shall be a sufficient Transfer of the share, or shares, so sold, to the person purchasing, and on producing a Certificate of such sale from the Treasurer, to the Clerk of said Corporation, the name of such purchaser, with the number of shares so sold, shall be by the Clerk, entered on the Books of the said Corporation, and such person shall be considered to all intents and purposes the proprietor thereof: and the overplus if any there be shall be paid on Demand by the Treasurer to the person whose shares were thus sold.

Shares of delinquents to be sold.

SEC. 9TH. *And be it further enacted*, that the said Corporation shall within six months after the said Road is completed, lodge in the Secretary's office, an account of the Expences thereof, and that the Said Corporation shall Annually Exhibit to the Govenor and Council, a True account of the income, or Dividend, arising from the said Toll, with their necessary annual Disbursements on said Road, and that the Books of the said Corporation,

Statements of income and expenses to be exhibited.

shall at all times, be Subject to the Inspection of the General Court, or a Committee by them appointed, or to the Inspection of the Governor & Council.

Corporation
may be dis-
solved by the
General Court.

SEC. 10TH. *And be it further Enacted;* That the General Court may dis[s]olve said Corporation, whenever it shall appear to their Satisfaction, That the income arising from the said Toll, shall have fully compensated the said Corporation, for all monies, they may have expended, in purchasing and repairing and taking care of the said Road, together with the Interest thereon, at the rate of Twelve per Centum, by the year, and thereupon the property of the said Road, shall be vested in this Commonwealth, and be at their disposal — *Provided* that if the said Corporation, shall neglect to complete the said Turnpike Road, for the space of Four years from the passing this act — the same shall become Void, and of no effect.

Approved June 19, 1801.

1801. — Chapter 25.

[January Session, ch. 1.]

AN ACT, IN ADDITION TO THE SEVERAL ACTS NOW IN FORCE,
REGULATING THE TAKING OF THE FISH CALLED ALEWIVES,
IN THE TOWN OF MIDDLEBOROUGH.

Preamble.

Whereas doubts have arisen, whether the inhabitants of said town of Middleborough are authorized by law to agree with and hire any person or persons to take said fish, and sell them at the price stipulated by law, and to account with the said inhabitants for the net proceeds of the same:

Persons may
be hired to take
and sell the fish.

Therefore, Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from after the passing of this act, it shall and may be lawful for the inhabitants of said town, at any legal meeting, called for that as well as other purposes, by themselves, or a Committee chosen by them for that purpose, to agree with and hire such person or persons as they may deem proper, to take said fish at any or all of the fishing places in said town, and to dispose of them at the price stipulated by law, being accountable to the inhabitants of said town for the net proceeds of the same.

Approved January 21, 1802.

1801. — Chapter 26.

[January Session, ch. 2.]

AN ACT TO ESTABLISH A WATCH FOR PRESERVING THE SAFETY & GOOD ORDER OF THE TOWN OF BOSTON.

SEC. 1ST. *Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same,* That the Selectmen of the town of Boston be, and they hereby are authorized from time to time to appoint such a number of their inhabitants to be Watchmen by night in the town of Boston, as they shall judge expedient, to be paid at the charge of that town. And the said Selectmen are also further authorized and empowered from time to time to appoint a Head Constable, to superintend said Watch, as also a Constable for each division thereof, and the several Constables of Divisions are required to report every morning, an account of their doings and of the state of the town during the night, to the said Head Constable, in order that the same may be communicated to the Chairman of the Selectmen daily.

Selectmen to appoint Watchmen, &c.

SEC. 2D. *And be it further enacted by the authority aforesaid,* That the Head Constable, the several Constables of Divisions, and the Watchmen appointed by virtue of this Act, shall have the same powers, and shall be held and obliged to perform the same duties, as are required of watchmen by a law of this Commonwealth passed March the tenth, seventeen hundred and ninety seven, entitled, “An Act for keeping Watches and Wards in towns, and for preventing disorders in streets and public places.”

Powers, &c. of Watchmen.

SEC. 3D. *And be it further enacted by the authority aforesaid,* That the expenses that may be incurred by reason of the establishment of the Watch aforesaid, shall be raised, levied and collected as the other expenses of said town are or may be raised, levied or collected, any law to the contrary notwithstanding.

Provision for the expenses.

Approved January 29, 1802.

1801. — Chapter 27.

[January Session, ch. 3.]

AN ACT TO INCORPORATE THE PROPRIETORS OF THE NORTH MEETING HOUSE IN SALEM, IN THE COUNTY OF ESSEX.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Court Assembled, and by the*

The Proprietors
incorporated.

Authority of the same, That the persons, who now are, and who hereafter shall be, proprietors of the North Meeting House in Salem, in the County of Essex, wherein the Reverend Doctor Thomas Barnard Officiates, and of the land under and adjoining the same, be, and they hereby are incorporated and made a body politic and religious Society, by the name of The Proprietors of the North Meeting House in Salem, and in that name may sue and be sued; and shall be invested with all the powers, privileges and immunities, to which other religious Societies in this Commonwealth are entitled by law; and shall be capable of purchasing and holding estate, real or personal; *Provided* that the annual income of the whole estate of said Corporation, beside the meeting House, shall not, any time, exceed the value of three thousand dollars.

Corporate
name.

Authorized to
raise money.

SECT. 2. *Be it further Enacted*, That the proprietors of said Meeting House be, and they hereby are, authorized and empowered to raise, by an assessment on the pews and seats in said Meeting House, such Sum or Sums of money, for the Settlement and maintenance of a Minister or Ministers, repairing the Meeting House, and defraying the other expences of Public Worship, with incidental charges, as they shall agree on, at any legal meeting called for that purpose, and the same may assess, or cause to be assessed, upon such pews and seats, as the proprietors, at any such meeting, shall determine on, according to the respective original valuation thereof, as recorded in the proprietors Book: *Provided, however*, That exemptions from said assessment shall not be extended farther than to the pews on the floor, and the Seats in the Gallery, which by the said Proprietors have heretofore been exempted from assessment. And the sums so assessed shall be paid by the Proprietors of such pews and seats. And if any proprietor of a pew or seat shall neglect to pay any assessment, which shall be legally made thereon, for one year after the same shall have been made, the Treasurer of said Proprietors shall be authorized and empowered to sell and convey all the estate and interest of any such delinquent proprietor in the said Corporation at Public auction, first giving notice thereof, fourteen days, at least, previous to the sale, by posting up notifications at two of the doors of said Meeting House; and, upon such sale, to execute a good and sufficient deed or deeds

Pews of delin-
quents may be
sold.

thereof; And after deducting the amount of said delinquent's assessment, together with the legal interest thereon, from the time the same was made, and all incidental charges, the said Treasurer shall pay the surplus, if any there be, to such delinquent Proprietor.

SECT. 3. *Be it further enacted*, That all contracts heretofore made by the said Proprietors with their Minister or others, shall devolve and be binding upon them by their name, and in their Corporate capacity aforesaid. Former contracts binding.

SECT. 4TH. *And be it further enacted, by the authority aforesaid*, That Thomas Bancroft, Esqr. be, and he hereby is empowered and directed to issue his Warrant to some principal member of said Corporation, requiring him to warn the members thereof to meet at such time and place as shall be therein set forth, to choose a Moderator, and a Clerk, who shall be duly sworn, a Treasurer, and such other Officers as the Proprietors shall judge necessary; — And the Moderator of that and all future meetings shall have power to administer the Oath of office to the Clerk. First meeting.

Approved February 5, 1802.

1801. — Chapter 28.

[January Session, ch. 5.]

AN ACT AUTHORIZING THE SALE OF MINISTERIAL LANDS IN THE FIRST PARISH IN GORHAM, TO RAISE A FUND FOR THE SUPPORT OF THE MINISTRY, AND APPOINTING TRUSTEES FOR THOSE PURPOSES.

Whereas the first parish in Gorham, in the County of Cumberland, have petitioned this Court for liberty to sell their parsonage or ministerial lands, for the purpose of raising a fund for the support of the ministry: Preamble.

SEC. 1ST. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Stephen Longfellow, esqr., Dudley Folsom, David Harding, James Phinney, Thomas McLellan, Josiah Alden and William McLellan, be, and hereby are appointed Trustees to sell the same, and to put out at interest the monies arising from such sale, in manner herein after mentioned, and for that purpose. Trustees.

SEC. 2D. *Be it further enacted*, That the said Trustees be, and they hereby are incorporated into a body politic by the name of The Trustees of the Ministerial Fund in Corporate name.

the First Parish in Gorham, in the County of Cumberland; And they, and their successors, shall be and continue a body politic and corporate by that name forever; and they shall have a common seal, subject to be altered at their pleasure. And they may sue and be sued in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution by the name aforesaid.

Officers to be chosen.

SEC. 3D. *Be it further enacted by the authority aforesaid*, That the said Trustees and their successors, shall and may annually elect a President, and Clerk to record the doings and transactions of the Trustees at their meetings, and a Treasurer to receive and apply the monies herein after mentioned, as herein after directed, and any other needful Officers for the better managing of their business.

The number of Trustees.

SEC. 4TH. *Be it further enacted by the authority aforesaid*, That the number of Trustees shall not, at any one time, be more than seven, nor less than five, any five of their number to constitute a quorum for transacting business; and they shall and may, from time to time, fill up vacancies in their number, which may happen by death, resignation or otherwise, from the members of said parish; and shall also have power to remove any of their number who may become unfit and incapable, from age, infirmity, misconduct or any other cause, of discharging their duty, and to supply a vacancy so made, by a new choice from the parish aforesaid. And the said Trustees shall annually hold a meeting in March or April, and as much oftener as may be found necessary to transact their necessary business, which meetings, after the first, shall be called in such way & manner as the Trustees shall hereafter direct.

Trustees removable.

First meeting.

SEC. 5TH. *Be it further enacted*, That William Gorham, esqr. be, and he hereby is authorized to fix the time and place for calling the first meeting of the Trustees, and to notify each Trustee thereof.

Lands to be sold.

SEC. 6TH. *And be it further enacted by the Authority aforesaid*, That said Trustees be, and they hereby are authorized to sell and convey in fee simple, all the parsonage and ministerial lands belonging to the said parish, and to make, execute and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds, subscribed by the name of their Treasurer, by direction of said Trustees, with their seal thereto affixed, shall be good and

effectual, in law, to pass and convey the fee simple from said parish to the purchaser, to all intents and purposes whatever.

SEC. 7TH. *Be it further enacted*, That the monies arising from the sale of said lands, shall be put at interest as soon as may be, and secured by mortgage of real estate to the full value of the estate sold, or by two or more sufficient sureties with the principal, unless the Trustees shall think it best to invest the same in public funded securities, or bank stock, which they may do.

Money to be put at interest.

SEC. 8TH. *Be it further enacted*, That the interest arising from time to time on such monies, shall be annually or oftener if practicable, put out at interest, and secured in manner aforesaid, unless invested in the funds or bank stock as aforesaid, and also the interest accruing from the interest, untill a fund shall be accumulated which shall yield yearly the sum of four hundred Dollars interest.

Interest to be loaned.

SEC. 9TH. *Be it further enacted*, That as soon as an interest to that amount shall accrue, the Trustees shall forthwith apply the same for the annual support of the congregational minister which may then be settled in said parish, or which may thereafter be settled there. And so long as the said parish shall remain without a settled minister, the annual interest aforesaid shall be put out at interest, and secured as aforesaid, to increase the said fund, untill there be a re-settlement of a minister. And it shall never be in the power of said parish to alienate, or any-wise alter the fund aforesaid.

Minister to be supported.

SEC. 10TH. *Be it further enacted*, That the Treasurer of the Trustees shall give bond faithfully to perform his duty, and to be at all times responsible for the faithful application and appropriation of the monies which may come into his hands, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his office.

Treasurer responsible.

SEC. 11TH. *Be it further enacted*, That the Trustees, or their Officers, for the services they may perform, shall be entitled to no compensation out of any monies arising from the fund aforesaid; but if entitled to any, shall have and receive the same of said parish, as may be mutually agreed on.

Trustees not to be paid from the fund.

SEC. 12TH. *Be it further enacted*, That the said Trustees and their successors, shall exhibit to the parish, at

Annual statement.

their annual meeting in March or April, a regular and fair statement of their doings.

Trustees
responsible.

SEC. 13TH. *Be it further enacted*, That the said Trustees, and each of them, shall be responsible to the parish for their personal negligence or misconduct, whether they be Officers or not, and liable to a suit for any loss or damage arising thereby, the debt or damage recovered in such suit to be for the use aforesaid.

Approved February 5, 1802.

1801. — Chapter 29.

[January Session, ch. 4.]

AN ACT MORE EFFECTUALLY TO SECURE FIRE ENGINES FROM BEING INJURED.

Preamble.

Whereas it has sometimes happened that some people, from a wanton, and others from a malicious disposition, have injured the Public Fire Engines, provided for the extinguishment of fires which may unfortunately happen in the habitations and other buildings of the inhabitants; — for prevention whereof in future,

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That if any person shall wantonly or maliciously spoil, break, injure, damage or render useless, any Engine, or any of the apparatus thereto belonging, prepared by any town, society, person or persons, for the extinguishment of fire, and shall be convicted thereof before the Supreme Judicial Court, he shall be punished by a fine not exceeding five hundred Dollars, or by imprisonment not exceeding two years, at the discretion of the Court; and be further ordered to recognize with sufficient surety or sureties for his good behaviour, for such term as the Court shall order.

Penalty, &c.
for damaging
an engine.

Approved February 8, 1802.

1801. — Chapter 30.

[January Session, ch. 6.]

AN ACT TO SET OFF THE SOUTH-EAST PART OF LIVERMORE, FROM SAID LIVERMORE TO THE TOWN OF LEEDS.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all that part of Livermore, lying on the east side of Amorescoggin river, and to the southward of a line beginning at said river, on the northern boundary

Land set off.

of Increase Leadbetter's lot, and thence running east, to the eastern boundary of said Livermore, with the inhabitants thereon, be, and the same hereby is set off from said Livermore, and annexed to the town of Leeds in the County of Kennebeck, and shall hereafter be considered as part of the same.

Provided nevertheless, That the said tract of land, and the inhabitants thereon, so set off, as aforesaid, shall be holden to pay all such taxes as are already assessed, or ordered to be assessed by said town of Livermore, in the same manner as they would have been if this act had not been passed.

Approved February 12, 1802.

1801. — Chapter 31.

[January Session, ch. 7.]

AN ACT REGULATING THE TAKING OF THE FISH CALLED ALWIVES IN SEVEN MILE BROOK IN THE TOWN OF VASSALBOROUGH IN THE COUNTY OF KENNEBECK.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That said fish may be taken in said Brook within said town of Vassalborough, at such time or times only, as a Committee who may be appointed by said town as is hereafter provided, may direct.

Fish to be taken only at times directed.

SEC. 2D. *Be it further enacted,* That the inhabitants of said town of Vassalborough, at their meeting for the choice of town Officers in March or April annually, be, and they hereby are authorized and directed to appoint three five or seven persons a Committee to oversee the taking said fish as aforesaid, which Committee shall distribute the fish taken by them, or under their direction, as equally as circumstances will admit, to such person or persons as may apply for the same; and for the fish so supplied and delivered, the Committee aforesaid shall demand and receive of the person or persons applying therefor, payment at such rate or rates as the inhabitants of said town, at their annual meeting in March or April may direct, excepting such poor persons as may be named in a list to be annually made out by the Selectmen of said town, and who in the opinion of the Selectmen are unable to pay for the same, which list shall be given to the Committee; and the person or persons borne on the same, shall be supplied with such quantities of said fish gratis, as the Committee may think expedient. And the Com-

Fish committee to be appointed.

Committee to be paid.

mittee aforesaid shall have such allowance for their services as the inhabitants of said town at the time of appointing said Committee shall determine; and shall annually in the month of September, next following their appointment, exhibit their accounts to the Selectmen of said town, for settlement and allowance; and pay the balance remaining in their hands, if any, to the Treasurer of the town of Vassalborough, for the town's use.

Penalty for illegally taking the fish.

SEC. 3D. *Be it further enacted*, That if any person or persons, other than the said Committee, or such persons as shall be by them employed, shall take any of the said fish in the said Brook, or any part of it within said town of Vassalborough, at any time, or by any ways or means whatsoever, each person so offending, shall forfeit and pay a sum not exceeding ten Dollars, nor less than two Dollars.

Recovery of penalties.

SEC. 4TH. *Be it further enacted* That all penalties incurred by the breach of this Act, may be sued for and recovered by the Treasurer of the town of Vassalborough, for the time being, in any Court in the County of Kennebeck, proper to try the same; and all sums so recovered shall be appropriated to the use of said town. And in case any minor or minors shall offend against any part of this act, and thereby incur any or either of the penalties aforesaid, in all such cases, the parents, masters or guardians of such minor or minors, shall be answerable therefor; and in case of a prosecution of such minor or minors for any such offence, the action shall be commenced against the parents, masters or guardians of such minor or minors respectively, and judgment rendered against any parent, master or guardian in such case, in the same manner as for his or their personal offence.

In case of minors offending.

SEC. 5TH. *And be it further enacted*, That no person by reason of being one of said Committee, shall be thereby disqualified from being a witness in any prosecution for a breach of this act. *Approved February 16, 1802.*

Committeemen may give evidence.

1801. — Chapter 32.

[January Session, ch. 8.]

AN ACT TO INCORPORATE MARK LANGDON HILL, AND OTHERS FOR THE PURPOSE OF BUILDING A BRIDGE ACROSS WINNOGANCE CREEK.

Preamble.

Whereas application hath been made to this Court for permission to build a Bridge over Winnogance Creek,

which runs between the town of Georgetown, and the town of Bath, in the County of Lincoln, and it appearing that a Bridge in said place will be of Public Utility.

SECT. 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, & by the Authority of the same,* that Mark Langdon Hill, and Joshua Shaw Esquires, together with their associates, and those who shall hereafter associate with them with their heirs & assigns, be, and hereby are constituted a Corporation and Body-Politic, for the purpose of erecting a Bridge over said Winnogance Creek, at or near the Northwestern end of Timber Island. — *Provided,* that within the term of Five years from the passing of this Act, the said Bridge shall be built, kept open, free, and made convenient and Safe for the accommodation of travellers: and that the said Bridge be so constructed, as that a Gondola, loaded with hay, may conveniently pass under the same.

Persons incorporated.

Proviso

Approved February 16, 1802.

1801. — Chapter 33.

[January Session, ch. 9.]

AN ACT TO INCORPORATE JOSHUA SHAW & OTHERS, FOR THE PURPOSE OF BUILDING A BRIDGE ACROSS NEW-MEADOW-RIVER.

Whereas application has been made to this Court, for permission to build a Bridge over New-Meadow-River, which runs between the town of Brunswick in the County of Cumberland, and the town of Bath, in the County of Lincoln, at or near Brown's ferry, so called; and it appearing that a Bridge in said place, will be of public Utility:

Preamble.

Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the Authority of the same, — that Joshua Shaw, & Samuel Davis, together with their associates and those who shall hereafter associate with them, their heirs, and assigns, be, and hereby are constituted a Corporation, and Body-Politic, for the purpose of erecting a Bridge over said New-Meadow-River, at or near Brown's ferry, in the most convenient place. — *Provided* that the said Bridge shall be so constructed, as that any vessel, without masts, can pass under the same, at any suitable time of the tide. *Provided also,* that the said Bridge, within the term of five years,

Persons incorporated.

Proviso.

from the passing of this Act, shall be built, railed, made convenient, and kept open, and free at all times, for the accommodation of travellers.

Approved February 16, 1802.

1801. — Chapter 34.

[January Session, ch. 10.]

AN ACT TO SET OFF TIMOTHY ARNOLD, & THIRTEEN OTHERS FROM THE TOWN OF WASHINGTON, AND ANNEX THEM TO THE TOWN OF LENOX IN THE COUNTY OF BERKSHIRE.

Persons
incorporated.

Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the Authority of the same, that Timothy Arnold, Luther Sears, Nathan Miller, Levi Carrier, Ira Gaylord, Asahel Brown, Thomas Hubbard, Ebenezer Attley, John Morehouse, Tho. Morehouse, Daniel Jones, James Sears, Ebenezer Chapel, & Joseph C. Chapel, with their families & Estates, as contained within the limits herein described, be, and they are hereby set off from the town of Washington, and annexed to the town of Lenox, vizt. — Beginning at Housatonoek river, and running South Seventy three degrees, East two hundred & sixty rods, thence south seventeen degrees West, five hundred & fourteen rods, thence south sixty degrees, west two hundred rods, to William Goodspeed's land.

Proviso respect-
ing taxes.

Provided however, that the families and estates, hereby set off, from the town of Washington, and annexed to the town of Lenox, shall be holden to pay all such taxes as are now due, or which have been ordered to be assessed on them, by the said town of Washington, prior to the date of this Act.

Approved February 18, 1802.

1801. — Chapter 35.

[January Session, ch. 11.]

AN ACT TO DIVIDE THE TOWN OF POLAND, AND TO INCORPORATE THE NORTHERLY PART THEREOF INTO A SEPERATE TOWN BY THE NAME OF MINOT.

Boundaries.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the northerly part of Poland, in the County of Cumberland as described within the following bounds, with the inhabitants thereon, be, and they are hereby incorporated into a seperate town by the name

of Minot ; beginning at the south east corner of the town of Turner, at a place called the Crooked Ripples, in the Great Androscoggin River ; thence by a line drawn on the middle of said river to the Great Falls, thence by the line in the Act which incorporates the said town of Poland, untill it strikes the Little Androscoggin River ; thence by a line drawn on the middle of said river, untill it strikes the southerly side line of Hebron, commonly called Davis' line, to the south west corner of Turner ; and thence by the line of said Turner, to the bounds first mentioned. And the said town of Minot is hereby vested with all the powers and priviledges, rights and immunities to which other towns are entitled by the Constitution and Laws of this Commonwealth.

SEC. 2D. *And be it further enacted*, That the said town of Minot, shall pay all arrears of taxes which have been assessed upon them, together with their proportion of all debts owed by the said town of Poland prior to the date of this Act ; and that all questions relative to property already existing, shall be adjusted and settled in the same manner as if this Act had not been made ; and that the public lands appropriated for the support of Schools, and the town's stock of military stores, shall be estimated, and divided in the same proportion that each town paid at the time of the purchase thereof ; and that no pauper or paupers shall be sent from either of the said towns to the other for support, after this incorporation, but each town shall support its own poor ; and if any person or persons heretofore belonging to the town of Poland aforesaid, and having removed thence shall be returned thither again and become a public charge, the same shall be paid by the said towns of Poland & Minot, in proportion to the State Tax laid on them severally from time to time.

Regulation
respecting
taxes, prop-
erty, &c.

SEC. 3D. *And be it further enacted*, That all future taxes levied on the two towns aforesaid, previous to a new valuation, shall be assessed in the proportion of one third to the town of Poland, and two thirds to the town of Minot.

Assessing of
taxes.

SEC. 4TH. *And be it further enacted*, That Nathaniel C. Allen Esqr. be, and he is hereby authorized to issue his Warrant, directed to some suitable inhabitant of the said town of Minot, requiring him to notify and warn the inhabitants of the said town, qualified by law to vote in town affairs, to meet at such time and place as shall be expressed in the said Warrant, to choose all such Officers,

First meeting.

as other towns within this Commonwealth are required by law to choose in the months of March or April annually; & the Officers so chosen shall be qualified as other town officers are.

Approved February 18, 1802.

1801. — Chapter 36.

[January Session, ch. 12.]

AN ACT TO REGULATE THE TAKING OF FISH CALLED ALEWIVES, IN THE TOWN OF BOOTHBAY IN THE COUNTY OF LINCOLN.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, & by the authority of the same,* That from and after passing this act, the fish called Alewives, in the town of Boothbay, shall not be taken in any other way or manner than with Dip Nets, nor more than three days in a week, which days shall be assigned by the Selectmen of said town in the month of March or April annually, any law to the contrary notwithstanding.

How the fish
are to be taken.

SEC. 2D. *And be it further enacted,* that if any person shall be guilty of taking said fish in said town, in any other time or manner than is provided in this Act, he or they shall be liable to pay a fine not exceeding thirteen Dollars, nor less than three Dollars, for each and every offence so committed; to be sued for and recovered in any Court, within the County of Lincoln, proper to try the same: And all fines and forfeitures recovered by virtue of this act, shall accrue to him or them who shall sue for and recover the same.

Penalty for
breach of the
law.

Approved February 18, 1802.

1801. — Chapter 37.

[January Session, ch. 13.]

AN ACT FOR ALTERING THE TIMES OF HOLDING THE COURT OF GENERAL SESSIONS OF THE PEACE AND COURT OF COMMON PLEAS, NOW HOLDEN AT SALEM, WITHIN AND FOR THE COUNTY OF ESSEX, ON THE SECOND TUESDAY OF JULY ANNUALLY; AND AT NEWBURY PORT, WITHIN & FOR SAID COUNTY, ON THE FIRST TUESDAY OF OCTOBER ANNUALLY; AND FOR ESTABLISHING AN ADDITIONAL TERM FOR HOLDING SAID COURTS IN SAID COUNTY.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, & by the authority of the [of the] same,* That the Court of General Sessions of the Peace and Court of Common Pleas, which

Court at Salem.

are now by law to be holden at Salem, within and for the County of Essex, on the second Tuesday of July annually, shall hereafter be holden at Salem aforesaid, within and for the County of Essex, on the last Tuesday of June annually; and that the Court of General Sessions of the Peace and Court of Common Pleas, which are now by law to be holden at Newbury Port, within and for the County of Essex, on the first Tuesday of October annually, shall hereafter be holden at said Newbury Port, within & for the County of Essex, on the last Tuesday of September annually, any law, usage or custom to the contrary notwithstanding.

Court at Newburyport.

SEC. 2D. *And be it further enacted*, That from and after the passing of this Act, there shall be a Court of General Sessions of the Peace, and a Court of Common Pleas holden at Ipswich, within and for the County of Essex, on the last Tuesday of December annually, in addition to those already established by law.

Court at Ipswich.

Approved February 20, 1802.

1801. — Chapter 38.

[January Session, ch. 14.]

AN ACT TO ALTER THE NAME OF THE TOWN OF THOMSONBOROUGH IN THE COUNTY OF LINCOLN.

Whereas the inhabitants of the town of Thomsonborough, have petitioned the Legislature to alter the name of said town, and have stated the great length thereof, as a reason for such alteration. therefore

Be it enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same, That the town of Thomsonborough in the County of Lincoln, shall hereafter be designated and known by the name of Lisbon.

Approved February 20, 1802.

1801. — Chapter 39.

[January Session, ch. 15.]

AN ACT TO INCORPORATE THE PLANTATION OF CHESTER, IN THE COUNTY OF KENNEBECK INTO A TOWN BY THE NAME OF CHESTERVILLE.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the*

Boundaries.

authority of the same, That the plantation of Chester in the County of Kennebeck, as described within the following bounds, with the inhabitants thereon, be, and they are hereby incorporated into a town by the name of Chesterville, Beginning at a beech tree at the southerly corner of Tyngstown, thence north fifty eight degrees east, one mile, and two hundred & five rods to a hemlock tree standing in the south west corner of Farmington, thence north sixty seven degrees east, one mile, and seventy five rods to the confluence of the Little Norridgewock with Wilson's stream, thence north forty nine degrees east, one mile and ninety rods, to the confluence of said Wilson's stream with Sandy river, thence easterly by said Sandy river, and bounding thereon one mile and twenty rods, to the mouth of Gurdy's brook or stream, thence southerly by said Gurdy's brook, and bounding thereon three miles and one hundred and eighty rods to a hemlock tree at the south east corner of Chester purchase, thence continuing on said brook southerly two miles and eighty rods to a hemlock tree marked, near the mouth of Perry's stream, so called, thence south thirty nine degrees east one mile and two hundred rods to Parkers Pond; thence southerly by said Pond, to the north line of Fayette; thence westerly by the said north line of Fayette four miles and eighty rods to a birch tree, standing at the south east corner of Livermore, thence northerly by the east line of Jay five miles and forty eight rods to the first mentioned bound. And the said town is hereby vested with all the powers, priviledges and immunities, to which other towns are entitled by the Constitution and Laws of this Commonwealth.

First meeting.

SEC. 2D. *And be it further enacted* that Stephen Titcomb Esqr. be, and he is hereby authorized to issue his Warrant, directed to some suitable inhabitant of the said Chesterville, requiring him to notify and warn the inhabitants of said Chesterville, to meet at such convenient time and place, as shall be expressed in said Warrant, to choose all such Officers as towns are by law required to choose in the months of March or April annually.

Approved February 20, 1802.

1801 — Chapter 40.

[January Session, ch. 16.]

AN ACT TO SET OFF CERTAIN TRACTS OF LAND, BEING PART OF FAYETTE, AND PART OF THE LATE PLANTATION OF GOSHEN, AND TO ANNEX THEM TO THE TOWN OF MOUNT VERNON.

Be it enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same, That the several parcels of land with the families living thereon, with their estates be, and hereby are set off from the town of Fayette, and the late plantation of Goshen, in the County of Kennebec; and annexed to and made a part of Mount Vernon in said County, viz. Beginning at the north east corner of lot, number seventy three, and bounding on the west line of Mount Vernon, thence westerly by the north line of said lot untill it strikes Parker's pond, thence southerly by said pond and bounding thereon, untill it strikes the north line of Fayette, thence easterly by said pond and the stream issuing therefrom and bounding on the same, untill it strikes the west line of Mount Vernon, thence northerly by the west line of Mount Vernon and bounding thereon, to the bound first mentioned.

Boundaries.

*Approved February 20, 1802.***1801. — Chapter 41.**

[January Session, ch. 17.]

AN ACT TO INCORPORATE THE PLANTATION CALLED BROWNFIELD IN THE COUNTY OF YORK, INTO A TOWN BY THE NAME OF BROWNFIELD, AND FOR ANNEXING A PART OF SAID BROWNFIELD TO THE TOWN OF FRYEBURGH.

SEC. 1ST. *Be it enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same,* That the plantation heretofore called Brownfield in the County of York as described within the following bounds, with the inhabitants thereon be, and hereby are incorporated into a town by the name of Brownfield, begining at the south corner of Fryeburgh, and running north forty three degrees and a half east, four hundred and ninety five rods to the north west corner of Brownfield, on the east side of Saco River; thence south sixty three degrees east, seventeen hundred and seventeen rods to a tree marked; then south thirty degrees east, twelve hundred and twelve rods to Flints-

Boundaries.

town line, then south sixty two degrees west sixteen hundred and ninety one rods to Saco River, then up said river as it tends to the place where Brownfield line comes to Saco River on the west side, then across said river south sixty two degrees west, four hundred and eighty rods to the south corner of Brownfield, then north twenty eight degrees west, eighteen hundred and seventy six rods to the northeast corner of Porterfield, then south, seventy six degrees and a half west, five hundred and eighty rods to the line of New Hampshire; then north six degrees & a half east, to the line of that part of the Plantation of Brownfield, which in this Act is set off to the town of Fryeburgh, then north seventy six degrees and a half east, nine hundred and eighty five rods to the bounds begun at: And the said town is hereby invested with all the powers and priviledges, rights and immunities to which other towns are entitled by the Constitution and Laws of this Commonwealth.

First meeting.

SEC. 2D. *And be it further enacted*, That Moses Ames Esqr. be, and he is hereby authorized to issue his Warrant, directed to some suitable inhabitant of the said town of Brownfield, requiring him to notify and warn the inhabitants of the said town of Brownfield, to assemble and meet at such convenient time and place as shall be expressed in said Warrant to choose all such Officers as towns are by law required to choose in the months of March or April annually.

Land set off to Fryeburg.

SEC. 3. *And be it further enacted*, That the tract of land as described within the following boundaries, and which heretofore made a part of the plantation of Brownfield be, and hereby is annexed to, and made a part of the town of Fryeburgh viz. Beginning at the south corner of Fryeburgh, at a stake and stones, thence running north forty six degrees and an half west, eleven hundred and seventy five rods on Fryeburgh line to a pine stump on the line of New Hampshire, thence south six degrees and a half west, nine hundred and ten rods to a beach tree marked HYB, thence north seventy six degrees and a half east nine hundred and eighty five rods, to the bounds first mentioned.

Provision for debts & taxes.

SEC. 4TH. *And be it further enacted*, That the inhabitants of the aforesaid tract hereby annexed to Fryeburgh, shall be held to pay their proportion of all debts and taxes owed by the said Plantation of Brownfield, prior to the date of this Act.

Approved February 20, 1802.

1801. — Chapter 42.

[January Session, ch. 18.]

AN ACT TO INCORPORATE THE PLANTATION CALLED GOSHEN, OR WYMAN'S PLANTATION, IN THE COUNTY OF KENNEBECK, INTO A TOWN BY THE NAME OF VIENNA.

SEC. 1ST. *Be it enacted by the Senate, and House of Representatives in General Court assembled, and by the authority of the same* That the tract of land as described Boundaries. in the following boundaries, in the County of Kennebeck, with the inhabitants thereon be, and they are hereby incorporated into a town by the name of Vienna, Beginning at the northeast corner of lot, number seventy three on the west line of Mount Vernon, or the west line of the Plymouth patent, thence northerly to the south east corner of New Sharon, thence westerly by the south line of New Sharon until it strikes Gurdy's pond, thence southerly up Gurdy's Brook or Stream, so called, and bounding thereon, to a large hemlock tree marked, near the mouth of Perry's stream, so called, thence south thirty nine degrees east one mile, and two hundred rods to Parker's Pond, thence easterly across said Pond to the northwest corner of said lot, number seventy three, thence easterly by the north line of said lot to the bound first mentioned: And the said town is hereby vested with all the powers, priviledges & immunities to which other towns are entitled by the Constitution and Laws of this Commonwealth.

SEC. 2D. *And be it further enacted* that Jedediah Prescott esqr. be, and he hereby is authorized to issue his Warrant, directed to some suitable inhabitant of said Vienna, requiring him to notify and warn the inhabitants of the said Vienna, to meet at such convenient time and place as shall be expressed in said Warrant, to choose all such Officers as towns within this Commonwealth are by law required to choose in the months of March or April annually. First meeting.

Approved February 20, 1802.

1801. — Chapter 43.

[January Session, ch. 19.]

AN ACT TO EMPOWER THE INHABITANTS OF THE TOWN OF MARBLEHEAD TO CHOOSE A BOARD OF HEALTH AND FOR REMOVING AND PREVENTING NUISANCES IN SAID TOWN.

SECT. 1. *Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the*

Members how many, and when to be chosen.

authority of the same, That the freeholders and other Inhabitants of the town of Marblehead, qualified to Vote for Town Officers, may in the month of March or April annually, or at any other meeting legally called for the purpose, choose a Board of Health consisting of nine persons, the members of which Board of Health, shall Elect a President and a Clerk, whose duty it shall be to record the Votes and doings thereof; and in case of the death or resignation of any one of the members of said Board, the said freeholders or other Inhabitants may at any meeting legally called for the purpose; elect a Member to supply his Place.

Members to examine into nuisances.

SECT. 2. *Be it further Enacted*, That it shall be the duty of the Board of Health, and each Member thereof, to examine into all nuisances and other causes injurious to the health of the Inhabitants; whether the same shall be caused by stagnant waters, drains, common sewers, Slaughter Houses, Tanyards, fish, fish-houses, docks, necessaries, hogsties, putrid animal or vegetable substances, or any other cause of whatever kind, which in his or their Opinion may be injurious to the Health of the Inhabitants as aforesaid, and upon complaint on oath being made to any Justice of the Peace by any member of said Board of Health, or other person, that he suspects any of the nuisances or causes aforesaid to exist in any dwelling House, cellar, Store or other building. Ship or Vessel, it shall be the duty of such Justice to issue his Warrant, directed to the Sheriff of the County of Essex or his deputies, or to any Constable of the town of Marblehead, commanding him or them forcibly to Enter, and together with a Member of said board of Health, to search the same in the day time, and upon the discovery of such nuisance, or other cause injurious to the health of the Inhabitants, to remove the same. *Provided however*, that no Sheriff, or deputy Sheriff or Constable shall execute any Civil process, either by arresting the body or attaching the Goods and Chattles of any person or persons, under color of any Entry made for the purposes aforesaid, unless such Service could by law have been made without such entry; and all services so made under color of such entry, shall be utterly void, and the officer making such service shall be considered as a Trespasser to all intents, *ab initio*. And any person or persons, who shall resist such search, shall forfeit and pay the sum of Thirteen Dollars, to be recov-

Civil processes not to be served under color of an entry pursuant to this act.

ered in manner hereinafter provided. And it shall be the duty of the Board of Health, upon the discovery of any such nuisance or other cause injurious to the health of the Inhabitants of said Town, forthwith to remove the same. And upon complaint to any Justice of the Peace within the said Town or in said County, made upon Oath, by one or more of said Board of Health, briefly therein Stating the facts, together with the Costs of such removal, such Justice shall grant a Warrant, therein expressing the substance of said Complaint, directed to the Sheriff of the County of Essex, or his Deputy, or any Constable of the town of Marblehead commanding him to notify and require the person or Persons in whose possession, or upon whose estate such nuisance or other cause aforesaid existed; or in case of his absence, his Agent or Attorney, to appear forthwith before such Justice, and if such person or persons shall neglect then and there to appear, or appearing shall not shew good cause, to the satisfaction of said Justice, why Judgment should not pass against him or them; the said Justice shall then and there adjudge that such person or persons shall pay a fine of Thirteen Dollars, and the costs of such removal and double costs of prosecution; and shall thereupon issue his Warrant directed to the Sheriff of the County of Essex, or his deputy, or any Constable of the Town of Marblehead thereby commanding him to levy the expence of said removal, together with said fine and double Costs, on the goods and Estate, and for want thereof, on the body of the said occupier or proprietor of the House, land, cellar, docks, Store or Vessel in which said nuisances existed, and said fine shall be paid over to the Town Treasurer for the use of said Town. *Provided always*, that any person or persons aggrieved at any Judgment of a Justice, passed against him or them, as aforesaid, shall have a right to appeal therefrom, to the Court of General Sessions of the Peace, then next to be holden within and for the County of Essex, who shall hear and determine on such complaint, as the case may require, and thereupon render such Judgment as the Justice is herein before authorized to do in an Original complaint to him, with additional costs; and the Judgment of said Court thereon shall be final — *Provided nevertheless*, that

Justices
directed.

Appeal allowed.

Proviso.

nizance with two sufficient sureties to prosecute said appeal with Effect — And said Board shall have authority to appoint Scavengers and such other Officers to assist them in the execution of their Office, as they shall Judge necessary; for payment of whom, and all necessary expences which may arise in the exercise of their office, the said Board shall be Authorized to draw upon the Treasurer of said Town.

Penalty for offering for sale putrid meat, &c.

SECT. 3. *Be it further Enacted*, that any Person who shall offer for sale in the Town of Marblehead, or shall have in possession any tainted or putrid Salted meat, or pickled fish, which shall be so deemed by any two of the Board of Health upon conviction thereof in manner aforesaid, shall forfeit the sum of two dollars for each barrel so offered for sale, or that he shall have in possession — And it shall be the duty of every licenced Packer of Provisions and Pickled fish, to give information to the Board of Health, or some one of them, of any such meat or fish, that shall come to his knowledge, and shall more-over be sworn before the President of the Board of Health, or some one of said Board, to give such information, before he shall execute that trust, after said Board of Health shall have been chosen; and the said President and members, are hereby severally authorized to administer said Oath. And if any packer of Provisions shall repack any meat or fish, that shall be unwholesome, or not fit for use, and be thereof convicted before any Court competent to try the same, he shall forfeit Two dollars for each barrel so repacked, and shall forever be disqualified for serving again in that capacity; and no provisions shall be repacked in the said Town of Marblehead, between the first day of June and the first day of October in any Year, unless in such place or places therein, where permission therefor shall be Obtained in writing from the Board of Health, and any person or persons who shall repack any provisions within the times aforesaid in the said Town of Marblehead in any place or places where permission therefor in writing hath not been first obtained of said Board of Health, shall forfeit the sum of two dollars for each barrel so repacked.

Packers of fish and provisions directed.

Packing provisions at certain times forbidden, without permit, &c.

Regulation with respect to killing sheep, &c.

SECT. 4. *Be it further Enacted*, that no person or persons, without first obtaining permission therefor from the Board of Health or two members thereof, shall kill any sheep or lambs, or expose to Sale within said Town, be-

tween the first day of July and the Twentieth day of September in any year, the meat of any sheep or lambs, which shall have been killed within two days, after such sheep or lambs shall have been driven into said Town, and every person who, without having first obtained such permission, shall within the times aforesaid, kill any sheep or lambs within said Town, within two days after such sheep or lambs shall have been driven into the same, or shall expose or offer for sale within said Town, the meat of any Sheep or lamb, which shall have been so killed, shall forfeit and pay for each offence, twenty dollars, and the meat of every sheep or lamb so killed shall be forfeited, and the said board of Health or any two of them, may, and it shall be their duty to seize and remove the same, and dispose thereof so as that the health of the Inhabitants may not be endangered thereby; and in any Action or prosecution against the members of said Board of Health, or either of them, for seizing any meat of Sheep or lambs, by Virtue of this act, the plaintiff or prosecutor, shall be held to prove that such sheep or lambs, were killed after the expiration of two days from the time the same were driven into said Town, or by the permission of said Board of Health.

SECT. 5. *Be it further Enacted*, that no untanned hides shall be Stored or kept in the town of Marblehead aforesaid, between the first day of May and the first day of december, except in such place or places as the Board of Health shall direct and appoint and that all such hides, found in any other place or places in said Town within the times last mentioned, shall be forfeited, unless removed to such place as the Board of Health shall direct, without the limits of said Town, by the owner thereof, within twenty four hours after notice given him by the said Board of Health or any two of them, and such hides so forfeited, shall and may be seized by any two of said Board of Health, and shall and may be libelled and tried in the same way and manner, and by the same process as is provided for the trial of Gun powder, seized according to law — And any person or persons, who shall throw upon the Wharves or Shores, or into any of the docks in the Town, any putrid meat, fish, or any other putrid or offensive Substance, or any thing contrary to the order or regulations of the Board of Health, shall forfeit and pay for each offence a sum not less than two dollars nor

The Board to direct the places for storing untanned hides.

Penalty for throwing filth, &c. into the docks, &c.

more than thirteen dollars at the discretion of the Court, which may have cognizance of such offence; that all masters of vessels who shall throw upon the wharves or shores, or into any of the Docks of said Town, without permission from the Board of Health any filth or Sweepings of the Vessels holds, which may endanger the health of the Inhabitants of said Town, shall forfeit a sum not less than five dollars, nor more than fifty dollars for each offence.

Certain powers
of the Selectmen
transferred.

SECT. 6. *Be it further Enacted*, that all the powers & duties which are given to & required of the Selectmen of the town of Marblehead by a certain Law of this Commonwealth, passed the twenty second day of June, one thousand seven hundred & ninety seven, entitled, “An Act to prevent the spreading of Contagious Sickness,” — & also one other Law of said Commonwealth, passed the twenty sixth day of February, eighteen hundred, entitled, “An Act in addition to an act, entitled, “An Act to prevent the spreading of Contagious Sickness” shall be, & they hereby are transferred to & made the duty of the said Board of Health, any thing in said Laws to the contrary notwithstanding.

Visiting
Physician.

SECT. 7. *Be it further Enacted*, that the said Board of Health, be & hereby are empowered from time to time, to choose a suitable & discreet person to act as a visiting Physician to said Board, whose duty it shall be to visit all vessels coming from any place or places, in which the said Board shall think any contagious Sickness prevails; & such Physician shall be under the direction of said Board, & may be removed by them whenever they shall see cause. And whereas by the Eleventh Section of the Act of this Commonwealth, entitled, “An Act to prevent the spreading of Contagious Sickness,” it is enacted, that each Town & District in this Commonwealth, may at their Meeting held in March or April, annually, or at any other meeting legally warned for that purpose, when they shall judge it to be necessary, choose & appoint a Health Committee, in the manner & for the purposes in said Eleventh Section mentioned.

The Board to
exercise the
powers of a
health com-
mittee.

SECT. 8. *Be it Enacted*, that so much of said Law as respects the future appointment of a Health Committee for the Town of Marblehead be & the same is hereby repealed & that the Board of Health to be appointed by virtue of this Act, be, & they hereby are made & shall be

the Health Committee for the Town of Marblehead, & be invested with all the powers & duties which are granted to, or imposed upon said Health Committee in & by said Act.

SECT. 9. *Be it further enacted*, that all Penalties & forfeitures arising from this Act, except in those cases in which it is herein otherwise provided, shall accrue to the use of the Town of Marblehead, & shall be prosecuted & recovered by Action of Debt in the name of the President of the said Board of Health, or by information in any Court competent to try the same. And it shall be the duty of the Board of Health & of each Member thereof to pursue & enforce the due execution of the foregoing Law, & prosecute all offenders for all Penalties & forfeitures which may accrue under the same.

Appropriation
of fines.

Approved February 22, 1802.

1801. — Chapter 44.

[January Session, ch. 20.]

AN ACT TO INCORPORATE THE PLANTATION NUMBER TWO, IN ABBOT'S PURCHASE, LYING ON BOTH SIDES OF SANDY RIVER, IN THE FIRST RANGE OF TOWNSHIPS, NORTH OF GREAT AMERESKOGGEN RIVER, IN THE COUNTY OF KENNEBECK, INTO A TOWN BY THE NAME OF AVON.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same*, that the plantation number two, in Abbot's purchase, (so called) lying on both sides of Sandy river, in the first range of townships, North of Great Amereskoggen river, in the County of Kennebeck, with the Inhabitants thereon, as described within the following bounds, be and they are hereby incorporated into a town, by the name of Avon. Northerly by number three in the same range, Easterly by the town of Strong, Southerly by number one in the same range, and Westerly, by the townships numbered five and Six, containing twenty two thousand & five hundred Acres, as appears by a Survey made by Samuel Titcomb in the year 1793, a plan of which is remaining in the office of the Committee for the Sale of Eastern Lands, reference thereto being had. And the said town of Avon, is hereby invested, with all the powers, privileges, rights and immunities, with which other towns are vested by the Constitution & Laws of this Commonwealth.

Boundaries.

First meeting.

SECT. 2. *And be it further Enacted* that William Read Esqr. be, and he is hereby authorized to issue his Warrant, directed to some suitable inhabitant of said Avon, requiring him to notify & warn the Inhabitants of the said Town, qualified by law to vote in town affairs, to meet at such convenient time & place, as shall be Expressed in said Warrant, to choose all such officers as towns within this Commonwealth, are by law required to choose, in the months of March or April annually.

Approved February 22, 1802.

1801. — Chapter 45.

[January Session, ch. 21.]

AN ACT TO INCORPORATE THE PLANTATION NUMBER TWO, OR NEW VINEYARD, IN THE FIRST RANGE OF TOWNSHIPS LYING ON THE WEST SIDE OF KENNEBECK RIVER, & NORTH OF THE PLYMOUTH CLAIM, IN THE COUNTY OF KENNEBECK, INTO A TOWN BY THE NAME OF NEW VINEYARD.

Boundaries.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the plantation heretofore called Number Two or New Vineyard, in the first range of Townships lying on the west side of Kennebeck river, and north of the Plymouth claim, in the County of Kennebeck, as described within the following bounds, with the inhabitants thereon be, and they are hereby incorporated into a town, by the name of New Vineyard. Beginning at the northwest corner of Anson, thence south six miles and one quarter to the southwest corner of said Anson, thence west four miles and forty rods on the plantation called Industry, thence south one mile and one hundred & fifty nine rods to Clearwater pond, thence southwesterly by said pond, and bounding thereon eighty six rods, to the east line of Farmington, thence north two hundred and twenty five rods to the northeast corner of said Farmington; thence west one mile, and one hundred and ninety six rods to the southwest corner of Strong; thence north seven miles and one hundred and twenty five rods to the northeast corner of said Strong; thence east six miles to the bound first mentioned: And the said town is hereby invested with all the powers, priviledges, rights and immunities with which other towns are vested by the Constitution and Laws of this Commonwealth.

SEC. 2D. *And be it further enacted.* That Supply First meeting.
 Belcher Esqr. be, and he hereby is authorized to issue
 his Warrant, directed to some suitable inhabitant of said
 New Vineyard, requiring him to notify and warn the in-
 habitants of the said town, qualified by law to vote in
 town affairs, to meet at such time and place as shall be
 expressed in said Warrant, to chuse all such Officers
 as other towns within this Commonwealth are by law
 required to choose in the months of March or April
 annually.
Approved February 22, 1802.

1801. — Chapter 46.

[January Session, ch. 22.]

AN ACT, IN ADDITION TO THE SEVERAL ACTS PASSED RE-
 SPECTING ANDOVER BRIDGE.

*Be it Enacted by the Senate and House of Representa-
 tives in General Court assembled, and by the authority of
 the same* — That the Proprietors of Andover Bridge, in
 the County of Essex, be and hereby are authorized and
 empowered, to rebuild said Bridge, with suitable materials,
 in the manner as in said Acts are provided, to be at least,
 twenty feet in width, instead of twenty eight, as in the
 Acts aforesaid is directed.

Approved February 25, 1802.

1801. — Chapter 47.

[January Session, ch. 23.]

AN ACT CONTINUING IN FORCE, FOR CERTAIN PURPOSES, TWO
 ACTS HERETOFORE PASSED RESPECTING THE DIVISION OF
 THIS COMMONWEALTH INTO DISTRICTS FOR THE CHOICE OF
 REPRESENTATIVES IN THE CONGRESS OF THE UNITED
 STATES.

*Be it enacted by the Senate and House of Representa-
 tives in General Court assembled and by the Authority of
 the same,* that an Act passed the twenty seventh day of
 June in the Year of our LORD one thousand seven hun-
 dred & ninety four, entitled “An Act for dividing the
 Commonwealth into districts for the choice of Representa-
 tives in the Congress of the United States, and prescrib-
 ing the mode of Election;” and also an Act in addition
 thereto passed the sixteenth day of June in the Year of
 Our LORD one thousand seven hundred and ninety six
 be, and hereby are continued in full force for the purpose

of supplying any vacancy which has happened or which may hereafter happen in the Representation of this Commonwealth in the present Congress of the United States — and like proceedings for supplying such vacancies shall, from time to time, be had, and the same penalties for neglect of duty, incurred, as are provided in the several Acts aforesaid.

Approved February 25, 1802.

1801. — Chapter 48.

[January Session, ch. 24.]

AN ACT GRANTING A LOTTERY FOR THE PURPOSE OF RENDERING THE LOCKS AND CANALS AT SOUTH HADLEY PASSABLE FOR BOATS, AND RAFTS OF TIMBER, WITHOUT THE AID OF A DAM ACROSS CONNECTICUT RIVER.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the sum of Twenty thousand Dollars be raised by lottery for the purpose of rendering the Locks and Canals at South Hadley passable for boats and rafts of timber, without the aid of a Dam across Connecticut river, and that Thomas Dwight, Justin Ely, Jonathan Dwight, Joseph Lyman Junr., and John Williams Esquires be, and they hereby are appointed Managers of said lottery; whose business it shall be from time to time, to make and publish such scheme or schemes, as shall in their opinion best promote the purposes of said lottery, and for drawing said lottery and transacting the other business thereof.

Managers.

Bonds and an oath required.

SEC. 2D. *And be it further enacted* that the said Managers before they enter on the duties of their said office shall give separate bonds to the proprietors of the Locks and Canals on Connecticut river, in the sum of Five thousand Dollars with sufficient surety, each to be answerable for his own default, and shall take an oath for the faithful performance of said trust.

Prizes when to be paid, &c.

SEC. 3D. *And be it further enacted,* That the prizes in said lottery shall be paid by the managers in thirty days after the drawing of each class of said lottery is completed; those prizes not demanded within one year after the publication of the drawing of the said lottery, shall be considered as generously given for the purpose for which this lottery is granted. And the Managers are hereby directed from time to time as the classes shall be

drawn, to pay to the Treasurer, for the time being, of said proprietors of Locks and Canals, the net proceeds after deducting the compensation that the said proprietors shall allow them for their services.

SEC. 4TH. *And be it further enacted*, That the Managers shall publish the schemes of this lottery, the time and place of drawing, and the list of prizes, in one or more of the public News papers.

Schemes, &c. to be published.

SEC. 5TH. *And be it further enacted*, That it shall be the duty of the said Managers, & of every of them to prevent, as far as may be, the selling of any fractional parts of Tickets; and if any person shall deceitfully, or by any pretence of convenience to the purchasers, make, utter or sell any fractional part of a Ticket in the said lottery or any class thereof, putting upon any such part any advance, the person or persons purchasing such fractional part of a Ticket, may recover back the whole sum which shall appear to have been paid therefor, and may have an action for the same for money had and received to his or their use.

Parts of tickets not to be sold at an advance.

SEC. 6TH. *And be it further enacted*, That this Act, as to the grant of the said lottery, shall continue and be in force for the term of four years, and untill the end of the next session of the General Court which shall be then after, and no longer.

Continuance of the act limited.

Approved February 25, 1802.

1801. — Chapter 49.

[January Session, ch. 25.]

AN ACT TO INCORPORATE CERTAIN PERSONS AS TRUSTEES OF A FUND FOR THE SUPPORT OF A CONGREGATIONAL MINISTER IN THE TOWN OF KINGSTON IN THE COUNTY OF PLYMOUTH.

Whereas there are in the Treasury of the town of Kingston certain Monies & Securities amounting to Eleven hundred dollars which the Town at a legal meeting have appropriated as a fund for the support of a Congregational Minister in said Town and have petitioned the Legislature for an Act of incorporation of certain persons for the due management thereof —

Preamble.

SECT. 1. *Be it Enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same*, that Zepheniah Willis, John Gray, Ebenezer Washburn, Jedediah Holmes, John Faunce, John Thomas and Jedidiah Holmes Junr. be and are

Trustees.

hereby appointed Trustees to manage such fund as are or shall be raised and appropriated to the use aforesaid in and for the town aforesaid, and for that purpose they are hereby incorporated into a body politic by the Name of The Trustees of the Funds appropriated to the Support of a Minister of the Congregational denomination in the Town of Kingston, and they and their Successors in said Office are hereby vested with full power to receive into their hands all Money or Securities for money already raised, And all Monies, Subscriptions, donations, securities for real or personal Estate that may hereafter be Subscribed given or raised for the purpose aforesaid and put the same to use or interest untill it shall accumulate by the interest arising thereon to a Sum the interest of which shall be adequate to the support of a Minister as aforesaid — *Provided* that the same fund shall never exceed nine thousand dollars in the whole, and to apply the whole or so much as may be necessary of the interest arising therefrom to pay the Salary of such Minister as aforesaid as the majority of the Church and Congregation have settled or shall settle, but not in any case to lessen or make use of any part of the principal, & in case the whole of said annual income & interest should be more than sufficient to pay the Salary as aforesaid, then the surplus if any there be shall be appropriated for the support of Schools in said Town, or for enlarging said fund as the town may from time to time order or direct, and if it shall so happen that said Trustees shall become seized of land, or tenements by Mortgage as Security for payment of any debts due to said Society, or Corporation, or by levying executions on lands for the discharge of debts due to said Trustees or Town and the fee thereof shall in due Course of law be Vested therein, it shall be lawful for said Trustees for the time being to execute good and well authenticated warrantee deeds of the same.

Fund limited.

Trustees to execute deeds.

Annual meeting.

SECT. 2. *Be it further Enacted*, That the Trustees before mentioned shall forever hereafter hold a meeting in the Town of Kingston in the Month of April annually, the time and place of said meeting to be notified by the major part of the Trustees by posting an Advertisement in some public place in said Town seven days at least before the time of said meeting — At such meeting the major part of the Trustees present may choose a Treasurer with whom the money or securities for money constituting the

funds may be deposited, and who shall under the controul and by the order of the Trustees or major part of them receive in, demand, sue for and recover as well from all subscribers to said fund their heirs executors and administrators, the sums they have respectively subscribed for the purposes aforesaid or the interest of the same only, as from any person who shall hereafter subscribe a sum for the purposes aforesaid his heirs executors and administrators, and shall deliver up or pay out such money or securities, and the person so chosen shall give bond if required at the discretion of the Trustees for the faithful performance of his duty, and the major part of the Trustees present at such meeting are also empowered to choose a Clerk annually who shall be under Oath to keep a true record of the proceedings and doing of the Trustees, and the Trustees are further empowered from time to time, at any of their meetings in the manner aforesaid, to fill up the Vacancies occasioned by the death, resignation or removal of the Trustees.

Treasurer and Clerk, and their duties.

SECT. 3. *Be it further Enacted* That the said town shall have full power from time to time to call said Trustees to an Account for their conduct in managing said fund, and the estate of each Trustee shall be liable to be taken in execution on any judgment against such Trustees, recovered by the said town which is hereby authorized to commence and prosecute an Action against said Trustees or any of them for any embezzlement or neglect of refunding monies in their hands, and the debt or damage recovered by the said town in any such Judgment shall be to and for the Use aforesaid.

Trustees accountable to the town.

SECT. 4. *Be it further Enacted*, That if Judgment shall be recovered against the said Trustees or any of them for embezzlement or neglect as aforesaid such Trustee or Trustees shall by that fact vacate his or their said Office, and the Vacancy shall be filled up in the manner before provided.

How a Trustee will forfeit his office.

Approved February 26, 1802.

1801. — Chapter 50.

[January Session, ch. 26.]

AN ACT TO INCORPORATE JOSEPH WOODMAN AND OTHERS FOR THE PURPOSE OF MAINTAINING A BOOM ACROSS SAUKO RIVER, BETWEEN BUXTON AND PHILLIPSBURGH IN THE COUNTY OF YORK.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the*

Persons
incorporated.

authority of the same, That Joseph Woodman, Stephen Hopkinson, Richard Palmer, Joseph Rankins, Andrew Palmer, Joseph Spencer, Stephen Woodman, John Garland, John Woodman, John Smith, Edmund Woodman, John Edgarly, James Woodman, Moses Atkinson and William Woodson, together with such others as now are or may hereafter become proprietors in the said Boom be, & hereby are constituted and made a Corporation for laying and maintaining a Boom across Sauko river by the name and style of The Proprietors of the Bar-mill Boom, and by that name may sue and be sued, prosecute and be prosecuted to final judgment & execution, and to do and suffer all such matters and things as bodies corporate may or ought to do and suffer; and the said Corporation shall have power to keep and use a common seal, and the same to break, alter and renew at pleasure.

Proprietors
to meet and
choose a treasurer & clerk.

SEC. 2D. *And be it further enacted,* That the said Joseph Woodman and others his associates, or any five of them, may by an advertisement posted up at some public place or places in each of the said towns of Buxton and Phillipsburgh, call a meeting of the said Proprietors, to be holden at some suitable time and place, giving at least ten days notice of such meeting; and the sd. proprietors being so met, by a vote of the major part of the proprietors present or represented at said meetings, shall proceed to choose a Clerk & Treasurer and such other Officers as they may from time to time find necessary, who shall be duly sworn to the faithful discharge of their respective trusts, and shall also agree upon a method for calling future meetings of the said proprietors, and at the same or any subsequent meeting may make and establish any rules and regulations which may be found necessary or convenient for regulating the said Corporation, for collecting the toll or fees herein established, and for the more effectually executing and completing the general purposes of this Act; and shall have power to assess and recover reasonable fines and penalties for any breach or breaches of such rules and regulations, not exceeding fifty Dollars: *Provided* that such rules and regulations shall not be repugnant to the Constitution or Laws of this Commonwealth; and all applications or representations made at such meetings, shall be in writing, and signed with the name of the person making the same, which shall be filed with and recorded by the Clerk; and this Act,

A record of
rules, &c.
enjoined.

with all the rules, regulations, votes and doings of the said Corporation shall be fairly and truly recorded by the said Clerk in a book or books for that purpose to be provided and kept.

SEC. 3D. *And be it further enacted*, That the said Corporation shall be entitled to, and receive of the respective owner or owners of masts, logs and other timber which shall or may be rafted and secured at said Boom by any person or persons not a proprietor thereof, the following respective fees or toll, viz. For each mast, six Cents — For each mill log of more than one foot diameter, two Cents — For each ton of oak, pine or other timber, three Cents — For each thousand feet of ranging timber, six Cents: *provided however*, that the fees or toll aforesaid shall at all times hereafter be subject to the revision and alteration of the Legislature.

Fees.

SEC. 4TH. *And be [it] further enacted*, That for the securing and recovering the payment of the respective fees or toll aforesaid it shall be lawful for the said Corporation, by their Agent or other person whom they may appoint for that purpose, to sue for & recover, in a due course of law, by an action of debt, all such fees for rafting masts, logs and timber as aforesaid, when payment shall be refused by the person or persons subject to pay the same.

Fees may be sued for.

SEC. 5TH. *And be it further enacted*, That any person or persons who shall wilfully & maliciously injure or destroy the said Boom, or any of its appendages, or means of using and improving the same, shall be liable to pay such reasonable damages with costs of suit, as shall be determined in a due course of law, to be sued for and recovered by the said proprietors, in an action of trespass, or on the case.

Penalty for injuring boom, &c.

SEC. 6TH. *And be it further enacted*, That said proprietors, and those in their employ, or other person or persons who may have occasion therefor, shall have free liberty to pass and repass on foot, to and from the Boom aforesaid over the lands on the banks of both sides of said Sauko river, through which it may be necessary to pass in taking care of, guiding and rafting masts, logs & other timber as aforesaid, and for the securing the same to the banks or shores of said river, or at the Boom aforesaid; and also to make any repairs which may from time to time be necessary in swinging the said Boom, subject however

Proprietors, &c. may pass over any land, &c. to their boom, upon certain conditions.

to pay such reasonable sum to the owner or possessor of such land for damages done to the same, or their appurtenances which may arise or happen thereto in prosecuting the said business of rafting and securing as aforesaid, which damages shall be determined and adjudged by some disinterested person or persons mutually chosen by the owner or possessor of the land thus damaged, and the person or persons who may be charged with committing such damage, and the proprietors of the said Boom, as the case may be; and in case they cannot agree, such person or persons to be appointed by any disinterested Justice of the Peace, or by the Court of General Sessions for the said County of York, whose determination shall be the measure of such damage. *Provided* that said proprietors shall not, nor any person employed in said business, take down or remove any bars or fences belonging to the owner or possessor of said lands, without liberty first obtained of the owner or possessor thereof.

Certain timber
&c. to be
turned through
the boom.

SEC. 7TH. *And be it further enacted*, That the said Proprietors shall from time to time, as soon as such masts logs & other timber can be conveniently secured, take care, and cause to be turned through the said Boom, all such masts logs & other timber aforesaid, coming down said river, as shall not belong to the said proprietors or others, secured or to be secured for the use of such owners of masts, logs or other timber as aforesaid.

Approved February 26, 1802.

1801. — Chapter 51.

[January Session, ch. 27.]

AN ACT IN FURTHER ADDITION TO AN ACT ENTITLED "AN ACT ESTABLISHING THE NINTH MASSACHUSETTS TURNPIKE CORPORATION."

Preamble.

Whereas in the first enacting clause in the said Act, the said Corporation are entitled at each of their Turnpike Gates to receive for all oxen, horses mules and neat cattle led or driven, besides those in teams and carriages, two Cents each, For all Sheep and Swine three Cents by the dozen, For every Chaise Chair or other carriage drawn by one horse, nine Cents, which rates of toll are considered unequal, Therefore

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority

of the same, That the said Corporation, from and after the first day of April next, shall let oxen, horses, mules and neat cattle, led or driven, besides those in teams and carriages, Sheep and Swine pass their Turnpike Gates free from toll, and be entitled to receive at each of their Turnpike Gates for every Chaise, Chair or other carriage drawn by one horse twelve Cents five milles, any thing in the said incorporating Act to the contrary notwithstanding.

Oxen, &c. to
pass toll free.

Approved February 27, 1802.

1801. — Chapter 52.

[January Session, ch. 28.]

AN ACT FOR ALLOWING A FURTHER TIME TO THE PROPRIETORS OF CONNECTICUTT RIVER BRIDGE FOR COMPLETING THE SAME.

Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the Same, that a further time of One year from the first day of May next, be and hereby is allowed to said Proprietors to Complete their Bridge, any thing in the Original Act, or an Act in addition thereto, passed the fourth day of February, in the year Eighteen hundred, notwithstanding.

Approved February 27, 1802.

1801. — Chapter 53.

[January Session, ch. 29.]

AN ACT IN FURTHER ADDITION TO AN ACT ENTITLED “AN ACT TO REGULATE THE ALEWIFE FISHERY IN THE TOWN OF BRIDGWATER IN THE COUNTY OF PLYMOUTH AND FOR REPEALING ALL LAWS HERETOFORE MADE FOR THAT PURPOSE,” PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND NINETY SEVEN.

Be it Enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same, that it shall and may be lawful for the town of Bridgewater in the County of Plymouth hereafter to take the fish, called Alewives, in said Town at such times & places, as were provided in an Act entitled “An Act for regulating the Alewife fishery in the town of Bridgewater in the County of Plymouth, and for repealing all laws heretofore made for that purpose,” passed the ninth day of March in the year of Our LORD one thousand seven hundred and ninety one, any law to which this is in addition to the Contrary notwithstanding.

Approved February 27, 1802.

1801. — Chapter 54.

[January Session, ch. 30.]

AN ACT FOR INCORPORATING A NUMBER OF THE INHABITANTS OF THE TOWN OF PLYMOUTH, IN THE COUNTY OF PLYMOUTH, INTO A SEPERATE PARISH.

Preamble.

Whereas a number of the inhabitants of the town of Plymouth have petitioned this Court, to be incorporated into a seperate parish, and it appearing reasonable, that the prayer of said petition be granted.

Persons incorporated.

SEC. 1ST. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That John Bishop, Benjamin Warren, Nathan Read, David Diman, Lot Harlow, Jesse Bartlett, Samuel Robbins, Barnabas Churchill, Anthony Dike, William Weston Junr., Anthony Dike Junr., Moses Nichols, Seth Harlow Junr. Sylvanus Churchill, James Morton, Thaddeus Churchill, Solomon Churchill, Joseph Bartlett, Nathaniel Bartlett the fourth, Thomas Morton the third, John Bartlett Junr. Joseph Warren Nellson, Lemuel Cobb, Thaddeus Faunce, Jesse Harlow Junr. Nathaniel Clark Junr., Benjamin Warren Junr., Zacheus Kempton, Sylvanus Bartlett, William Ryder, Nicholas Smith, John Swift, John Swift Junr., Gilbert Holmes, Samuel Holmes Junr., Caleb Battles, Thaddeus Churchill Junr., Ephraim Morton, Joseph Swift, John Bishop Junr., Caleb Faunce, Nathaniel Harlow, Ansel Lucas, William Nellson, Clark Raymond, Branch Churchill, Elnathan Holmes Junr., Amaziah Harlow, Jesse Robbins, Charles Robbins, Joseph Ryder, Stephen Bartlett, George Bacon, Nathaniel Clark the third, William Davie Junr., Lemuel Robbins, William Robbins, Jabez Swift, William Bradford, Joshua Torrey, Jacob Howland, Nathaniel Sylvester, Thomas Covington Junr., Samuel Churchill, George Ryder, Nathan Holmes, Moses Breck, Daniel Doten, Benjamin Morton, Bela Lucas, Benjamin Lucas, David Holmes, George Thrasher, Elijah Macumber, Joseph Brainhall, Thomas Morton, Nathaniel Warren Leonard, Job Cobb, Barnabas Faunce, John Clark, Lemuel Cobb Junr., Thaddeus Ripley, Nathaniel Clark, William Holmes Junr., William Sargent junr., David Holmes Junr., Elijah Donham, Seth Harlow, Elkanah Bartlett Junr., Robert Finney, Levi Whiting, Nathaniel Doten, George Sampson, Joseph Whiting, Oliver Kempton, John Perry, Zouth Clark,

Lemuel Leach, Clark Finney, Elkanah Finney, Isaac Bartlett, Moses Hoyt, Joseph Holmes, Ephraim Whiting, Diman Bartlett, Andrew Bartlett Junr., George Finney, Nathan Whiting, William Manter, Ansell Bartlett, John Donham, Amaziah Churchill Junr., Abraham Whiting, Nicholas Smith Junr. William Parsons, Seth Robbins, Gersham Barden, Isaac Howland, Nathaniel Robbins, Chandler Holmes, Ebenezer Davie, Elkanah Bartlett, Nathaniel Kempton, Samuel Churchill the third, Lewis Finney, Prince Doten, Willson Churchill, William Donham, Benjamin Drew Junr. Ansel Robbins, John Doten Junr., Isaac Donham, Thomas Marsh, Jonathan Crowell, Samuel Ryder, John Doten, Pelham Bradford, Caleb Churchill, Seth Ryder, Joseph Crowell, Josiah Diman, Nathaniel Churchill, Rufus Goddard, Perez Peterson, Deborah Kempton, Joanna Kempton, Rebecca Morton, Patience Diman, Elizabeth Savory, Polly Darling, Hannah Rider and Rebecca Diman, the petitioners, together with their polls and estates be and hereby are incorporated into a parish by the name of the Third Congregational Society in Plymouth with all the priviledges, powers and immunities which other parishes in this Commonwealth are entitled to by law.

Corporate name.

SEC. 2D. *Be it further enacted by the authority aforesaid,* That any of said Society, or any inhabitants of the first precinct in Plymouth, shall have full liberty to join themselves with their families and estates that they hold in their own right, to said Society or precinct respectively at any time within two years from the passing of this act. *Provided* they shall first signify in writing under their hands to the Clerk of said town of Plymouth, their determination of being considered as belonging to the Society or Parish to which they may join themselves as aforesaid.

Persons at liberty to join the society or precinct.

SEC. 3D. *Be it further enacted by the authority aforesaid,* That forever after the expiration of the said two years, any of said Society, or any inhabitant of the first precinct aforesaid, shall be considered as belonging to said Society or Precinct respectively, with their families and estates, by signifying their determination in writing to the Clerk of said town as aforesaid, and at the expiration of eighteen months after signifying such determination in manner abovesaid; *provided* the party applying shall not have withdrawn said application before the expiration of said term.

How to join the society or precinct.

Persons to be considered members till they declare the contrary in form.

SEC. 4TH. *And be it further enacted by the authority aforesaid,* That the Members of said Society & Precinct respectively, & their families shall be deemed and considered as continuing Members of said Society and Precinct respectively with their estates for the time being, untill their relation shall be changed, in manner as above prescribed.

Regulation respecting taxes.

SEC. 5TH. *Be it further enacted by the Authority aforesaid,* That the estate real and personal of any member of said Society or of said Precinct, shall be taxable by said Society or precinct respectively, only in, by and for the Society or Precinct to which the person owning such property shall or may belong at the time of making such tax; and any person leaving either said Society or Precinct in manner as above mentioned shall be holden to pay all taxes remaining assessed upon him at the time of his ceasing to be a member of said Society or precinct respectively.

Explanation respecting estate.

SEC. 6TH. *Be it further enacted by the Authority aforesaid,* That the word estate mentioned in this Act, so far as it relates to real estate shall extend only to such real estate as the members of said Society and inhabitants of said Precinct hold, or may hold in their own right. And that Joshua Thomas esqr., or any other Justice of the Peace in the County of Plymouth be, and is hereby authorized to issue his Warrant directed to some principal person or member of said Society, requiring him to warn the Members of said Society qualified to vote in Parish affairs, to assemble at some suitable time and place in said town, to choose such Officers as parishes are by law required to choose in the month of March or April annually; and to transact all such matters and things as are necessary to be done in said Parish.

Members may be permitted to change their situations.

SEC. 7TH. *And be it further enacted by the Authority aforesaid,* That at any meeting of said Society, or said first Precinct regularly warned according to law for that purpose, said Society and said Precinct shall respectively have the power by vote, to permit any individual member of said Society or Precinct to change his relative situation, and join himself with his family and all his estate, to either said Precinct or Society as he may request, and the same vote being recorded, shall effectually transfer said Member with his family and estate, according to the meaning of said vote.

Approved March 1, 1802.

1801. — Chapter 55.

[January Session, ch. 31.]

AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS IN THE TOWN OF PARSONSFIELD IN THE COUNTY OF YORK INTO A DISTINCT RELIGIOUS SOCIETY BY THE NAME OF THE CONGREGATIONAL SOCIETY IN PARSONSFIELD.

SECT. 1. *Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* that Thomas Parsons, Joseph Doe, Joseph Parsons, Josiah Colcord, William Adams, James Hobbs, Israel Hodgdon, John Sanborn, Benjamin Batchelder, John Tuck, Ebenezer Doe, John Wedgwood, George Lord, Samuel Hobbs, Dudley Page, Simon Marston, Josiah Tuck, Samuel Hobbs, Levi Moulton, Reuben Dearborn, Thomas Leavitt, Taylor Page, Stephen Merrill, Nicholas Emery, Andrew Gilman, Nathaniel Neal, Stephen Parsons, Samuel Garland, Job Colcord, Asa Pease, and Josiah Pease, having for their pastor or teacher in religion the Reverend Benjamin Rolfe regularly settled in said town a Congregational Minister, with their families and estates, together with such others as have already associated themselves, or may hereafter associate themselves for the same purpose, in manner herein after prescribed, be and hereby are incorporated into a Religious Society by the name of The Congregational Society in Parsonsfeld, with all the Powers, privileges and immunities to which Parishes in this Commonwealth are by law entitled.

Persons
incorporated.

SECT. 2. *Be it further Enacted,* that any Inhabitant of said town of Parsonsfeld, who may at any time hereafter become a member of and unite in Religious worship with the society aforesaid, and give in his or her Certificate in Writing, by him or her signed to the Clerk of the Society aforesaid, that he or she wishes or consents to become a member of said Society, at any time within thirty days previous to or at the meetings of said Society to be held in the month of March or April annually, shall from and after the giving in his or her certificate as aforesaid, with his or her polls and Estates, be considered as a member of said Society.

How to become
a member of the
society.

SECT. 3. *Be it further Enacted,* that when any member of said Congregational Society shall see cause to leave the Same, and unite in Religious worship with any other

How to leave
said society.

religious Society; and shall give in his or her name to the Clerk of said Congregational Society, with a certificate signed by the Minister or clerk of the Parish, or other religious Society with which he or She may unite, that he or she has actually become a member of, and united in religious worship with such other Parish or religious Society fourteen days at least previous to the meeting of said Congregational Society in March or April annually; and shall pay his or her proportion of all money assessed in said Society previous thereto, such person shall from and after giving such certificate with his or her polls and Estates, be considered as a member of the Society to which he or she has so united.

Empowered
with respect
to real estate.

SECT. 4. *Be it further Enacted*, that said Congregational Society, be and hereby is invested with the right to, and controul over all the Real Estate heretofore granted, bargained, sold, exchanged, reserved, given or appropriated to the Congregational Society, or for the support or use of the Congregational Ministry in said Town, with the appurtenances thereof, except the acre of land conveyed by said town to said Rolfe, to be held and appropriated by said Society for the sole use and benefit of the Congregational Ministry in said town forever.

First meeting.

SECT. 5. *And be it further Enacted*, that Thomas Parsons Esqr., or any other Justice of the Peace in said County of York, be and hereby is authorised and empowered to issue his Warrant directed to some suitable member of the said Society, requiring him to notify and warn the members of the said Society to meet at such time and place as shall be appointed in said Warrant, to choose such Officers as Parishes in this Commonwealth are by law entitled to choose in the Month of March or April annually.

Approved March 2, 1802.

1801. — Chapter 56.

[January Session, ch. 32.]

AN ACT FOR INCORPORATING THE HORSE NECK, SO CALLED, AND ALL THE SALT MEADOWS ADJOINING, IN THE TOWN OF WESTPORT IN THE COUNTY OF BRISTOL, INTO A COMMON AND GENERAL FIELD.

Be it enacted by the Senate and House of Representatives, in General Court assembled, & by the authority of the same, That all the Horse Neck, so called, and Salt Meadows adjoining, lying in said Westport within the following discription and boundaries, viz. Beginning at

Boundaries.

the Sea shore on the west side of the highway which is the dividing line between Dartmouth and Westport; thence southwesterly as the Drift way goes by the Sea shore to Gooseberry neck, so called; thence northwesterly as the sd. Drift way goes by the Sea shore to the harbour of Westport rivers, thence northerly and easterly, including all the said Horse neck and Salt meadows adjoining, untill it comes to the south side of a pond, about eighty rods westerly from the aforesaid highway, which pond in running out the highway aforesaid, was left for a watering place, thence from the south side of said pond in the line of the said watering place, untill it comes to the southeast corner of Job Almy's homestead farm, thence south in the line of the said highway to the Sea shore first mentioned, be, and hereby are incorporated into one common and general Field, and all the proprietors and owners of said Horse Neck and Salt meadows adjoining within the aforesaid described boundaries, are hereby vested with all the powers and priviledges, which the proprietors of land in General Fields by law are invested with.

Approved March 2, 1802.

1801. — Chapter 57.

[January Session, ch. 33.]

AN ACT TO SETT OFF A CERTAIN TRACT OF LAND WITH THE INHABITANTS THEREON, FROM THE TOWN OF WESTFIELD IN THE COUNTY OF HAMPSHIRE, & TO ANNEX IT TO THE TOWN OF WEST SPRINGFIELD IN THE SAME COUNTY.

SECTN. 1. *Be it Enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same,* that Josiah Dewey, Pliny Loomis, Joel Dewey, Seth Viets, Joseph Rice, Noah Copley, Benjamin Copley, Darius Smith, Josiah Dewey Junr., John Smith and Juba Smith, with their polls & estates, together with all the land within the following limits, vizt. beginning at the northeast corner bounds of the Town of Southwick, and running northwardly on the ridge of the mountain which was formerly the bounds between Springfield & Westfield untill it strikes Westfield or Agawam River near Morley's bridge, and from thence on a Straight line to a White Oak Tree on the North side of said River, being the bounds between West Springfield & Westfield, be set off from the town of Westfield & annexed to the town of West Springfield. Boundaries.

Annexed to
W. Springfield.

SECTN. 2. *Be it further Enacted by the authority aforesaid*, that the said Tract of land with the Inhabitants thereon shall hereafter be a part of West Springfield, and shall be considered as making part of the fourth parish in said Town — *Provided nevertheless*, that the persons aforesaid and all persons owning land in said Tract hereby set off, shall be held to pay all Taxes now assessed on them by the Town of Westfield. *Approved March 3, 1802.*

1801. — Chapter 58.

[January Session, ch. 34.]

AN ACT TO INCORPORATE CERTAIN LANDS IN THE TOWN OF DEDHAM, IN THE COUNTY OF NORFOLK, INTO A COMMON FIELD.

Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same, That the land in Dedham, lying within the limits hereafter expressed, known by the name of Fowl Meadow, beginning at the Major's Bridge, so called, then eastwardly, in part, on the Causey, and in part on the land of George White & Michael Harmon, then northwardly on land of said White and Harmon, in part, and on land of Daniel Fisher, or Asa Fisher Junr. till it comes to Neponset River; then on said river to the bridge aforesaid, be, and hereby are incorporated into a common and general Field; and the owners thereof are invested with all the powers and priviledges which the owners of common and general Fields are or may be invested by law.

Approved March 3, 1802.

1801. — Chapter 59.

[January Session, ch. 35.]

AN ACT TO PREVENT THE DESTRUCTION OF THE FISH CALLED ALEWIVES, IN THEIR PASSAGE UP AND DOWN IN THE RIVER & OTHER STREAMS IN THE TOWN OF KINGSTON IN THE COUNTY OF PLYMOUTH, AND FOR REGULATING THE TAKING AND DISPOSING OF SAID FISH; AND FOR REPEALING AN ACT ENTITLED "AN ACT TO PREVENT THE DESTRUCTION OF THE FISH CALLED ALEWIVES, IN THEIR PASSAGE UP THE RIVERS AND STREAMS IN THE TOWN OF KINGSTON IN THE COUNTY OF PLYMOUTH."

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the inhabitants of said town

Fish committee
to be chosen.

of Kingston, at their annual meeting in March or April, be, and are hereby authorized and empowered to choose a Committee of five or more persons, to see that the laws respecting the passageways for said fish, be observed; and each person so chosen shall take an oath faithfully to discharge the duties required of him by law: And said Committee shall oversee the taking of said fish in said town, and shall distribute the fish taken by them, or under their direction as equally as circumstances will admit, to such of the inhabitants of said town as may apply for the same, and for the fish so supplied and delivered, the Committee aforesaid shall demand and receive of the person or persons receiving said fish, payment therefor at such rate or rates as the inhabitants of said town at their annual meeting in March or April may direct, excepting of such poor persons as may be named in a list to be annually made out by the Selectmen of said town, and who in the opinion of the Selectmen are unable to pay for the same, which list shall be given to the Committee, and the persons borne on the same shall be supplied with such quantities of said fish gratis, as the Committee may think expedient. And the Committee aforesaid shall have such allowance for their services, as the inhabitants of said town at the time of appointing said Committee shall determine; and shall annually in the month of September next following their appointment exhibit their accounts to the Selectmen of said town for settlement and allowance, and pay the balance remaining in their hands, if any there be, to the Treasurer of the town of Kingston for the town's use.

SEC. 2D. *And be it further enacted by the Authority aforesaid,* That the said Committee or the major part of them be, and are hereby authorized and empowered to open any Dam or the Sluice of any Mill or other water works, erected, or that may be erected on, or across the river or any of the streams in said town, at the expense of the owner or owners of such Dam or Sluice; *provided* such owner or owners shall neglect to open the same when thereto required by said Committee or the major part of them as aforesaid: And the Committee shall also have full power to remove any other obstructions that may be made to the free passage of said fish in the river & other streams into the several ponds in said town, and for their repassing from said ponds into the sea: And the said Committee or either of them going or passing on or across

Price of the fish to be established.

Annual settlement to be made.

Committee empowered to open dams, with a proviso.

Committeemen not to be deemed trespassers.

the lands of any person for any of the aforementioned purposes, shall not be deemed or held as a trespass and any Dam or Sluice or passage way that may be opened as aforesaid, shall continue open to such depth and width, and for such length of time, as shall be necessary for the passing or repassing of the said fish as aforesaid. And if any person or persons shall obstruct the passage way allowed or ordered by said Committee, or the major part of them, in any Dam or Sluice way, or shall obstruct the passage of them in the river or any of the streams in said town, such person or persons so offending, shall forfeit and pay a sum not exceeding one hundred Dollars, nor less than fifty Dollars.

Penalty for taking fish without leave.

SEC. 3D. *And be it further enacted by the Authority aforesaid*, that if any person or persons, other than the said Committee, or such persons as shall be by them employed, shall take any of the said fish in the river or in any part of any of the streams in said town, at any time or by any ways or means whatsoever, each person so offending shall forfeit and pay a sum not exceeding twenty five Dollars nor less than five Dollars for every such offence.

SEC. 4TH. *And be it further enacted by the Authority aforesaid*, That the town of Kingston at their meeting in March or April annually, shall appoint particular places in each stream in said town, where said fish may be taken; & no Committee man, or person by them employed, or purchaser shall be deemed a trespasser in going on the lands of any person in order to take said fish, on their paying a reasonable compensation therefor if required. And the Committee chosen as aforesaid shall appoint certain days in each week from the first day of April annually, not exceeding four for four weeks successively, when the said fish shall be taken, and shall put up notifications in two public places in said town, of the times and places for taking said fish, before the tenth day of April annually.

Recovery of penalties.

SEC. 5TH. *And be it further enacted by the Authority aforesaid*, That all penalties incurred by the breach of this Act may be sued for and recovered by the Treasurer of the town of Kingston, for the time being, in any Court in the County of Plymouth, proper to try the same; and all sums so recovered shall be appropriated to the use of said town. And in case any minor or minors shall offend against any part of this act, and thereby incur any of the

Parents, &c. answerable for minors.

penalties aforesaid, in all such cases, the parents, masters or guardians of such minor or minors, shall be answerable therefor, and in case of a prosecution of such minor or minors for any such offence, the action shall be commenced against the parents, masters or guardians of such minor or minors respectively, and judgment be rendered against any parent, master or guardian in such case, in the same manner as for his or their personal offence. And no person by reason of being an inhabitant of said town, or one of said Committee, shall be thereby disqualified from being a witness in any prosecution for a breach of this act.

SEC. 6TH. *And be it further enacted by the Authority aforesaid*, That an Act entitled, “An Act to prevent the destruction of the fish called Alewives, in their passage up the rivers and streams in the town of Kingston in the County of Plymouth” passed on the eighth day of November in the year of our Lord, One thousand seven hundred and eighty five, be, and the same is hereby repealed.

Former act repealed.

Approved March 3, 1802.

1801. — Chapter 60.

[January Session, ch. 36.]

AN ACT ESTABLISHING AN ADDITIONAL TERM OF THE COURT OF COMMON PLEAS FOR THE COUNTY OF NORFOLK.

Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, That there be held and kept at Dedham within and for the said County of Norfolk on the first Tuesday of January annually, a Court of Common Pleas, in addition to the Terms now by Law established for said County, and all Officers are directed to govern themselves accordingly.

Approved March 3, 1802.

1801. — Chapter 61.

[January Session, ch. 37.]

AN ACT TO REGULATE THE ALEWIFE FISHERY IN THE TOWNS OF LYNN, LYNNFIELD, AND READING, IN THE COUNTIES OF ESSEX AND MIDDLESEX, AND FOR REPEALING ALL LAWS HERETOFORE MADE FOR [FOR] THAT PURPOSE.

SECTION 1. *Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same*, That it shall and may be lawful for the towns of Lynn & Lynnfield, respectively, in

Privilege of fishing may be sold.

the County of Essex, and the town of Reading in the County of Middlesex, annually, at any legal meeting of the Inhabitants of said towns, to sell or otherwise dispose of the privilege of taking the said fish within their respective limits, at such times, not exceeding three days in a Week, and places, and under such regulations, as the said towns shall respectively direct; and the emolument arising from said privilege, shall be severally appropriated by said towns, to such purposes and uses, as the Inhabitants thereof, shall, in town meetings, from time to time, determine.

Penalty for illegally taking the fish.

SECTION 2. *And be it further enacted*, That if the purchaser or purchasers, manager or manager[s], or those employed by them, shall presume to take any of the said fish at any other time or Place in said towns, or any of them, than shall be by said towns respectively determined; and if any other person or persons whatever, except the purchaser, or purchasers, manager or managers of said privilege, or those employed by them, shall presume to take or catch any of said fish, in any of the rivers or Streams, within the boundaries of said towns respectively, otherwise than may be by said towns respectively determined, he or they, so offending, shall, for each offence, forfeit and pay a sum not exceeding Thirteen dollars, nor less than one dollar, at the discretion of the Justice before whom the same shall be tried.

Penalty for refusing to sell the fish.

SECTION 3. *And be it further Enacted*, that if the purchaser or purchasers, manager or managers of said privilege, shall, when in his or their power, neglect, or refuse to supply any person or persons with said fish when green, in any quantity not exceeding One hundred, to any one person, who may apply therefor, at such rates as shall be determined by said towns respectively, not exceeding twenty five Cents for one hundred of said fish, he or they, so offending, shall, for each offence, forfeit and pay the sum of One dollar; and if any person or persons, shall ask, demand & receive, more than twenty five cents for One hundred of said fish, and in that proportion for a less number, at the landing where said fish are taken, he or they, so offending, shall, for each offence, forfeit and pay the sum of one Dollar.

Fish committees to be chosen.

SECTION 4. *And be it further Enacted*, That the said towns of Lynn, Lynnfield, and Reading, shall, at their respective annual meetings in March or April, severally

choose a Committee, not exceeding nine, nor less than three freeholders of said towns, who shall be sworn or affirm to the faithful discharge of the duties enjoined upon them by this Act; and it shall be the duty of said Committee to cause the natural course of the rivers, passage ways, or streams through which the said fish pass, to be kept open and without obstruction, during the whole time, the said fish pass up or down in said rivers, passage ways or streams, in each year, and to remove any such as shall be found therein; and to make the said passage ways wider and deeper, if they, or the major part of them shall judge it necessary; and the said several committees or any two of either of them, paying a reasonable Compensation therefor, if demanded, shall have Authority, in discharging the duties enjoined upon them by this Act, to go on the lands and meadows of any person, through which such rivers, passage ways, or streams run, or into any building, mill, or other water works, on said rivers or Streams, without being considered as Trespassers; and any person who shall molest or hinder the said Committees, or either of them, in the execution of the business of his or their office, or shall obstruct any passage way, in the said rivers or streams, otherways than may be allowed by the said Committees, or a major part of them respectively, he or they, so offending, shall forfeit and pay for every such offence, a sum not exceeding Ten dollars, nor less than one dollar, at the discretion of the Justice before whom the same shall be tried. *Provided nevertheless*, — that nothing in this Act shall be considered as Authorising the said Committees, to injure the Proprietor of any Mill or Water Works, further than is necessary in order to give the said fish, a good and sufficient passage up the said Rivers.

Committee men not to be deemed trespassers.

Proviso.

SECTION 5. *And be it further Enacted*, that it shall be the duty of the said Committees respectively, to prosecute all breaches of this Act, and for any two of them to seize and detain in their Custody, any net which may be found in the hands of any person using the same, contrary to the true intent and meaning of this Act, until the person so offending makes satisfaction for his offence or is legally acquitted therefrom; and also to seize to the use of their respective towns, all such fish as they shall suspect to have been taken, contrary to the provisions of this Act, unless the person in possession thereof, can give sat-

Committee to prosecute, seize nets, &c.

isfactory evidence to such Committee, that said fish were lawfully taken.

Recovery and appropriation of fines.

SECTION 6. *And be it further Enacted*, that all the penalties incurred by any breach of this Act, shall be recovered by an Action on the Case before any Justice of the Peace, within & for the County where the offence shall be committed, allowing an appeal to the Court of Common Pleas of the same County; and all sums of money recovered to either of the said towns as forfeited by this Act, shall be for the support of the Poor of said towns respectively; and no person by reason of his being one of either of the said Committees respectively, or an Inhabitant of either of the said Towns, shall be thereby disqualified, from being a Witness in any prosecutions for a breach of this Act.

Former laws repealed.

SECTION 7. *And be it further Enacted*, that all Laws heretofore made for regulating the fishery in the said towns of Lynn, Lynfield, and Reading, with joint or separate authority, are hereby repealed.

Approved March 3, 1802.

1801. — Chapter 62.

[January Session, ch. 38.]

AN ACT FOR CARRYING INTO EXECUTION MORE EFFECTUALLY THE BYE-LAWS OF THE SEVERAL TOWNS WITHIN THIS COMMONWEALTH.

Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, that from and after the passing of this Act, all fines & forfeitures, accruing for the breach of any Bye-law, in any town within this Commonwealth, may be prosecuted for and recovered before any Justice of the Peace in the town or County where the Offence shall be committed by complaint or information in the same way and manner, other criminal offences are now prosecuted before the Justices of the Peace within this Commonwealth.

Approved March 3, 1802.

1801. — Chapter 63.

[January Session, ch. 39.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF LAYING OUT, AND MAKING A TURNPIKE ROAD FROM SALEM TO CHARLES RIVER BRIDGE, FOR BUILDING THE NECESSARY BRIDGES ON THE SAID ROAD, AND FOR SUPPORTING THE SAME.

Whereas the making of the said road and bridges will be of great public utility, and Edward Augustus Holyoke Esqr. and others, have petitioned this Court for an Act of incorporation, to empower them to lay out and make said road & erect said bridges, and have subscribed to a fund for that purpose: Therefore,

Preamble.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, & by the authority of the same,* That Edward Augustus Holyoke, William Gray junr., Nathan Dane, Jacob Ashton & Israel Thorndike esqrs., and all such persons as are, or shall be associated with them, and interested in said fund, and their Successors, shall be a Corporation, by the name of The Salem Turnpike & Chelsea Bridge Corporation; and shall by that name sue and be sued, and shall have a common Seal, and enjoy all the priviledges and powers, which are by law incident to a Corporation, for the purpose of laying out and making a Turnpike Road, and building the bridges aforesaid, and keeping the same in repair; that is to say, a road beginning near Buffum's corner, so called, in Salem, and from thence to be continued through the Salem great pastures, so called, thence by the southeasterly side of Farrington's hill, so called, in Lynn, over Breed's Island in Lynn Marshes, and by the south east side of Cheever's hill, so called, in Chelsea, to a place on the Chelsea side of Mystick river, between Winnesemet ferryways, and Doctr. Aaron Dexter's gate, and over said river, to a place on the Charlestown side thereof, north of, and near to the navy yard, and thence to said Charles-river Bridge in Charlestown, and of building bridges over the rivers and waters between said Buffum's corner, and Charles river.

Persons incorporated.

Course of the road.

SEC. 2D. *And be it further enacted,* That the said Edward Augustus Holyoke, William Gray Junr., Nathan Dane, Jacob Ashton and Israel Thorndike esqrs., or any three of them, may by an advertisement in the Salem

Meeting to be called and officers chosen.

Gazette, or in any other News paper printed in Salem or Boston, call a meeting of the said proprietors, to be holden at any suitable time and place, after fifteen days from the publication of the said advertisement; and the said proprietors, by vote of the majority of those present, or represented at the said meeting, (in all cases accounting & allowing a vote to each single share,) shall choose a Clerk, who shall be sworn to the faithful discharge of his duty; and also shall agree on a method for calling future meetings, and at the same, or at any subsequent meeting, may make and establish any rules and regulations, that shall be necessary or convenient for regulating the said Corporation, for effecting, completing, & executing the purposes aforesaid, or for collecting the toll hereafter granted; and the same rules and regulations may cause to be kept and executed, or for the breach thereof, may order and enjoin fines and penalties not exceeding thirteen Dollars and thirty three Cents, for any breach thereof; *provided* such rules, and regulations are not repugnant to the Laws or Constitution of this Commonwealth: And the said Proprietors may also choose and appoint any other Officer or Officers of the Corporation, that they may deem necessary, and all representations at any meeting shall be proved in writing signed by the person making the same, which shall be filed with, and recorded by the Clerk; and this Act, and all rules regulations and votes of the said Corporation shall be fairly and truly recorded by the said Clerk in a book or books for that purpose provided and kept.

Width, &c.
of the road
prescribed.

SEC. 3D. *And be it further enacted,* That the same Turnpike road shall be laid out and made by the said Corporation, of sufficient width in every part thereof, for the accommodation of the public; and that open uninclosed ground shall be at least four rods wide on the upland, and eight rods wide at least (including the Canals) on the marsh, and on said Breeds Island, throughout the whole length of said road over said marsh and island, and the made way or path for travelling shall be of sufficient width, and not less than twenty four feet wide, in any part thereof, and over the marsh not less than thirty feet wide within the railings; and when the said Turnpike road, shall be sufficiently made from said Buffum's corner to the Blacksmith's shop of John Massey in Lynn, and shall be so allowed by the Justices of the Supreme Judicial Court, at any term thereof, in any County of this Commonwealth,

First turnpike
gate, and the
toll.

then the said Corporation shall be authorized to erect a Turnpike Gate on the same, between said corner & said Farrington's hill, in such manner as shall be necessary and convenient, and shall be entitled to receive from each traveller and passenger the following rate of toll—to wit, For every coach, phaeton, chariot, or other four wheel carriage for the conveyance of persons, drawn by two horses, twenty five Cents, and if drawn by more than two horses, an additional sum of four Cents for each horse. For every cart, waggon, sleigh or sled, or other carriage of burden, drawn by two oxen or horses, twelve and an half Cents; & if by more than two, an additional sum of three Cents for every such ox or horse. For every curricule sixteen Cents. For every sleigh for the conveyance of passengers, drawn by two horses, twelve and an half Cents, and if drawn by more than two, an additional sum of three Cents for each horse. For every sled or sleigh, drawn by one horse, ten Cents. For every chaise, chair or other carriage drawn by one horse, twelve and an half Cents, For every man and horse, five Cents. For all oxen, horses and neat cattle led or driven, besides those in teams & carriages, one Cent each. For all sheep and swine, three Cents by the dozen, and in the same proportion for a greater or less number.

SEC. 4TH. *And be it further enacted*, That when the said road shall be sufficiently made from said Blacksmith's shop, to Charles-river Bridge, and the said Bridge over Mystick river, shall be sufficiently built, and the said road shall be so allowed, by the said Justices as aforesaid, then the said Corporation shall be authorized to erect another Turnpike Gate on the same, between said Breed's Island and Mystick river, in such place as shall be necessary & convenient, and shall be entitled to receive of each traveller and passenger, (excepting the inhabitants of Chelsea who shall be travelling or passing from that town to Boston, or from Boston back to Chelsea through said Turnpike Gate) the rates of toll aforesaid.

Second turnpike gate.

SEC. 5TH. *And be it further enacted*, That the said proprietors shall build, and until the aforesaid road shall be delivered up to the Government, shall keep a sufficient Draw or passage way, at least twenty feet wide, at some place in the Bridge over Saugust river, proper for the passing and repassing of vessels through the same: *Provided however*, that the said proprietors shall not be

A draw to be made in the bridge.

Passage-ways to be allowed the proprietors of salt marsh.

obliged to lift or open the leaves of said Draw for the passage of any vessel, or put the same down; and that if any person or persons shall keep said draw up, longer than is necessary for the passage of the vessel or vessels under his or their care, or shall neglect to put the same down immediately after the passage of such vessel or vessels, he or they for every such offence shall forfeit a sum, not less than twenty Dollars nor more than fifty Dollars; & that for the accommodation of the owners of salt marsh lying to the eastward of said road, the proprietors shall make and keep, during the term aforesaid, in the places not exceeding four in number, where the road shall intersect the private ways, as they are now used, convenient passage ways over said road, for waggons, carts and sleds to pass and repass, for the purpose of bringing off their salt hay.

Directions
respecting
bridge over
Mystick river.

SEC. 6TH. *And be it further enacted,* That the said Bridge over Mystick river, shall be well built, at least thirty two feet wide, of good and suitable materials, and be well covered with plank or timber on the top, suitable for such a bridge, with sufficient rails on each side, boarded eighteen inches from the bottom, for the safety of passengers; and the same shall be kept in good, safe and passable repair, for the term of Seventy years, from opening the same, and at the end of said term, the said Bridge shall be left in like repair, and the said Proprietors shall constantly keep the said Bridge accommodated with at least twenty four Lamps, four of which shall be at each Draw, and kept burning through the night; and all the said lamps shall be well supplied with oil, and lighted in due season, and those not at the Draw kept burning till twelve of the Clock at night. And that for the purpose of reimbursing the said Proprietors the monies by them expended or to be expended in building and supporting said bridge, a toll be, and hereby is granted and established for the sole benefit of the said Proprietors, according to the rates following, to wit. For each foot passenger two Cents, For each person and horse five Cents. For each chaise, chair, sulkey or sleigh, drawn by one horse, twelve and an half Cents. For each horse and cart, nine Cents. For each team drawn by more than one beast, twelve and an half Cents. For each coach chariot waggon, phaeton and curricule, twenty five Cents; For each man & wheelbarrow, hand cart, or other vehicle capable of carrying a like weight, three Cents. For each

Lamps to be
kept.

Rates of toll.

horse and neat cattle, exclusive of those in teams or rode on, three Cents. For each sheep and swine, one Cent; and to each team, one person and no more, shall be allowed as a driver, to pass free from toll; and at all times when the toll gatherer shall not attend his duty, the gate or gates shall be left open, and the said toll shall commence on the day of the first opening the said Bridge for passengers, and shall continue for the term of Seventy years, at the end of which time the said Bridge shall be delivered up in good repair to and for the use of the Government; and also at the several places where the toll shall be received on said Bridge or road, the said proprietors shall erect, and constantly expose to open view a sign or board with the rates of toll on the tollable articles fairly and legibly written thereon in large or capital letters.

Gate to be left open when the toll-gatherer is absent.

Provided however, that at the time of opening said Bridge, the said Corporation shall cause a true and just account of the expences thereof, and at the end of every three years then afterwards, a just and true account of their receipts & disbursements to be returned into the Office of the Secretary of this Commonwealth; and that after forty years from the opening said Bridge, the General Court may regulate the rates of toll receivable at the said Gate.

Expense to be stated.

SEC. 7TH. *Be it further enacted,* That the said Proprietors shall build, and during the said term, shall keep two convenient and sufficient draws or passage ways, at least thirty feet wide each, at some suitable places in the said Bridge proper for the passing and repassing of vessels by day and by night through the said Bridge; and shall also build at the Draw nearest to the Chelsea side, and maintain in good repair, a well constructed and substantial pier or wharf on each side of the said Bridge, and adjoining to that Draw, every way sufficient for vessels to lie at securely; And the said Draws shall be lifted for all ships and vessels without toll or pay, except for boats passing for pleasure. And all ships and vessels intending to pass the said Draws, shall be free of charge at the said wharf or pier, untill a suitable time shall offer for passing the same; and it shall be lawful for the proprietors of said Bridge, to make the leaves of each Draw sixteen feet long, instead of thirty two feet, the width of said Bridge.

Draws & piers to be erected.

SECTION 8. *And be it further enacted,* that said Corporation may purchase and hold, any land over which they may make said road: and the Justices of the Court

Corporation may purchase and hold land.

of General Sessions of the Peace in the respective Counties through which it passes are hereby Authorised on Application from the said Corporation to lay out such road, or any part thereof, within their respective jurisdictions, as with the Consent of the said Corporation they may think proper: and the said Corporation shall be holden to pay all damages, which shall arise to any person, by taking his land for such road, where it cannot be obtained by voluntary agreement, to be estimated by a Committee appointed by the Court of General Sessions of the Peace in the County, in which such damage shall arise, saving to either party, a right of trial by Jury, according to the law, which makes provision for the recovery of damages happening, by laying out public highways.

Penalty for
delaying
passengers,
or demanding
illegal toll.

SECTION 9. *And be it further enacted*, that if the said Corporation or their toll gatherer, or others by them employed, shall unreasonably delay or hinder any passenger or traveller, at either of said gates, or shall demand or receive more toll than is by this Act established, the Corporation shall forfeit and pay a sum not exceeding Ten dollars, nor less than two dollars, to be recovered before any Justice of the Peace of the County where the offence may be committed, by any person injured, delayed, or defrauded, in a Special Action of the Case, the writ in which shall be served on said Corporation, by leaving a Copy of the same, with the Treasurer, or some individual member of said Corporation, living in the County where the said Action may be brought, or by reading the same, to the said Treasurer or individual member at least seven days before the day of trial: and the Treasurer of said Corporation or individual member, shall be allowed to defend the same suit in behalf of the said Corporation; and the said Corporation shall be liable to pay all damages that shall happen to any person, from whom the toll is demandable for any damage which shall arise, from the defect of bridges or want of repairing said ways, and shall also be liable to presentment by the Grand Jury, for not keeping the same in good repair.

Penalty for
injuring the
gates or road.

SECTION 10. *And be it further Enacted*, that if any person shall cut or break down, or otherwise destroy any of said gates, or shall dig up or carry away any earth from the said road, or in any manner damage the same, or shall forcibly pass, or attempt to pass by force said

gates, without first having paid the legal toll at such gate, such person shall forfeit and pay a fine, not exceeding fifty dollars, and not less than ten, to be recovered by the Treasurer of said Corporation, to their use, in an Action of trespass on the case, and if any person with a team, cattle, or horses, turn out of said road to pass any of the turnpike gates aforesaid, and again enter said road, with an intent to avoid any toll, established as aforesaid, such person shall forfeit & pay, three times as much as the legal toll at such gate or gates, established as aforesaid, to be recovered by the Treasurer aforesaid, to the use aforesaid, by an Action of Debt. *Provided* that nothing in this Act shall extend to entitle the said Corporation, to demand or receive toll of any person, who shall be passing with his horse or carriage, to or from Public Worship, or with his horse, team, or Cattle, to or from his Common labor, or to or from any Mill, or on the Common or Ordinary business of family concerns, within the said town, or from any person or persons, passing on military duty.

Penalty for attempting illegally to evade the toll.

SECTION 11. *And be it further Enacted* that the shares in said road & bridge shall be deemed personal estate, to all intents and purposes, and shall be transferrable by Deed, duly Acknowledged before any Justice of the Peace, and Recorded by the Clerk of the said Corporation, in a book to be kept for that purpose, and when any such share shall be attached on Mesne process, or taken in execution an attested copy of such writ of attachment or execution shall at the time of the Attachment or taking in Execution, be left with the Clerk of said Corporation, otherwise the attachment or taking in Execution shall be void: and such shares may be taken & sold by execution in the same manner as other personal estate, and the Officer or Judgment Creditor leaving a Copy of such execution with the return thereon, with such clerk within fourteen days after such sale, and paying for the recording thereof, shall be deemed a sufficient transfer of the same.

Shares deemed personal estate, and process of attachment.

SECTION 12. *And be it further enacted*, that the said Corporation shall within six months after their toll shall commence at any of the said gates, lodge in the Secretary's Office, an Account of all expences incurred in making said road, previous to the taking toll at such gate, and within six months after said Turnpike road shall be completed, lodge in said Office an Account of the expences, of the whole of said road, (the said Bridge over Mystick

Statement of expense and annual income to be exhibited.

river excepted) and that the said Corporation shall annually exhibit, to the Governor & Council, a true account of the income or dividend arising from said toll, with the necessary annual disbursements on said road, and that the books of said Corporation, both as to the Bridge and Road, shall at all times be subject to the inspection of a Committee to be appointed by the General Court, or to the inspection of the Governor and Council when called for.

Shares of delinquents to be sold.

SECTION 13. *And be it further Enacted*, that whenever any Proprietor shall neglect or refuse to pay any tax or assessment duly voted and agreed upon by the said Corporation to their Treasurer, within thirty days after the time set for the payment thereof, the Treasurer of the said Corporation is hereby authorized to sell at public Vendue, the share or shares of such delinquent proprietor one or more as shall be sufficient to defray said taxes & necessary incidental Charges, after duly notifying in one news paper printed in Salem, and the one printed in Boston, by the Printers of the General Court, the sum due on such shares, and the time & place of Sale, at least thirty days previous to the time of sale, and such Sale shall be a sufficient transfer, of such share or shares so sold to the person purchasing the same; and on producing a Certificate from the Treasurer, to the Clerk of said Corporation, the name of such purchaser with the number of Shares so sold, shall be by the Clerk entered on the Books of the said Corporation; and such person shall be considered to all intents the proprietor thereof, and the overplus, if any there be, shall be paid on demand by the Treasurer to the persons whose shares were then sold.

Corporation may be dissolved when compensated, &c. by the toll.

SECTION 14. *And be it further Enacted*, that the General Court may dissolve the said Corporation, so far as may respect the said Turnpike road whenever it shall appear to their satisfaction that the said income arising from said toll shall have fully compensated the said Corporation for all monies they may have expended in purchasing, repairing, & taking care of the said road, together with an interest thereon, at the rate of twelve dollars on the hundred, for a year from the time of the same, and thereupon the Interest in the said Turnpike road shall vest in the Commonwealth, but the said Corporation shall remain to all intents and purposes, in respect to the said Bridge over Mystick river, for and

during the said term of Seventy years upon the conditions aforesaid; and all the other Bridges on said Turnpike road, shall be well built, and the same, as well as the Road over said Marsh, shall be secured with sufficient rails.

Provided, that if the said Corporation shall neglect to complete said Turnpike road & bridge for the space of five years from the passing of this Act, the same shall be void, and of no effect. *Provided also*, that no toll shall be received, at said bridge, before the said Turnpike road shall be completed.

Road, &c. to be completed within 5 years.

SECTION 15. *And be it further enacted*, that the said Corporation be, and it is hereby empowered to Commute the rate of toll, with any person, or with the Inhabitants of any town, thro' which their Turnpike road is made, by taking of him or them, any certain sum annually, or for a less time, to be mutually agreed on, in lieu of the toll established in & by this Act. *Provided however* that the sum to be allowed for the Turnpike gates, shall always be kept distinct from the sum allowed for the Bridge gate.

The toll may be commuted.

SECTION 16. *And be it further Enacted*, that the said Corporation is hereby allowed to grant monies to such persons as rendered Services to the Proprietors in exploring the rout of the Turnpike road or other-wise, previous to the Act of incorporation. And the said Corporation is hereby authorized to purchase and hold other real estate, adjacent to, and for the Accommodation of the said road, to the amount of Twelve thousand Dollars.

Corporation allowed to hold real estate.

SECTION 17. *And be it further enacted*, that the said Proprietors shall be holden to Erect and keep in repair a Convenient dwelling house on the Island called Breed's Island in the marsh aforesaid; and keep a family living in said House during the term for which said Turnpike road is granted. And whereas it is agreed that the Malden bridge Corporation shall have and hold the property of one half of the said Chelsea bridge without any part of the corporate powers aforesaid and pay one half of the Expences of the same bridge and have such information and evidence as may be essential to the preservation of their said property — therefore

House to be built on Breed's Island.

SECTION 18. *Be it further enacted* that of the twenty four hundred shares into which the property of the said Chelsea bridge shall be divided twelve hundred shall be the property of and invested in the Proprietors of the

Proprietors of Malden bridge to own one half of Chelsea bridge.

said Malden bridge, And the President and Directors of the said Salem Turnpike and Chelsea bridge corporation shall make out and deliver to the Treasurer of the said Malden bridge Corporation One hundred & twenty good & valid certificates of said twelve hundred shares each Certificate containing ten shares thereby certifying the same to be the property of the said proprietors, And the President and Directors of the said Malden bridge corporation shall thereupon Assign and transfer ten of said shares to the proprietor of each share in said Malden bridge to the intent that the proprietors of said Malden bridge shall be-come proprietors of the said twelve hundred shares in Chelsea bridge in the same proportions of interest as they now hold their property in said Malden bridge — And a share in said Turnpike road and in the remaining half or part of said Chelsea bridge shall constitute one share and entitle the owners thereof to one Vote as aforesaid within the true intent and meaning of this Act — *Provided* that no one proprietor in this Corporation shall have more than twenty Votes.

No proprietor to have more than 20 votes.

Shares held by the Malden bridge proprietors to be subject to assessments, &c. &c.

SECTION 19. *Be it further enacted* that the said twelve hundred shares and every part thereof to be transferred shall at all times be subjected to the same assessments, executions, sales and forfeitures as the other shares in said Chelsea bridge are made liable ; but no proprietor or proprietors, purchaser or purchasers of any part of the said twelve hundred shares so transferred shall by reason thereof have any Vote in this Corporation constituted by this Act, And every such proprietor or purchaser shall receive his dividend of the Treasurer from time to time of the said Malden bridge Corporation -- And one half of all the dividends to be declared on all the profits that may arise from the toll of said Chelsea Bridge shall within ten days from the making such dividends be paid over by the Treasurer of the said Salem Turnpike and Chelsea bridge Corporation to the Treasurer of the said Malden bridge Corporation for the Use and benefit of the proprietors of said Malden bridge, in the proportions of their respective shares therein.

Malden bridge proprietors authorized to receive the shares.

SECTION 20. *And be it further Enacted*, that the Proprietors of the said Malden Bridge, be and they hereby are, in their Corporate Capacity, fully Authorized, impowered & made capable of receiving and holding on the Terms fixed by this Act, all the shares hereby assigned to them

in the Chelsea Bridge to be erected in virtue of and by force of this Act.

SECTION 21. *Be it further Enacted* that the said Malden bridge Corporation shall during the said term of Seventy years have a right to appoint two Agents to attend the Meetings of the proprietors and of the directors of the said Salem Turnpike and Chelsea Bridge Corporation which Agents and each of them shall have a right to sit and debate but not have a Vote in said Meetings And the Clerk of the said Corporation shall from time to time at the request of the said Agents or of either of them make out attest and deliver to him or them copies of such parts of the books of said Corporation respecting said Chelsea bridge as he or they shall demand.

Said proprietors to depute two agents to meet with proprietors of Chelsea bridge.

Approved March 6, 1802.

1801. — Chapter 64.

[January Session, ch. 40.]

AN ACT TO INCORPORATE THE PLANTATION, CALLED THE PEJEPSCOT CLAIM, AND LITTLE'S GORE IN THE COUNTY OF CUMBERLAND INTO A TOWN BY THE NAME OF PEJEPSCOT.

SECTION 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the Authority of the same,* that the plantation heretofore called the Pejepsot Claim, with a gore of land called Little's Gore, in the County of Cumberland, as described within the following bounds, with the Inhabitants thereon, be and they are hereby incorporated into a town by the name of Pejepsot. Beginning North-Easterly, by a line drawn on the middle of the great Amerescoggin river, South easterly by the town of Durham Southwesterly by the town of New Gloucester, and Northwesterly by the town of Poland. And the said town is hereby invested with all the powers, privileges, rights and immunities, with which other towns are vested, by the Constitution and Laws of this Commonwealth.

Boundaries.

SECTION 2. *And be it further enacted,* that Nathl. C. Allen Esqr. be, and he is hereby authorised to issue his Warrant, directed to some suitable Inhabitant of the said town of Pejepsot, requiring him to notify & warn the Inhabitants of the said town, qualified by law, to vote in town affairs, to meet at such convenient time and place, as shall be Expressed in said Warrant, to choose all such

First meeting.

Officers, as other towns within this Commonwealth, are by law required to choose in the Months of March or April annually.

Approved March 6, 1802.

1801. — Chapter 65.

[January Session, ch. 41.]

AN ACT FOR THE PRESERVATION AND REGULATING THE TAKING OF FISH CALLED ALEWIVES, IN THE BROOK RUNNING FROM THE WEST QUITTICUS POND TO THE EAST QUITTICUS POND, NEAR THE LINE BETWEEN THE TOWNS OF MIDDLEBOROUGH AND ROCHESTER, IN THE COUNTY OF PLYMOUTH.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the said towns of Middleborough and Rochester, shall annually at a regular town meeting, respectively choose an Agent, whose duty it shall be, annually to sell at Public auction, the privilege of taking said fish at said brook on Tuesdays, Wednesdays and Thursdays in each week, & publish their conditions of sale, wherein said Agents shall express the price at which the purchasers shall sell said fish, which shall be at the rate of twenty five Cents per hundred, and also the manner of taking and disposing of the same.

Agents and their duty.

SEC. 2. *And be it further enacted,* That the Agent of the said town of Middleborough the first year, and the Agent of the said town of Rochester the second year and so on alternately forever, shall notify the town Clerk of the other town concerned in said fishery of the time and place in which said Agents shall meet, ten days at least before the time of meeting.

Notification to be given of the meeting of the agents.

SEC. 3D. *And be it further enacted,* That if either of said towns shall neglect to choose their respective Agents as aforesaid, or if either of such Agents shall neglect to give notice to the other as above required, such delinquent town or Agent, shall forfeit and pay to the use of the town which shall choose such Agent, for each offence, the sum of thirty Dollars.

Penalty for neglect of duty.

SEC. 4TH. *And be it further enacted,* That all persons who shall take any of said fish in said brook and be thereof convicted before any Court proper to try the same, shall forfeit and pay a sum not less than two, nor more than ten Dollars, except the purchaser or purchasers as aforesaid, or those employed by them, who shall have liberty to take said fish on said days.

Penalty for illegally taking said fish.

SEC. 5TH. *And be it further enacted*, That it shall be the duty of the said Agents, or any other person chosen by the said towns of Middleborough and Rochester respectively, to sue for the recovery of any forfeiture incurred by the breach of the regulations provided in this Act, and also of such further regulations as may from time to time be provided and established by said Agents; and all fines and forfeitures recovered for any breaches aforesaid, except such as are mentioned in the third Section of this Act, shall, together with the net proceeds of said fishing, be equally divided between said towns; and the Treasurers of the towns aforesaid respectively, may in behalf of their respective towns, recover in an action on the case of any person or persons, corporation or corporations withholding the same, one moiety thereof, in any Court proper to try the same.

Agents to sue for fines.

Appropriation of fines, &c.

SEC. 6TH. *And be it further enacted*, That the purchasers of the privilege of taking said fish as aforesaid, shall in all respects conform themselves to such regulations and conditions as said Agents shall publish in their conditions of sale as aforesaid, and in failure thereof, shall forfeit and pay for each offence a fine not exceeding one hundred, nor less than ten Dollars.

Purchasers to conform to regulations.

SEC. 7TH. *And be it further enacted*, That either of the Agents for the said towns of Middleborough & Rochester, may be admitted as competent Witness, in any prosecution for the breach of any regulations as aforesaid, and said Agents, previous to entering upon the execution of their office, shall be sworn to the faithful discharge of their duty, as other town officers are sworn.

Agents admissible as witnesses.

Approved March 6, 1802.

1801. — Chapter 66.

[January Session, ch. 42.]

AN ACT TO REGULATE THE SHAD AND ALEWIFE FISHERY IN THE TOWN OF WARREN, IN THE COUNTY OF LINCOLN.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That it shall and may be lawful for the town of Warren, in the County of Lincoln, annually, at any legal meeting of the inhabitants of said town, to sell, or otherwise dispose of the privilege of taking the fish called shad and alewives in any river, or place within

Privilege of fishing to be disposed of.

the limits of said town, not exceeding three days in each week, under such regulations as the said town shall direct; and the emolument arising from said privilege shall be appropriated, by said town, to such purposes and uses as the inhabitants thereof shall, in town meetings, from time to time, determine.

Penalty for illegally taking the fish.

SEC. 2. *And be it further enacted*, that, if the purchaser, or purchasers, manager or managers of the said privilege, or those employed by them, shall presume to take any of the said fish at any other time or place in said town than shall be determined by said town, and if any other person whatever shall presume to take or catch any of said fish in any river or stream within the boundaries of said town without permission from the inhabitants thereof in legal town-meeting, he or they, so offending, shall, for each offence, forfeit and pay a sum not exceeding thirteen dollars nor less than one dollar, at the discretion of the Justice before whom the offence shall be tried.

Penalty for refusal to sell the alewives.

SEC. 3. *And be it further enacted*, That if the purchaser, or purchasers, manager or managers of said privilege shall, when in his, or their power, refuse to supply any person, or persons, inhabitant or inhabitants of any town lying on St. Georges River with any quantity of alewives, when green, not exceeding five hundred to any one person, who may apply therefor, at such rates, as shall be determined by said town, not exceeding twenty cents for an hundred, he or they, so offending, shall, for each offence, forfeit and pay the sum of one dollar, and if any person or persons shall ask, demand or receive, more than twenty cents for an hundred of alewives, and in that proportion for a less number at the landing where said fish are taken, he or they shall forfeit and pay the sum of one dollar.

Price regulated.

SEC. 4. *And be it further enacted*, that the said town of Warren shall, at their annual meeting in March or April, choose a Committee, not exceeding seven, nor less than three freeholders of said town, who shall be sworn or affirm to the faithful discharge of the duties enjoined upon them by this act, and it shall be the duty of the said committee to cause the natural course of the rivers, or streams, thro' which the said fish shall pass, to be kept open and without obstruction, during the whole time the said fish pass up, and down said rivers, or streams in each year; and to remove any such obstruction as shall be found

A fish-committee to be chosen; and their duty prescribed.

therein ; and the said committee or a majority of them, in the discharge of their duty, and also, those, who are lawfully employed in catching the said fish, or in buying the same, shall be permitted at all times to go upon, and pass over the lands of any person, thro' or by which said rivers, or streams run, without being considered as trespassers ; and any person, who shall hinder or molest the said Committee in the buisness of his or their office, or shall obstruct any passage way in any of the said Rivers or Streams ; otherwise than may be permitted by said Committee, or a majority of them, he or they, so offending, shall forfeit and pay, for every such offence, a sum not exceeding thirteen dollars, nor less than one dollar, at the discretion of the Justice, before whom the same shall be tried: *Provided nevertheless*, That nothing in this act shall be considered as authorizing the said committee to injure the proprietor of any mill, or water works, further than is necessary to give the said fish a good and sufficient passage up and down the rivers, and streams aforesaid.

Committee are not unnecessarily to injure mills, &c.

SECT. 5. *Provided also, and be it further enacted*, That whereas a passage way for the said fish has been made around certain mills situated at the great falls in St. Georges River, so called, in said town, and it is necessary to ascertain whether the same is sufficient for the passage of said fish, before the time for holding the next court of General Sessions of the peace in the County of Lincoln, David Fales, John McKellar, and Moses Copeland, Esquires, be, and they are hereby appointed a Committee to repair, in the ensuing Spring, at the request, and expence of the proprietors of the said mills, to the place where said passage-way is, before the usual time for the running of said fish, and to ascertain, and determine, whether the same is sufficient for the passage of said fish ; and if it shall be considered sufficient by the said Committee, and shall be kept, by the proprietor of said Mills, during the Spring, and Summer next ensuing, in the same state as when viewed by the said Committee ; it shall be considered as sufficient for the passage of said fish, for the present year ; and it shall be lawful for any owner, or occupant of any mill, or dam already built, or hereafter to be built upon St. Georges River, or any stream communicating there with, within the limits of said town, who is or may be obliged to open any passage for said fish, to apply to the Court of General Sessions of the Peace, next to be holden in, and

Application may be made to the Court of Sessions for a committee to inspect any passage way.

for said County; and the Justices of the said Court on such application, are hereby authorized and directed to appoint a Committee of three discreet, and disinterested freeholders of said County, under oath, to repair to the dam, or place where such passage is, or is proposed to be opened, and carefully to view and examine the same, and in the best manner, they are able, inform themselves, of the proper place for the passage of the said fish up, and down the said river & stream, of what dimensions the same shall be; and what part of each year and how long the same shall be kept open; and the said Committee shall return the same under their hands or the hands of the majority of them, to the said Court, as soon as may be, which return, so made, if accepted, by said Court, shall be deemed, and adjudged the lawfull rule of proceeding in making, and keeping open the passage or passages for said fish in passing up and down the said river or streams for the future.

Inspecting committee to report.

Fish committee to prosecute for fines.

SEC. 6. *And be it further enacted*, That it shall be the duty of the fish committee appointed by said town, to prosecute for all breaches of this act, and for any one of them to seize, and detain in their custody, any net, which may be found in the hands of any person using the same contrary to the true intent and meaning of this act, until the person so offending makes satisfaction for his offence, or is legally acquitted therefrom; and also to sieze to the use of said town, all such fish as they shall suspect to have been taken contrary to the provisions of this act, unless the person in possession thereof can give satisfactory evidence to said committee, that said fish were lawfully taken.

Recovery and appropriation of fines.

SEC. 7. *And be it further enacted*, that all the penalties incurred by any breach of this act, shall be recovered by an action on the case, or by an action of debt, before any Justice of the Peace within and for the County of Lincoln, allowing an appeal to the next Court of Common Pleas to be holden in, and for said County, and all sums of Money recovered in consequence of any breach of this act, shall be to the use of said town, and no person by reason of his being one of said Committee, or an inhabitant of said town, shall be, thereby, disqualified from being a witness in any prosecution, or suit for the breach of this act.

Approved March 6, 1802.

1801.—Chapter 67.

[January Session, ch. 43.]

AN ACT TO SET OFF NATHANIEL PRENTISS, AND OTHERS, FROM THE TOWN CHARLESTOWN, IN THE COUNTY OF MIDDLESEX, AND ANNEX THEM TO THE TOWN OF CAMBRIDGE, IN THE SAME COUNTY.

SEC. 1. *Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same,* That Nathaniel Prentiss, Josiah Willington, Stephen Goddard, Benjamin Goddard and Nathaniel Goddard, together with the lands situated within the following lines: Vizt. Beginning at the south-easterly side of the house lot of Stephen Goddard, at the point, where the boundary line between said house lot, and the lands of Walter Frost, intersects the North-easterly line of Cambridge; thence runing North-easterly, by said boundary line, to the road leading by the house of Timothy Tufts; thence North-westerly, by said road, to the line, which divides the lands of Nathaniel Goddard from the lands of Nathan Watson; thence southwesterly by the line last mentioned to Cambridge line; thence southeasterly, by Cambridge line, to the point of beginning, be, and hereby are set off from the town of Charlestown and annexed to the town of Cambridge.

Persons set off.

Boundary of land set off.

SEC. 2. *Be it further enacted,* That the said Nathaniel Prentiss, Josiah Willington, Stephen Goddard, Benjamin Goddard and Nathaniel Goddard, with such parts of their estates as are set off by this act, shall be held to the payment of all taxes already assessed upon them by the town of Charlestown, and also be held to the payment of their respective proportions of the debts due from the town of Charlestown, (after deducting therefrom the School funds,) as follows: Viz. Nathaniel Prentiss fourteen dollars; Josiah Willington, fourteen dollars; Stephen Goddard, twelve dollars; Benjamin Goddard, eleven dollars; Nathaniel Goddard, nine dollars; and the town of Charlestown shall have a right to assess the several sums aforesaid on the Polls and Estates so sett off, at any time within one year from the passing of this act, if the same shall not be paid to the treasurer of said town prior to such assessment.

Provision respecting debts and taxes.

Approved March 6, 1802.

1801. — Chapter 68.

[January Session, ch. 44.]

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR INCORPORATING THE MEMBERS OF THE EPISCOPAL CHURCH IN THE TOWN OF PORTLAND INTO A RELIGIOUS SOCIETY."

Preamble.

Whereas it appears, that the said society with others contemplate rebuilding their church on a different spot, and by the said act, they are not empowered to purchase one for that purpose, which has occasioned some doubts; and whereas only the names mentioned in the said act are expressly incorporated without any mention of such as might thereafter join the said church.

The purchase of a new lot authorized.

SEC. 1ST. *Be it enacted by the Senate, and House of Representatives in General Court assembled and by the authority of the same, that the Wardens, and Vestry of the said Church be, and they are hereby authorized and empowered with the real estate now belonging to said church, or the proceeds of the same, to purchase in the name, and to the use of said church, any other lot of land, or situation in the said Town of Portland which may be deemed eligible for the purpose of rebuilding their House of public worship on the same, and that the said lot of land, or situation, when so purchased, shall belong to those, who shall subscribe for, and assist in rebuilding said House, in proportion to their subscriptions and actual assistance.*

How to become a member.

SEC. 2D. *And be it further enacted, that such persons as shall subscribe for, and build the said house, together with such others as may hereafter join the said church by giving notice in writing to the Clerk of the parish, or society, which they shall leave seven days at least previous to the annual meeting held in March or April by the Parish, or Society, they intend to leave as aforesaid, and being accepted by said church, shall be accounted as a member or members of the corporation of said church as established by the act aforesaid to all intents and purposes.*

Approved March 6, 1802.

1801. — Chapter 69.

[January Session, ch. 45.]

AN ACT ESTABLISHING THE NORFOLK AND BRISTOL TURNPIKE CORPORATION.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the*

authority of the same, That Ephraim Starkweather, Oliver Starkweather, Oziel Wilkinson, Eliphalet Slack, Samuel Slack, William Blackington, Israel Hatch, Elijah Daggett, Joseph Holmes, Fisher Ames, James Richardson, John Whiting, Timothy Whiting, Timothy Gay Junr., and all such persons as shall be associated with them, and their Successors, shall be a Corporation by the name of The Norfolk and Bristol Turnpike Corporation; and shall by that name sue and be sued, and enjoy all the privileges and powers which are by law incident to Corporations, for the purpose of laying out and making a Turnpike road from the Court House in Dedham, in the County of Norfolk, to the north parish Meeting House in Attleborough, in the County of Bristol, and from thence to Pawtucket Bridge, so called, and for keeping the same in repair. The said Turnpike to begin at the Court House in Dedham aforesaid, and thence to run as near a strait line from the said Court House in Dedham to the said Pawtucket Bridge, as a Committee appointed by the General Court, shall, with due regard to the nature of the ground, direct; and which said Committee is hereby authorized and directed to locate the same road accordingly; which road shall not be less than four rods wide, except in such parts thereof, as the said Committee shall think it expedient, otherwise to direct; but said road shall in no part thereof be less than three rods wide, and the part to be travelled on not less than twenty feet in width in any place; and that when said Turnpike road shall be sufficiently made, and shall be so allowed and approved by the abovesaid Committee, then the said Corporation shall be authorized to erect three Turnpike Gates on the same, in such manner as shall be necessary and convenient, in such places as the abovesaid Committee shall direct; and shall be entitled to receive from each traveller and passenger, at each of the said Gates, the following rates of toll, to wit. For every coach, phaeton, chariot or other four wheel carriage, drawn by two horses, twenty five Cents, and if drawn by more than two horses, an additional sum of four Cents for each horse. For every curriole seventeen Cents. For every cart, waggon, sled or sleigh, drawn by two oxen or horses, ten Cents, and if drawn by more than two, an additional sum of three Cents for each horse or ox. For every chaise, chair or other carriage drawn by one horse, ten Cents. For every sled or sleigh, drawn by one horse,

Persons incorporated.

Course of the road.

Width.

Number of gates.

Toll.

six Cents. For every man and horse four Cents. For all oxen, horses, mules and neat cattle, led or driven, besides those in teams and carriages, one Cent each. For all sheep and swine, three Cents by the dozen, and in that proportion for a greater or less number. *Provided*, that nothing in this Act shall extend to entitle the said Corporation to demand toll of any person who shall be passing with his horse or carriage to or from public worship, or with his horse or team, to or from any mill, or with his horse, team or cattle, to or from his common labour on his farm, or on the common and ordinary business of family concerns within the same towns; or any person passing on military duty: & That when no toll gatherer shall be present at either of the said Gates, to receive the toll, the said Gate shall be left open, and travellers be permitted to pass freely. *Provided also*, that no Turnpike Gate shall be erected at any place on the present travelled road. *Provided also*, *And be it further enacted* That the said Corporation be, and it is hereby empowered to commute the rate of toll with any person, or with the inhabitants of any town through which the said Turnpike road shall be made, by taking of him or them any certain sum annually, or for a less time, to be mutually agreed on, in lieu of the toll established in and by this Act.

Exceptions.

Toll may be commuted.

Sign board to be erected.

SEC. 2D. *And be it further enacted*, That the said Corporation shall at each place where the toll shall be collected, erect and keep constantly exposed to view a sign or board, with the rates of toll of all the tollable articles, fairly and legibly written thereon in large or capital letters.

Land may be taken.

SEC. 3D. *And be it further enacted*, That the said Corporation may purchase and hold land over which they may make said road. And the said Corporation shall be holden to pay all damages which shall arise to any person by taking his land for such road, where it cannot be obtained by voluntary agreement, to be estimated, if lying within the County of Norfolk aforesaid, by a Committee appointed by the Court of General Sessions of the Peace, in said County of Norfolk; and if such lands lie in the County of Bristol aforesaid, by a Committee appointed by the Court of General Sessions of the Peace in said County of Bristol, saving to either party the right of trial by Jury according to the law which provides for

the recovery of damages, accruing by laying out public high ways.

SEC. 4TH. *And be it further enacted*, That if any person, cut, break down or destroy either of the said Turnpike Gates, or shall forcibly pass, or attempt to pass the same by force, without having first paid the legal toll at such Gate, such person shall forfeit and pay a fine not exceeding fifty, nor less than two Dollars, to be recovered by the Treasurer of the said Corporation, to their use, in an action of trespass. And if any person shall with his cattle, team, carriage or horse, turn out of the said road to pass either of the said Turnpike Gates, on ground adjacent thereto, and again enter on said road, with intent to avoid the toll due by virtue of this Act, such person shall forfeit and pay, three times so much as the legal toll would have been, to be recovered by the Treasurer of said Corporation, to the use thereof, in an action of debt.

Penalty for
injuring or
forcibly passing
the gates.

SEC. 5TH. *And be it further enacted*, that if the said Corporation, their tollgatherers, or others in their employment, shall unreasonably delay or hinder any traveller or passenger at either of said Gates, or shall demand and receive more toll than is by this act established, the Corporation shall forfeit and pay a sum not exceeding ten Dollars, nor less than one Dollar, to be recovered before any Justice of the Peace, not being a proprietor in said Corporation, of the County where the offence shall be committed by any person injured, delayed or defrauded, in a special action on the case; the writ in which action, shall be served on the Corporation, by leaving a copy of the same with the Treasurer, or with some individual member of the Corporation living within the County where the offence shall be committed, at least seven days before the day of trial; and the Treasurer of the said Corporation, or any individual member shall be allowed to defend the same suit in behalf of the Corporation; and the Corporation shall be liable to pay all damages which shall happen to any person from whom toll is by this act demandable, for any damages which shall arise from any defect of bridges, or want of repairs within the same way; and shall be also liable to a fine, on the presentment of the Grand Jury, for not keeping the same way or the bridges thereon in good repair.

Penalty for
delaying
passengers.

Road, &c. to
be kept in
good repair.

SEC. 6TH. *And be it further enacted*, That the Shares in the same Turnpike road, shall be taken deemed and

Shares deemed
personal estate.
Mode of trans-

fer and attach-
ment.

considered to be personal estate to all intents and purposes, and shall and may be transferable; and the mode of transferring said shares, shall be by deed acknowledged before any Justice of the Peace, and recorded by the Clerk of said Corporation in a book to be kept for that purpose; and when any of the said shares, shall be attached on mesne process, or taken in execution, an attested copy of such writ of attachment or execution, shall at the time of the attachment, or taking in execution, be left with the Clerk of the said Corporation, otherwise such attachment, or taking in execution, shall be void; and such shares may be sold on execution in the same manner as is or may by law be provided for the sale of personal property by execution, the Officer making sale, or the Judgment Creditor, leaving a copy of the execution and of the Officers return on the same with the Clerk of the said Corporation, within ten days after such sale, and paying for the recording of the same.

Every share
entitles to a
vote, with a
proviso.

SEC. 7TH. *And be it further enacted*, That every proprietor in the said Turnpike road, or his agent duly authorized in writing, shall have a right to vote in all meetings of the said Corporation, and be entitled to as many votes as the proprietor has shares in the same: *Provided* his number of shares do not exceed ten; but no proprietor shall be entitled to more than ten votes for any greater number of shares he may possess.

Mode of pro-
ceeding with
a delinquent
proprietor.

SEC. 8TH. *And be it further enacted*, That whenever any proprietor shall neglect or refuse to pay any tax or assessment, duly voted and agreed upon by the Corporation, to their Treasurer, within Sixty days after the set time for the payment thereof, the Treasurer of the said Corporation is hereby authorized to sell at public vendue the share or shares of such delinquent proprietor, one or more, as shall be sufficient to defray said taxes, and necessary incidental charges, after duly notifying in the News papers printed at Dedham, or in some paper printed in Boston, the sum due on any such shares, and the time and place of sale, at least twenty days previous to the time of sale; and such sale shall be a transfer of the share or shares sold, to the person purchasing; and on producing a Certificate of such sale from the Treasurer to the Clerk of such Corporation, the name of such purchaser with the number of shares so sold, shall be by the Clerk entered on the books of the said Corporation, and such person shall be con-

sidered to all intents & purposes, the proprietor thereof; and the overplus, if any there be, shall be paid on demand by the Treasurer, to the person whose shares where thus sold.

SEC. 9TH. *And be it further enacted*, That a meeting of the said Corporation shall be held at the house of Joseph Holmes in Attleborough, on the last Tuesday of March instant for the purpose of choosing a Clerk, who shall be sworn to the faithful discharge of his trust; and such other Officers as shall then and there be agreed upon by the said Corporation, for regulating the concerns thereof; and that the said Corporation may then & there agree upon such method of calling meetings in future, as they may judge proper.

First meeting, and the business of it.

SEC. 10TH. *And be it further enacted*, That the said Corporation shall within six months after the road is completed, lodge in the Secretary's Office, an account of the expences thereof; and that the said Corporation shall annually exhibit to the Governor and Council, a true account of income or dividend arising from the toll, with their necessary annual disbursements on said road; and that the books of the said Corporation, shall at all times be subject to the inspection of a Committee to be appointed by the General Court, or to the inspection of the Governor and Council, when called for.

Estimates of expense and income to be exhibited.

SEC. 11TH. *Be it further enacted*, That the said Corporation is hereby allowed to grant monies to such persons as rendered services to the proprietors in exploring the said road or otherwise, previous to the act of incorporation.

Monies may be granted in certain case.

SEC. 12TH. *And be it further enacted*, That the General Court may dissolve said Corporation, whenever it shall appear to their satisfaction that the income arising from the toll, shall have fully compensated the said Corporation for all monies they may have expended in purchasing, repairing, and taking care of the said road, together with an interest thereon at the rate of twelve per centum by the year, and thereupon the property of the said road shall be vested in this Commonwealth, and be at their disposal. *Provided* That if said Corporation shall neglect to complete the said Turnpike road for the space of three years from the passing of this Act, the same shall be void and of no effect.

The corporation may be dissolved in certain case.

Approved March 8, 1802.

1801. — Chapter 70.

[January Session, ch. 46.]

AN ACT TO INCORPORATE CERTAIN PROPRIETORS OF MEADOW LANDS LYING ON PEQUIT BROOK, WITHIN THE TOWN OF CANTON FOR THE PURPOSE OF FLOWING & DRAINING OFF THE STAGNANT WATERS, & FOR THE BETTER IMPROVING THE SAID LANDS.

SECT. 1. *Be it enacted by the Senate & House of Representatives in General Court Assembled, & by the Authority of the same,* That from & after the passing of this Act all the Proprietors of certain Meadow Lands adjoining on Pequit Brook between the road that leads from Canton to Stoughton, & upland owned by Capt. Archibald McKendry & Mr. Elijah Gill in the County of Norfolk be & they are hereby incorporated into a body Politic by the name of The Proprietors of Pequit Brook Meadows, & by that name may sue & be sued, & do & suffer all matters acts or things which bodies politic may or ought to do & suffer.

SECT. 2. *And be it further enacted,* that any Justice of the Peace in the County of Norfolk be & he hereby is empowered & directed upon application in writing from five or more of said Proprietors to issue his warrant to one of the Proprietors aforesaid, requiring him to notify & warn a meeting of said Proprietors, at such time & place as he shall think most convenient & for the purposes to be expressed in said warrant by posting up copies of said warrant with the notification thereon at the houses of Public Worship in the towns of Canton & Stoughton seven days at least before the time for holding said Meeting & the said Proprietors when legally assembled as aforesaid shall have power to choose a Clerk, Committee, Assessors, Collector or Collectors of Taxes & Treasurer, who shall be sworn to the faithful discharge of the trust reposed in them & continue to serve until others are chosen & sworn in their places which may be annually, which officers chosen & sworn as aforesaid shall have the same power to perform, execute & carry any vote or order of said corporation into full effect as town officers of like description have by law to do & perform & said Corporation shall at their first meeting agree & determine upon the method for calling future meetings & said corporation shall at their first meeting, or any other meeting legally called for that

Corporate
name.

Manner of
calling the first
meeting, and
business to be
done at it.

purpose have power to vote & raise monies for the purpose of removing the bars & other shoal places in said Pequit Brook for the purpose of draining off the stagnant water from said Meadows from time to time as shall be found necessary for saving the grass growing thereon & for making & keeping in repair a Floom at the Dam where it has usually been in times past, & to pay all other expences that shall be found necessary for the better management thereof, & for carrying the votes & orders of said Corporation into effect. And all monies raised as aforesaid shall be assessed upon each Proprietor in the Meadows aforesaid in proportion to the number of acres, or the value thereof, he or she owns — And if any Proprietor shall refuse or neglect to pay the sum or sums assessed upon him, or her as aforesaid, after sixty days notice, so much of his, or her Meadow land shall be sold as will be sufficient to pay the same with legal costs in the same way & manner non-resident Proprietors lands in this Commonwealth are sold to pay taxes. *Approved March 8, 1802.*

Money may be raised.

Lands of delinquents to be sold.

1801. — Chapter 71.

[January Session, ch. 47.]

AN ACT TO PREVENT THE CIRCULATION AND CURRENCY OF BANK BILLS OF A DENOMINATION LESS THAN FIVE DOLLARS.

Whereas the circulation and currency of Bank Bills of a denomination less than five dollars, within this Commonwealth is attended with many inconveniences subjecting the holders of such Bills to frequent loss — preventing the circulation of small change, and giving to the Citizens of other States privileges denied to our own: Therefore

Preamble.

Be it enacted by the Senate, and House of Representatives in General Court assembled and by the authority of the same, that from and after the first day of July next, no person shall pay, or receive in discharge of any contract, or bargain, or for any valuable consideration whatever, any Bill issued by any Bank, or Banking Company, other than the Bank of the United States or the several Banks within this Commonwealth of a less denomination than five dollars under a penalty of four dollars, to be recovered, as well of the person, so paying, as of the person so receiving, by action of debt, with costs of suit, to the use of any person, or persons who shall within one Year thereafter prosecute for the same.

Bank Bills less than 5 dollars not to be received or paid.

Approved March 8, 1802.

1801. — Chapter 72.

[January Session, ch. 48.]

AN ACT IN ADDITION TO THE ACT ESTABLISHING THE WILLIAMSTOWN TURNPIKE CORPORATION.

Preamble.

Whereas in and by an act entitled “ An act establishing the Williamstown turnpike corporation ” passed the first day of March in the year of our Lord one thousand seven hundred and ninety nine, it is provided, that if the said corporation shall neglect to complete the turnpike road in the said act mentioned, for the space of three years from the time of passing said act, that then the same act should become void and of no effect; and whereas it is reasonable, that the said corporation should be allowed further time for completing said turnpike road. Therefore,

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that the said Corporation be, and hereby is allowed the further time of Two years from the passing of this act for completing the turnpike road aforesaid: And if the said road shall be completed within the time in, and by this act allowed for the completion thereof, and in the manner provided in the act, to which this is in addition, it shall have the same operation and effect, in all respects, as though the said corporation had completed the same within the time limited therefor in the act aforesaid.

Approved March 8, 1802.

Two additional years allowed for completing the road.

1801. — Chapter 73.

[January Session, ch. 49.]

AN ACT TO AUTHORIZE THE GOVERNOR IN CERTAIN CASES, TO OFFER A REWARD FOR THE APPREHENDING AND SECURING PERSONS ESCAPING FROM PRISON, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Governor be and he is hereby authorized, whenever it shall appear to him necessary, to offer and pay a suitable reward, not exceeding One Thousand Dollars in any one case, to any person or persons, who shall in consequence of such offer, apprehend, bring back, and secure any person or persons escaping from any of the prisons in this Commonwealth, convicted of any

Governor authorized to pay certain rewards.

capital crime, or other high handed offence and misdemeanor, or charged therewith. And he is also further authorized to offer and pay a like reward for the apprehending any person or persons having committed any such crime or offence as aforesaid, where it cannot be done in the ordinary and common course of proceeding, if in his opinion the public good requires it. And the Governor, with advice of Council, is hereby authorized to issue his Warrant on the Treasury, for the payment of such reward.

Approved March 8, 1802.

1801. — Chapter 74.

[January Session, ch. 30.]

AN ACT FOR INCORPORATING CERTAIN PERSONS, FOR THE PURPOSE OF BUILDING A BRIDGE OVER NEPONSET RIVER BETWEEN DORCHESTER & QUINCY, AND FOR SUPPORTING THE SAME.

Whereas the erecting a bridge over Neponset river from Preston's point in Dorchester, to Billings's rocks in Quincy, will be of great public utility, and Benjamin Beal and Moses Black esquires and others, have petitioned this Court for an Act of incorporation to empower them to build the said bridge, and many persons, under the expectation of such an Act, have subscribed to a fund, for the purpose of erecting and completing the same.

Preamble.

SEC. 1ST. *Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Benjamin Beale, Moses Black, John Davis, John Phillips, and Josiah Quincy esquires, so long as they shall continue to be proprietors in the said fund, together with all those who are, or shall hereafter become proprietors in said stock or fund, shall be a Corporation and Body politic, under the name of The proprietors of Neponset Bridge, and by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, and do and suffer all matters and things which Bodies politic may or ought to do and suffer, and that the said Corporation shall and may have full power and authority to make, have and use a common seal, and the same to break and alter at pleasure.*

Corporate name.

SEC. 2D. *And be it further enacted, That the said Benjamin Beale, Moses Black, John Davis, John Phillips and Josiah Quincy, or any three of them, may by advertise-*

First meeting.

ment in any two News papers, warn or call a meeting of the said proprietors to be holden at any suitable time and place, after fifteen days from the publication of such advertisement; and the said proprietors, by a vote of the majority of those present or represented at the said meeting, (accounting and allowing a vote to each single share in all cases) shall choose a Clerk, who shall be duly sworn to the faithful discharge of his office; and shall also agree on a method for calling future meetings; and at the same, or any subsequent meeting, may make and establish any rules and regulations that shall be necessary for regulating the said Corporation, for effecting, completing and executing the purposes aforesaid, or for collecting the toll hereafter granted; and the same rules and regulations may cause to be kept and executed, or for the breach thereof may order and enjoin fines & penalties, not exceeding Thirteen Dollars; *provided* the rules and regulations are not repugnant to the Laws or Constitution of this Commonwealth. And the said proprietors may also choose and appoint any other Officer or Officers of the said Corporation, that they may deem necessary; and all representations at the said meeting, shall be proved in writing, signed by the person making the same, by special appointment which shall be filed with, or recorded by the Clerk; and this Act, and all rules, regulations and votes of said Corporation, shall be fairly and truly recorded by the said Clerk, in a book or books for that purpose to be provided and kept.

Officers to be chosen, and regulations established.

Toll established.

SEC. 3D. *And be it further enacted*, That for the purpose of reimbursing the said proprietors, the money by them expended, or to be expended in building & supporting the said Bridge, a toll be, and hereby is granted and established, for the sole benefit of the said proprietors, according to the rates following. For each foot passenger two Cents, excepting all persons who shall be on military duty, and all such persons, with their military baggage, shall pass and re-pass said Bridge, free of toll. For each person and horse six Cents. For each horse and cart ten Cents. For each team drawn by more than one beast, twelve Cents and five milles. For each horse and chaise, sulkey or sleigh, twelve Cents and five milles. For each coach, chariot, phaeton and curricule, twenty five Cents. For each man and wheelbarrow, four Cents. For each horse and neat cattle, exclusive of those in teams, or rode

on, three Cents. For sheep per dozen, three Cents, and for each swine one Cent, and to each team one person, and no more, shall be allowed as a driver to pass free from toll; and the time when the tollgatherer shall not attend his duty, the gate or gates shall be left open. And the said toll shall commence on the day of the opening of the said Bridge for passengers; and shall continue for, and during the term of seventy years, at the end of which time the said Bridge shall be delivered up in good repair, to, and for the use of this Government. *Provided* that at the time of opening said Bridge, the said Corporation shall cause a true and just account of the expences thereof, and at the end of every three years thereafterwards, a just and true account of their receipts and disbursements to be returned into the office of the Secretary of this Commonwealth, and that after forty years from the opening said Bridge, the General Court may regulate the rates of toll receivable at the said Gate.

Toll to continue 70 years.

Estimate of expenses and receipts to be exhibited.

SEC. 4TH. *And be it further enacted*, That the said proprietors be and hereby are authorized to lay out and make a road from the meeting house in Quincy, not less than three nor more than four rods wide leading to said bridge, and in the direction mentioned in the petition of the said Benjamin Beale and others, or in such other direction as the Justices of the General Sessions of the peace for the County of Norfolk, may, upon application from said proprietors, authorize. And the said proprietors shall be holden to pay all damages which shall arise to any person by taking his land for such road, where it cannot be obtained by voluntary agreement, to be estimated by a Committee to be appointed by the said Court of General Sessions of the Peace in said County, saving to either party the right of trial by Jury, according to the law which makes provision for the recovery of damages, happening by laying out public highways.

A road from Quincy meeting house authorized.

SEC. 5TH. *And be it further enacted*, That the said Bridge shall be well built, at least thirty feet wide, and of good and suitable materials, & on the easterly side of the channel a part of the bridge shall be high enough for a Gondola loaded with hay to pass at high tide, and shall have, at a suitable place, a good Draw or passage way thirty feet wide, which shall be constantly attended, and at all times be opened by the Proprietors of the said Bridge, when required, through which Vessels may pass

Directions relative to building the bridge, the materials, &c.

both by day and by night, without toll, with a well constructed substantial pier fifty feet long, and forty feet wide on the east side; and a sufficient pier on the west side, for the free use of all Vessels, well covered with plank or timber on the top, suitable for such a bridge and piers, with sufficient rails outside, planked three feet high on each side, and on one side an inside railing five feet distant from the outside railing, for the safety of passengers; and the same shall be kept in good, safe and passable repair for the term aforesaid, and at the end of the said term, the said Bridge shall be left in like repair. And it shall be lawful for the Proprietors of said Bridge to make the leaves of said Draw sixteen feet long, instead of thirty feet, the width of said Bridge.

A Sign-board of the toll to be erected.

SEC. 6TH. *And be it further enacted*, That the said Proprietors shall, at the several places where the toll shall be received, erect and constantly expose to open view a sign or board, with the rates of toll of all tollable articles fairly and legibly written thereon in large or capital letters, and keep twenty Lamps properly placed on said Bridge, which shall be constantly supplied with oil, and kept burning from night fall until twelve of the Clock, and those at the Draw, during the whole night. And whereas the provisions contained in this Act, for a Draw & piers, as appendages to the said Bridge, are intended to secure a free & unembarrassed navigation for vessels having occasion to pass the same.

Right to regulate the passing of vessels reserved.

SEC. 7TH. *Be it therefore further enacted*, That from and after two years from the first opening, and receiving toll at said bridge, the Legislature upon representation made, may from time to time make such further additional provisions and regulations relating to the Draw, and passing of Vessels, as upon actual experience will be found necessary.

Penalty for unreasonably delaying vessels.

SEC. 8TH. *And be it further enacted*, That in case the Proprietors of the said Bridge, or any tollgatherer, or officer by them appointed, shall neglect or refuse to open the Draw, or unnecessarily detain any vessel about to pass the same, the said Corporation shall forfeit and pay for every such refusal, neglect or unreasonable detention, a sum not exceeding fifty Dollars nor less than twenty Dollars, to be recovered by the owner or owners of such vessels, and to their use in any Court proper to try the same, by special action on the case.

SEC. 9TH. *And be it further enacted*, That if the said proprietors shall neglect or refuse for the space of five years after the passing of this Act, to build the said Bridge, then this act shall be void and of no effect.

Time of building limited.

Approved March 11, 1802.

1801. — Chapter 75.

[January Session, ch. 51.]

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS THEREIN MENTIONED.

Be it enacted by the Senate, and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, Humphry Stanwood of Newbury port in the County of Essex, and Commonwealth aforesaid, cooper, shall be allowed to take the name of Humphry Woodbury; — And that Judith Stanwood, and Agnes Stanwood, the said Humphry's daughters, shall also be allowed to take the surname of Woodbury; — That Robert Hallowell, the younger, of Boston, in the County of Suffolk, Gentleman, shall be allowed to take the name of Robert Hallowell Gardiner; — That Thomas Denny, the second, of Leicester, in the County of Worcester, son of Samuel Denny, of said Leicester, shall be allowed to take the name of Nathaniel P. Denny; — That Levi H. Hardy, of Worcester, in the County of Worcester, shall be allowed to take the name of Samuel Hardy; — That John Benson, of Boston, in the County of Suffolk, Merchant, son of Joseph Benson, of Scituate in the County of Plymouth, shall be allowed to take the name of John Henry Benson; — That Josiah Vose, of Boston, son of Joseph Vose, of Milton, in the County of Norfolk, Esquire, shall be allowed to take the name of [of] Josiah Howe Vose. — That Nathaniel Thayer, of Boston, in the County of Suffolk, and son of Ebenezer Thayer, Esqr. of Braintree, in the County of Norfolk, shall be allowed to take the name of Nathaniel Frederick Thayer; — And, That Samuel Curwen Ward, junr. a minor, son of Samuel Curwen Ward, of Salem, in the County of Essex, Gentleman, shall be allowed to take the name of [of] Samuel Curwen. And said persons shall in future be respectively known and called by the names, which they are respectively allowed to take as aforesaid, and the same shall be considered as their only proper Names to all intents and purposes.

Approved March 11, 1802.

1801. — Chapter 76.

[January Session, ch. 52.]

AN ACT DIVIDING THE COMMONWEALTH INTO SEVENTEEN DISTRICTS, FOR THE CHOICE OF REPRESENTATIVES IN THE CONGRESS OF THE UNITED STATES, AND PRESCRIBING THE MODE OF ELECTION.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, & by the authority of the same,* That this Commonwealth be, and it hereby is divided into seventeen Districts as in this act defined and described, for the purpose of choosing Representatives, to represent this Commonwealth in the Congress of the United States, after the present Congress; in each of which Districts one Representative, being an inhabitant of the District for which he shall be elected, shall be chosen in the manner hereinafter prescribed.

SEC. 2D. *Be it further enacted,* That the said seventeen Districts shall be formed & limited in manner following, viz.

Suffolk District. The Towns in the County of Suffolk, together with the towns of Charlestown, Medford & Malden, in the County of Middlesex, shall constitute one District, to be called Suffolk District.

Essex S. District. The Towns of Lynn, Lynnfield, Salem, Marblehead, Danvers, Beverly, Manchester, Wenham and Gloucester, in the County of Essex, shall constitute one District, to be called Essex South District.

Essex N. District. The Towns and Districts in the County of Essex, not included in Essex South District, shall, together with the town of Reading, in the County of Middlesex, constitute one District, to be called Essex North District.

Middlesex District. The Towns & Districts in the County of Middlesex, excepting the town of Reading, and excepting also those towns which are in this act included in Suffolk and Norfolk Districts, respectively, shall constitute one District, to be called Middlesex District.

Hampshire S. District. The Towns of Ware, Belchertown, Granby, South Hadley, Hadley, Northampton, West Hampton, Norwich, Worthington and Middlefield, in the County of Hampshire, together with the Towns and Districts in the same County lying southerly of the abovenamed towns, shall constitute one District, to be called Hampshire South District.

17 Districts formed.

- The Towns and Districts in the County of Hampshire, not included in the last named District, shall constitute one District, to be called Hampshire North District. Hampshire N. District.
- The Towns and Districts in the County of Plymouth shall constitute one District to be called Plymouth District. Plymouth District.
- The Towns and Districts in the Countys of Barnstable, Dukes County and Nantucket, together with the town of New Bedford, in the County of Bristol, shall constitute one District, to be called Barnstable District. Barnstable District.
- The Towns and Districts in the County of Bristol, excepting the town of New Bedford, shall constitute one District, to be called Bristol District. Bristol District.
- The Towns of New Braintree, Spencer, Leicester, Worcester, Shrewsbury, Northborough and Southborough, in the County of Worcester, together with the Towns and Districts in the same County, lying southerly of the above named towns, shall constitute one District, to be called Worcester South District. Worcester S. District.
- The Towns and Districts in the County of Worcester, not included in the last named District, shall constitute one District, to be called Worcester North District. Worcester N. District.
- The Towns, Districts & plantations in the County of Berkshire, shall constitute one District, to be called Berkshire District. Berkshire District.
- The Towns and Districts in the County of Norfolk, together with the towns of Newton, Natick, Sherburne, Hopkinton and Holliston, in the County of Middlesex, shall constitute one District, to be called Norfolk District. Norfolk District.
- The Towns, Districts and Plantations in the County of York shall constitute one District, to be called York District. York District.
- The Towns, Districts and Plantations in the County of Cumberland, shall constitute one District, to be called Cumberland District. Cumberland District.
- The Towns, Districts & Plantations in the County of Lincoln, together with the towns of Islesborough, Vinalhaven, Prospect, Northport, Ducktrap, Belfast and Deer Isle, in the County of Hancock, shall constitute one District, to be called Lincoln District. Lincoln District.
- The Towns, Districts and Plantations in the Counties of Kennebeck, Hancock & Washington, excepting those towns in the County of Hancock, included in Lincoln District, shall constitute one District, to be called Kennebeck District. Kennebeck District.

Election to be held in Nov. biennially.

SEC. 3D. *Be it further enacted*, That the Selectmen of the several Towns and Districts within this Commonwealth, shall, in manner as the law directs for calling town-meetings, cause the inhabitants of their respective towns and Districts, duly qualified to vote for Representatives in the General Court of this Commonwealth, to assemble on the first Monday of November, *biennially*, beginning in November next, to give in their votes for their respective Representative, to the Selectmen who shall preside at said meetings; and the Selectmen, or the major part of them, shall, in open town-meeting, sort and count the votes, and shall form a list of the names of the persons voted for, with the number of votes for each person written in *words* at length against his name; and the Town Clerk shall make a record thereof; and the Selectmen shall, in such meeting, make public declaration of the persons voted for, and of the number of votes they respectively have, and shall, in open town meeting, seal up the said list, certified by the Selectmen, and express upon the outside of the said list the District in which the votes were given; and shall transmit the same within fourteen days next after such meeting, to the Secretary of the Commonwealth or to the Sheriff of the County in which such town or District lies, who shall transmit the same to the Secretary of the Commonwealth within forty days next after the time of holding such meeting; and the Secretary shall lay the same before the Governor and Council, and in case of an election for any District by a majority of the votes returned from such District, the Governor shall forthwith transmit to the person so chosen a Certificate of such choice, signed by the Governor, and countersigned by the Secretary. And the Selectmen of such towns and Districts as lie within any County in which there may be no Sheriff, shall return such lists to the Secretary's Office within the same term of time as Sheriffs are required to do.

Time for returning votes.

Gov. to certify the choice.

Case of no choice.

SEC. 4TH. *Be it further enacted*, That in case no person shall be chosen by a majority of all the votes returned from any District, the Governor shall cause Precepts to issue to the Selectmen of the several Towns & Districts within such District, directing and requiring such Selectmen, to cause the inhabitants of their respective Towns and Districts, qualified as aforesaid, to assemble as aforesaid, on a day in such precept to be appointed, to give in

their votes for a Representative in Congress as aforesaid; which precept shall be accompanied with a list of persons voted for in such District, shewing the number of votes for each person, according to the first return; and the same proceedings shall be had thereon in all respects, as before directed in this Act; and the Selectmen shall make return to the Secretary of the Commonwealth, or to the Sheriff, in manner as aforesaid, within fourteen days next after the time of holding such meetings; and the Sheriff shall make return thereof into the Secretary's office, on or before such day as the Governor shall appoint in such Precept; and the Selectmen of such Towns and Districts as lie within any County in which there may be no Sheriff, shall return such lists to the Secretary's Office within the same term of time, as Sheriffs are required to do. And the Secretary shall lay the lists, so returned to his Office, before the Governor and Council; and the Governor shall cause the person or persons who shall be chosen as aforesaid, to be served with a Certificate thereof, as aforesaid; and like proceedings shall be again had, in case any District shall fail of completing the choice of its Representative: and the Governor shall issue his Precept accordingly, to the Selectmen of those Towns and Districts of such Districts, wherein the choice of Representatives shall not have been made: and like proceedings shall be had as often as occasion may require.

List of votes to be submitted to Gov. and Council.

SEC. 5. *Be it further Enacted*, That whenever any vacancies shall happen in the representation of this Commonwealth in the Congress of the United States, the Governor shall cause Precepts to issue to the Selectmen of the several Towns and Districts within any District in which such vacancy may happen, directing and requiring them to cause the Inhabitants of their respective Towns & Districts to assemble on a day in such precept to be appointed, to give in their Votes for a Representative to supply such vacancy; and like proceedings shall, from time to time, in all respects be had as are herein before provided.

Case of vacancies.

SEC. 6. *Be it further Enacted*, That it shall be the duty of the Sheriffs of the several Counties of the Commonwealth, on receiving copies of this Act, or any Precept from the Governor for the purpose herein mentioned, to transmit the same seasonably to the Selectmen of the several Towns & Districts, and to the Assessors of the several Districts & Plantations where there may be no

Sheriffs to distribute precepts; and their fee.

Selectmen within their respective Counties, to whom such Copies or Precepts may be respectively directed. And the several Sheriffs shall, for the said service, be entitled to receive out of the Treasury of this Commonwealth fifty cents for each of the Copies & of the Precepts so by them distributed to the Selectmen of the Towns & Districts & to the Assessors of the Districts & Plantations in their Counties, where there may be no Selectmen; *Provided however*, That no Sheriff, who shall neglect seasonably to transmit all and every of the Copies & precepts, by him received, in manner aforesaid, shall be entitled to any compensation for distributing any of such Copies or precepts. — And for returning the votes as aforesaid each Sheriff shall be entitled to receive twenty Cents per mile, Computing from the place of abode of each Sheriff to the Secretary's Office. And in either case, the Sheriffs shall present their Accounts to the Committee on Accounts for examination & Allowance.

Fee for returning votes.

Penalty for a Sheriff's or Selectman's neglecting his duty herein.

SEC. 7. *Be it further Enacted*, That any Sheriff, who shall neglect to perform the duties which by this Act, he is directed to perform, shall, for each neglect, forfeit & pay the sum of Two thousand dollars, to be recovered by an Action of Debt in the name & to the Use of the Commonwealth. — And for any such neglect of any Sheriff it shall be the duty of the Attorney General and of the Solicitor General to prosecute, within one year thereafter. — And if any Selectmen shall neglect to perform any of the duties which by this Act they are required to perform, each selectman, so neglecting, shall forfeit and pay a sum not exceeding two hundred dollars, nor less than thirty dollars, to be recovered by an Action of Debt or On the Case, one moiety thereof to the prosecutor & the other moiety thereof to the use of the Commonwealth.

Assessors of districts empowered, &c.

SEC. 8. *Be it further Enacted*, That the Assessors of those Districts & plantations where there may be no Selectmen, shall have the same powers and perform the same duties, for the purposes of this Act, as are herein given to or required of Selectmen, and shall incur like penalties in case of neglect.

SEC. 9. *Be it further Enacted*, That this Act shall be construed to extend to those plantations only which shall choose Assessors to assess the public taxes which shall be set to such Plantations in the tax-Act next preceding the several elections.

SEC. 10. *And be it further Enacted*, That this Act, until a new apportionment of Representatives among the several States shall be made ; And for the purpose of supplying any vacancy or vacancies which may happen in the Representation of this Commonwealth in the Congress of the United States which shall make such apportionment, shall continue & be in full force.

Duration of this act.

Approved March 10, 1802.

1801. — Chapter 77.

[January Session, ch. 53.]

AN ACT TO ESTABLISH THE FOURTEENTH MASSACHUSETTS TURNPIKE CORPORATION.

Whereas the highway leading from Greenfield, through Shelburne, Buckland and Charlemont, to the East end of the Second Massachusetts Turnpike Corporation is circuitous and rocky; and the expence of Straitening and repairing the same through the said towns, so as to be conveniently travelled with horses and Carriages, is much greater than can be reasonably required of the said towns.

Preamble.

SECTION 1. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same*, that Jerom Ripley, Calvin Munn, Caleb Clap, Jonathan Leavitt, Hart Leavitt, Beriah Willard, Daniel Wells, Samuel Wells, Solomon Smead, David Wells, and William Wells, together with such others as may associate with them, & their successors, be, and they are hereby constituted a Corporation by the name of the Fourteenth Massachusetts Turnpike Corporation, and shall by that name sue and be sued, and shall have a common Seal, and enjoy all the powers & privileges, which are by Law incident to Corporations, for the purpose of laying out & making a Turnpike road from the west end of the fifth Turnpike road beginning at the dwelling House of Calvin Munn in Greenfield, and Continue Westward thro' Greenfield Street, to the West end of Samuel Wells' barn, from thence South-Westerly to Green river, (over which there must be a bridge) then in a direct line, to the South side of the Dwelling house of Solomon Smead Esqr., from thence by the most convenient rout, near to the dwelling house of Colonel David Wells in Shelburne, from thence in the most convenient and direct line near to Deacon Boyd's house in Shelburne,

Persons incorporated.

Course of the road.

thence Westward in the most direct line to a ches[t]nut tree, a few rods West of William Kemp's dwelling house, and from thence in the most direct line, to the most convenient bridge place on Deerfield River, being however at or below the falls so called, thence by a Bridge over said River into the town of Buckland, thence Westerly, near said river as is convenient, opposite to the dwelling house of Captain Ebenezer Montague in Charlemont, thence across said Deerfield River, to the north side of the same, where there must be a bridge, then on the North side of the said River, and as near said River as is convenient, westerly to the dwelling house of Jared Hawks, from thence in the most convenient rout to the East end of the aforesaid second Turnpike road, at the West line of the County of Hampshire, and for making and keeping the same in repair, which road shall not be less than four rods wide, and the path to be travelled in, not less than eighteen feet wide in any place; and that when the said Turnpike Road shall be sufficiently made and approved of by a Committee appointed by the Court of General Sessions of the Peace for the County of Hampshire, for that purpose, such Committee not having any shares or Interest in said Turnpike, then the said Turnpike Corporation shall be authorised to erect two Turnpike gates on the said road, at such places, as the said Committee of the said Court of Sessions, and the said Corporation shall judge necessary & convenient for collecting the toll, and shall be entitled to receive of each Traveller or passenger, at each of the said Gates, the following rates of toll, vizt. For each Coach, Phaeton, chariot, or other four wheel Carriage, drawn by two horses, twenty five cents, and if drawn by more than two Horses, an additional sum of four Cents for each horse; for every Cart or Waggon, drawn by two horses or Oxen twelve & half Cents, and if drawn by more than two Oxen or horses, an additional sum of three Cents for each Ox or horse, for every curri- cle, sixteen cents; for every Chaise, Chair, or other Carriage drawn by one horse, twelve Cents & an half; for every Man and Horse five Cents, for every Sled or sleigh, drawn by two Oxen or horses, nine cents, and if drawn by more than two Oxen or horses, an additional sum of three cents, for each Ox or horse; for every Sled or Sleigh drawn by one horse eight Cents; for all horses, mules, Oxen, or neat Cattle, led or driven, besides those

Two gates
allowed.

Toll estab-
lished.

in Teams and Carriages one Cent each; for all Sheep or Swine, at the rate of three cents for one dozen: *Provided* that said Corporation may if they see Cause, Com-
Proviso. mute the rate of toll, with any person or persons, by taking of him or them, a certain sum annually, to be mutually agreed on, in lieu of the toll aforesaid. *Provided however*, that no gate shall be Erected on the road now travelled, between the house of William Kemp in Shelburne, and the North River so called.

SECTION 2. *And be it further enacted*, that the said Corporation, may purchase and hold land, over which they may make said road; and the Justices of the Court of General Sessions of the Peace, in the County of Hampshire, are hereby authorised, on application of said Corporation, to lay out said road or any part thereof, within the County of Hampshire, as with the consent of said Corporation they shall think proper. And the said Corporation shall be liable to pay all damages that shall arise to any person, by taking his land for such road, where the same cannot be obtained by Voluntary agreement, to be estimated by a Committee appointed by the Court of General Sessions of the Peace, of the County of Hampshire, saving to either party the right of trial by Jury, according to the Law, which makes provision for the recovery of damages arising from the laying out of Highways.
Corporation allowed to hold land.

SECTION 3. *And be it further enacted*, that if said Corporation, or their Toll-gatherer, or others in their employ, shall unreasonably delay or hinder any traveller or passenger, at either of said gates, or shall demand or receive more toll, than is by this Act established, the Corporation shall forfeit and pay a sum not exceeding ten dollars, nor less than two dollars, to be recovered before any Justice of the Peace of the County, where the offence shall be committed, by any person injured, delayed, or defrauded, in a Special Action of the Case: — the writ in which shall be served on said Corporation, by leaving a Copy of the same with the Treasurer, or with some individual member of said Corporation, living in the County where the Action may be brought, or by reading the same to the said Treasurer or individual member, at least seven days before the trial. And the Treasurer of said Corporation, or individual member, shall be allowed to defend the same suit in behalf of the said Corporation. And the
Penalty for unreasonably delaying passengers.

said Corporation shall be liable to pay all damages that shall happen to any person from whom the toll is demandable, for any damage which shall Arise from defect of Bridges, or want of repairs in said way, and shall also be liable to presentment by the Grand Jury, for not keeping the same in good repair.

Penalty for
injuring the
road or gates.

SECTION 4. *And be it further Enacted*, that if any person shall cut, break down, or otherwise injure or destroy, either of the said Turnpike gates, or shall dig up or carry away any earth from said road, or in any manner damage the same, or shall forcibly pass, or attempt to pass the said gates by force, without having first paid the legal toll at such gate, such person shall forfeit and pay a fine, not exceeding fifty dollars, nor less than ten Dollars, to be recovered by the Treasurer of said Corporation to their use, in an Action of trespass, or on the Case: And if any person with his team, Cattle, or horse, turn out of said road, to pass any of the Turnpike gates & again enter on the said Road, with intent to evade the toll, due by virtue of this Act, such person shall forfeit and pay three times so much as the legal toll would have been, to be recovered by the Treasurer of the said Corporation, to the use of the same, in an Action of debt or on the Case: *Provided*, that nothing in this Act shall extend, to entitle the said Corporation to demand and receive toll of any person, who shall be passing with his horse or Carriage, to or from Public Worship, or with his horse, team, or Cattle, to or from his Common labour on his farm, or to or from any grist Mill, or on the common & ordinary business of family concerns, or from any person or persons, passing on Military duty.

Penalty for
attempting to
evade the toll.

Proviso.

Shares deemed
personal estate
— mode of
transfer and
attachment.

SECTION 5. *And be it further enacted*, that the shares in the same Turnpike road, shall be taken, deemed, and considered to be personal estate, to all intents & purposes, & shall & may be transferable: And the mode of transferring said Shares shall be by deed, acknowledged before any Justice of the Peace, & recorded by the Clerk of the said Corporation, in a book for that purpose to be provided and kept. And when any shares shall be Attached on mesne process, or taken in Execution, an Attested copy of such Writ of Attachment or Execution, shall at the time of the Attachment or taking in Execution, be left with the Clerk of the Corporation, otherwise the Attachment or taking in Execution shall be void; and

such Shares may be sold on Execution in the same manner, as is or may by law be provided for making sale of personal property on Execution; the Officer making the Sale, or the judgment Creditor, leaving a Copy of the Execution and the Officers return on the same with the Clerk of said Corporation, within fourteen days after such Sale, and paying for the recording of the same, shall be deemed and Considered, as a sufficient transfer of such share or shares in the said Turnpike road.

SECTION 6. *And be it further Enacted*, that the first meeting of the said Corporation shall be held at the House of Calvin Munn, inholder in Greenfield, on the fifteenth day of April next, at ten of the Clock in the forenoon, for the purpose of Choosing a Clerk, who shall be sworn to the faithful discharge of the duties of his said Office, and such other Officers as may then and there be agreed upon by the said Corporation. And said Corporation may then establish such rules and regulations, as shall be judged necessary, for the better management of its affairs: *Provided* such regulations shall not be repugnant to the Constitution and Laws of this Commonwealth; and the said Corporation may at the same time agree upon a method for calling future meetings.

First meeting, and the business to be transacted.

SECTION 7. *And be it further enacted*, that the said Corporation shall, within six months after the said road is completed, lodge in the Secretary's office, an Account of the expences thereof, and that the said Corporation shall annually exhibit to the Governor & Council, a true account of the income, or dividend, arising from the said toll, with their necessary annual disbursements on said road, and that the books of the said Corporation shall at all times, be subject to the inspection of a Committee to be appointed by the General Court, or to the inspection of the Governor & Council, when called for.

Estimate of receipts and expenses to be exhibited.

SECTION 8. *And be it further Enacted*, that whenever any proprietor shall neglect or refuse to pay any tax or assessment duly Voted and agreed upon by the Corporation to their Treasurer, within sixty days after the time set for the payment thereof, the Treasurer of the said Corporation is hereby authorized to sell at public Vendue, the share or shares of such delinquent proprietor, one or more, as shall be sufficient to defray said Taxes, and necessary incidental charges, after duly notifying in the news paper printed in Greenfield, or in case there shall be no

Mode of proceeding with a delinquent proprietor.

such paper printed there at the time, then in any other newspaper printed in the County of Hampshire, the sum due on any such shares, & the time and place of sale, at least thirty days previous to the time of sale, and such sale shall be a sufficient transfer of the share or Shares so sold, to the person purchasing the same; and on producing a certificate of such sale, from the Treasurer to the Clerk of said Corporation, the name of such purchaser, with the number of Shares so sold, shall be by the Clerk, entered on the books of the said Corporation, and such person shall be considered, to all intents and purposes, the proprietor thereof, and the overplus, if any there be, shall be paid on demand by the Treasurer to the person, whose Shares were then sold.

A sign-board
to be erected.

SECTION 9. *And be it further Enacted*, that the said Corporation, shall at all places, where the said toll shall be collected, erect and keep constantly exposed to view, a sign or board, with the rates of Toll, of all the tollable articles, fairly & legibly written thereon, in large or Capital Characters.

Corporation
may be dis-
solved.

SECTION 10. *And be it further Enacted*, that the General Court may dissolve said Corporation whenever it shall appear to their satisfaction that the income arising from the said toll, shall have fully compensated the said Corporation, for all monies they may have expended, in purchasing, repairing, and taking care of said road, together with an Interest thereon at the rate of twelve per Centum, by the year, and thereupon the property of the said road, shall be vested in this Commonwealth, & be at their disposal: *Provided*, that if the said Corporation shall neglect to Complete the said Turnpike road, for the Space of four years, from the passing of this Act, the same shall be void, and of no Effect.

Approved March 11, 1802.

1801. — Chapter 78.

[January Session, ch. 54.]

AN ACT TO REGULATE THE INSPECTION OF PORK INTENDED TO BE EXPORTED FROM THIS COMMONWEALTH.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the first day of April next, no person or persons what-soever shall

No pork to be
shipped except
as herein pro-
vided.

ship or export from this Commonwealth any salted pork, except in barrels or half barrels, of the quality and dimensions herein after provided, and the contents thereof are inspected and packed, and unless the casks containing the same, are branded agreeably to the directions in this Act.

SEC. 2D. *Be it further enacted*, That from and after the first day of April next, all pork packed or repacked in barrels or half barrels, for exportation, shall be sorted and divided by the Inspector or his Deputy, and denominated as follows, *Bone Middlings*, *Navy Mess Pork*, *Cargo No. 1*, *Cargo No. 2*, and *Refuse Pork*; and in all cases the following parts shall be taken out as refuse, viz. Nose pieces, ears, brains, tails, feet, and lard. *Bone Middlings* shall consist of middle pieces taken from hogs well fattened, weighing two hundred and thirty pounds or upwards. *Navy Mess Pork* shall consist of all parts of the carcass, well fattened, weighing from one hundred and sixty pounds, to two hundred and thirty pounds, except the head, fore and hind legs, the shoulder joint, lard and refuse parts abovementioned. *Cargo No. 1* shall consist of all parts of hogs, well fattened, averaging two hundred and twenty pounds or upwards, and each of which shall weigh not less than one hundred and eighty pounds, and to have no more heads, legs, shoulders or other course parts than belong to one carcass, deducting the lard and refuse as above. *Cargo No. 2*, shall consist of all parts of one and an half hog, well fattened, which shall weigh two hundred pounds, deducting the lard and refuse as above. *Cargo No. 2* also, in half barrels, shall consist of pig pork, all parts of one carcass, or not, and not to contain the head or legs of more than one carcass, excluding the lard and refuse as above. *Refuse Pork*, shall consist of all other kinds of pork of an unmerchantable, but wholesome quality. Barrels filled with pork heads or feet, shall be branded *Pork Heads* or *Feet*, as the case may be, and in all cases where the legs of pork are taken out for bacon, or for any other purpose, the weight shall not be made up with heads or shoulders, but with other parts of the carcass not less valuable than the legs would be, if they were salted. And each barrell of pork shall be well salted with seventy pounds of clean coarse Salt, exclusive of a strong pickle.

Bone Middlings.

Navy Mess Pork.

Cargo No. 1.

Cargo No. 2.

Refuse.

SEC. 3D. *And be it further enacted*, That every barrel or half barrel, in which pork shall be packed, or repacked

Quality of the barrel and contents.

for exportation, shall be made of good seasoned white oak, or white ash staves and heading, free from any defect. Each barrel shall contain two hundred pounds weight of pork. The barrels shall measure seventeen and one quarter inches between the chimes, and contain not less than thirty-one gallons, nor more than thirty one gallons and one half, to be covered three fourths of the length with good oak, ash, birch or walnut hoops, leaving one fourth in the centre.

How to be
branded.

SEC. 4TH. *And be it further enacted*, That all barrels and half barrels of pork, packed or repacked for exportation, shall be branded with the first letter of the christian name, and the surname at length, of the Inspector who has inspected the same, with the name of the town where it was inspected, in legible letters, with the addition of MASS. (for Massachusetts); and every barrel and half barrel of the three first sorts, shall also be branded with the name of the person for whom the pork was packed, and each barrel shall be branded on one of the heads, with the quality of the pork it contains.

The fees, &c.
established for
inspecting beef
to extend to in-
specting pork.

SEC. 5. *And be it further Enacted*, That the Inspector General and Deputy Inspectors of Beef, appointed or to be appointed by virtue of the Act, entitled, “An Act to regulate the Inspection of Beef intended to be exported from this Commonwealth,”—and “an Act in addition to the same”—And all the rules, Certificates, and regulations, for the Inspection of Beef, fees, fines, & forfeitures, mentioned in said Acts, and the manner of recovering the same, shall extend to all barrels and half barrels of Pork, packed for exportation, agreeably to the directions of this Act.

Pork not to
be cleared
without a
certificate of
inspection.

SEC. 6. *And be it further Enacted*, that no Salt Pork packed or repacked, after the first day of April next, shall be exported out of this Commonwealth, unless the master or owner of the Vessel produces to the Collector, or any other Officer, Authorized by the Laws of the United States, to clear vessels out, a Certificate from the Inspector General or his Deputy, that the same has been branded & inspected according to the directions in this Act, and each certificate shall express the number of barrels and half barrels of Pork of each Sort. And the Master or owner of every Vessel, in which Pork is so exported, on producing said Certificate, shall take and Subscribe the following Oath, before the Officer authorized as aforesaid.

I A. B. of the ———— do swear, that according to the best of my knowledge and belief, the Certificate hereto annexed, contains the whole quantity of Salted Pork, on board the ————, ————, Master, and that no salted Pork is shipped on board said Vessel, for the Ship's Company, on freight, or on Cargo, but what is inspected and branded, according to the Law of this Commonwealth. So help me God.

SEC. 7. *And be it further Enacted*, that all former laws, respecting the Inspection of Pork, be, and hereby are repealed. — *Provided nevertheless*, That they shall be considered, as in full force, with regard to all actions and prosecutions, which may be depending for any penalty or forfeiture incurred for the breach of the same.

Former laws repealed.

Approved March 11, 1802.

1801. — Chapter 79.

[January Session, ch. 55.]

AN ACT, IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE CERTAIN PROPRIETORS OF MEADOW LANDS LYING ON EACH SIDE OF NEPONSET RIVER, IN THE TOWNS OF DEDHAM, MILTON & CANTON, FOR DRAWING OFF THE STAGNANT WATERS AND FOR THE BETTER IMPROVEMENT OF SAID MEADOW LANDS.

Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, That from and after passing this Act, all the Meadow lands up Stream of a line beginning on Dedham side from Thorp's Bridge to the upland as the road now runs; thence on Canton side on the river bank below said bridge, until it passes by Francis Dean's Meadow, and a small piece of Meadow belonging to the heirs of Abner Ellis deceased until it comes to a ditch between land belonging to Isaac Gould and Nathaniel Johnson on One Side; and the heirs of Nathaniel Fisher deceased and Deacon John Holmes and Benjamin Lewis on the other side, until it comes to Francis Deans Swamp at the Southerly corner which is on the Canton side of the said Meadows, be and hereby are exempted from the operation of said Act of incorporation. *Provided nevertheless*, that nothing in this Act shall be construed to discharge[d] any of the proprietors of the lands exempted in this Act, from being holden to pay their proportion of all charges that have arisen by the operation of the Act to which this is an Addition.

Boundaries of land exempted.

Proviso.

Approved March 11, 1802.

1801. — Chapter 80.

[January Session, ch. 56.]

AN ACT IN ADDITION TO AN ACT, ENABLING PROPRIETORS OF PRIVATE WAYS & BRIDGES TO REPAIR THEM IN EQUAL PROPORTIONS.

Preamble.

Whereas inconveniences have arisen because proprietors aforesaid by said Act, to which this is an addition, are not empowered to raise money and contract with any person or persons to make and keep in repair private ways and Bridges.

Contracts authorized.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the Authority of the same, that from and after the passing of this Act, it shall and may be lawful for said proprietors and the rightful occupants of private ways and Bridges, at any meeting legally assembled for that purpose to authorise their Surveyor or any other person or persons to contract by the year, or for a longer or a shorter time, for the making & keeping in repair any private way or ways, bridge or bridges; and at any such meeting may vote to raise any sum or sums of Money they may deem necessary for carrying such contracts into Effect; and may choose assessors who shall assess all sums of money so raised on each proprietor's or Occupant's proportion therein, and shall also deliver true lists of said assessments to the said Surveyor with warrants of distress in form as to substance as is prescribed by law for collecting town and district taxes, and every such Surveyor is hereby authorised & empowered to levy & collect all taxes or assessments for the purposes aforesaid in the same way and manner as Surveyors of Highways are impowered to Collect town Highway taxes, in and by a law "Authorising towns to empower Surveyors or any other persons to enter into contract for the purpose of making and repairing town ways." And if any such Surveyor shall neglect or refuse to pay over the monies so collected to such person or persons as he in his Warrant of distress, shall be required, when demanded; he shall be liable to the same penalties, as in and by the said law is provided in case of Surveyors failing to pay over monies to the town Treasurer in the like Case.

Surveyors to collect assessments.

Approved March 11, 1802.

1801. — Chapter 81.

[January Session, ch. 57.]

AN ACT FOR PRESERVING AND AUTHENTICATING THE RECORDS OF JUSTICES IN CERTAIN CASES.

Whereas law suits may arise, and great injustice accrue, in consequence of judgments obtained under the several acts of this Commonwealth “for rendering processes in law less expensive,” in cases where the Justices before whom such judgments may have been obtained, have neglected to complete their records, and have deceased or moved out of this Commonwealth, unless some adequate remedy be provided. Preamble.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, that in all cases where real estate shall have been set off in satisfaction of any execution which shall have been issued by any Justice of the Peace, under either of the Acts entitled, “an Act for rendering processes in law less expensive,” if such Justice shall have deceased or removed out of the Commonwealth, without having completed his record, and the title to such real estate, founded on the extent of such execution, shall be drawn in question in any action, the execution creditor or creditors, or the person or persons claiming such title under him or them, shall be admitted to shew in evidence of his title, a copy of the original writ, with the Officer’s return thereon; and a copy of the execution with the Officer’s return thereon, registered according to law, which said copies duly authenticated by the proper certifying Officers thereof, shall be sufficient evidence of the Judgment on which such execution issued as aforesaid.* The evidence which is to be conclusive where a Justice has not completed his record.

SEC. 2D. *And be it further enacted by the authority aforesaid, That the Justices of the Peace within this Commonwealth, who have rendered judgments under either of the aforesaid Acts, shall within twelve months after the passing of this Act, return their respective records thereof, together with the original processes, and all the papers relating thereto into the Offices of the Clerks of the Courts of Common Pleas, in the several Counties wherein such judgments were respectively rendered; and the said Clerks shall be the proper persons to keep and certify the same; and to sign writs of execution on such judgments returned as aforesaid, in any case where the same may be issuable* Justices to return records, &c. under a penalty.

by law. And if any Justice of the Peace shall refuse or neglect to return his records, processes and papers as aforesaid, he shall forfeit and pay the sum of twenty Dollars, to be recovered to the use of the County, by the Clerk of the Court of Common Pleas in said County, whose duty it shall be to sue for the same in any Court proper for the trial thereof. *Approved March 11, 1802.*

1801. — Chapter 82.*

[January Session.]

AN ACT TO APPORTION & ASSESS A TAX OF ONE HUNDRED THIRTY THREE THOUSAND, THREE HUNDRED AND THIRTY ONE DOLLARS & EIGHTY FIVE CENTS, & PROVIDING FOR THE REIMBURSEMENT OF TWENTY ONE THOUSAND NINE HUNDRED & FIFTY TWO DOLLARS PAID OUT OF THE PUBLIC TREASURY TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES FOR THEIR ATTENDANCE, THE TWO LAST SESSIONS OF THE GENERAL COURT.

SECTN. 1ST. *Be it enacted by the Senate & House of Representatives in General Court Assembled & by the Authority of the same,* That each Town, District, Plantation & other place hereinafter named, within this Commonwealth, shall be assessed & pay the several sums with which they stand respectively charged in the following Schedule vizt.

* Not printed in session pamphlet.

COUNTY OF SUFFOLK.

TOWNS.	Representatives' Pay.	Proportion of \$135,331 85	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
BOSTON	716 0	16696 0	17412 0
Hingham	140 0	530 66	670 66
Chelsea . . . . .	. . . . .	210 66	210 66
Hull . . . . .	. . . . .	48 0	48 0
	856 0	17485 32	18341 32
			Seventeen Thousand four hundred & twelve Dollars
			Six hundred & seventy Dollars & sixty six cents
			Two hundred & ten Dollars & sixty six cents
			Forty eight Dollars
			Eighteen thousand three hundred & forty one Dollars, thirty two cents

COUNTY OF ESSEX.

TOWNS.	Representatives' Pay.	Proportion of \$135,331 85	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Salem	225 0	5520 0	5745 0
Ipswich	158 0	800 0	958 0
Newbury	152 0	1102 66	1254 66
Newbury Port	173 0	3084 0	3257 0
Lynn	108 60	554 66	663 26
Lynnfield	21 40	109 33	130 73
Gloucester	58 0	1044 0	1102 0
Roxley	125 0	426 66	552 66
Salisbury	92 0	425 33	517 33
Wenham	56 0	144 0	200 0
Manchester . . . . .	. . . . .	209 33	209 33
Andover	138 0	790 66	928 66
Haverhill	118 0	570 66	688 66
Marblehead	144 0	1452 0	1596 0
Topsfield . . . . .	. . . . .	220 0	220 0
Amesbury	66 0	356 0	422 0
			Five thousand seven hundred & forty eight Dollars
			Nine hundred & fifty eight Dollars
			Twelve hundred & fifty four Dollars & sixty six cents
			Thirty two hundred & sixty two Dollars
			Six hundred & sixty three Dollars & twenty six cents
			One hundred & thirty Dollars & seventy three cents
			Eleven hundred & two Dollars
			Five hundred & fifty two Dollars & sixty six cents
			Five hundred and seventeen dollars & thirty three cents
			Two hundred Dollars
			Two hundred & nine Dollars & thirty three cents
			Nine hundred & twenty eight Dollars & sixty six cents
			Six hundred & eighty eight Dollars & sixty six cents
			Fifteen hundred & ninety six Dollars
			Two hundred & twenty Dollars
			Four hundred & twenty two Dollars

COUNTY OF ESSEX — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$34,351 85	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Beverly	172 0	1217 33	1389 33
Bradford	108 0	341 0	452 0
Boxford	102 0	281 33	383 33
Mathuen	88 0	290 66	378 66
Middleton		161 33	161 33
Danvers	118 0	818 66	936 66
Hamilton	14 0	213 33	227 33
	2246 0	20135 93	22381 93
			Thirteen hundred & eighty nine Dollars & thirty three cents
			Four hundred & eighty three Dollars & thirty three cents
			Three hundred & eighty eight Dollars & sixty six cents
			Three hundred & seventy eight Dollars & thirty three cents
			One hundred & sixty one Dollars & thirty six cents
			Nine hundred & thirty six Dollars & sixty six cents
			Two hundred & twenty seven Dollars & thirty three cents
			Twenty two thousand, three hundred & eighty one Dollars & ninety three cents

COUNTY OF MIDDLESEX.

TOWNS.	Representatives' Pay.	Proportion of \$34,351 85	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Charlestown	122 0	1028 0	1150 0
Watertown	128 0	408 0	536 0
Medford	100 0	349 33	449 33
Cambridge	230 0	785 33	1015 33
Concord	106 0	482 66	588 66
Sudbury	82 0	296 0	378 0
Woburn	40 0	308 0	348 0
Reading	134 0	469 33	603 33
Malden	297 33	116 0	413 33
Groton	48 0	390 66	438 66
Billerica	54 0	317 33	371 33
Chelmsford	96 0	313 33	409 33
			One thousand one hundred & fifty Dollars
			Five hundred & thirty six Dollars
			Four hundred & forty nine Dollars & thirty three cents
			Ten hundred & fifteen Dollars & thirty three cents
			Five hundred & eighty eight Dollars & sixty six cents
			Three hundred & seventy eight Dollars
			Three hundred & forty eight Dollars
			Six hundred & three Dollars & thirty three cents
			Four hundred & thirteen Dollars & thirty three cents
			Four hundred & thirty eight Dollars & sixty six cents
			Three hundred & seventy one Dollars & thirty three cents
			Four hundred & nine Dollars & thirty three cents

<i>Marlboro'</i>	142 0	462 66	Six hundred & four Dollars & sixty six cents	604 66
<i>Dunstable</i>		118 66	One hundred & eighteen Dollars & sixty six cents	118 66
<i>Tingstboro'</i>		153 33	One hundred & fifty three Dollars & thirty three cents	153 33
<i>Sherburne</i>		224 0	Two hundred & sixty two Dollars	362 0
<i>Stow</i>	70 27	208 0	Two hundred & seventy eight Dollars & twenty seven cents	278 27
<i>Boxboro'</i>	29 73	88 0	One hundred & seventeen Dollars & seventy three cents	117 73
<i>Newton</i>	120 0	424 0	Four hundred & twenty four Dollars	544 0
<i>Framingham</i>	86 0	378 66	Four hundred & sixty four Dollars & sixty six cents	461 66
<i>Dracont.</i>	48 0	281 33	Three hundred & twenty nine Dollars & thirty three cents	329 33
<i>Weston</i>	108 0	313 33	Four hundred & twenty one Dollars & thirty three cents	421 33
<i>Lexington</i>	110 0	308 0	Four hundred & eighteen Dollars	418 0
<i>Littleton</i>	22 0	193 33	Two hundred & fifteen Dollars & thirty three cents	215 33
<i>Hopkinton</i>	74 0	316 0	Three hundred & ninety Dollars	390 0
<i>Holliston</i>	80 0	281 33	Three hundred & sixty one Dollars & thirty three cents	361 33
<i>Stoneham</i>		94 66	Ninety four Dollars & sixty six cents	94 66
<i>Westford</i>	132 0	288 0	Four hundred & twenty Dollars	420 0
<i>Bedford</i>		190 66	One hundred & ninety Dollars & sixty six cents	190 66
<i>Wilmington</i>		156 0	One hundred & fifty six Dollars	156 0
<i>Townsend</i>		208 0	Three hundred & four Dollars	304 0
<i>Teokesbury</i>	95 0	190 66	Two hundred & twenty Dollars & sixty six cents	220 66
<i>Acton</i>	30 0	200 0	Two hundred & sixty two Dollars & fifteen cents	262 15
<i>Carlisle</i>	62 15	154 66	Two hundred & two Dollars & fifty one cents	202 51
<i>Waltham</i>	47 85	346 66	Four hundred & seventy two Dollars & sixty six cents	472 66
<i>Shirley</i>	126 0	141 33	One hundred & forty one Dollars & thirty three cents	141 33
<i>Pepperel</i>	102 0	237 33	Three hundred & thirty nine Dollars & thirty three cents	339 33
<i>Lincoln</i>	60 0	193 33	Two hundred & forty three Dollars & thirty three cents	243 33
<i>Ashby</i>	64 0	209 33	Two hundred & seventy three Dollars & thirty three cents	273 33
<i>East Sudbury</i>	76 0	222 66	Two hundred & ninety eight Dollars & sixty six cents	298 66
<i>Natick</i>		158 66	One hundred & fifty eight Dollars & Sixty six cents	158 66
<i>Burlington</i>		138 66	One hundred & thirty eight Dollars & Sixty six cents	138 66
	3070 0	12,326 53	Fifteen thousand three hundred & ninety six Dollars & fifty three cents	15,396 53

<i>Chesterfield</i>	80 0	230 66	Three hundred & ten Dollars sixty six cents	310 66
<i>South Brimfield</i>	25 83	114 66	One hundred & forty Dollars forty nine cents	140 49
<i>Holland</i>	20 17	89 33	One hundred & nine Dollars & fifty cents	109 50
<i>Warwick</i>	28 31	256 0	Two hundred & eighty four Dollars & thirty one cents	284 31
<i>Orange</i>	17 69	160 0	One hundred & seventy seven Dollars & sixty nine cents	177 69
<i>Wilbraham</i>	58 0	269 33	Three hundred & twenty seven Dollars & thirty three cents	327 33
<i>Charlмонт</i>	62 0	121 33	One hundred & eighty three Dollars & thirty three cents	183 33
<i>Chester</i>		214 66	Two hundred & fourteen Dollars & sixty six cents	214 66
<i>Conway</i>	98 0	422 66	Five hundred & twenty Dollars & sixty six cents	520 66
<i>Granby</i>	56 0	149 33	Two hundred & five Dollars & thirty three cents	205 33
<i>Ashfield</i>		244 0	Two hundred & forty four Dollars	244 0
<i>Shelburne</i>	48 0	189 33	Two hundred & thirty seven Dollars & thirty three cents	287 33
<i>Worthington</i>	36 0	250 66	Two hundred & eighty six Dollars & sixty six cents	286 66
<i>Southwick</i>	86 0	181 33	Two hundred & sixty seven Dollars & thirty three cents	267 33
<i>Williamsburgh</i>	94 0	193 33	Two hundred & eighty seven Dollars & thirty three cents	287 33
<i>Whately</i>		152 0	One hundred & fifty two Dollars	152 0
<i>Norwich</i>		138 66	One hundred & thirty eight Dollars & sixty six cents	138 66
<i>West Springfield</i>	92 0	600 0	Six hundred & ninety two Dollars	692 0
<i>Leverett</i>		104 0	One hundred & four Dollars	104 0
<i>Westhampton</i>		166 66	One hundred & sixty six Dollars & sixty six cents	166 66
<i>Buckland</i>	40 0	137 33	One hundred & seventy seven Dollars & thirty three cents	177 33
<i>Cummington</i>	12 76	178 66	One hundred & ninety one Dollars & forty two cents	191 42
<i>Plainfield</i>	9 24	129 33	One hundred & thirty eight Dollars & fifty seven cents	138 57
<i>Montgomery</i>		82 66	Eighty two Dollars & sixty six cents	82 66
<i>Wendell</i>		117 33	One hundred & seventeen Dollars & thirty three cents	117 33
<i>Goshen</i>		132 0	One hundred & thirty two Dollars	132 0
<i>Middlefield</i>		153 33	One hundred & fifty three Dollars & thirty three cents	153 33
<i>Long Meadow</i>	32 0	196 0	Two hundred & twenty eight Dollars	228 0
<i>Ludlow</i>	32 0	96 0	One hundred & twenty eight Dollars	128 0
<i>Rove</i>		98 66	Ninety eight Dollars & sixty six cents	98 66
<i>Heath</i>		100 0	One hundred Dollars	100 00
<i>Hawley</i>		141 0	One hundred & forty four Dollars	144 0
<i>Russell</i>		56 0	Fifty six Dollars	56 0
	2478 0	13167 78	Fifteen thousand, six hundred & forty five Dollars & Seventy eight cents	15645 78

COUNTY OF PLYMOUTH.

TOWNS.	Representatives' Pay.	Proportion of \$133,331 85	Total.
<i>Plymouth</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Sitate</i>	120 0	725 33	845 33
<i>Duabury</i>	114 0	653 33	767 33
<i>Marshfield</i>	32 0	332 0	364 0
<i>Bridgewater</i>	90 0	362 66	452 66
<i>Middleboro'</i>	138 0	1134 66	1272 66
<i>Rochester</i>	138 0	850 66	988 66
<i>Plympton</i>	58 0	450 66	508 66
<i>Penbroke</i>	60 0	157 33	217 33
<i>Abington</i>	120 0	433 33	553 33
<i>Kingston</i>	96 0	365 33	461 33
<i>Hanover</i>	86 0	278 66	364 66
<i>Halifax</i>	90 0	245 33	335 33
<i>Wareham</i>	6 0	144 0	150 0
<i>Carver</i>	40 0	142 66	182 66
	1188 0	6433 27	7621 27
			cents
			Seven thousand six hundred & twenty one Dollars & twenty seven cents

COUNTY OF BARNSTABLE.

TOWNS.	Representatives' Pay.	Proportion of \$133,331 85	Total.
<i>Barnstable</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Sandwich</i>	142 0	456 0	598 0
<i>Yarmouth</i>	30 0	456 0	486 0
<i>Eastham</i>	82 0	282 66	364 66
<i>Falmouth</i>	14 0	84 0	98 0
	98 0	332 0	430 0
			cents
			Five hundred & ninety eight Dollars
			Four hundred & eighty six Dollars
			Three hundred & sixty four Dollars & sixty six cents
			Ninety eight Dollars
			Four hundred & thirty Dollars

<i>Harwich</i>	162 0	380 0	Five hundred & forty two Dollars	542 0
<i>Truro</i>		134 66	One hundred & thirty four Dollars sixty six cents	134 66
<i>Chatham</i>	100 0	181 33	Two hundred & eighty one Dollars thirty three cents	281 33
<i>Provincetown</i>		114 66	One hundred & fourteen Dollars sixty six cents	114 66
<i>Wellfleet</i>	34 0	129 33	One hundred & sixty three Dollars thirty three cents	163 33
<i>Dennis</i>	30 0	192 0	Two hundred & twenty two Dollars	222
<i>Orleans</i>		141 33	One hundred & forty one Dollars thirty three cents	141 33
	692 0	2583 97	Three thousand five hundred & Seventy five Dollars ninety seven cents	3575 97

COUNTY OF BRISTOL.

	Dolls. Cts.	Dolla. Cts.		Dolls. Cts.
<i>Taunton</i>	116 0	734 66	Eight hundred and fifty Dollars, Sixty Six cents	850 66
<i>Rehoboth</i>	118 0	709 33	Eight hundred and twenty Seven Dollars, thirty three cents	827 33
<i>Dartmouth</i>	138 0	470 66	Six hundred and Eight Dollars, Sixty Six cents	608 66
<i>Searsey</i>	104 0	246 66	Three hundred and fifty Dollars, Sixty Six Cents	350 66
<i>Freelton</i>	62 0	456 0	Five hundred and Eighteen Dollars	518 0
<i>Attleboro'</i>		466 33	Four hundred and Sixty five Dollars, thirty three cents	465 33
<i>Norton</i>	62 0	317 33	Three hundred and Seventy nine Dollars, thirty three cents	379 33
<i>Dighton</i>	70 0	294 66	Three hundred and Sixty four Dollars, Sixty Six Cents	364 66
<i>Easton</i>	98 0	272 0	Three hundred Dollars	300 0
<i>Raynham</i>	58 0	225 33	Two hundred and eighty three Dollars, thirty three Cents	283 33
<i>Berkley</i>	38 0	205 33	Two hundred and Forty three Dollars, thirty three cents	243 33
<i>Mansfield</i>	58 0	178 66	Two hundred and Thirty six Dollars, Sixty Six Cents	236 66
<i>New Bedford</i>	114 0	1073 33	Eleven hundred and Eighty seven Dollars, thirty three Cents	1187 33
<i>Westport</i>	42 0	490 66	Five hundred and Thirty two Dollars, Sixty six Cents	532 66
<i>Somerset</i>	16 0	190 66	Two hundred and Six Dollars, Sixty Six Cents	206 66
	1024 0	6330 60	Seven thousand, three hundred and fifty four dollars & Sixty cents	7354 60

COUNTY OF *DUKES COUNTY.*

Towns.	Representatives' Pay.	Proportion of \$133,331 85	Total.
<i>Edgartown</i>	Dolls. Cts. 38 0	Dolls. Cts. 192 0	Dolls. Cts. 230 0
<i>Tisbury</i> . . . . .	. . . . .	185 33	185 33
<i>Chilmark</i>	36 0	249 33	285 33
	74 0	626 66	700 66
			Two hundred and Thirty Dollars
			One hundred and Eighty five Dollars, thirty three Cents
			Two hundred and Eighty five Dollars, thirty three Cents
			Seven hundred Dollars and Sixty six Cents

COUNTY OF *NANTUCKET.*

<i>Nantucket</i>	Dolls. Cts. 142 0	Dolls. Cts. 1260 0	Dolls. Cts. 1402 0
			Fourteen hundred and Two Dollars

COUNTY OF *WORCESTER.*

<i>Worcester</i>	Dolls. Cts. 64 0	Dolls. Cts. 853 33	Dolls. Cts. 917 33
<i>Lancaster</i>	88 0	350 66	438 66
<i>Mendon</i>	118 0	369 33	487 33
<i>Brookfield</i>	112 0	756 0	868 0
<i>Oxford</i>	56 0	242 66	298 66
<i>Leicester</i>	70 0	252 66	322 66
<i>Rutland</i>	60 0	329 33	389 33
<i>Sutton</i>	92 0	581 33	673 33
<i>Westboro'</i>	46 0	272 0	318 0
<i>Uxbridge</i> . . . . .	. . . . .	318 66	318 66
<i>Southboro'</i>	82 0	193 33	275 33
			Nine hundred and Seventeen dollars & thirty three Cents
			Four hundred and Thirty eight dollars & Sixty Six Cents
			Four hundred and Eighty seven dollars & thirty three Cents
			Eight hundred and Sixty eight dollars
			Two hundred and Ninety eight dollars & Sixty Six Cents
			Three hundred and Fifty two dollars & Sixty Six Cents
			Three hundred and Eighty nine dollars & thirty three Cents
			Six hundred and Seventy three dollars & thirty three Cents
			Three hundred and Eighteen Dollars
			Three hundred and Eighteen dollars & Sixty Six Cents
			Two hundred and Seventy five dollars & thirty three Cents

Shretsbury	120 0	265 33	Three hundred and Eighty five dollars & thirty three Cents	385 33
Lunenburg	76 0	278 66	Three hundred and Fifty four dollars & Sixty Six Cents	354 66
Dudley	88 0	233 33	Three hundred and Twenty one dollars & thirty three Cents	321 33
Harrat	88 0	317 33	Four hundred and Five dollars & thirty three Cents	405 33
Grafton	66 0	250 66	Three hundred and Sixteen dollars & Sixty Six Cents	316 66
Upton	22 0	180 0	Two hundred and two dollars	202 0
Hardwick	142 0	357 33	Four hundred and Ninety nine dollars, thirty three Cents	499 33
Bolton	88 23	225 33	Three hundred and Thirteen dollars & fifty Six Cents	313 56
Berlin	51 77	132 0	One hundred & Eighty three dollars & Seventy seven Cents	183 77
Sturbridge	121 0	416 0	Five hundred and forty dollars	540 0
Holden	96 0	277 33	Three hundred and Seventy three dollars & thirty three Cents	373 33
Leominster	94 0	276 0	Three hundred and Seventy Dollars	370 0
Western	52 0	241 33	Two hundred and Ninety three dollars & thirty three Cents	293 33
Douglas	52 0	185 33	Two hundred and thirty Seven Dollars & thirty three Cents	237 33
New Braintree	96 0	217 33	Three hundred and thirteen dollars & thirty three Cents	313 33
Spencer	36 0	344 0	Three hundred and Eighty Dollars	380 0
Petersham	52 0	376 0	Four hundred and twenty Eight Dollars	428 0
Charlton	76 0	501 33	Five hundred and Seventy Seven dollars & thirty three Cents	577 33
Tewksbury	94 0	233 33	Three hundred and Twenty Seven dollars & thirty three Cents	327 33
Athol	74 0	210 66	Two hundred and Eighty four dollars & Sixty Six Cents	284 66
Oakham	8 0	166 66	One hundred and Seventy four dollars & Sixty Six Cents	174 66
Fitchburgh	42 0	234 66	Two hundred and Seventy Six dollars & Sixty Six Cents	276 66
Winchendon	70 0	250 66	Three hundred and Twenty Dollars & Sixty Six Cents	320 66
Royalston	122 0	245 33	Two hundred and Sixty seven Dollars & thirty three Cents	367 33
Ashburnham	42 0	193 33	Three hundred and thirty five dollars & thirty three Cents	235 33
Paxton	146 66	146 66	One hundred and Forty six dollars & Sixty six Cents	146 66
Northboro'	92 0	177 33	Two hundred and Sixty nine dollars & thirty three Cents	269 33
Hubbardston	40 0	248 0	Two hundred and Eighty Eight dollars	288 0
Westminster	42 0	306 66	Three hundred and Forty eight dollars & Sixty six Cents	348 66
Princeton	100 0	302 66	Four hundred and Two dollars & sixty six cents.	402 66
Northbridge	113 33	113 33	One hundred and thirteen dollars & thirty three Cents	113 33
Barre	50 0	489 33	Five hundred and thirty nine dollars & thirty three Cents	539 33
Ward	145 33	145 33	One hundred and Forty five dollars & thirty three Cents	145 33
Milford	52 0	218 66	Two hundred and Seventy dollars & Sixty six Cents	270 66
Sterling	124 0	330 66	Five hundred and fourteen dollars & Sixty six Cents	514 66
Gardner	132 0	132 0	One hundred and thirty two dollars	132 0

COUNTY OF WORCESTER — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,331.85	Total.
Boylston	Dolls, Cts. 78 0	Dolls, Cts. 254 66	Dolls, Cts. 332 66
Gerry		176 0	176 0
Dana		76 0	76 0
	3238 0	14835 82	17573 82
			Three hundred and thirty two dollars & Sixty six Cents
			One hundred and Seventy six dollars
			Seventy Six Dollars
			Seventeen thousand, five hundred and Seventy three dollars & eighty two Cents

COUNTY OF BERKSHIRE.

TOWNS.	Representatives' Pay.	Proportion of \$133,331.85	Total.
Sheffield	Dolls, Cts. 104 17	Dolls, Cts. 370 66	Dolls, Cts. 474 83
Mount Washington	11 83	42 66	54 49
Stockbridge	124 0	293 33	417 33
New Marlboro'	86 0	290 66	376 66
Egremont	80 0	192 0	272 0
Pittsfield	102 0	477 33	579 33
Great Barrington	105 0	300 0	405 0
Sandisfield	47 9	288 0	335 9
Tyringham	4 91	30 66	35 57
Lanesboro'	46 0	253 33	299 33
New Ashford	69 20	304 0	373 20
Williamston	14 80	65 33	80 13
Becket	136 0	345 33	481 33
Lenox	134 0	173 33	173 33
		237 33	371 33
			Four hundred and Seventy four dollars, eighty three Cents
			Fifty four dollars and forty nine cents
			Four hundred and Seventeen dollars & thirty three cents
			Three hundred and Seventy six dollars & Sixty Six Cents
			Two hundred and twenty Dollars
			Five hundred and Seventy nine dollars & thirty three cents
			Four hundred and Six dollars
			Three hundred and thirty five dollars & nine Cents
			Thirty five dollars and fifty seven Cents
			Two hundred and Ninety nine dollars & thirty three Cents
			Three Hundred and Seventy three dollars & twenty Cents
			Eighty Dollars and thirteen Cents
			Four hundred and Eighty One Dollars & thirty three Cents
			One hundred and Seventy three Dollars & thirty three Cents
			Three hundred and Seventy One dollars & thirty three Cents

Windsor	40 0	204 0	Two hundred and Forty four Dollars	244 0
Partidgefeld	92 0	228 0	Three hundred and Twenty Dollars	320 0
Alford		98 66	Ninety eight Dollars and Sixty Six Cents	98 66
London		76 0	Seventy Six Dollars	76 0
West Stockbridge	60 0	176 0	Two hundred and Thirty Six Dollars	236 0
Richmond	72 0	242 66	Two hundred and Fourteen dollars & Sixty Six Cents	314 66
Hancock		185 33	One hundred and Eighty five dollars & thirty three Cents	185 33
Washington		133 33	One hundred and thirty three dollars & thirty three Cents	133 33
Lee	26 0	209 33	Two hundred and thirty three dollars & thirty three Cents	235 33
Adams	86 0	276 0	Two hundred and Sixty two dollars	362 0
Dalton		158 66	One hundred and Fifty eight dollars & Sixty Six Cents	158 66
Bethlehem		60 0	Sixty Dollars	60 0
Cheshire	90 0	273 33	Three hundred and Sixty three dollars & thirty three cents	363 33
Savoy		58 66	Fifty eight dollars & Sixty Six Cents	58 66
Clarksburgh		33 33	Thirty three Dollars & Tbirty three Cents	33 33
	1532 0	6017 24	Seven thousand five hundred and Forty nine dollars & twenty four Cents	7549 24

COUNTY OF NORFOLK.

	Dolls. Cts.	Dolls. Cts.		Dolls. Cts.
Deedham	118 0	514 0	Six hundred and Sixty two Dollars	662 0
Rozbury	204 0	1077 33	Twelve hundred and Eighty One Dollars & thirty three Cents	1281 33
Dorchester	234 0	641 33	Eight hundred and Seventy five dollars & thirty three Cents	875 33
Weymouth	80 0	424 0	Five hundred and four Dollars	504 0
Brantree	126 0	301 33	Four hundred and twenty Seven dollars & thirty three Cents	427 33
Medfield	57 58	209 33	Two hundred and Sixty Six dollars & ninety one cents	266 91
Dover	42 42	154 66	One hundred and Nin[e]ty Seven dollars & Eight Cents	197 8
Milton	122 0	333 33	Four hundred and Fifty five dollars & thirty three Cents	455 33
Wrentham	90 0	452 0	Five hundred and Forty two dollars	542 0
Brookline	44 0	266 66	Three hundred and Ten dollars & Sixty Six Cents	310 66
Needham	36 0	241 33	Two hundred and Seventy Seven dollars & thirty three Cents	277 33
Mettway	112 0	298 66	Four hundred and Ten dollars & Sixty Six Cents	410 66

COUNTY OF NORFOLK—CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,331 85	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Bellingham	66 0	180 0	246 0
Walpole	78 0	225 33	303 33
Stoughton	66 0	170 66	236 66
Sharon	42 0	197 33	239 33
Cohasset	36 0	200 0	236 0
Franklin	118 0	334 66	452 66
Foxboro'	98 0	160 0	160 0
Quincy	44 0	293 33	331 33
Randolph	48 0	232 0	276 0
Canton	48 0	209 33	257 33
	1862 0	7146 60	9008 60
			Two hundred and Forty Six Dollars
			Three hundred and Three dollars & thirty three Cents
			Two hundred and Thirty Six dollars & Sixty Six Cents
			Two hundred and Thirty nine dollars & thirty three Cents
			Two hundred and Thirty Six Dollars
			Four hundred and Fifty two Dollars & Sixty six Cents
			One hundred and Sixty Dollars
			Three hundred and Ninety One Dollars & thirty three Cents
			Two hundred and Seventy Six Dollars
			Two hundred and Fifty Seven dollars & thirty three Cents
			Nine thousand and Eight Dollars & Sixty Cents

COUNTY OF YORK.

TOWNS.	Representatives' Pay.	Proportion of \$133,331 85	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
York	142 0	610 66	752 66
Kittery	130 0	638 66	768 66
Wells	160 0	760 0	920 0
Bernick	106 0	785 33	891 33
Bideford	60 0	288 0	288 0
Arundel	60 0	368 0	428 0
Buxton	90 0	349 33	439 33
Lebanon	46 0	244 0	290 0
Sandford	82 0	180 0	180 0
Alfred	82 0	149 33	149 33
Pepperaboro	46 0	466 66	548 66
Fryeburgh	46 0	128 0	174 0
			Seven hundred and fifty two dollars & Sixty six Cents
			Seven hundred and Sixty eight dollars, Sixty Six Cents,
			Nine hundred and twenty Dollars
			Eight hundred and Ninety one dollars, thirty three Cents
			Two hundred and Eighty eight Dollars
			Four hundred and twenty eight Dollars
			Four hundred and Thirty nine dollars, thirty three Cents
			Two hundred and Ninety Dollars
			One hundred and Eighty Dollars
			One hundred and Forty nine dollars & thirty three Cents
			Five hundred and Forty eight dollars & sixty six Cents
			One hundred and Seventy four dollars

<i>Cozhall</i>	168 0	One hundred and Sixty Eight Dollars	168 0
<i>Shapleigh</i>	248 0	Two hundred and Forty eight Dollars	248 0
<i>Parsonsfield</i>	189 33	One hundred and Eighty nine dollars & thirty three Cents	189 33
<i>Waterboro'</i>	153 33	One hundred and Fifty three dollars & thirty three Cents	153 33
<i>Limerick</i>	136 0	One hundred and thirty six dollars	136 0
<i>Limington</i>	178 66	One hundred and Seventy eight dollars & Sixty six Cents	178 66
<i>Nesfield</i>	64 0	Sixty Four Dollars	64 0
<i>Cornish</i>	96 0	Ninety Six Dollars	96 0
<i>Bethel</i>	89 33	Eighty Nine Dollars & thirty three Cents	89 33
<i>Phillipsburgh</i>	148 0	One hundred and Forty eight Dollars	148 0
<i>Brownfield</i>	40 0	Forty dollars	40 0
<i>Waterford</i>	86 66	Eighty Six dollars & Sixty Six Cents	86 66
<i>Loxell</i>	40 0	Forty dollars	40 0
<i>Hiram</i> [F.]	14 66	Fourteen dollars & Sixty Six Cents	14 66
<i>Porterfield</i> [G.]	17 33	Seventeen dollars & thirty three Cents	17 33
<i>Oxford No. 5</i>	17 33	Seventeen dollars & thirty three Cents	17 33
<i>East Andover</i>	21 33	Twenty One dollars & thirty three Cents	21 33
	862 0	Seven thousand Five hundred & Thirty Seven dollars, & ninety three Cents	7537 93

COUNTY OF CUMBERLAND.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Portland</i>	62 0	1492 0	1554 0
<i>Scarborough</i>	100 0	500 0	600 0
<i>North Yarmouth</i>	74 0	553 33	627 33
<i>Falmouth</i>	106 0	680 0	786 0
<i>Brunswick</i>	62 0	325 33	387 33
<i>Harpswell</i>		213 33	213 33
<i>Windham</i>		222 66	222 66
<i>Gorham</i>	30 0	382 66	412 66
<i>Cape Elizabeth</i>	68 0	213 33	281 33

[F.] including the lands claimed under Wm. Phillips & Bridget Phillips lands sold to Peleg Wadsworth Esqr. & Cutler's lower grant.
 [G.] including Cutler's upper Grant.

COUNTY OF CUMBERLAND—CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,331 '85	Total.
<i>New Gloucester</i>	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
<i>Gray</i>	42 0	228 0	270 0
<i>Standish</i>		157 33	157 33
<i>Freeport</i>		170 66	170 66
<i>Turner</i>		152 0	152 0
<i>Freeport</i>	56 0	413 33	469 33
<i>Durham</i>		206 66	206 66
<i>Hebron</i>		144 0	144 0
<i>Buckfield</i>		129 33	129 33
<i>Paris</i>		129 33	129 33
<i>Bridgetown</i>		117 33	117 33
<i>Poland.</i>		110 66	110 66
<i>Minot</i>		221 33	221 33
<i>Livermore</i>	18 0	97 33	115 33
<i>Norway</i>		77 33	77 33
<i>Otisfield</i>		88 0	88 0
<i>Hartford</i>		46 66	46 66
<i>Sumner</i>		57 33	57 33
<i>Rumford</i>		40 0	40 0
<i>Raymond</i>		64 0	64 0
<i>Pejepscot</i>		60 0	60 0
<i>Flinstow</i>		46 66	46 66
<i>Holmanstown</i>		22 66	22 66
<i>Thompson's Pond & Shakers Settlement</i>		18 66	18 66
	618 0	7361 23	7979 23
			Seventy nine dollars & thirty three Cents.
			One hundred and Fifty Seven Dollars & thirty three Cents.
			One hundred and Seventy dollars & Sixty Six Cents.
			One hundred and fifty two dollars.
			Four hundred and Sixty nine dollars & thirty three Cents.
			Two hundred and Six dollars & Sixty Six Cents.
			One hundred and forty four dollars.
			One hundred and twenty nine dollars & thirty three Cents.
			One hundred and twenty nine dollars & thirty three Cents.
			One hundred and Seventeen dollars & thirty three Cents.
			One hundred and Ten dollars & Sixty Six Cents.
			Two hundred and twenty One dollars & thirty three Cents.
			One hundred and Fifteen dollars & thirty three Cents.
			Seventy Seven Dollars & thirty three Cents.
			Eighty Eight Dollars.
			Forty six Dollars & Sixty six Cents.
			Fifty Seven Dollars & thirty three Cents.
			Forty Dollars.
			Sixty four Dollars.
			Sixty Dollars.
			Forty six Dollars & Sixty six Cents.
			Twenty two Dollars & Sixty Six Cents.
			Eighteen Dollars & Sixty Six Cents.
			Seventy nine dollars & twenty three cts.

COUNTY OF LINCOLN.

	Dolls. Cts.		Dolls. Cts.		Dolls. Cts.
Pownalboro	102 0	Five hundred and twenty six dollars	424 0	Five hundred and twenty six dollars	526 0
Georgetown	40 0	Three hundred and forty one dollars & thirty three Cents	301 33	Three hundred and forty one dollars & thirty three Cents	341 33
New Castle	50 0	Two hundred and thirty nine dollars & thirty three Cents	189 33	Two hundred and thirty nine dollars & thirty three Cents	239 33
Woolrich	30 0	Two hundred and thirty dollars	200 0	Two hundred and thirty dollars	230 0
Bowdoinham	28 0	One hundred and fifty three dollars & thirty three Cents	125 33	One hundred and fifty three dollars & thirty three Cents	153 33
Topsham	48 0	Two hundred and forty four dollars	196 0	Two hundred and forty four dollars	244 0
Boothbay		One hundred and Eighty two dollars & sixty six Cents	182 66	One hundred and Eighty two dollars & sixty six Cents	182 66
Bristol	126 0	Four hundred and Ninety One dollars & thirty three cents	365 33	Four hundred and Ninety One dollars & thirty three cents	491 33
Waldoboro'	40 0	Three hundred and Twelve Dollars	272 0	Three hundred and Twelve Dollars	312 0
Edgecombe		One hundred and fifty two dollars	152 0	One hundred and fifty two dollars	152 0
Warren	26 0	Two hundred and twenty four dollars & Sixty Six cents	198 66	Two hundred and twenty four dollars & Sixty Six cents	224 66
Thomastown	94 0	Three hundred and forty eight Dollars & sixty six Cents	254 66	Three hundred and forty eight Dollars & sixty six Cents	348 66
Bath	28 0	Two hundred and Ninety six dollars	268 0	Two hundred and Ninety six dollars	296 0
Union		One hundred and thirty six dollars	136 0	One hundred and thirty six dollars	136 0
Bowdoin	80 0	Two hundred and Sixteen dollars	136 0	Two hundred and Sixteen dollars	216 0
Nobleboro'		One hundred and Seventeen dollars & thirty three Cents	117 33	One hundred and Seventeen dollars & thirty three Cents	117 33
Cushing	16 0	One hundred and Seventy seven dollars & thirty three Cents	161 33	One hundred and Seventy seven dollars & thirty three Cents	177 33
Cambden		One hundred and Seventy Dollars & sixty six Cents	170 66	One hundred and Seventy Dollars & sixty six Cents	170 66
Dresden		One hundred and thirty dollars & Sixty six Cents	130 66	One hundred and thirty dollars & Sixty six Cents	130 66
New Milford		One hundred and fifty dollars & Sixty six Cents	150 66	One hundred and fifty dollars & Sixty six Cents	150 66
Leicester	114 0	Two hundred and fifty dollars	136 0	Two hundred and fifty dollars	250 0
Litchfield	36 0	One hundred and fifty Six dollars	120 0	One hundred and fifty Six dollars	156 0
Lisbon	28 0	One hundred and twenty six dollars & Sixty six Cents	98 66	One hundred and twenty six dollars & Sixty six Cents	126 66
Ballstown		Two hundred and fourteen dollars & sixty six Cents	214 66	Two hundred and fourteen dollars & sixty six Cents	214 66
Meduncook		Sixty two dollars & sixty six Cents	62 66	Sixty two dollars & sixty six Cents	62 66
Wales		Thirty eight dollars & Sixty six Cents	38 66	Thirty eight dollars & Sixty six Cents	38 66
Little River		Thirty eight dollars & Sixty six Cents	38 66	Thirty eight dollars & Sixty six Cents	38 66
Great Pond Settlement		Seventy two Dollars	72 0	Seventy two Dollars	72 0
	886 0	Five thousand Seven hundred & Ninety nine dollars & twenty four Cents	4913 24	Five thousand Seven hundred & Ninety nine dollars & twenty four Cents	5799 24

COUNTY OF KENNEBECK.

TOWNS.	Representatives' Pay.	Proportion of \$133,331 58	Total.
	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.
Augusta	42 0	202 66	244 66
Hallowell	122 0	216 0	338 0
Vassalboro'		204 0	204 0
Winthrop		205 33	205 33
Winslow	120 0	186 66	306 66
Pittston	70 0	204 0	274 0
Green		98 66	98 66
Canaan		101 33	101 33
Fairfield		113 33	113 33
Norridgewock		86 66	86 66
Readfield	30 0	170 66	200 66
Monmouth	122 0	97 33	219 33
Sydney		142 66	142 66
Mount Vernon	110 0	110 66	220 66
Farmington	74 0	149 33	223 33
Clinton		78 66	78 66
Harlem		70 66	70 66
New Sharon		57 33	57 33
Starks		64 0	64 0
Fayette		78 66	78 66
Belgrade		61 33	61 33
Wayne		57 33	57 33
Corville		36 0	36 0
Aison		78 66	78 66
Strong		30 66	30 66
Leeds		76 0	76 0
Jay		73 33	73 33
Chesterville		20 0	20 0
New Vineyard		37 33	37 33

Two hundred & forty four dollars & sixty six Cents
 Three hundred and thirty eight dollars
 Two hundred and four dollars
 Two hundred and five dollars & thirty three Cents
 Three hundred and Six Dollars & Sixty six Cents
 Two hundred and Seventy four dollars
 Ninety eight dollars & sixty six Cents
 One hundred and One Dollars & thirty three Cents
 One hundred and thirteen dollars & thirty three Cents
 Eighty Six dollars & Sixty six Cents
 Two hundred dollars & sixty six Cents
 Two hundred and Nineteen dollars & thirty three Cents
 One hundred and forty two dollars & sixty six Cents
 Two hundred and twenty dollars & sixty six Cents
 Two hundred and twenty three dollars & thirty three Cents
 Seventy eight Dollars sixty six cents
 Seventy Dollars sixty six cents
 Fifty seven Dollars thirty three cents
 Sixty four Dollars
 Seventy eight Dollars sixty six cents
 Sixty one Dollars thirty three cents
 Fifty seven Dollars thirty three cents
 Thirty six Dollars
 Seventy eight Dollars Sixty six cents
 Thirty Dollars Sixty six cents
 Seventy six Dollars
 Twenty three Dollars thirty three cents
 Twenty Dollars
 Thirty seven Dollars thirty three cents

Vienna	34 66	Thirty four Dollars sixty six cents	. . . . .	34 66
Tyngstown	40 0	Forty Dollars . . . . .	. . . . .	40 0
Vaughanstown	16 0	Sixteen Dollars . . . . .	. . . . .	16 0
Twenty five Mile pond	53 33	Fifty three Dollars thirty three cents	. . . . .	53 33
Westpond	25 33	Twenty five Dollars thirty three cents	. . . . .	25 33
Seven Mile brook	44 0	Forty four Dollars . . . . .	. . . . .	44 0
Industry	44 0	Forty four Dollars . . . . .	. . . . .	44 0
Barnardstown	26 66	Twenty six Dollars sixty six cents	. . . . .	26 66
Kinsmantown	18 66	Eighteen Dollars sixty six cents	. . . . .	18 66
Freetown	40 0	Forty Dollars . . . . .	. . . . .	40 0
Aton				
(No Valuation.)				
690 0	3451 86	Four thousand one hundred & forty one Dollars & eighty six cents	. . . . .	4141 86

COUNTY OF HANCOCK.

	Doll. Cts.		Doll. Cts.		Doll. Cts.
Custine	184 0	Two hundred & twenty six Dollars	. . . . .	184 0	184 0
Belfast	101 33	One hundred & one Dollars thirty three cents	. . . . .	101 33	101 33
Penobscot	118 66	One hundred & eighteen Dollars sixty six cents	. . . . .	118 66	118 66
Orrington	122 66	Two hundred & thirty Dollars sixty six cents	. . . . .	122 66	122 66
Sedgewick	120 0	One hundred & twenty Dollars	. . . . .	120 0	120 0
Ilesboro'	66 66	Sixty Six Dollars sixty six cents	. . . . .	66 66	66 66
Deerisle	112 0	One hundred & forty four Dollars	. . . . .	112 0	112 0
Buchill	108 0	One hundred & eight Dollars	. . . . .	108 0	108 0
Trenton	93 33	Ninety three Dollars thirty three cents	. . . . .	93 33	93 33
Sullivan	118 66	Two hundred Dollars & sixty six cents	. . . . .	118 66	118 66
Gouldsboro'	61 33	Sixty one Dollars thirty three cents	. . . . .	61 33	61 33
Mount Desert	89 33	Eighty nine Dollars thirty three cents	. . . . .	89 33	89 33
Ynabaren	102 66	One hundred & Sixteen Dollars sixty six cents	. . . . .	102 66	102 66
Frankfort	118 66	One hundred & thirty eight Dollars sixty six cents	. . . . .	118 66	118 66
Bangor	56 0	Fifty six Dollars	. . . . .	56 0	56 0
Buckstown	113 33	One hundred & thirteen Dollars thirty three cents	. . . . .	113 33	113 33

COUNTY OF HANCOCK — CONCLUDED.

TOWNS.	Representatives' Pay.	Proportion of \$133,331 85		Total.
	Dolls. Cts.	Dolls. Cts.		Dolls. Cts.
Prospect	126 0	121 33	One hundred & twenty one Dollars thirty three cents	121 33
Hanpden		116 0	Two hundred & forty two Dollars	242 0
Northport		72 0	Seventy two Dollars	72 0
Eden		66 66	Sixty six Dollars sixty six cents	66 66
Orland		52 0	Fifty two Dollars	52 0
Ellsworth		28 0	Twenty eight Dollars	28 0
Duck Trap		62 66	Sixty two Dollars sixty six cents	62 66
Plantation No. 6		42 66	Forty two Dollars sixty six cents	42 66
Eddington Plantn.		16 0	Sixteen Dollars	16 0
Colburnstown Plantn.		18 66	Eighteen Dollars sixty six cents	18 66
Daristown		18 66	Eighteen Dollars sixty six cents	18 66
	424 0	2301 24	Two thousand seven hundred & twenty five Dollars twenty four cents	2725 24

COUNTY OF WASHINGTON.

	Representatives' Pay.	Proportion of \$133,331 85		Total.
	Dolls. Cts.	Dolls. Cts.		Dolls. Cts.
Machius	70 0	162 66	Two hundred & thirty two Dollars Sixty six cents	232 66
Steuben		38 66	Thirty eight Dollars Sixty six cents	38 66
Columbia		46 66	Forty six Dollars Sixty six cents	46 66
Addison		48 0	Forty eight Dollars	48 0
Harrington		37 33	Thirty seven Dollars thirty three cents	37 33
Eastport		78 66	Seventy eight Dollars sixty six cents	78 66
Plantation No. 22		53 33	Fifty three Dollars thirty three cents	53 33
Cherryfield		13 33	Thirteen Dollars thirty three cents	13 33
	70 0	478 63	Five hundred forty eight Dollars & sixty three cents	548 63

SUMS TOTAL IN THE SEVERAL COUNTIES.

	Dolls. Cts.	Dolls. Cts.	Dolls. Cts.		Dolls. Cts.
<i>Suffolk</i>	856 0	17485 32	Eighteen thousand three hundred & forty one Dollars & thirty two cents	18341 32	
<i>Essex</i>	2246 0	20185 93	Twenty two thousand three hundred & eighty one Dollars & ninety three cents	22381 93	
<i>Middlesex</i>	3070 0	12326 53	Fifteen thousand three hundred & ninety six Dollars & fifty three cents	15396 53	
<i>Hampshire</i>	2478 0	13167 78	Fifteen thousand six hundred & forty five Dollars & seventy eight cents	15645 78	
<i>Plymouth</i>	1188 0	6433 27	Seven thousand six hundred & twenty one Dollars & twenty seven cents	7621 27	
<i>Barnstable</i>	692 0	2883 97	Three thousand five hundred & seventy five Dollars & ninety seven cents	3575 97	
<i>Bristol</i>	1024 0	6330 60	Seven thousand three hundred & fifty four Dollars & sixty cents	7394 60	
<i>Dukes County</i>	74 0	620 66	Seven hundred Dollars & sixty six cents	700 66	
<i>Nantucket</i>	142 0	1260 0	One thousand four hundred & two Dollars	1402 0	
<i>Worcester</i>	3238 0	14335 82	Seventeen thousand five hundred & seventy three Dollars & eighty two cents	17573 82	
<i>Berkshire</i>	1532 0	6017 24	Seven thousand five hundred & forty nine Dollars & twenty four cents	7549 24	
<i>York</i>	1862 0	7146 60	Nine thousand & eight Dollars & sixty cents	9008 60	
<i>Camberland</i>	862 0	6678 93	Seven thousand five hundred & thirty seven Dollars & ninety three cents	7537 93	
	618 0	7361 23	Seven thousand nine hundred & seventy nine Dollars & twenty three cents	7979 23	
<i>Lincoln</i>	886 0	4913 24	Five thousand seven hundred & ninety nine Dollars & twenty four cents	5799 24	
<i>Kennebec</i>	690 0	3451 86	Four thousand one hundred & forty one Dollars & eighty six cents	4141 86	
<i>Hancock</i>	424 0	2301 24	Two thousand seven hundred & twenty five Dollars & twenty four cents	2725 24	
<i>Washington</i>	70 0	478 63	Five hundred & forty eight Dollars & sixty three cents	548 63	
	21952 0	135331 85	One hundred & fifty five thousand two hundred & eighty three Dollars & eighty five cents	155283 85	

SEC. 2. *And be it further enacted,* That the Treasurer of this Commonwealth do forthwith send his Warrants, directed to the Selectmen or Assessors of each town, district, plantation, or other place within this Commonwealth, the inhabitants whereof are taxed as aforesaid, requiring such Selectmen or Assessors respectively, to assess in Dollars & Cents the sum hereby set upon such town, district, plantation, or other place, in manner following; that is to say; all the male polls above the age of sixteen years, within their respective towns, districts, plantations or other places adjoining them, belonging to no other town district or plantation, (provided such places were returned or included in the last valuation) all the polls aforesaid, being minors, apprentices or servants, under the immediate government of a parent master or mistress living in the same town, district or plantation, to be taxed to such parent master or mistress respectively, otherwise to be personally taxed at twenty seven Cents each, and the remainder of such sum so set to each town, district, plantation or other place respectively, as aforesaid, (after deducting the sums assessed on the polls as aforesaid) to assess on the inhabitants of such town, district, plantation, or other place as aforesaid, according to the just value of the real estate possessed by each inhabitant of such town district, plantation or other place respectively on the first day of May next, in his, her, or their own right, or in the right of others, lying within the said town, district, plantation or other place, improved or not improved, excepting pews in houses of public worship, or upon the owners of real estate in such town, district or plantation, or other place, whether such owners reside within the same or not upon the said first day of May, according to the just value of such real estate, and on the nonresident proprietors of real estate lying within such town, district plantation or other place, in their own right, or in the right of others, improved or not improved, saving all agreements between landlords and tenants; & where no agreement is, the landlord to reimburse such tenant one half of such tax; and also on the inhabitants of such town, district, plantation or other place, and all other persons possessing estates within the same, according to the proportion of the amount of the just value of their respective personal estates, including monies at interest more than they pay interest for, al-

though the same be secured by an absolute conveyance of real estate, if a bond of defeasance or promise of conveyance has been given; and all other debts due, more than they are indebted for, money of all kinds on hand, public securities of all kinds, and bank stock held in any bank, and shares of property held in any incorporate bridges or turnpike roads, according to the just value thereof; and also the just amount of the value of all goods, wares and merchandize, or any other stock in trade, vessels of all sorts at home or abroad, with all their stores and appurtenances, mules, horses, neat Cattle, each of one year old and upwards, (provided however that mules, horses and neat cattle belonging to inhabitants of any town, and sent out of sd. town for pasturage only, previous to, or on the first day of May, shall be in all cases taxed in the town where the owner lives,) and swine of six months old and upwards, and all other property of the several kinds returned in the last Valuation, except sheep, household furniture, wearing apparel farming utensils, and tools of Mechanics, on the sd. first day of May. And the Assessors of the respective towns, districts, plantations, and other places, as aforesaid, shall estimate all the before enumerated articles at six per centum upon the real value thereof, in the places where they are, (excepting unimproved lands, which shall be estimated at two per centum, where they are situated), and on the amount of the incomes of the inhabitants within their respective precincts, as aforesaid, from any profession, handicraft, trade or employment, or gained by trading on sea or on land. And the Treasurer in his said Warrant, shall likewise require the said Assessors respectively to make a fair list of such assessments, setting forth in distinct columns, against each person's name, how much he or she is assessed for polls, how much for real estate, and how much for personal estate and income, as aforesaid; and if as Guardian, or for any estate in his or her possession in trust, to be distinctly expressed; and also to insert in their rate bills the number of acres of unimproved land, which they have taxed to each of the nonresident proprietors of lands, within their respective towns, districts, plantations or other places, and also the real value at which they have estimated the same; and the list or lists so completed and signed by them in manner aforesaid, or by the major part of them, to commit to the Collector or Collectors, Con-

stable or Constables of such town, district, plantation or other place respectively, with a warrant or warrants, in due form of law, for collecting, and paying the same to the Treasurer of this Commonwealth, on or before the first day of April, in the year of our Lord one thousand eight hundred and three ; and also to return a Certificate of the name or names of such Collector or Collectors, Constable or Constables, with the sum total committed to them respectively to collect, to the said Treasurer, some time before the first day of December next.

And whereas there are many persons within this Commonwealth, who are engaged in trade, and who almost intirely negotiate their business, and hire shops, stores and wharves, in other towns than where they dwell or reside, and whose property and ability in this regard cannot be so well known to the Assessors of the several towns, districts or plantations wherein such persons dwell or reside, as to the Assessors of the several towns wherein their business is transacted as aforesaid :

SEC. 3D. *Be it therefore enacted*, that all such persons, within the discription aforesaid shall be assessed by the Assessors thereof, and pay taxes for such of their goods wares & merchandize, or other stock in trade, ships and vessels as are sold, used and improved in such towns other than where they reside, and not in the towns where such persons dwell or reside ; and they shall accordingly give in on oath, if required, a list of their whole estate respectively, to the Assessors of their respective towns or places of residence, distinguishing what part thereof is rateable in other towns, and in default thereof shall be doomed by the Assessors of such towns and places where they respectively reside or have their home. *Provided always*, that this clause be not in any case so construed as to enable any town to tax any inhabitant of any other town for any estate for which such other town was charged in the last valuation.

SEC. 4TH. *Provided nevertheless, and be it further enacted*, That the President, Professors, Tutors, Librarian, and Students of Harvard College, Williams College, and Bowdoin College, who have their usual residence there, and who enjoy no other pecuniary office or employment, also ministers of the Gospel, Preceptors of Academies by law established and Latin Grammar School Masters, are not to be assessed for their polls, and estates under their

own actual management or improvement, lying in the towns, districts or parishes where they are settled; and also all persons who have the management of the estates of Harvard College, Williams College and Bowdoin College & Academies aforesaid in this Commonwealth, are not to be assessed for the same, nor Indians for their polls and estates; and if there be any others who by reason of age, infirmity or poverty are unable to pay towards the public charges, and in the judgment of the Assessors ought to be relieved in their taxes, in any such case the Assessors respectively may exempt the polls and estates of such persons, or abate any part of what they are set at, as they on their oaths shall deem just and equitable.

SEC. 5. *And be it further enacted*, That the Justices of the Peace, at their several Sessions in their respective Counties, when duly authorized for the assessment of a County tax, shall apportion the same on the several towns, districts, plantations and other places in their respective Counties as aforesaid, in the respective proportions of this tax; and the Assessors of each town, parish, district or other place within this Commonwealth, in making County, town, parish or society taxes, shall govern themselves by the same rules, and assess the polls in their respective towns, parishes or societies in the same proportions as the said polls pay towards the several sums with which the said towns or other places, by this act respectively stand charged, having regard to all such alterations of polls or property, as may happen within the same, subsequent to assessing the tax laid by this act.

Provided always, that it shall and may be lawful for any town, district or plantation, to levy make and collect any county, town, parish or society tax, and for that purpose to cause a valuation to be taken at any time of the year which the said town or other place shall determine to be expedient, at a legal meeting warned for that purpose. And the Assessors of the several towns which by this act are charged with the pay of Representatives, shall assess such additional sum on the polls and estates, as aforesaid within their respective towns, and shall apportion the same in the same proportion at which such polls and estates shall be respectively set, for raising the sum of One hundred and thirty three thousand, three hundred and thirty one Dollars and eighty five Cents.

SEC. 6TH. *And be it further enacted*, That no order shall be drawn by the Treasurer of this Commonwealth, on any Constable or Collector of this tax, for any part of the same.

SEC. 7TH. *And be it further enacted*, That twenty thousand Dollars of the sum ordered to be assessed and paid by this act, be, and hereby is appropriated towards paying the interest on the public debt; and the residue for defreying the expences of Government.

SEC. 8TH. *And be it further enacted*, That the Selectmen or Assessors of each town, district, plantation, or other place within this Commonwealth, the inhabitants whereof are to be taxed as required in this Act, be, and hereby are directed to make their several rate lists, to be committed to Collectors or Constables, in the forms prescribed at the foot of this Act.

Form of rate lists to be made by Assessors and committed to Collectors or Constables.

STATE TAX.									
Names of persons to be taxed.	Number of polls.	Poll Tax.		Real estate.		Personal estate and income.		Total.	
		Dollars	Cents.	Dollars	Cents.	Dollars	Cents.	Dollars	Cents.

Form of rate lists of nonresident proprietors of unimproved land.

STATE TAX.									
Names of persons to be taxed, if known.	No. of each lot, if known.	Number of Division or description of the range, if known.	Number of acres.	Value.		Tax.		Total.	
				Dollars	Cents.	Dollars	Cents.	Dollars	Cents.

Approved March 10, 1802.

RESOLVES
OF
MASSACHUSETTS.

1801.

RESOLVES

OF THE

GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF *SUFFOLK*,
ON WEDNESDAY, THE TWENTY-SEVENTH DAY OF
MAY, ANNO DOMINI, 1801.

BOSTON:

PRINTED BY YOUNG & MINNS,

Printers to the Honorable the General Court.

Reprinted by WRIGHT & POTTER PRINTING COMPANY, State Printers.

RESOLVES

OF THE

GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS.

BEGUN AND HELD AT *BOSTON*, IN THE COUNTY OF
SUFFOLK, ON WEDNESDAY THE TWENTY-SEVENTH
DAY OF *MAY*, A. D. 1801.

His Excellency CALEB STRONG, Esquire.
Governor.

His Honor SAMUEL PHILLIPS, Esquire.
Lieutenant Governor.

COUNSELLORS.

Honorable Nathan Cushing, John Hastings, Oliver Wendell, Stephen Choate, John Read, Esqrs.	Honorable Josiah Bartlett, John Bliss, Daniel Bigelow, Alexander Campbell, Esqrs.
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SENATORS.

Hon. DAVID COBB, Esq. *President.*

County of SUFFOLK.

Hon. James Bowdoin,
William Tudor,
Jonathan L. Austin, Esqrs.

MIDDLESEX.

Hon. Jonathan Maynard,
Aaron Hill,
William Hildreth,
William Hull, Esqrs.

ESSEX.

Hon. John Treadwell,
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Enoch Titecomb,
Jacob Crowninshield,
Esqrs.

WORCESTER.

Hon Josiah Stearns,
Salem Town,
Elijah Brigham,
Bezaleel Taft,
Thomas Hale, Esqrs.

RESOLVES, 1801. — MAY SESSION.

SENATORS — *Concluded.*

HAMPSHIRE.	PLYMOUTH, DUKES COUNTY & NANTUCKET.
Hon. Samuel Fowler, Thomas Dwight, Ebenezer Hunt, Hugh McLellan, Esqrs.	Hon. Isaac Thompson, Beza Hayward, Benjamin Allen, Esqrs.
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BARNSTABLE.	
Hon. John Dillingham, Esqr.	
Rev. PETER THACHER, D. D. <i>Chaplain.</i>	

HOUSE OF REPRESENTATIVES.

Hon. EDWARD H. ROBBINS, Esq. Speaker.

County of SUFFOLK.

<i>Boston</i> , Charles Jarvis, Benjamin Austin, jun. George Blake, James Prince,	<i>Boston</i> , Nathaniel Fellows, David Tilden, Russell Sturgis, <i>Hingham</i> , Nathan Rice
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County of NORFOLK.

<i>Roxbury</i> , Ebenezer Seaver, Joseph Heath, William Brewer, <i>Dorchester</i> , John Howe, Perez Morton, <i>Weymouth</i> , Asa White, <i>Dedham</i> , Isaac Bullard, Ebenezer Fisher, <i>Braintree</i> , Ebenezer Thayer. <i>Medfield and Dover</i> , John Baxter, <i>Stoughton</i> , Lemuel Gay, <i>Milton</i> , Edward H. Robbins,	<i>Wrentham</i> , Nathan Comstock, <i>Brookline</i> , Stephen Sharp, <i>Needham</i> , Jonathan Kingsbury, jun. <i>Medway</i> , Moses Richardson, <i>Walpole</i> , William Bacon, <i>Sharon</i> , Jonathan Billings, <i>Cohasset</i> , Thomas Lothrop, <i>Franklin</i> , John Boyd, <i>Quincy</i> , Moses Black, <i>Canton</i> , Joseph Bemis, <i>Bellingham</i> , Laban Bates.
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County of ESSEX.

<i>Salem</i> , Ebenezer Beekford, Benja. Pickman, jun. William Prescott,	<i>Ipswich</i> , Nathl. Wade, Jona. Cogswell, Joseph Swazey,
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HOUSE OF REPRESENTATIVES—Continued.

County of ESSEX—Concluded.

<i>Newbury</i> , Josiah Little,	<i>Haverhill</i> , Francis Carr,
Joseph Newell,	<i>Marblehead</i> , Joshua Prentiss,
<i>Newbury Port</i> , William Coombs,	Elisha Storey,
William Bartlett,	<i>Amesbury</i> , Christopher Sargent,
Jonathan Marsh,	<i>Beverly</i> , Moses Brown,
George Bradbury,	Jas. Burnham,
<i>Lynn and Lynnfield</i> , James Robinson,	Jno. Stephens,
<i>Gloucester</i> , John Rowe,	<i>Bradford</i> , Nathaniel Thurston,
<i>Rowley</i> , Moody Spafford,	<i>Boxford</i> , Thomas Perley,
<i>Salisbury</i> , Samuel March,	<i>Dunvers</i> , Gideon Foster,
<i>Andover</i> , Thomas Kittredge,	<i>Methuen</i> , William Russ.

County of MIDDLESEX.

<i>Charlestown</i> , Thomas Harris,	<i>Stow and</i> } Charles Whitman,
<i>Watertown</i> , William Hunt,	<i>Boxborough</i> }
<i>Medford</i> , Nathaniel Hall,	<i>Newton</i> , Timothy Jackson,
<i>Cambridge</i> , Jeduthan Willington,	<i>Dracut</i> , Israel Hildreth,
Joseph Bartlett,	<i>Weston</i> , John Slack,
<i>Concord</i> , Joseph Chandler,	<i>Lexington</i> , Joseph Simonds,
<i>Sudbury</i> , Jonathan Rice,	<i>Hopkinton</i> , Timothy Shepard,
<i>Woburn</i> , Loammi Baldwin,	<i>Holliston</i> , Ephraim Littlefield,
<i>Reading</i> , James Bancroft,	<i>Westford</i> , Abel Boynton,
<i>Malden</i> , Jonathan Oakes,	<i>Tewksbury</i> , William Simonds,
<i>Groton</i> , Timothy Bigelow,	<i>Acton and</i> } Jonas Brooks,
<i>Billerica</i> , Oliver Crosby,	<i>Carlisle</i> , }
<i>Chelmsford</i> , William Adams,	<i>Waltham</i> , Abner Sanderson,
<i>Marlborough</i> , Jonathan Weeks,	<i>Pepperell</i> , Joseph Heald,
<i>Dunstable and</i> } John Pitts,	<i>Lincoln</i> , Samuel Hoar,
<i>Tyngsborough</i> , }	<i>East Sudbury</i> , Jacob Reeves,
<i>Sherburne</i> , Daniel Whitney,	<i>Littleton</i> , Daniel Kimbal,
	<i>Townsend</i> , John Campbell.

County of HAMPSHIRE.

<i>Springfield</i> , William Ely,	<i>Greenfield</i> } Moses Bascom, jun.
<i>Hadley</i> , Samuel Porter,	and <i>Gill</i> , }
<i>Westfield</i> , James Taylor,	<i>New Salem</i> , James Felton,
<i>Deerfield</i> , Jonathan Hoyt,	<i>Montague</i> , Henry Wells,
<i>Northampton and</i> } John Taylor,	<i>Granville</i> , Thomas Hamilton,
<i>Easthampton</i> , }	Israel Parsons,
Asahel Pomeroy,	<i>Greenwich</i> , Robert Field,
<i>Northfield</i> , Solomon Vose,	<i>Amherst</i> , Zebina Montague,
<i>Sunderland</i> , Samuel Church,	<i>Monson</i> , Abner Brown,
<i>Hatfield</i> , John Hastings.	<i>Belcherton</i> , Eleazer Clark,
<i>Brimfield</i> , Clark Brown,	<i>Bernardston</i> , } Lemmel Foster,
<i>Blanford</i> , William Knox, 3d.	and <i>Leyden</i> , }
<i>Pelham</i> , Isaac Abercrombie,	<i>Chesterfield</i> , Benjamin Bonney,
<i>Palmer</i> , James Smith,	<i>South Brimfield</i> , } Oliver Wales,
<i>Southampton</i> , Lemuel Pomeroy,	and <i>Holland</i> , }
<i>South Hadley</i> , Ruggles Woodbridge,	<i>Warwick and</i> } Josiah Cobb,
	<i>Orange</i> , }

RESOLVES, 1801. — MAY SESSION.

HOUSE OF REPRESENTATIVES — Continued.

County of HAMPSHIRE — Concluded.

<i>Wilbraham</i> , John Bliss,	<i>West Springfield</i> , Jonathan Smith, jun.
<i>Chester</i> , Elijah Blackman,	<i>Westhampton</i> , Aaron Fisher,
<i>Ware</i> , William Bowdoin,	<i>Longmeadow</i> , Gideon Burt,
<i>Conway</i> , Malachi Maynard,	<i>Lullow</i> , Aaron John Miller,
<i>Granby</i> , David Smith,	<i>Plainfield</i> and } James Richards,
<i>Shelburne</i> , John Long,	<i>Crummington</i> , }
<i>Worthington</i> , Ezra Starkweather,	<i>Hawley</i> , Edmund Longly,
<i>Southwick</i> , Joseph Forward,	<i>Ashfield</i> , Ephraim Williams.
<i>Williamsburg</i> , Elisha Hubbard,	

County of PLYMOUTH.

<i>Plymouth</i> , Zacheus Bartlett,	<i>Plimton</i> , Seth Cushing,
<i>Scituate</i> , Elijah Turner,	<i>Pembroke</i> , Kilborn Whitman,
<i>Duxbury</i> , Seth Sprague,	<i>Abington</i> , Aaron Hobart,
<i>Marshfield</i> , Elisha Phillips,	<i>Kingston</i> , Jedediah Holmes,
<i>Bridgewater</i> , Nahum Mitchell,	<i>Hanover</i> , Benjamin Bass,
<i>Middleborough</i> , John Tinkham,	<i>Hatijax</i> , Zebediah Tomson.
<i>Rochester</i> , Elisha Ruggles,	

County of BRISTOL.

<i>Taunton</i> , Stephen Hathaway,	<i>Raynham</i> , Abraham Hathaway,
<i>Rehoboth</i> , Frederick Drown,	<i>Berkley</i> , Apollos Tobey,
<i>Dartmouth</i> , Holder Slocum,	<i>Mansfield</i> , Benjamin Bates,
<i>Swanzy</i> , Christopher Mason,	<i>New Bedford</i> , Seth Spooner,
<i>Freetown</i> , Simeon Barden,	Alden Spooner,
<i>Norton</i> , George Leonard,	<i>Westport</i> , Abner Brownell,
<i>Dighton</i> , Rufus Whitmarsh,	<i>Somerset</i> , Francis Borland.
<i>Easton</i> , Abiel Mitchell,	

County of DUKES COUNTY.

<i>Edgartown</i> , William Mayhew,	<i>Chilmark</i> , Matthew Mayhew, jun
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County of NANTUCKET.

Nantucket, Micajah Coffin.

County of BARNSTABLE.

<i>Barnstable</i> , Isaiah L. Green,	<i>Harwich</i> , Benjamin Bangs,
<i>Sandwich</i> , William Bodfish,	<i>Chatham</i> , Richard Sears,
<i>Yarmouth</i> , Elisha Doane,	<i>Wellfleet</i> , Lemuel Newcomb,
<i>Eastham</i> , Samuel Freeman,	<i>Dennis</i> , Judah Paddock,
<i>Falmouth</i> , David Nye,	<i>Orleans</i> , Richard Sparrow.
<i>Harwich</i> , Ebenezer Broadbrooks,	
jun.	

HOUSE OF REPRESENTATIVES — Continued.

County of WORCESTER.

<i>Worcester</i> , Samuel Curtis,	<i>Douglas</i> , Aaron Marsh,
<i>Lancaster</i> , Samuel Ward,	<i>New Braintree</i> , Benjamin Josslyn,
<i>Mendon</i> , Joseph Adams,	<i>Spencer</i> , Benjamin Drury,
<i>Brookfield</i> , John Cutler,	<i>Petersham</i> , John Chandler,
<i>Oxford</i> , Silvanus Town,	<i>Templeton</i> , Leonard Stone,
<i>Leicester</i> , Thomas Denny,	<i>Oakham</i> , Spencer Field,
<i>Sutton</i> , Stephen Monro,	<i>Fitchburg</i> , Joseph Fox,
<i>Westborough</i> , Nathan Fisher,	<i>Royalston</i> , Isaac Gregory,
<i>Southborough</i> , Trowbridge Taylor,	<i>Ashburnham</i> , Jacob Willard,
<i>Shrewsbury</i> , Jonah Howe,	<i>Northborough</i> , Nahum Fay,
<i>Dudley</i> , Thomas Learned,	<i>Hubbardston</i> , William Mearns,
<i>Grafton</i> , Nathl. Adams,	<i>Westminster</i> , Jonas Whitney,
<i>Upton</i> , Elisha Bradish,	<i>Princeton</i> , David Rice,
<i>Hardwick</i> , John Hastings,	<i>Barre</i> , Joel Bent,
<i>Bolton</i> and } Jonathan Meriam,	<i>Milford</i> , Samuel Jones,
<i>Berlin</i> , }	<i>Sterling</i> , Israel Allen,
<i>Sturbridge</i> , Josiah Walker,	<i>Boylston</i> , James Longly,
<i>Leominster</i> , Jonas Kendall,	<i>Holden</i> , John Dodds.
<i>Western</i> , Joseph Field,	

County of BERKSHIRE.

<i>Sheffield</i> and <i>Mount</i> } Moses	<i>Williamstown</i> , William Young,
<i>Washington</i> , }	William Towner,
<i>Stockbridge</i> , Ephraim Williams,	<i>Lenox</i> , Joseph Goodwin,
<i>New Marlborough</i> , Benjamin Wheeler,	<i>Partridgefield</i> , William Frissell,
<i>Egremon</i> , Nicholas Race,	<i>West Stockbridge</i> , Grove Pomroy,
<i>Pittsfield</i> , Joshua Danforth,	<i>Richmond</i> , Hugo Burghardt,
<i>Great Barrington</i> , Thomas Ives,	<i>Lec</i> , Joseph Whiton,
<i>Sandisfield</i> and } John Canfield,	<i>Adams</i> , Abraham Howland,
<i>Southfield</i> , }	<i>Hancock</i> , Simeon Martin,
<i>Lanesborough</i> and } Gideon	<i>Cheshire</i> , Daniel Brown,
<i>New Ashford</i> , }	<i>Tyringham</i> , Adonijah Bidwell.

County of YORK.

<i>York</i> , Samuel Darby,	<i>Buxton</i> , John Woodman,
<i>Kittery</i> , Mark Adams,	<i>Lebanon</i> , Thos. M. Wentworth,
<i>Wells</i> , Nathl. Wells,	<i>Pepperelborough</i> , Samuel Scam-
Jacob Fisher,	man,
<i>Berwick</i> , Richard Foxll. Cutts,	Richard Cutts,
<i>Biddeford</i> , Daniel Cleaves,	<i>Fryeburg</i> , William Fessenden,
<i>Arundel</i> , Thomas Perkins, 3d.	<i>Bethel</i> , Waterford Lovewell.

County of CUMBERLAND.

<i>Portland</i> , Joseph Titcomb,	<i>New Gloucester</i> , Nathl. C.
<i>Scarborough</i> , Joseph Emerson,	Allen,
<i>North Yarmouth</i> , Saml. P. Russell,	<i>Freeport</i> , John Cushing,
<i>Falmouth</i> , Archelaus Lewis,	<i>Durham</i> , Josiah Burnham,
<i>Brunswick</i> , John Dunlap,	<i>Harpswell</i> , Benjamin Dunning,
<i>Gorham</i> , Lothrop Lewis,	<i>Livermore</i> , David Learned,
	<i>Lewiston</i> , John Herrick,

HOUSE OF REPRESENTATIVES — *Concluded.**County of LINCOLN.*

<i>Pownalborough</i> , David Payson,	<i>Bowdoin</i> , James Rogers,
<i>Georgetown</i> , Mark Langdon Hill,	<i>Newcastle</i> , John Farley,
<i>Woolwich</i> , Peleg Tolman,	<i>Boothbay</i> , Jonathan Sawyer,
<i>Bowdoinham</i> , Elihu Getchell,	<i>Warren</i> , Samuel Thatcher,
<i>Topsham</i> , Benja. Jones Porter,	<i>Lewistown</i> , John Herrick,
<i>Bristol</i> , Thomas McClure,	<i>Cushing</i> , John McKellar,
<i>Waldoborough</i> , John Head,	<i>Litchfield</i> , James Shurtliff,
<i>Thomaston</i> , Henry Knox,	<i>Thomsonboro</i> , Noah Jordan,
<i>Bath</i> , Joshua Shaw,	<i>Camden</i> , Samuel Jacobs.

County of KENNEBECK.

<i>Augusta</i> , Nathan Weston,	<i>Readfield</i> , Thomas Whittier,
<i>Hallowell</i> , Thomas Fillebrown,	<i>Monmouth</i> , John Chandler,
<i>Winthrop</i> , Nathaniel Fairbanks,	<i>Mount-Vernon</i> , Nathaniel Dudley,
<i>Winslow</i> , Elnathan Sherwin,	<i>Farmington</i> , Supply Belcher.
<i>Pittston</i> , Jedediah Jewett,	

County of HANCOCK.

<i>Castine</i> , Job Nelson,	<i>Frankfort</i> , Francis L. B. Goodwin,
<i>Orrington</i> , Oliver Leonard,	<i>Hampden</i> , Martin Kinsley,
<i>Vinalhaven</i> , William Vinal,	<i>Deer-Isle</i> , Joseph Tyler.

REV. THOMAS BALDWIN, *Chaplain.*
HENRY WARREN, Esq. *Clerk.*

Chapter 1.

RESOLVE FOR AN ADDITIONAL NOTARY PUBLIC FOR THE TOWN OF SALEM.

Resolved, That for the better accommodation of the Inhabitants of Salem in the County of Essex, there be annually chosen an additional Notary Public for said County, to reside in said Town. *June 3, 1801.*

Chapter 2.

RESOLVE FOR AN ADDITIONAL NOTARY PUBLIC ON UNION RIVER, IN THE COUNTY OF HANCOCK.

Resolved that there be an additional Notary public appointed, To Reside on Union River In the County of Hancock. *June 3, 1801.*

Chapter 3.

RESOLVE FOR AN ANNUAL CHOICE OF A NOTARY PUBLIC IN THE TOWN OF WESTPORT, IN THE COUNTY OF BRISTOL.

Resolved that there be annually Chosen in the town of Westport in the County of Bristol, an additional Notary Public.

June 3, 1801.

Chapter 4.

RESOLVE FOR AN ADDITIONAL NOTARY PUBLIC, TO RESIDE IN DEER ISLE, IN THE COUNTY OF HANCOCK.

Resolved That there be an additional notary public appointed for the County of Hancock to reside in Deer Isle.

June 3, 1801.

Chapter 5.

RESOLVE ESTABLISHING THE PAY OF THE MEMBERS OF THE GENERAL COURT.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to each member of the Council, Senate, and House of Representatives, two Dollars per day, for each day's attendance the present session, and the like sum for every ten miles distance from their respective places of abode, to the place of the sitting of the General Court.

And it is further Resolved, That there be paid to the President of the Senate, and Speaker of the House of Representatives each, two Dollars per day, for each and every days attendance, over and above their pay as Members.

June 5, 1801.

Chapter 6.

RESOLVE ON THE PETITION OF ELIZABETH WELLS.

On the petition of Elizabeth Wells Executrix of the last Will and Testament of Benjamin Wells late of Adams in the County of Berkshire, deceased, stating that Thomas Russell Esqr. deceased, did in his lifetime contract with Benjamin Wells aforesaid to convey to him the westerly half part of Lot No. 27, in the first division of Lots in Adams aforesaid containing by estimation about fifty acres; That the said Benjamin hath since deceased, and that She

has purchased of his heirs at Law their right & claim to said Lot of Land, and the benefit of said Contract; That said Benjamin paid to said Thomas part of the purchase money for said half of said Lot, and that She is ready to pay the residue thereof; and praying that the Administrator of said Thomas's Estate may be authorized to convey to her in fee the said half of said Lot.

Resolved, That the Administrator or Administrators on the Estate of said Thomas be and they hereby are authorized and empowered to make and execute a good & sufficient deed of the aforesaid half part of said Lot of Land to the said Elizabeth, She fulfilling the contract which said Benjamin made with said Thomas relating to the same.

June 5, 1801.

Chapter 7.

RESOLVE ON THE PETITION OF THE PROPRIETORS OF THE BOSTON PIER, OR LONG WHARF, EMPOWERING THEM TO EXECUTE A DEED OF A LOT OF LAND AT THE WESTERLY END OF SAID WHARF.

On the Petition of the Proprietors of the Boston Pier or Long Wharff in Boston that they may be impowered to execute, by a Committee a Deed of a Lot of Land situate at the Westerly End of said Wharffe; For Reasons set forth in said Petition.

Resolved That Lemuel Hayward, Daniel Sargent, Stephen Codman, John Parker, Thomas Davis & John Philips the Committee of said Proprietors, or any three of them, be & they hereby are authorised & impowered to make & execute a good & sufficient Deed of all the Right Title & Interest which said Proprietors have in Common of, in & to a Lot of Land situate near the westerly End of said Wharff bounded westerly on a Store belonging to said Proprietors there measuring Thirty seven feet, Northerly on a Passage Way there measuring forty feet, Easterly on a Passage Way & Land of W. Powell there measuring thirty seven feet, Southerly on Land of Brown & Osborn there measuring forty feet, to any Person who may purchase the same.

June 6, 1801.

Chapter 8.

RESOLVE DIRECTING THE COMMITTEE FOR THE SALE OF EASTERN LAND, TO TAKE NEW NOTES OR SECURITIES OF SILAS HALL AND OTHERS, FOR THE AMOUNT OF THEIR SALE.

Whereas by a resolve passed February 9th 1801, the Committee for the sale of Eastern lands were authorised & directed to alter the contract made by them in behalf of this Commonwealth with Silas Hall and others for a tract of land adjoining the Township of East Andover so that it shall only extend to the sale of so much of the said tract as lies Southerly of the said Township of East Andover — And whereas there is no authority or power given to the said Committee or Treasurer of said Commonwealth to exchange the Securities which the said Hall & others had given for said tract of land & which are now in the hands of the Treasurer aforesaid :

Resolved that the Committee for the sale of Eastern lands be and they are hereby authorised to take of the said Silas Hall & others new notes or Securities for the amount of their sale so altered as aforesaid, and the said Committee and the Treasurer aforesaid are hereby authorised thereupon to deliver up to the said Hall & others the said Securities or Notes by them first given as aforesaid, to wit, four Notes of hand signed January 18th 1800, by Ebenezer Poor Jr. Silas Hall & Winslow Hall, one for the sum of 2703.20 cents due 18th Jany. 1801, one for the sum of 2572.40 cents due 18th Jany. 1802, one for the sum of 2441.60 cents due 18th Jany. 1803, & one for the sum of 2310.80 cents due 18th Jany. 1804 all made payable to said Treasurer or his Successor in office.

June 8, 1801.

ANSWER OF THE SENATE TO THE GOVERNOR'S SPEECH AT THE OPENING OF THE SESSION.

May it please your Excellency,

The Senate beg leave to express to you, their sincere congratulations on your reelection to the chief Magistracy of the Commonwealth — Not doubting the purity of the motives, which have ever guided your political conduct ; fully believing that your administration has been uniformly intended to promote the public weal, and that our fellow-citizens have felt and appreciated its good effects, we

hesitate not to add our unequivocal approbation, to that which is so clearly evinced by the repetition of their suffrages.

Whatever may have been the wishes of many, in regard to a choice of the President of the United States, we trust, that the good sense and patriotism of those, who are disappointed in the result, will lead them to render that respectful obedience to Constitutional Authority, which is justly due and that the first Magistrate of our nation will, in administering the government, so adhere to its essential principles, as will secure the confidence of the people, whose interest requires that he should possess it.

We fully accede, Sir, to the position, that asperity and false coloring ought not to be indulged in the discussion of public measures, and we sincerely lament that the morals and liberties of the people have been and still are endangered by the licentiousness of the presses in the United States, and that so many of our newspapers are the vehicles of misrepresentation, slander and falsehood.

Relying, under divine providence, on a well-organized and well-disciplined Militia, as the great defence of our Country against enemies from abroad and faction at home, the Senate will frequently, and readily pay that legislative attention to the subject, which its importance demands.

The History of Antient Republicks furnishes us with so many melancholly testimonies of the fatality attending the ignorance of the people, and through this means the subversion of free governments, that we are justified in the belief, that a Republic cannot preserve its purity, nor can it long exist without the general diffusion of knowledge among every class of citizens and we readily adopt the sentiment that no subject of Legislation can be more important — To effect so desirable an object, an early and unwearied attention to the instruction of our youth is indispensibly necessary, and it is a duty, which to neglect, would be a breach of the trust reposed in us by our Constituents.

We duly estimate the wisdom of antient and celebrated Legislators on this subject, as well as the laudable examples of our wise and virtuous forefathers — altho much has been done by former Legislators in establishing institutions, for the instruction of youth in the principles of religion, morality, and useful science, and in forming their tempers, manners, and habits yet much remains for their successors to do.

We will cheerfully co-operate with your Excellency and the other branch of the Legislature, in ameliorating systems, so honorable to our Country, so essential to the support of a free government and conducive to the happiness of society.

June 9, 1801.

Chapter 9.

RESOLVE FOR AMENDING AN ACT FOR INQUIRING INTO THE RATEABLE ESTATES WITHIN THIS COMMONWEALTH, AND DIRECTING THE SECRETARY TO PUBLISH THIS RESOLVE.

Whereas in the Act for enquiring into the Ratable Estates within this Commonwealth, passed the last session of the Legislature, the Article of “Money at interest more than any Creditor pays interest for,” is among other things required to be returned; but in the list for the valuation, making a part of the same Act, that Article is not enumerated, and in consequence of it, mistakes may happen in the returns which are to be made pursuant to the said Act: Therefore,

Resolved, That the said Article of “Money at Interest more than any Creditor pays interest for,” shall be set forth in the lists to be made and returned, pursuant to the said Act, according to the true intent thereof, the Omission aforesaid notwithstanding — and the Secretary is hereby directed to cause this resolve to be published in the several Newspapers wherein the laws of this Commonwealth are published.

June 9, 1801.

ANSWER OF THE HOUSE OF REPRESENTATIVES TO THE GOVERNOR'S SPEECH AT THE OPENING OF THE SESSION.

May it please your Excellency,

The House of Representatives sincerely congratulate your Excellency and their fellow-citizens upon your reelection to the office of first Magistrate of this Commonwealth — This renewed testimony of the public confidence, at this period, must be highly grateful, as it affords the strongest evidence of your having discharg'd the important duties of your high trust with wisdom and impartiality — Notwithstanding the diffidence you have been pleased to express the whole tenor of your public life inspires us with the fullest confidence that your best endeavours will be successfully continued to advance the reputation and welfare of your constituents, to preserve their rights unin-

paired and to select those only for public office who are most distinguished for abilities and integrity.

Although in the late election of President of the United States the result may not have corresponded with the wishes of many of our fellow-citizens, yet we do most sincerely hope and are encouraged to believe that the happiness so confidently anticipated by some, and so cordially desired by all, may ultimately ensue from that important event. As members of a Republic whose basis is the will of the people we consider that the best claim to the character of good and faithful citizens is founded on a cheerful obedience to the laws and a uniform respect for the constitutional authorities of our nation. And we cannot refrain from indulging the hope that he who was so eminently concern'd in establishing our independence will not be betray'd into a dereliction of the pure principles of the Federal system which has arisen out of that independence. But if these anticipations should not be realized still a regard to truth, to justice, and to the public welfare ought to exclude all asperity and false colouring from the discussion of public measures, for if the free presses of our country are disgracefully prostituted to Faction and Falshood, they will greatly endanger if not eventually subvert the morals and the liberties of the people.

The organization and dicipline of the Militia being entrusted to the State Governments, we shall give our frequent attention to objects so essentially connected with the public safety.

We fully agree with your Excellency in opinion that there is no subject of State legislation more important to the preservation of our free governments or more interesting to the happiness of society than the instruction of the people and particularly the education of youth. It is not enough to instruct children in useful learning it is of still higher concern to habituate them to restraint, to form their tempers and manners by the principles of benevolence and justice, to awaken the useful energies of their understandings, to cherish the virtuous propensities of their hearts, and to teach them the important lesson of self-command — Thus educated they seldom fail to make quiet and useful members of society, while those who are idle & unrestrained in early life, generally become turbulent and seditious at mature age.

Our wise and pious ancestors were strongly impressed with the importance of this subject. Scarcely had they reach'd this then inhospitable shore, when they provided schools for the education of their children in literature and in the principles of religion and morality. They early founded the University at Cambridge, to which our Country is indebted for so many great and useful men — We consider the civil & religious institutions which we have inherited from those venerable ancestors, as invaluable. To those institutions under Divine Providence, we ascribe the present honorable and prosperous condition of this Commonwealth — We therefore esteem it our highest wisdom to cherish, and if possible, to improve them, — and one of our first duties to transmit them unimpair'd to our posterity.

We are deeply impressed with the importance and necessity of providing for a due observance of the Sabbath, which we consider as essentially connected with the preservation of religion the only sure foundation of human virtue and happiness. If our laws in this respect are defective we will endeavour to amend them, paying at the same time that regard to the rights of conscience which a wise & liberal policy, as well as our State Constitution, recommend.

Every one must acknowledge that public worship is useful even as a school of good manners and of decent and orderly deportment, and that the meeting together of the people to be instructed in their religious & moral duties, and to contemplate the wisdom and goodness with which the Almighty governs the world, must tend to impress on their minds that reverential love for the Supreme Being, which is the highest and noblest motive of human actions. — If any of the Towns or Plantations in the Commonwealth are unable to provide the means of instruction for their children, we conceive that the public good requires they should have such assistance as may be requisite for this purpose. — We doubt not your Excellency's ready concurrence in every measure conducive to the public welfare which the legislature may deem it expedient to propose.

June 10, 1801.

Chapter 10.

RESOLVE ON THE PETITION OF JESSE SEVERANCE, DIRECTING THE TREASURER TO STAY EXECUTION FOR THE BALANCE MENTIONED.

On the petition of Jesse Severance of Conway in the County of Hampshire praying a remission of the ballance due from him on Execution as a Collector of the sd. Town of Conway.

Resolved, for reasons set forth in the said petition, that the prayer thereof be so far granted, that the Treasurer of this Commonwealth be and hereby is directed to stay Execution for the ballance aforesaid, untill the first day of June next.

June 10, 1801.

Chapter 11.

RESOLVE ON THE PETITION OF EDWARD GRAY, AUTHORIZING HIM TO SELL AND CONVEY BY DEED THE LAND MENTIONED.

On the Petition of Edward Gray of Boston in the County of Suffolk and Commonwealth of Massachusetts Guardian to Susannah Loring of said Boston Single woman, an insane Person, praying for reasons therein set forth, that he may be empowered in his said Capacity to convey to Jonathan Wilson of Colraine in the County of Hampshire in said Commonwealth Husbandman all her right in a lot of land numbered Fifty one containing Seventy two acres situated in Colraine aforesaid on receiving of said Wilson fifty two Dollars with interest.

Resolved that the prayer of said Petition be granted and that said Gray in his said Capacity be, and he hereby is authorized and empowered to sell and convey by Deed of Quit-claim within nine months from the first day of June instant to said Wilson and his heirs, all her right, title and interest, in and to the lot of land aforesaid and in and to its priviledges and appurtenances, on receiving from said Wilson fifty two Dollars, with interest from the thirteenth day of February A. D seventeen hundred and ninety two the said Gray first giving Bond with sufficient surety to the Judge of Probate for said County of Suffolk, to account for the same according to Law.

June 11, 1801.

Chapter 12.

RESOLVE ALLOWING PAY TO THE COMMITTEE APPOINTED TO COLLECT AND CONTRACT FOR A NEW EDITION OF THE LAWS OF THE COMMONWEALTH, AND AUTHORIZING THE COMMITTEE ON ACCOUNTS TO ALLOW THEIR ACCOUNTS.

Resolved that there be allowed to Nathan Dane George R. Minot and John Davis Esqrs. a Committee appointed by the Legislature of this Commonwealth To Collect and Contract for a new Edition of the Laws of the Same — at the rate of three Dollars pr. Day for the time they were employed in perfecting the Business assigned them — And the Committee of Accounts are authorised to allow their accounts accordingly. *June 11, 1801.*

Chapter 13.

RESOLVE ON THE PETITION OF BENJAMIN STEWARD AND HANNAH COWDIN, AUTHORIZING THEM TO EXECUTE A DEED TO JOHN LITCH, OF LUNENBURG.

On the petition of Benjamin Steward, & Hannah Cowdin Executrix of the last will & testament of Thomas Cowdin late of Fitchburg Esqr. deceased, praying that the said Hannah, in her capacity aforesaid may be enabled to give a deed of nineteen acres & twelve rods of land to John Litch.

Resolved that Hannah Cowdin Executrix of the last will & testament of Thomas Cowdin late of Fitchburg Esqr. deceased, in her capacity of Executrix as aforesaid be & she hereby is authorized & empowered to make & execute to John Litch of Lunenburg, a good deed of release, of nineteen acres, & twelve rods of land in Lunenburg aforesaid, being the same land that the Said Steward conveyed to the said Thomas Cowdin by deed on the twenty fourth day of August in the year of our Lord one thousand seven hundred & seventy four (as a collateral security) which deed when made & executed by the said Hannah, according to law, shall be as good & sufficient in law as if the same had been made by the said Thomas Cowdin in his life time. *June 13, 1801.*

Chapter 14.

RESOLVE ESTABLISHING THE PAY OF THE LIEUTENANT GOVERNOR, SECRETARY, AND TREASURER.

Resolved that for one year from the last day of May last the sum of Five hundred and thirty three Dollars & thirty three Cents shall be the pay of the Lieutenant Governor to be paid out of the Treasury of this Commonwealth in quarterly payments as the same shall become due.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth to John Avery esqr. Secretary of this Commonwealth Eleven hundred fifty six Dollars and eighteen Cents, which with three hundred forty three Dollars and eighty two Cents which he received in fees before the thirty first day of May last, shall be in full for his services as Secretary as aforesaid for one year from the first day of June 1801, being at the rate of fifteen hundred Dollars per year, to be paid in quarterly payments.

That from the first day of June current there be allowed and paid out of the Public Treasury the sum of fifteen hundred Dollars to the Treasurer & Receiver General of this Commonwealth, for his pay as Treasurer the present year, to be paid in quarterly payments as the same shall become due.

June 13, 1801.

Chapter 15.

RESOLVE ON THE PETITION OF NICHOLAS BOND, THE SECOND, OF SOUTHFIELD, BERKSHIRE COUNTY.

On the Petition of Nicholas Bond the second of Southfield in the County of Berkshire, praying to be released from part of a Judgment of the Supreme Judicial Court, holden at Lenox within and for said County of Berkshire, on the third Tuesday of May last (rendered) against him the said Nicholas, upon a forfeiture of his recognizance, for the sum of five hundred dollars, & Cost — wherein the said Nicholas was bound, for the appearance of one James Robberts of Sandisfield aforesaid, before the Supreme Judicial Court, at their Term of said Court at Lenox aforesaid, on the first Tuesday of October in the year of our Lord one thousand seven hundred & ninety nine.

Resolved that the prayer of said Petition be so far granted, that provided the said Nicholas Bond, do within ninety days pay to the Treasurer of the County of Berkshire aforesaid, the sum of One hundred & fifty dollars in addition to the sum of two hundred & fifty dollars, by him paid on said Judgement, the same shall be received by said Treasurer, for, and to the use of the Common Wealth, in full satisfaction of said Judgement, and all Cost thereon, and said Judgement shall thereupon be discharged.

June 13, 1801.

Chapter 16.

RESOLVE ON THE PETITION OF THE PARISH OF BYFIELD.

Upon the Petition of the Parish of Byfield in the County of Essex, and of sundry Inhabitants of the said Parish.

Resolved, That the said Parish be and are hereby authorised for the reasons set forth in the said Petition to abate all the parish taxes now in arrears, and heretofore assessed upon, Noyes Pearson, Samuel Dummer, Stephen Adams, Stephen Longfellow Jnr., David Pearson, Ebben Pearson, Oliver Goodridge, Caleb Titcomb, Simeon Titcomb, Obadiah Pearson, Richard Dummer Junr., Nathan Longfellow, Josiah Adams, Paul Moody, Stephen Lunt, Enoch Moody, Sewall Moody, William Turner, Israel Turner, John Turner, Israel Adams, William Woodman, Jonathan Wheeler, Shobaul Dummer, provided they pay into the Treasury of the said Parish two seventh parts of the Parish taxes assessed upon them for the year one thousand seven hundred and ninety seven, and all the Parish taxes assessed upon them for the year one thousand eight hundred, within three months from the passing this Resolve.

June 13, 1801.

Chapter 17.

RESOLVE DIRECTING THE ACCOUNTS OF THE GUARDIANS TO THE DUDLEY INDIANS, TO BE LAID BEFORE THE COMMITTEE ON ACCOUNTS, AND DIRECTING ALL OTHER ACCOUNTS OF A SIMILAR NATURE, TO BE LAID BEFORE SAID COMMITTEE.

Whereas the Guardians of the Dudley Indians have laid their accounts of income and expenditures before the General Court for allowance :

Resolved that the Committee appointed to examine & pass upon Accounts against the Commonwealth be and they are hereby empowered & directed to examine and pass upon said Accounts of said Guardians, and make such allowance thereon as they may think reasonable.

And it is further resolved that all accounts of Guardianship of Indians shall in future be exhibited to the Committee, that is or may be appointed to examine & pass upon public accounts, and such committee shall examine and pass upon the same in the same manner as they do on all public accounts.

June 13, 1801.

Chapter 18.

RESOLVE ON THE PETITION OF ELIZABETH SUMNER, AUTHORIZING HER TO CONVEY A CERTAIN LOT OF LAND.

On the Petition of Elizabeth Sumner praying for Power to convey a certain piece of Land to Lucy Bowman.

Resolved That Elizabeth Sumner in the County of Norfolk Widow, be, & the said Elizabeth Sumner is hereby authorized and empowered, to convey a certain Lot of Land situate near Roxbury Street & belonging to the Estate of Increase Sumner late of said Roxbury, Esquire, Deceased; Bounded as follows; Northwardly on the Road; Eastwardly on land improved by the Heirs to the Estate of Nathan Burditt; Southwardly on Joseph Dudleys land; and Westwardly on the School lot; and that said Elizabeth be empowered to execute and convey a Deed of the premises with good and sufficient assurances thereof, unto Lucy Bowman of Roxbury aforesaid, her heirs and assigns forever; and that said piece of Land be struck out of the Inventory of said Increase Sumners Estate.

June 13, 1801.

Chapter 19.

RESOLVE ON THE PETITION OF THE INHABITANTS OF THE TOWN OF LEE, REMITTING A FINE LAID ON SAID TOWN, UPON CONDITION, &c.

On the Petition of the Inhabitants of the Town of Lee in the County of Berkshire, by their Committee.

Resolved, for Reasons set forth in said Petition that the sum of two hundred & seventy dollars & forty cents, being the Proportion said Town stands charged in the State Tax of the present year, exclusive of Representatives pay, be

remitted to said Inhabitants, on condition that the said sum be faithfully collected & expended in repairing the Roads and Bridges in the said Town in addition to the sums raised by the said Town the current Year, for the purpose of repairing Roads & Bridges there — the said Inhabitants producing satisfactory evidence of such collection and expenditure to the General Court at the next Session thereof.

June 13, 1801.

Chapter 20.

RESOLVE ON THE PETITION OF JOSEPH SHAW, OF SANFORD, YORK COUNTY, AUTHORIZING JOANNA NASSON TO EXECUTE A DEED OF THE LAND MENTIONED.

On the Petition of Joseph Shaw of Sanford in the County of York, setting forth that he by a certain writing, dated March 11th 1794, agreed to purchase of Samuel Nasson late of Sanford aforesd. Esquire, a certain tract of Land containing fifty Acres which was set off to him the said Samuel, by a Committee appointed by the Court of Common pleas for the County aforesaid, to divide a quantity of land in Sanford aforesaid, at the easterly end of the lot whereof the said Joseph is now in possession.

That the said Joseph has Actually paid to the said Samuel the consideration therefor, amounting to two hundred dollars according to the agreement aforesaid by him signed, to convey the said tract to him the said Joseph by his deed of sale with warranty, as soon as the said Division should be Accepted by the Court aforesaid but has been prevented by his the said Samuels decease, to execute the deed aforesaid According to his promise.

Therefore Resolved that Joanna Nasson Administratrix to the Estate of the said Samuel be, & she hereby is fully authorized & empowered to make & Execute a good & sufficient deed of the said tract of land with warranty, to the said Joseph his heirs & assigns which shall be considered as valid & effectual in law to convey the said tract to the said Joseph as any Deed thereof would have been if duly executed by the said Samuel in his lifetime according to the agreement aforesaid.

June 13, 1801.

Chapter 21.

RESOLVE ON THE PETITION OF CHARLES STRANGE.

On the Petition of Charles Strange praying for a release of the right of this Commonwealth in his Mothers dower.

Resolved for reasons set forth in said Petition, that all the right & interest of this Commonwealth in & to the reversion of the Dower of Joanna Strange, Widow of John Strange, late of Freetown in the County of Bristol deceased, be and the same is hereby released and acquitted unto the said Charles Strange and to his Heirs & Assigns forever.

June 15, 1801.

Chapter 22.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF PLYMOUTH, AND GRANTING A TAX.

Whereas the Treasurer for the County of Plymouth has laid his Accounts before the General Court in manner prescribed by law; which Accounts are hereby allowed; and whereas the Clerk of the Court of General Sessions of the peace for said County has laid before the General Court an Estimate made by the Court of General Sessions of the peace of the necessary Charges likely to arise within the said County the current year Amounting to the sum of One Thousand Dollars:

Resolved that the sum of One Thousand dollars be and hereby is granted as a Tax for the said County of Plymouth, to be Apportioned, Assessed, Collected and Applied in Manner Agreeable to Law.

June 15, 1801.

Chapter 23.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF BERKSHIRE, AND GRANTING A TAX.

Whereas the Treasurer for the County of Berkshire has laid his accounts before the General Court in manner prescribed by law, which accounts are hereby allowed, and whereas the Clerk of the Court of General Sessions of the peace for said County, has laid before the General Court an Estimate made by the Court of General Sessions of the peace, of the Necessary Charges likely to Arise within the said County the Current year, Amounting to the sum of two Thousand dollars:

Resolved that the sum of two Thousand dollars be and hereby is granted for a Tax for the said County of Berkshire, to be Apportioned, Assessed, Collected and Applied in manner Agreeable to law.

June 15, 1801.

Chapter 24.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF BRISTOL, AND GRANTING A TAX.

Whereas the Treasurer of the County of Bristol has laid his Accounts before the General Court, in manner prescribed by Law, which Accounts are hereby Allowed; and whereas the Clerk of the Court of General Sessions of the Peace for said County, has laid before the General Court an Estimate, made by the said Court of General Sessions of the Peace for the said County of Bristol of the debts due from, and of the necessary charges likely to arise within said County for the present year, Amounting to one Thousand dollars:

Resolved, That the sum of one Thousand dollars, be, and hereby is granted as a Tax for the said County of Bristol, to be Apportioned, collected, and Applied, in manner as the Law directs.

June 15, 1801.

Chapter 25.

RESOLVE ON THE PETITION OF JOHAN C. HAUFF, VICE CONSUL, *PRO TEMPORE*, OF SWEDEN, AUTHORIZING THE ATTORNEY GENERAL TO TAKE MEASURES TO OBTAIN A DECREE OF THE PROBATE COURT, THAT CERTAIN MONEY BE PAID TO THE TREASURER—AND DIRECTING THE SECRETARY TO CAUSE THE ATTORNEY GENERAL TO BE FURNISHED WITH AN ATTESTED COPY OF THIS RESOLVE.

Whereas it hath been represented to the General Court that Elias Norberg otherwise called Elias Newbury formerly of Sweden and a naturalized citizen of the United States of America is now dead intestate, that administration of his goods & effects rights & credits hath been duely committed by the Judge of Probate for the county of Suffolk to Ebenezer Dorr of Boston in the same county merchant — That there is in the hands of the said administrator a large sum of money the Estate of the said Intestate, to which no person has yet entitled himself as next of kin to the said Intestate & that the same money in case of defect of heirs of said intestate doth & will belong to the Commonwealth: Therefore

Resolved that the Attorney General of said Commonwealth be and hereby is authorized & directed to take all due measures to obtain a decree of the said Probate Court

that the same money be paid to the treasurer & Receiver General of the Commonwealth in order that the same may be retained by said Treasurer or Receiver general to and for the use of said Commonwealth untill some person or persons shall be entitled to receive the same as next of kin of the said Intestate or in some other legal way & manner — And also that said Attorney General cause such decree, when obtained to be carried into effect.

And it is further resolved that the Secretary cause the Attorney General to be furnished with an attested copy of this resolution.

June 15, 1801.

Chapter 26.

RESOLVE ON THE PETITION OF WILLIAM EDWARDS, REQUESTING THE GOVERNOR, WITH ADVICE OF THE COUNCIL, TO ESTABLISH A COMPANY OF ARTILLERY IN THE 1ST REGIMENT, 2D BRIGADE, AND 4TH DIVISION OF THE MILITIA.

On the petition of William Edwards praying for leave to establish a Company of Artillery in the first Regiment of the second Brigade, in the fourth Division of the Militia of this Commonwealth.

Resolved that his Excellency the Governor, with advice of Council, be & he is hereby requested to establish a Company of Artillery in the first Regiment, of the second Brigade in the fourth Division of the Militia of this Commonwealth, which company shall be annexed to the Battalion of Artillery in the said second Brigade, subject however to all such rules, regulations, & restrictions, as are or may be provided by Law, for regulating and governing the Militia of this Commonwealth.

June 15, 1801.

Chapter 27.

RESOLVE GRANTING MONEY TO THE COMMISSIONERS APPOINTED TO SETTLE THE BOUNDARY LINES BETWEEN THIS COMMONWEALTH AND THE STATES OF CONNECTICUT AND RHODE ISLAND.

Resolved That the Commissioners on the part of [of] this Commonwealth for ascertaining the boundary lines between said Commonwealth and the States of Connecticut and Rhode Island be and they hereby are respectively authorized to employ suitable persons as surveyors together with necessary assistants and chainmen on behalf of said

Commonwealth to run said lines respectively in conjunction with such artists as may be employed for the same purposes on the part of said States respectively *Provided* said Commissioners shall respectively deem it expedient so to do.

Resolved That there be paid out of the Treasury of this Commonwealth into the hands of said Commissioners respectively such sums as his Excellency the Governour with advice of Council may think proper; not exceeding five hundred dollars to each board of Commissioners to enable them to defray the immediate expences of running and establishing said lines. Said Commissioners respectively to be accountable for the proper application of such money And his Excellency is hereby requested to draw his warrants on the Treasurer for the foregoing purposes.

June 15, 1801.

Chapter 28.

RESOLVE ON THE PETITION OF RUFUS DAVENPORT AND RICHARD D. TUCKER EMPOWERING THE JUDGE OF PROBATE TO EXTEND THE COMMISSION FOR EXAMINING THE CLAIMS OF CREDITORS TO THE ESTATE OF BENJAMIN R. WELCH.

On the Petition of Rufus Davenport and Richard D. Tucker, in behalf of Messrs. Vn. Hemert and Company, Burghers and Merchants of the city of Copenhagen in the kingdom of Denmark praying that the Judge of Probate for the County of Suffolk may be empowered to extend the Commission for examining the claims of creditors to the estate of Benjamin R. Welch, late of Boston in said County of Suffolk, Merchant, that the said Vn. Hemert and Company may be enabled to exhibit & prove their claim against said estate.

Resolved, for reasons set forth in said Petition, that the said Judge of Probate for the County of Suffolk be and he hereby is empowered to extend the said Commission for receiving and examining the claims of creditors to said estate, for the term of three months from the twelfth day of May last past, that the said Vn. Hemert and Company may be enabled to exhibit & prove their said claim, any law of limitation to the contrary notwithstanding.

June 16, 1801.

Chapter 29.

RESOLVE ON THE PETITION OF THE WIDOW AND HEIRS OF THOMAS RUSSELL, ESQ. DECEASED, EMPOWERING JOHN LOWELL, ESQ. TO CONVEY BY DEED, ALL REAL ESTATE HELD IN TRUST FOR JOHN LANE AND THOMAS FRASER.

On the petition of the widow & heirs of Thomas Russell Esqr. deceased.

Resolved that John Lowell Esqr. administrator of the Estate of Thomas Russell late of Boston in the county of Suffolk Esqr. deceased, he & he hereby is authorized, & empowered to convey by deed, or deeds duly executed, all such real Estate, within this Commonwealth as the said Russell held in trust for John Lane & Thomas Fraser, & all such as he held as security for debts due to him, from said Lane & Fraser, unto any person, or persons to whom the said Lane & Fraser, or their assigns shall direct the same to be conveyed.

June 16, 1801.

Chapter 30.

RESOLVE ALLOWING THE ACCOUNTS OF THE TREASURER FOR THE COUNTY OF KENNEBECK, AND GRANTING A TAX.

Whereas the Treasurer of the County of Kennebec has laid his Accounts before the General Court in manner prescribed by Law ; which Accounts are hereby allowed —

And the Clerk of the Court of General Sessions of the Peace for said County of Kennebec having laid before the General Court an Estimate made by the said Court of General Sessions of the Peace for the said County, of the Debts due from, and the necessary charges likely to arise within the said County the present year, amounting to Three Thousand Eight Hundred Eighty two Dollars & seventy Cents :

Resolved that the Sum of Three Thousand Eight Hundred Eighty two Dollars & seventy Cents, be and hereby is granted as a Tax for said County of Kennebec, to be apportioned, assessed, collected and applied for the purposes aforesaid, in manner as the Law directs.

June 16, 1801.

Chapter 31.

RESOLVE ON THE PETITION OF DAVID HOWE, ESQ. AUTHORIZING THE QUARTER MASTER GENERAL TO PROCURE, BY PURCHASE, A SUITABLE PIECE OF LAND IN THE TOWN OF CASTINE, FOR A GUN-HOUSE.

On the Petition of David Howe Esquire praying that a Gunhouse the property of this Commonwealth may be removed from his land in Castine.

Resolved that the Quartermaster General of this Commonwealth be authorized & directed to procure for this Commonwealth by purchase or otherwise a suitable piece of land in the town of Castine to put said Gunhouse upon & that the said Quartermaster General cause said Gunhouse to be removed on to such land when the same shall be conveyed to this Commonwealth. *June 16, 1801.*

Chapter 32.

RESOLVE ON THE PETITION OF DANIEL CURRIER AND OTHERS PROPRIETORS AND OWNERS OF PEWS IN THE MEETING-HOUSE BELONGING TO THE EAST PARISH IN AMESBURY.

On the petition of Daniel Currier and others proprietors and owners of pews in the Meeting house belonging to the East Parish in Amesbury in the County of Essex, praying to be authorised and impowered to raise by a Tax on the several pews in said Meeting house, a sum of money, not exceeding six hundred Dollars towards repairing the same.

Resolved that the said Daniel Currier be and hereby is authorised and impowered to notify and warn the proprietors and owners of pews in the Meeting house aforesaid, to assemble and meet in said Meeting house, by posting up written notifications thereof at said Meeting house, and at the West Parish Meeting house in Salisbury, ten days at least previous to said Meeting, expressing therein the business to be transacted — and the said Proprietors and Owners when so met, are hereby authorised by a major vote of the number present, to choose a Moderator, and Clerk of said Meeting, who shall be sworn to make a true record of the proceedings thereof — also to choose Assessors whose duty it shall be after being sworn, to number, appraise and value the pews in said Meeting house, according to their rank and situation, and

to tax the same according to their appraisement, to the amount of the sum said proprietors and owners may vote at the Meeting to be held as aforesaid to be raised by a Tax on said pews not exceeding six hundred Dollars, which they are hereby authorised to vote to be raised — also to choose a Committee to act in conjunction with a Committee of the parish, to lay out an equal sum of money to be raised by said Parish to repair said Meeting house — also at said Meeting to choose a Collector, to collect and pay to said Committee, the Tax which shall be assessed, and committed to him by the assessors aforesaid, to be applied as aforesaid — and if any proprietor or owner of any pew or pews aforesaid, shall neglect or refuse to pay the sum or sums he or they may be so assessed, for the space of thirty days after being notified thereof by said Collector, either in person, or by posting up the sum on the inside of the pew door — then the Committee aforesaid in such case, is hereby authorised to sell at public vendue to the highest bidder, such a part of said pew or pews on which the tax shall have been assessed as aforesaid, and not have been paid, as will be sufficient to discharge the said Tax and all reasonable charges — and to execute a sufficient Deed thereof to the purchaser, first giving public notice of such sale thirty days at least in the Impartial Herald printed at Newbury port — and reserving liberty for the Proprietors and owners of the pew or pews so sold, to redeem the same, by paying the sum or sums they may have been assessed as aforesaid, with reasonable charges, in one year from the time of such sale.

June 16, 1801.

Chapter 33.

ORDER APPOINTING A COMMITTEE TO RECEIVE THE RETURNS OF THE ASSESSORS WITHIN THIS COMMONWEALTH, OF THE RATEABLE ESTATE OF THE SAME, TO MEET IN BOSTON IN NOVEMBER NEXT, AND DIRECTING THE SECRETARY TO PUBLISH THIS RESOLVE.

Ordered that there be appointed a joint Committee of thirty nine members, ten whereof to be appointed by the Senate if they see fit from their own body, so that there be not more than one who shall reside in any one County, and the remainder to be appointed by the House of Representatives from their own body, so that there be

not more than four members including those of both branches, who shall reside in any one of the following Counties, viz. Essex, Middlesex, Hampshire, and Worcester not more than three in the County of Suffolk and not more than two in any one of the following Counties, viz. Norfolk, Plymouth, Bristol, Barnstable, including Dukes County and Nantucket, York, Berkshire, Cumberland, Lincoln, and Kennebeck, and not more than two in the Counties of Hancock and Washington, who shall sit in the recess of the General Court, in order to receive the returns of the Assessors of the several towns, districts, & plantations within this Commonwealth, of the polls and estates within the same, agreeable to an act passed at the last Session of the last General Court, entitled, “An Act for ascertaining the rateable estate within this Commonwealth.”

And the said Committee shall be hereby authorised, and it is hereby made their duty to examine and consider said returns and equalize the same according to their best understanding and discretion, and shall estimate the polls therein contained of sixteen years old & upwards, excepting paupers, at the rate of two milles on the sum of One Thousand Dollars, and shall estimate all the estate therein contained at the rate of six p centum on its value, excepting woodland, and unimproved lands, which they shall estimate at two p centum only on its value: and *provided* that if any such assessors shall neglect to make a true return as aforesaid and conformable to said act, said Committee shall ascertain the polls & estates, which ought to have been returned agreeable to the best information, they can obtain respecting the same, and shall thereupon proceed to estimate and equalize the same as aforesaid, and shall also make an addition thereto of twenty five p centum on the amount thereof; and said Committee shall be authorised to take such measures, as they may think proper to correct any informal, imperfect, or erroneous returns: and said Committee shall meet at the State House in Boston, on the first wednesday of November next, in order to proceed on the objects of their appointment, and shall make report of their doings therein, as early as may be in the next session of the General Court.

And the Secretary is directed to cause this Order to be published in every County of the Commonwealth where newspapers are published.

In Senate — Read and concurred and the hon. James Bowdoin for the County of Suffolk, Enoch Titcomb for Essex, Aaron Hill for Middlesex Hugh McLellan for Hampshire, Thomas Hale for Worcester, Beza Hayward for Plymouth, Simon Frye for York, Tomson J. Skinner for Berkshire, John Ellis for Norfolk, Nathaniel Dummer Esqr. for Lincoln, Kennebeck, Hancock & Washington Counties are appointed on the part of the Senate.

In the House of Representatives — Read & concurred & Mr. Austin of Boston & Mr. Rice of Hingham for the County of Suffolk — Mr. Pickman of Salem — Mr. Wade of Ipswich — & Mr. Thurston of Bradford for Essex — Mr. Hoar of Lincoln Mr. Heald of Pepperell & Mr. Hall of Medford for Middlesex Mr. Taylor of Westfield — Mr. Porter of Hadley & Mr. Field of Greenwich for Hampshire — Mr. Whitman of Pembroke for Plymouth Mr. Wells, of Wells for York — Mr. Green of Barnstable & Mr. Coffin of Nantucket for Barnstable, Dukes County & Nantucket Mr. Whitmarsh of Dighton & Mr. Slocum of Dartmouth for Bristol — Mr. Kendall of Leominster — Mr. Marsh of Douglas and Mr. Gregory of Royalston for Worcester — Mr. Ives of Great Barrington for Berkshire — Mr. Allen of New Gloucester & Mr. Lewis of Gorham for Cumberland — Mr. Hill of Georgetown & Mr. Payson of Pownalboro — for Lincoln — Mr. Robbins of Milton for Norfolk Mr. Chandler of Monmouth for Kennebec — Mr. Leonard of Orrington & Mr. Kinsley of Hampden for Hancock & Washington are appointed on the part of the House.

June 16, 1801.

Chapter 34.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF MIDDLESEX, AND GRANTING A TAX.

Whereas the treasurer of the County of Middlesex has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed; & the clerk of the Court of general sessions of the peace for said County has laid before the general Court an Estimate made by the court of general sessions of the peace for said County of the necessary charges likely to arise within the same within the present year, amounting to six thousand one hundred & sixty dollars:

Resolved, that the sum of six thousand one hundred &

sixty dollars be & hereby is granted as a tax for said County of Middlesex to be apportioned, assessed, collected, and applied in manner as the law directs.

June 16, 1801.

Chapter 35.

RESOLVE ON THE PETITION OF JOSEPH CHALLIS, AUTHORIZING THE EXECUTORS AND ADMINISTRATORS ON THE ESTATE OF JEDEDIAH PREBLE TO EXECUTE A DEED OF THE LOT OF LAND MENTIONED.

On the Petition of Joseph Challis of Portland in the County of Cumberland blacksmith praying that the Executors or Administrators on the Estate of Jedediah Preble late of said Portland Esqr. deceased, may be empowered to execute a deed or conveyance to the said Challis of a certain lot of land in said Portland, lying and fronting on Main-Street, in said town, beginning at the westerly end of the widow Ester Woodbury's house and running thence, westerly on said street thirty two feet and to carry that breadth across the lot adjoining the said Woodbury's lot, to the other road, being about three or four rods which deed the said Jedediah, while living promised to make and execute to him the said Challis.

Resolved that the Executors or Administrators on the Estate of the said Jedediah Preble be and hereby are authorised to make and execute to the said Challis the deed aforesaid—and the Executors or administrators shall thereby be discharged from all responsibility for the same.

June 17, 1801.

Chapter 36.

RESOLVE FOR THE APPOINTMENT OF ANOTHER COMMISSIONER TO BE ADDED TO THE COMMISSIONERS TO ASCERTAIN THE BOUNDARY LINE BETWEEN THIS COMMONWEALTH AND THE STATE OF RHODE ISLAND.

Whereas by a Resolve passed in March last the Honorable Edward H. Robbins and Nicolas Tillinghast Esquires were appointed Commissioners on the part of this Commonwealth to ascertain the Boundary line between the same and the State of Rhode Island; and whereas the said State of Rhode Island on their part have appointed Three Commissioners with certain Powers for the purpose aforesaid: Therefore

Resolved that another Commissioner on the part of this Commonwealth be added to the Commissioners before named, who shall be commissioned in the same manner as they are or may be by force of said Resolve — and all the Powers thereby vested in the two Commissioners before named shall be and hereby are vested in the three Commissioners aforesaid.

June 17, 1801.

Chapter 37.

RESOLVE ON THE PETITION OF SYBIL VINTON, OF GRANBY.

On the Petition of Sybil Vinton of Granby in the County of Hampshire praying to be empowered to convey all the right & title of Abigail Brewer Isaac Brewer Lyman Brewer & Clarissa Brewer minor children of Isaac Brewer late of Ludlow in said County & all the right of the only child of Polly Fuller the late wife of Joshua Fuller of said Ludlow the said child being an Infant, & grandchild of the said Isaac deceased in & unto a certain tract of land lying in Ludlow aforesd. being part of lots No. 102 No. 103 & No. 104 & bounding westwardly on the inward Commons so called and extending eastwardly one mile the whole width of said Lots excepting one quarter in width of said Lot No. 102.

Resolved for reasons set forth in said Petition that the said Sybil Vinton be & she is hereby empowered to make & execute to Nathaniel Talmage of said Ludlow his Heirs & Assigns good & sufficient Deed or Deeds of the same Land thereby conveying all the right & title of the said minor children & of the said grandchild of the said Isaac Brewer deceased & that such deed or deeds be good & effectual in Law for that purpose.

June 17, 1801.

Chapter 38.

RESOLVE ON THE PETITION OF GILBERT WATKINS.

On the Petition of Gilbert Watkins.

Resolved for Reasons set forth in said Petition that two Executions which issued on the thirteenth day of October last upon two Judgments rendered by the Supreme Judicial Court in the County of Berkshire, in favour of the Commonwealth, viz. one of said Judgments against Gershom Legg & the other against Mark Watkins, be & the same hereby are so far suspended as that the said Executions or either of them shall not be levied or extended

upon the lands in said Petition mentioned until after the rising of the next Session of the General Court — and that the further consideration of the subject matter of said Petition be referred to the next Session of the General Court.

June 18, 1801.

Chapter 39.

RESOLVE REMITTING THE FINES ON THE TOWNS OF DUNSTABLE AND TYNGSBORO', FOR NOT SENDING REPRESENTATIVES.

Whereas the towns of Dunstable & Tyngsboro' were fined for not sending a Representative to the General Court in the year of our Lord one thousand seven hundred and ninety nine :

Resolved for reasons set forth by representations from said towns that said fine be remitted and the said towns are hereby discharged from paying the same any resolve or order to the contrary notwithstanding and that if any part of said fine has already been assessed and paid into the Treasury the money so paid shall be reimbursed out of the Treasury to the inhabitants of said towns who may have paid the same respectively. And his Excellency the Governour is requested to draw his warrant for the payment thereof accordingly.

June 18, 1801.

Chapter 40.

RESOLVE ON THE PETITION OF JAMES FOSTER, JR. GRANT TO.

On the Petition of James Foster Junr.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth to James Foster Junr. Clerk in the Treasurers Office, Two Dollars & seventy-five Cents p day, during the time he has been, or may be actually employed in said service, for Twelve Months from the Twenty seventh day of September 1800.

June 18, 1801.

Chapter 41.*

RESOLVE ON THE PETITION OF THOMAS HEWES AND JOHN CUSHING, OF BOSTON.

On the petition of Thomas Hewes & John Cushing, praying for an extension of the time, to perform certain

* Chapters 41 to 48 inclusive, wrongly chaptered 61 to 68 inclusive, in session pamphlet.

settlement duties in a township of land in the County of York.

Resolved for the reasons set forth in said petition, that two years shall be allowed to the said Hewes & Cushing, or their assigns, in addition to the periods originally granted, for completing the settlement required by the Contracts for said townships, upon township No. 5 in the 5th range, West of Bingham's purchase, and East of the line of New Hampshire; *provided* the said Hewes & Cushing, shall on or before the fifteenth day of July next, complete their payment of the purchase money, & the Interest accruing thereon, agreeable to the terms of the Contract for the said township.

June 18, 1801.

Chapter 42.

RESOLVE ON THE PETITION OF DAVID FLEEMAN. GRANT TO.

On the Petition of David Fleeman praying for an allowance for an Injury he sustained in the militia service on the 2d day of October 1798.

Resolved, that there be allowed & paid out of the Treasury of this Commonwealth the sum of sixty Dollars to the said David Fleeman, which shall be in full for his suffering as aforesaid.

June 18, 1801.

Chapter 43.

RESOLVE ON THE PETITION OF WILLIAM CLAP, AUTHORIZING THE COMMISSIONERS APPOINTED BY THE JUDGE OF PROBATE TO EXAMINE AND ALLOW THE CLAIMS OF THE CREDITORS AGAINST THE ESTATE OF JAMES TISDALE, LATE OF BOSTON.

On the petition of William Clap Representing that he is one of the creditors to the Estate of James Tisdale late of Boston in the said Commonwealth merchant deceased, represented Insolvent, & praying for an extension of the term prescribed by Law for the examination & allowance of claims against said Estate.

Resolved that at any time from and after the passing of this resolve untill the expiration of three calender months, the Commissioners appointed by the Judge of Probate for the County of Suffolk be and hereby are authorised & required to examine & allow the claims of Creditors against said Estate, in the same way and manner as if the term prescribed by Law in such cases had not expired.

June 19, 1801.

Chapter 44.

RESOLVE GRANTING PAY TO THE CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES—ONE HUNDRED AND FIFTY DOLLARS EACH.

Resolved That there be allowed and paid out of the public Treasury to Mr. George E. Vaughan Clerk of the Senate One hundred & fifty Dollars & to Henry Warren Esq. Clerk of the House of Representatives One hundred & fifty Dollars on account of their services as Clerks aforesaid for the present year, they to be accountable for the same respectively.

June 19, 1801.

Chapter 45.

RESOLVE GRANTING FORTY SIX DOLLARS TO THOMAS WALLCUT.

Resolved that there be allowed & paid out of the Public Treasury to Thomas Wallcut Assistant Clerk of the House of Representatives Forty six Dollars in full for his services the present session including two days writing done previous to the Session.

June 19, 1801.

Chapter 46.

RESOLVE DISCHARGING THE COMMITTEE FOR THE SALE OF EASTERN LANDS FROM ANY FURTHER SERVICE, AND OF A CERTAIN SUM OF MONEY; AND APPOINTING THE HON. JOHN READ, AND PELEG COFFIN, ESQ. AGENTS TO FULFIL THE BARGAINS AND CONTRACTS ALREADY MADE, UNTIL FURTHER ORDER.

Resolved That the Committee for the sale of Eastern lands, be and they hereby are discharged from any further service, and that they be discharged from the sum of three Thousand nine hundred and fifty five Dollars & sixteen Cents; which they have received since rendering their last Account; and after deducting seventy nine dollars and ten Cents for their Commissions, have paid to the Treasurer of the Commonwealth.

And be it further, Resolved, That John Read and Peleg Coffin Esqrs. be and they hereby are appointed Agents for this Commonwealth, and they are Authorized and empowered, untill the further order of the General Court, to fulfill & perform all the Bargains & Contracts which have been made by said Committee pursuant to the powers granted them by the General Court, and to make and

execute the necessary conveyances for that purpose; and they are vested with all other powers which said Committee possessed before the passing of this Resolve.

June 19, 1801.

Chapter 47.

RESOLVE GRANTING TWO HUNDRED DOLLARS TO JACOB KUHN.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth to Jacob Kuhn, two hundred Dollars for the present year, commencing the 30th of May last, to be in addition to the sum allowed him by a resolve March 26, 1793 establishing the pay of the Messenger of the General Court.

June 19, 1801.

Chapter 48.

RESOLVE GRANTING PAY TO THE COMMITTEE ON ACCOUNTS.

Resolved that there be paid out of the Public Treasury of the Commonwealth to the Committee appointed to examine & pass on accounts for their attendance on that service, during the present Session, the sums annexed to their names in addition to their pay as Members of the Legislature viz. To the Honorable Isaac Thompson Esq. for sixteen days attendance eight dollars To the Honorable Thomas Hale Esq. for sixteen days attendance eight dollars — To Saml. P. Russell Esq. for sixteen days attendance eight dollars to Timothy Jackson Esq. for fourteen days attendance seven dollars To Ezra Starkweather Esq. for ten days attendance five dollars — which sums shall be in full for their services aforesaid.

June 19, 1801.

Chapter 49.

RESOLVE GRANTING MONEY FOR FUEL, &c. TO JACOB KUHN.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth to Jacob Kuhn, Messenger of the General Court, the sum of eight hundred dollars, to enable him to purchase fuel & such other articles as may be necessary for the use of said Court, and the Committee on the valuation during the recess, he to be accountable for the expenditure of the same.

June 19, 1801.

Chapter 50.

RESOLVE ON THE PETITION OF ABEL BOYNTON, DIRECTING THE SECRETARY TO CERTIFY THE RESPECTIVE BALANCES DUE TO HUGH WADSWORTH AND THOMAS WILLIAMS, SOLDIERS IN THE LATE CONTINENTAL ARMY.

On the petition of Abel Boynton Administrator of the Estates of Hugh Wadsworth and Thomas Williams late Soldiers in the Continental Army, praying that the balances of Wages due to them may be paid him.

Resolved that the Secretary of the Commonwealth be and he hereby is directed to certify to the Governor and Council the respective ballances due to said Wadsworth & Williams deceased, who were soldiers in Colo. Shepards Regiment in the Continental Army.

And the Treasurer, on receiving a warrant therefor is hereby directed to Issue a Note conformable to the law providing for the Debt of this Commonwealth for the Amount of the principal and Interest due to the Estate of said Wadsworth & Williams, said Note to be made payable to said Abel Boynton as Administrator to the Estates of said Deceased persons. *June 19, 1801.*

Chapter 51.

RESOLVE GRANTING PAY TO THE ASSISTANT CLERK OF THE SENATE.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth to Nathaniel Coffin, assistant Clerk of the Senate, the sum of seventy two Dollars in full for his services the present Session of the General Court. *June 19, 1801.*

Chapter 52.

RESOLVE ON THE PETITION OF SIMON DEARBORN AND OTHERS.

On the petition of Simon Dearborn, and others, praying for a grant of lands for the support of a free grammar School, in the town of Monmouth, in the County of Kennebeck.

Resolved, that in consideration of the particular circumstances attending the settlement of said town, & other Towns in the Neighbourhood; when it shall be made to appear to this Court, that the petitioners with other of

the adjoining Towns have raised a fund of Fifteen hundred Dollars, for the purpose of supporting a Free Grammar School in said town of Monmouth, this Court will grant an Act of Incorporation; and if the same be fulfilled & accomplished within two years from the date of this Resolve, this Court will grant to the Trustees of said free Grammar School, Fifteen hundred acres of any of the unappropriated lands of this Commonwealth, in the District of Maine, excepting the ten Townships upon Penobscot River purchased of the Indians, for an additional support to the said Free School forever.

June 19, 1801.

Chapter 53.

RESOLVE ON THE PETITION OF THE ATTORNEY GENERAL ON THE CONTRACT OF HENRY JACKSON AND ROYAL FLINT.

Resolved, that the Attorney General be, and he hereby is authorised, in behalf of the Commonwealth, to release or cancel the contract made on the eighteenth day of April one thousand seven hundred & ninety two, between Samuel Phillips, Leonard Jarvis and John Read, a major part of the Committee for the sale of unappropriated lands in the eastern parts of this Commonwealth, in behalf of the Commonwealth, of the first part, and Henry Jackson & Royal Flint, of the second part, for the sale of a tract of land therein described, on terms therein expressed, provided the said Jackson & Flint, in person or by their Attorney, or Attorneys therto lawfully authorized, or their executors or administrators, shall, within six months from the date of this Resolve, on their part, mutually release or cancel the said contract, and release to this Commonwealth all claim and demand on account of any money paid on said contract.

And it is further Resolved, that if the said Jackson & Flint or their Executors, or Administrators shall not, within six months from the date of this Resolve, release or cancel said contract on their part, and release all demand on account of money paid on said contract as aforesaid, the Attorney General is hereby directed to institute a suit, in behalf of the Commonwealth, against said Jackson & Flint or their Executors or Administrators, on their Bond, of the date aforesaid, of said contract, in the penal sum of five thousand dollars, conditioned for the performance of said contract.

June 19, 1801.

Chapter 54.

RESOLVE ON THE PETITION OF JOSEPH WILLARD AND OTHERS, AGENTS FOR THE ACADEMY OF ARTS AND SCIENCES, AND JAMES SULLIVAN AND OTHERS, AGENTS OF THE MASSACHUSETTS HISTORICAL SOCIETY, GRANTING THE COPY-RIGHT OF THE COPPERPLATES ENGRAVED FOR THE MAPS OF THIS COMMONWEALTH, WITH A PROVISIO.

Resolved that the Copper plates engraved for the Maps of this Commonwealth, be and hereby are granted to the Academy of Arts and Sciences, and to the Massachusetts Historical Society, together with the Copy right of printing publishing and vending the same at the expence of said Societies, for the term of fourteen years from the passing of this Resolve — the profits arising therefrom, to be equally divided between said Societies, and applied by them, for the benefit of their respective institutions, as they shall judge best, for the advancement of Science and the reputation of their Country.

Provided that the said Societies shall order first to be struck off from the plates aforesaid, four hundred setts of Maps for the use of the Commonwealth, to be disposed of, as the Legislature shall hereafter direct — and after having the same pasted on Cloth of the same kind with those before provided for the use of this State — shall deliver the same to the Secretary of this Commonwealth, on or before the first day of January next — and as soon as said four hundred setts of Maps, shall be completed and delivered as aforesaid, the Governor with the advice of the Council, is hereby authorised to draw his Warrant on the Treasurer for payment of the same, at the first cost of the paper, printing, Cloth and pasting as aforesaid.

June 19, 1801.

Chapter 55.

RESOLVE MAKING PROVISION TO CARRY INTO EFFECT A RESOLVE, PASSED THE FOURTH OF MARCH LAST, RESPECTING THE GRANT OF LANDS, OR MONEY IN LIEU THEREOF, TO CERTAIN SOLDIERS OF THE LATE CONTINENTAL ARMY THEREIN DESCRIBED, DIRECTING THE SECRETARY AND TREASURER IN THIS CASE, WITH DIRECTIONS TO PUBLISH THIS RESOLVE.

Whereas further legislative provision appears necessary to carry into effect a resolve passed the 4th day of March

last respecting the grant of Lands or money in lieu thereof to certain persons therein discribed: Therefore,

Resolved, That all persons claiming land or money by virtue of that or this present resolve, and applying therefor within the time therein limited, shall produce to the Secretary and Treasurer, of the Commonwealth, such evidence as to them shall appear satisfactory that the respective claimants as aforesaid are the persons discribed or intended in said resolve. And the said Secretary & Treasurer shall certify the number and discription of Persons applying or claiming as aforesaid to the General Court, on the first Tuesday of the next Session thereof, and also on the first Tuesday of every Subsequent Session, untill the time limited for claiming as aforesaid shall have expired.

SECTN. 2. *And be it further resolved*, that the Governor with advice of Co[u]ncil is requested, as soon as may be, to appoint some suitable person or persons, to survey or cause to be surveyed, and laid out into two hundred acre Lots, the land discribed in said Resolve, or so much thereof as shall appear to be necessary, at the expence of the Commonwealth, which Survey, with the plan thereof, shall be returned & lodged in the Secretarys Office.

SECT. 3D. *And be it further resolved*, that the Lots surveyed as aforesaid, shall be assigned to the several persons, claiming and being entitled to the same as aforesaid, by the Secretary & Treasurer, in such manner as they shall deem most conformable to the spirit & meaning of said Resolve of the 5th of March.

SECT. 4. *And be it further resolved*, that the Governor with the advice & consent of Council is hereby authorized to draw a warrant on the Treasurer, for the sum of twenty Dollars in favor of any such claimant, who may elect to receive the same in full satisfaction of his or her Claim to the benefits of the former and this Resolve, and the Treasurer is hereby authorized to borrow a Sum not exceeding twenty thousand Dollars, of the Union Bank if necessary, for the purpose of carrying into Effect the object of this & the aforesaid resolve.

SECTN. 5. *And be it further resolved*, that it shall be the Duty of the Secretary & Treasurer to keep a record of the names & places of abode, and such other material Circumstances, relating to the several Claimants, as shall be deemed necessary, to obviate all disputes respecting

the Justice of their Claims, and to issue a Certificate in favor of each and every Person whose Claim as aforesaid shall appear to be good and valid, which Certificates subscribed by said Secretary & Treasurer, shall be received by the Governor & Council, as the only proper Evidence, to entitle the Holder thereof to the benefits of the present, or former resolve. And the Secretary is directed to publish this Resolve in such Newspapers printed in this Commonwealth as his Excellency the Governor may direct, six weeks successively, directly after passing the same.

June 19, 1801.

Chapter 56.

ROLL NO. 45.

The Committee on Accounts, having examined the accounts they now present ;

Report, that there are due to the corporations and persons hereafter mentioned, the sums set to their names respectively, which, if allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned.

Which is respectfully submitted,

ISAAC THOMSON *Per Order.*

Pauper Accounts.

	Dolls. Cts.
To the town of Adams for supplies to Elizabeth Blakeley for her son Freeman to May 21st 1801	70 50
To the town of Amesbury for boarding cloathing and doctoring Jonathan Sidwell to May 18th 1801	68 45
To the town of Abington for supplies for Margaret Benner to January 1st 1801	39 40
To the town of Brookfield for boarding, cloathing, and doctoring Luke Finny & wife and Cato Kinn to May 1st 1801	48 53
To the town of Belchertown for boarding cloathing and nursing Betty Demmon to May 27th 1801	27 50
To the town of Becket for boarding, cloathing and doctoring Thomas Gabriel to February 5th 1801	17 45
To the town of Barre for boarding & cloathing Christian Dandrick to May 21st 1801	60
To the town of Boston for supporting sundry paupers from November 30th 1800 to June 1st 1801 viz Overseers account	2630.86
Board of Health's account for boarding doctoring and nursing and other expences for sundry paupers on Hospital Island to February 19th 1801	234 62
	} 2865 48

	Dolls. Cts.
To John Bond for doctoring sundry paupers in Newburyport to March 10th 1801	6 64
To the town of Cape-Elizabeth for boarding and cloathing Betty Carroll and supplies for James Ramsbottom to May 12th 1801	99 44
To the town of Concord for boarding William Shaw to June 6th 1801	26
To the town of Cheshire for boarding & cloathing Ephraim Richardson & supplies for Rachel Graham to May 23d 1801	117 14
To the town of Conway for supplies and doctoring for John Allen and family to May 16th 1801	32 78
To the town of Charlemont for boarding & [and] doctoring Dennis Kennedey to May 21st 1801	21
To the town of Coldrain for boarding and doctoring Rachel Carr to January 1st 1801 and William Wilson to May 21st 1801	85 3
To the district of Carlisle for boarding and cloathing Robert Barber and Matthew Jemmerson to June 6th 1801	43 10
To William Caldwell keeper of the house of correction in Portland for boarding Ebenezer Varnum to November 1st 1799	55 99
To William Coffin for doctoring sundry paupers in the town of Gloucester to May 31st 1800	80
To the town of Douglass for supplies for Poladore Dixon to May 25th 1801	20 85
To the Plantation of Ducktrap for boarding cloathing, doctoring, and nursing Issabella Woodbery to May 20th 1801	86
To the town of Dover for boarding, cloathing, and nursing Patrick Cowen to June 8th 1801	24 23
To the town of Franklin for boarding and cloathing Alexander Reed to May 26th 1801	93 7
To John Fleet junr. for doctoring the States poor in the Alms-House and in the town of Boston to May 15th 1801	400
To Constant Freeman keeper of the Alms-House in Boston to June 1st 1801	203 26
To the town of Gill for boarding Peter Mange to May 14th 1801	18 72
To the town of Great-Barrington for boarding and cloathing Isaac Hoose, Catharine Hoose, Mary Hoose and Tom a negro to May 31st 1801	72 25
To the town of Granby for boarding, cloathing, and doctoring Ebenezer Darwin & John Murry to May 25th 1801	79 91
To the town of Greenfield for boarding, cloathing and doctoring John Battis & Eunice Converse to May 28th 1801	52 16
To the town of Gloucester for supporting sundry paupers to May 10th 1801 including funeral charges for John Blatchfield,	777 82
To Josiah Gilman for doctoring sundry paupers in the town of York to March 26th 1801	17 3
To Joseph Hodgkins keeper of the house of correction in Ipswich, County of Essex, for boarding and cloathing sundry paupers to June 7th 1801 including the allowance made by the Court of Sessions to March 7th 1801	565 28
To Oliver Hartshorn for dieting sundry poor debtors in Boston Gaol to June 10th 1801	58 12

	Dolls. Cts.
To Stephen Hsley for taking an inquisition on the body of Thomas Perkins at Newbury February 16th 1801 including Constable and Juror fees	20 51
To John Kittredge for doctoring sundry paupers in the town of Newburyport to June 2d 1801	83 6
To the town of Leyden for supplies & doctoring Jedediah Fuller & family to May 23, 1801	25 35
To the town of Lunenburg for boarding, cloathing, and doctoring John Kelley to June 1st 1801	21 5
To the town of Mendon for boarding & cloathing Robert Ellison to May 25th 1801	61 87
To the town of Medfield for boarding, cloathing, doctoring and nursing Michael Runnels to May 6th 1801	7 70
To the town of Milton for supporting Thomas Webster to June 2d 1801 including an omission of ten dollars in the last Roll	80
To the town of North-Hampton for boarding & supplies for Nancy McMullen, Sammel Green, Patience Davis & house rent for John Ellis to June 1st 1801	63 98
To the town of Newbury for boarding, cloathing, doctoring and nursing sundry paupers to June 1st 1801 including funeral charges	372 99
To the town of Newburyport for boarding cloathing and nursing sundry paupers to June 1st 1801 including funeral charges	759 19
To the town of Plympton for supplies for Simon Brow and Hannah Mitchell to March 1st 1801 including doctors bill	83 12
To the town of Palmer for boarding & cloathing William Menden to May 23d 1801	27 42
To the town of Pittsfield for boarding Molly Welsh to May 11th 1801	14 25
To the town of Royalston for boarding & cloathing Joshua Capron to April 4th 1801	8 43
To the town of Richmond for boarding, doctoring, and nursing Peggy Smith to her death including funeral charges	62 63
To the town of Swanzey for boarding & cloathing Fenner Pearce and three illegitimate children to May 22d, Easter Church to May 23d and Deborah Blinksins to May 25th 1801	76 54
To the town of South-Hadley for supplies for Peter Pendergrass to May 19th 1801	14 26
To the town of Shelburne for boarding Francis Lestor to May 4th 1801	75
To the town of Stoneham for boarding William Barton to June 10th 1801	31
To the town of Salem for boarding and cloathing sundry paupers to June 2d 1801	791 50
To Benjamin Turner for doctoring Caesar Schyler in the town of Milton to June 1801	13 24
To the town of Uxbridge for boarding & cloathing Betty Trifle and David Mitchell to May 25th 1801	45
To the town of Western for boarding, cloathing, doctoring, and nursing William Johnson to May 27th 1801 and Nancy his wife to her death, including funeral charges	64 50

	Dolls. Cts.
To the town of West Springfield for boarding, cloathing, doctoring, & nursing Thomas Pettee's wife to May 18th William Bell to May 6th 1801 & Lucy Kent & William Pollock to their death including funeral charges, & supplies for John Howes family to March 18th 1801	134 30
To the town of Woolwich for boarding and cloathing Joshua Fuller to April 8th 1801	78 96
To the town of Wilbraham for boarding John Brown to May 25th 1801	16
To the town of Washington for boarding & cloathing Hannah Adams and her children, & Phebe Clarke including doctor's bill to May 25th 1801	33 35
To the town of Windsor for boarding the widow Still to May 11th 1801	10 50
To the town of Westford for boarding, cloathing, and doctoring Elizabeth Wilson to January 1st 1801	42 50
To the town of Westborough for boarding, cloathing, doctoring and nursing John Scudemore to June 9th 1801	37
To the town of Williamstown for boarding and cloathing Rachel Galusha to May 15th 1801	78 33
To Joseph H. White for doctoring sundry paupers in the town of Gloucester to May 10th 1800	50
To the town of York for boarding cloathing & nursing William Kearswell, Sarah Kearswell, Elizabeth Perkins, Mary Crocker, Abigail Chappel, Edward Perkins and Sarah Perkins to May 21st 1801	149 37
To James Goss for doctoring sundry paupers in the town of Gloucester to February 15th 1801	38 37
	9704 39

Militia Accounts.

	Dolls. Cts.
To a Court Martial held at Plymouth February 24th 1801 whereof Lieut. Col. Charles Turner was president	60 20
To John Richardson 2d. for money expended for horses to haul Artillery &c. to October 4th 1800	5
To Nathaniel C. Allen, Brigade-major in full for his services to May 20th 1801	55 65
To William Jackson, Brigade-major in full for his services to April 17th 1801	49 37
To William Townner Brigade Major in full for his services to May 20 1801	67 5
To Micah Adams Adjutant in full for his services to November 6th 1800	7 42
To Oliver Beldin Junr. Adjutant in full for his services to September 1st 1800	5 72
To Joseph Brigham Junr. Adjutant in full for his services to May 6th 1801	32 87½
To Benjamin Blanchard Adjutant in full for his services to March 1st 1801	23 21
To Israel H. Buker Adjutant in full for his services to May 1st 1801	75 4
To Ezbon Carter Adjutant in full for his services to June 13th 1801	17 29
To Jesse Davenport Adjutant in full for his services to January 7th 1801	48 32

	Dolls. Cts.
To Cyrus Keith Adjutant in full for his services to June 1st 1801	10 83
To Joseph Kellogg Adjutant in full for his services to October 8th 1800	32 38
To Giles Lyman Adjutant in full for his services to June 1st 1801	21 23
To Daniel Osborn Adjutant in full for his services to January 14th 1801	8 81
To Daniel Philbrook Adjutant in full for his services to May 1st 1801	72 96
To Jason Ware Adjutant in full for his services to May 6th 1801	12 72
	606 7½

Sheriff's Accounts.

	Dolls. Cts.
To George Partridge for returning votes for Representative to Congress, and Governor &c. to May 1801	18 62
To Benjamin Clark Cutler for returning votes for Governor &c. and for distributing precepts for choice of Representative to Congress to June 2d 1801	1 84
To Ebenezer Mattoon for distributing warrants and returning votes for Representative to Congress, and for Governor &c. to June 1st 1801	62 5
To Edmund Bridge for returning votes for Governor &c. to May 1st 1801	14 56
To Simon Larned for distributing precepts for choice of Representative to Congress and returning votes for Governor &c. to June 1st 1801	39 33
To John Cooper for returning votes for Governor &c. to May 29th 1801	30 40
To John Gardner for returning votes for Representative to Congress and Governor &c. to May 13th 1801	33 30
To Arthur Lithgow for returning votes for Governor &c. to May 20th 1801	16
To Thomas Phillips for returning votes for Governor, and summoning witnesses to attend the examination of Paul D. Sargent Esqr. and others to June 1801	38
	254 10

Printers Accounts.

	Dolls. Cts.
To Phineas Allen for publishing at Pittsfield the Resolve of March 5th 1801 respecting the land granted to the soldiers of the late American Army	3 50
To William Butler for publishing the Acts & Resolves at North-Hampton to January 1801	66 67
To Thomas Dickman for publishing Acts and Resolves in Greenfield to June 1st 1801	16 67
To Peter Edes for publishing at Hallowell the Resolve of March 5th 1801 granting land to the soldiers of the late American Army	5 50
To Galen H. Fay for publishing at Haverhill the Resolve of March 5th 1801 granting land to the Soldiers of the late American Army	5 50

	Dolls. Cts.
To Benjamin Russell for publishing in the Centinel the Resolve of March 5th 1801 granting land to the soldiers of the late American Army	5 50
To Abraham Shearman Junr. for publishing in New-Bedford Acts and Resolves to June 1st 1801	16 66
To Young and Minns printers to the General Court to June 16 1801	969 86
	1089 86

Miscellaneous Accounts.

	Dolls. Cts.
To the commissioners appointed by government to repair to Connecticut River to ascertain certain facts respecting the Locks and Canals and other purposes viz. to	
Benjamin Goodhue Esqr.	80
Elijah Brigham Esqr.	53
Simon Larned Esqr.	40
	173
To James White for stationary for the General Court and the Secretary's Office to March 31st 1801	135 89
To the committee appointed by the Legislature to collect and contract for a new edition of the laws of this Commonwealth viz.	
To Nathan Dane Esqr.	69
George R. Minot Esqr.	216
John Davis Esqr.	63
	348
To Peleg Coffin Esqr. for Scale beam & scales and expenditures in the Treasury Office to June 13th 1801	70 22½
To Francis L. B. Goodwin in full for his services in protecting the lands of the Penobscot Indians to June 5th 1801,	62
To Jonathan Hastings for postage to June 16th 1801	48 98
To Henry Warren Esqr. for copying papers on the complaint against Paul D. Sargent Esqr. & others by order of the House of Representatives	14
To Joshua Holt for boarding & cloathing Levi Konkepot to May 13th 1801	19 24
To Jacob Kuhn a balance due him for money expended over & above the amount of two grants made him June 17th and November 14th 1800	32 33
To the witnesses at the examination of Paul D. Sargent Esqr. and others before the House of Representatives June 1801 viz. to	
Thomas Phillips Esqr.	7
George Tyler Esqr.	89 25
Simeon Fowler Esqr.	72 63
	168 88
To Sylvanus Lapham assistant messenger to the General Court to June 20th 1801	45 50
	1118 4½

Convicts Accounts.

	Dolls. Cts.
To Nathan Heard keeper of the Gaol in Worcester for boarding Eli Page to May 27th 1801	30
To John Richardson keeper of the Gaol in Concord for dieting William Davis, Gaius Proctor, Isaac Moore, Thomas Kimball, Ezekiel Salmon, John P. Bancroft, Peter Francis, Jeremiah Bancroft to June 2d 1801	155 50

	Dolls. Cts.
To Oliver Hartshorn Keeper of the Gaol in Boston for dieting Elisha Dillingham to June 10th 1801 and Samson Freeman & Charles Blade to the time of their discharge .	50
To Jeremiah Staniford for boarding Samuel Walker in Ipswich Gaol to June 13th 1801	29 75
	265 25

Aggregate of Roll No. 45.

	Dolls. Cts.	Dolls. Cts.
Expenses of State Paupers,	9704 39	
Do. Militia,	606 7½	
Do. Sheriffs,	254 10	
Do. Printers,	1089 86	
Do. Miscellaneous,	1118 4½	
Do. Convicts,	265 25	
		13037 72

Read and accepted, and thereupon

Resolved, That there be allowed and paid out of the Public Treasury, to the several corporations and persons mentioned in this Roll, the sums set against such corporations and persons respectively, amounting in the whole to thirteen thousand, thirty seven dollars and seventy two cents, the same being in full discharge of the accounts and demands to which they refer. *June 19, 1801.*

RESOLVES

OF THE

GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS:

PASSED AT THE SESSION BEGUN AND HELD AT *BOSTON*,
ON THURSDAY, THE FOURTEENTH DAY OF *JANUARY*,
ANNO DOMINI 1802.

1801. — JANUARY SESSION.

ANSWER OF THE SENATE TO THE GOVERNOR'S SPEECH AT
THE OPENING OF THE SESSION.

May it please your Excellency,

It is with the most pleasing sensations that we reciprocate the gratulations of your Excellency on the augmented strength and prosperity of this Commonwealth. The duration of the peaceful, free and flourishing Government we enjoy depends, we are sensible, upon the steady adherence to its original principles, and a wise improvement of the advantages with which we are indulged by the benignant Providence of the Supreme Ruler of Nations.

That the prosperity of a people essentially depends on purity of manners and the practice of the moral virtues; and that a departure from these, followed with luxury and dissipation, will produce evils destructive of the general welfare, are truths which the history of every age will evince and confirm.

While our fellow citizens shall continue to reverence and support the religious, literary and moral institutions of their ancestors, they will naturally be led to direct their views to every object beneficial to the State; and with an united active patriotism will cheerfully acquiesce in these measures which tend to multiply the conveniences

of the people, maintain the credit, and enhance the character and importance of our common Country.

The observations of your Excellency on our system of criminal justice, and the necessity of a State Prison, will engage our particular notice; Whether the fund created by the sale of the military stores at Castle Island may not with peculiar propriety be applied to this purpose, shall employ our deliberate consideration. Policy points to the reform, and humanity, to a suitable provision for the employment of those desperate men whose outrages on the peace and safety of Society, have justly deprived them of its rights.

While we express, Sir, our perfect confidence in your assurance of a prompt concurrence in every legislative act that can promote the public welfare, we cannot but subscribe to the justness of the sentiments, that too frequent alterations of the laws are attended with weighty inconveniences; they excite an idea of inconstancy and uncertainty in the acts of Government & of course a disrespect to its injunctions.

The very interesting subject of the Valuation will necessarily engross much of our time, and we trust that such a spirit of concession and candour will prevail in the discussion of this complicated business as to facilitate its completion, and that at the conclusion of the session we shall separate with a consciousness of having made the public good, and the best interests of our constituents, the great objects of our attention. *January 19, 1802.*

ANSWER OF THE HOUSE OF REPRESENTATIVES TO THE GOVERNOR'S SPEECH AT THE OPENING OF THE SESSION.

May it please your Excellency,

We reflect with the highest satisfaction, that public peace and social order continue to be preserved through the state, and we contemplate with pleasure the rapid increase of our population the flourishing state of our agriculture and consequent extension of our commerce. These blessings we consider as the fruits of the happy systems of Government, state & national, which through the peculiar favor of Divine Providence we are permitted to enjoy. Governments founded on the representative principle, where the Officers who administer them are the objects of the choice and confidence of the majority of

the people, where the Electors, and those elected to office have one common interest, and where equal protection is afforded to the person and property of every individual, — under such Governments, and Laws thus made, every interruption of social order would be a disturbance of the general happiness, and every breach of public peace a violation of civil liberty.

We concur with your Excellency in the belief that the preservation of these Governments and the continuance of our happiness under them most essentially depend on the practice of all the moral and social virtues. To promote this object it becomes the duty of the Legislature, by the tendency of their laws to confirm and extend the habits of industry, temperance and frugality among the people to advance the interests of agriculture and the valuable mechanic arts, to encourage individual enterprise in works of public utility; to support and cherish our religious and literary institutions; to protect the sacred rights of conscience, and finally to preserve the union of our confederated Republics, as the anchor of our present hope, and the ark of our ultimate security as a nation.

We cannot but flatter ourselves, that while the precepts of our laws shall continue to promote virtue and discourage vice, to enlighten, inform and employ the public mind the increase of wealth in the State will not as in the ancient Republics, corrupt the manners and destroy the freedom and happiness of the people; but will, under wise and frugal administrations of our State and Federal Governments, be directed to useful purposes, and contribute to the strength harmony and security of the whole. But if the melancholy period must arrive, when the majority of the people thus blessed with the privilege of self government and thus secured in the enjoyment of it by internal strength, and the genius of laws which are an appeal to their reason and not to their fears, a guard to their virtues, and a check only to their vices, shall neglect to practice what their laws inculcate, they will indeed be lost to all sense of their own happiness, and inevitably fall with their liberties a prey to despotism.

With the increase of inhabitants we must naturally expect that crimes will proportionably multiply, unless from an improvement in legislation and the amelioration of the penal code it should be found practicable to create new impressions on the minds of that miserable class of the

people, who are principally the objects of public punishments or at least to oblige them to expiate their offences by solitary labour, and thus restrain them from endangering society by a repetition of their crimes. To render that part of our public laws, which relates to crimes and punishments as perfect as may be, will therefore claim the serious attention of this branch of the Legislature.

In the erection of public buildings, it has always been the disposition of the House of Representatives, to finish them in a style alike conducive to the honor of the State and accommodating to the general convenience and ability of the people. The erection of a state prison for the confinement of convicts to hard labour, has long been an object of attention in this House; and we feel obliged to your Excellency for your particular statement of the progress of that establishment, and the suggestion of probable funds to complete it, without any immediate additions to the usual taxes.

The other subjects recommended in your Excellency's communication, will be duly attended to on the part of the House of Representatives.

Although the Valuation is a subject highly interesting to the citizens of every part of the Commonwealth, yet we trust that the spirit of mutual candour and condescension will so far prevail in deciding upon it, that it will be completed with facility and to general satisfaction; and that at the close of the session we shall be able to reflect, that by faithful exertions in the public service, we have supported the reputation of the Government and promoted the happiness of the people.

We cannot omit on the present occasion to offer to your Excellency and the public our sincere congratulations upon the return of peace in Europe, as an event in the highest degree interesting to humanity, and favorable to the ultimate establishment of those great principles, moral, political and religious, on which the happiness of the American People so essentially depends.

January 19, 1802.

Chapter 57.

RESOLVE FOR PAYING THE HON. JAMES SULLIVAN, 173 DOLLARS 81 CENTS, THE BALANCE OF HIS ACCOUNT, AND FOR ADVANCING TO HIM 150 DOLLARS TO DEFRAY EXPENSES IN SUITS.

Whereas by a resolve passed on the twenty sixth Day of June 1798 the sum of ninety seven dollars and twelve

Cents and a further sum of Three hundred Dollars was advanced from the public Treasury to the Attorney General to be expended for the service of the government in suits on its behalf and whereas the said attorney General has accounted for the same and there is now due to him a balance of one hundred & seventy three dollars & eighty one Cents for expences of civil suits in behalf of the Commonwealth and a further sum may be necessary to enable him to defray similar expences: Therefore

Resolved that the sum of One hundred & seventy three dollars & eighty one cents be paid him out of the public Treasury to balance his account and that further sum of one hundred and fifty Dollars be advanced him to defray similar expences on behalf of the Commonwealth he to render an Account of the same when required.

January 21, 1802.

Chapter 58.

RESOLVE ON THE PETITION OF JOHN PIERCE, OF POWNALBOROUGH.

On the petition of John Pierce of Pownalborough in the County of Lincoln, setting forth, that he and one Anthony Nutter were possessed in equal halves of a certain tract of land, or farm lying in said Pownalborough containing about one hundred acres bounded Southeasterly on Finley's Creek, so called, Northwesterly on Jewanke Creek, so called, Southwesterly on land belonging to Joshua Young & Northeasterly on land belonging to the heirs of David McKenny deceased, of which said lands they have been legally dispossessed by an action at law by the heirs of the Revd. Christopher Toppan late of Newbury deceased, whereupon they agreed to purchase the said land of said Toppan's heirs, and the said Nutter was employed by the said Pierce to purchase the same and received one half the purchase money of the said Pierce for that purpose, and was to take the deed of the whole in his own name and afterwards to convey one half to the said Pierce, but was prevented from making said conveyance by death.

Resolved that Betsy Nutter widow of said Anthony Nutter late of Pownalborough aforesaid deceased be and she hereby is fully authorized & empowered to make and execute a good and sufficient deed of the one half of the said tract of land, that the said John Pierce has occupied and still occupies, with Warranty, to the said John Pierce

his heirs and assigns, which shall be considered as valid & effectual in law to convey the said half of said tract of land to the said John Pierce, as any deed thereof would have been if duly executed by the said Anthony in his life time, according to the agreement and understanding aforesaid between him & the said John Pierce.

January 21, 1802.

Chapter 59.

RESOLVE ON THE PETITION OF CALEB GANNETT AND JOHN MELLEN, EXECUTORS OF THE WILL OF THOMAS BRATTLE.

Upon the Petition of Caleb Gannett & John Mellen, Executors of the last Will and Testament of Thomas Brattle late of Cambridge in the County of Middlesex Esqr. deceased, and Guardians to certain minors therein named, praying leave for reasons set forth in their petition, to exchange certain parts of the real Estate of the said deceas'd therein described, and now belonging to the Residuary Legatees who are minors, for certain other real Estate lying in Cambridge, which will be more advantageous to the Minors, & will be capable of division so as to accomodate more of them, than the Estate they now hold will do :

Resolved, that said Executors and Guardians be and hereby are impowered to make the exchange prayed for, and to make and execute good and sufficient deed or deeds thereof to the purchaser, which shall be as effectual in Law as if the same Estate was Sold at Public auction for money ; and that they be, and hereby are authorised to receive in exchange, other real Estate in the Town of Cambridge of the same or nearly equal value and more capable of division, and the Estate so received in Exchange, shall go and belong as directed in said Will, and be subject to the same rules of partition, settlement or Sale as would apply to the Estate left by the deceas'd. *provided nevertheless* that the Exchange be made agreeable to an appraizment by three impartial Men, to be appointed by the Judge of Probate for the County of Middlesex, and to be under Oath, and that the appraizment comprehend the Estate of the Deceased now proposed to be exchanged, & also that which the Executors expect to receive therefor, & that such appraizment be accepted & allow'd, by said Judge, & provided also that the said Judge, do certify thereon his approbation of the

intended Exchange; the said appraisment & approbation to be entered on the Records of the probate Office, & to be made previous to the Execution of the deeds. And whereas the most advantageous adjustment of the Lotts of Real Estate to be received by the said Executors may leave a ballance in favour of one of the contracting parties: therefore

Resolved, that the said Executors be impowered, as the case may require, either to pay or receive such ballance in personal Estate, *Provided* the ballance shall not exceed a tenth part of the appraised value of the Estate given in exchange by said Guardians. *January 21, 1802.*

Chapter 60.

RESOLVE ON THE PETITION OF JOHN BOSSON, DIRECTING THE ATTORNEY GENERAL TO DEFEND THE SAID BOSSON IN A SUIT BROUGHT AGAINST HIM BY JAMES MARTIN.

On the Petition of John Bosson, praying to be indemnified against the Costs and Damages of a Suit, brought against him by James Martin for the Recovery of a certain confiscated Estate, described in his Petition, which was sold to him under the Warrant of this Commonwealth.

Resolved, That the Attorney General be, and he hereby is directed to appear for, and defend the aforesaid Suit in behalf of said Bosson, in any Court or Courts of Law, to final Judgement; and to charge the Costs thereof to the Commonwealth. *January 22, 1802.*

Chapter 61.

RESOLVE ON THE PETITION OF THE INHABITANTS OF LITTLETON, REMITTING A FINE LAID ON SAID TOWN, AND DIRECTING THE TREASURER TO CREDIT SAID TOWN.

On the petition of the Inhabitants of Littleton praying for a remission of a fine assessed upon them by order of the House of Representatives passed on the 25th day of February A D 1800 for their neglect to send a Representative to the General Court in the year 1799.

Resolved for reasons set forth in said petition that the prayer thereof be granted and that said fine amounting to fifty one dollars eleven cents be remitted to said town and the Treasurer of this Commonwealth is hereby directed accordingly to credit said town with said sum in part discharge of the taxes now due from them to said Commonwealth. *January 23, 1802.*

Chapter 62.

RESOLVE ON THE PETITION OF PELETIAH BARTER, AND OTHERS, EMPOWERING THE COMMITTEE FOR THE SALE OF EASTERN LANDS IN THIS CASE.

Resolved that the Hon. John Read & Peleg Coffin Esquires be and they are hereby directed to cause the great Island of Holt to be laid out & surveyed in suitable lots for the accomodation of Settlers & purchasers having reference to the convenience of the fisheries which are or may hereafter be carried on from the aforesaid Island & to the settlements of Peletiah Barter, Henry Barter, Robert Douglass, Alexander Nutter Ebenezer Leland, Ebenezer Sawyer, Charles Kimpton Jonathan Carlton, ——— Smith, Robert Barter, Solomon Kimbal actual settlers thereon, & upon the return of the survey duly sworn & authenticated by the surveyor to be employed by the Committee aforesaid sell to the said actual settlers aforesaid at a reasonable price under all circumstances such lots as they shall be severally found to possess & in such quantities as shall comport with the general sale & settlement of said Island, reserving for public accomodations convenient & necessary landing places in the several harbour[s] in said Island.

January 30, 1802.

Chapter 63.

RESOLVE ON THE PETITION OF CALVIN WALDO AND OTHERS, AUTHORIZING THEM TO MAKE SALE OF THE LOTS OF LAND MENTIONED, IN DALTON.

Whereas it has been represented to this court by Calvin Waldo John Chamberlin and Wm. Williams that Colo. Israel Williams and deacon Obadiah Dickinson late of Hatfield deceased, in March 1786, gave and conveyed by deed to the deacons of the congregational church in Dalton and their successors in that office the lots number fifty three and fifty four in that town for the support and maintenance of a learned gospel ministry in the congregational church and congregation in that town unalienably forever, to accrue solely to the benefit of such as should be inhabitants of that town and did or should usually meet in the same assembly for publick worship, — and that the said lots, by virtue of the conveyance aforesaid, do belong to the church in the first parish in that town — And

whereas the said Calvin Waldo John Chamberlin and Wm. Williams have further represented that the said lots are in such a situation as has hitherto rendered them wholly unproductive, and will continue them much in the same state for years to come — That there is now a prospect, in case they should be sold, that other real estate might be purchased with the proceeds of the sale which would be immediately productive and better answer the generous and pious intentions of the donors, and therefore pray, on behalf of the said Church and parish, that this court would grant them leave to sell the same: Therefore

Resolved, that the said Calvin Waldo John Chamberlin & William Williams be, and they hereby are, authorised and empowered to sell the said lots number fifty three and fifty four in such manner as they shall judge best, and to make and execute a good and sufficient deed, or deeds thereof to the purchaser, or purchasers. *Provided, however*, and it is the meaning and order of this court that the whole proceeds of the sale shall, as soon as may be, be laid out in the purchase of other real estate in the said parish, which shall be conveyed to and holden by the said church, in the manner, with the limitations and for the uses mentioned & specified in the deed of the said lots to the deacons of the church in Dalton. *January 30, 1802.*

Chapter 64.

RESOLVE ON THE PETITION OF JAMES PATTEN AND OTHERS, AUTHORIZING PARK HOLLAND, ESQ. TO RECEIVE APPLICATIONS AND TO QUIET THE SETTLERS.

Upon the Petition of James Patten and others Inhabitants of the Town of Hampden in the County of Hancock shewing that they are settlers on land in said Town and claiming to be quieted in their lots by force of a Resolve of the General Court passed the 23d Feby. 1798 and praying a Survey of their lots and that a price be affixed to each.

Resolved That Park Holland Esq. Be and he is hereby authorized as soon as may be to receive all applications which may be made by said Petitioners or others claiming to be quieted as Settlers by force of said Resolve, and to fix a time & place for hearing & examining the applicants upon the subject matter aforesaid and to enquire by Witnesses under Oath or written Evidence duly sworn to

& taken in due form of Law Whether such applicants or any of them are Settlers within the meaning & Intent of said Resolve — And the said Park Holland shall be first duly sworn to the faithful discharge of the duty herein imposed on him and shall give Seasonable and sufficient Notice to the Heirs of the late Brigadier Waldo their assigns or agent of the time & place of hearing as aforesaid.

And Be it further Resolved that if, after due examination had as aforesaid, such applicants or any of them shall be found Settlers as aforesaid The said Park Holland is hereby further authorized and directed to survey or cause to be surveyed by himself or some surveyor with Chainmen All first duly sworn each lot of a Settler so found as aforesaid not exceeding one hundred acres to a lot to be laid out so as best to include his improvements and be least injurious to adjoining lands, and to make a Plan thereof and thereon to Place the Settlers name and to affix a Price or value to each lot estimating the same as if it were in a State of Nature at the time of the appraisement, To be paid by the Settler upon being quieted in his Possession. Which Plan or Plans made as aforesaid with the names & prices as aforesaid said Holland is to return into the Treasurers Office of this Commonwealth on or before the first day of February which shall be in the year of our Lord One thousand eight hundred & three. And the said Treasurer after such Return is hereby authorized in Behalf of the Commonwealth to make and execute a Good & sufficient deed or deeds of Release to each Settler so found as aforesaid he paying or securing to be paid on or before the first day of February A. D. 1804 the price or value aforesaid. *Provided always* That all expences attending said examination survey & Return & all other incidental expences be paid by & defreyed by the said applicants in such manner & proportion as the said Holland shall direct.

January 30, 1802.

Chapter 65.

RESOLVE ON PETITION OF JAMES FALES, AUTHORIZING THE QUARTER MASTER GENERAL TO DELIVER TO HIM 45 POUNDS OF POWDER.

On the Petition of James Fales praying for an allowance for a Quantity of Powder expended at a Brigade Review in the Year 1800.

Resolved that the Quarter Master General be Author-

ized and directed to deliver to the said James Fales forty five pounds of powder, being the quantity the Company of Artillery under his Command expended as aforesaid.

January 30, 1802.

Chapter 66.

RESOLVE ON THE PETITION OF NATHANIEL WILSON AND OTHERS, AUTHORIZING THE INHABITANTS OF THE SECOND PARISH IN FALMOUTH, WITH THE CONSENT OF THE MINISTER, TO SELL THE LOT OF LAND MENTIONED.

On the petition of Nathaniel Wilson & others, a Committee in behalf of the Inhabitants of the second Parish in Falmouth, in the County of Cumberland, praying for liberty to sell & dispose of a lot of land in said town, appropriated to the use & improvement of a Congregational minister in said Parish.

Resolved for reasons set forth in said petition, that the prayer thereof be so far granted, that the Inhabitants of the said second Parish in Falmouth, be and hereby are authorised, (with the consent of the reverend Caleb Bradley, the Congregational Minister of the said Parish,) to sell and dispose of the lot aforesaid, and that the net proceeds of the said sale be, and forever hereafter continue vested in some of the Public funds of the United States, or of this Commonwealth, or mortgage of real estate, & the Interest arising therefrom be applied towards the support of the Congregational minister in said Parish forever, in addition to his stated salary.

It is also further Resolved that the Parish Clerk of the said Parish, and the Clerk of the Church therein, shall severally procure from the Secretary, an attested Copy of this Resolve, & enter the same at full length on the Records of said Parish, and of the said Church respectively, and preserve the same on the files in their respective offices, in order that the sale and appropriation aforesaid, may be known, and the application thereof better secured in future.

February 1, 1802.

Chapter 67.

RESOLVE ON THE PETITION OF THE SELECTMEN OF THE TOWN OF LEE, AUTHORIZING THE TREASURER TO CREDIT THE SUM CHARGED TO THE SAID TOWN.

On the Representation of the Select-Men of the Town of Lee in the County of Berkshire, stating that said Town

had expended the sum of Two hundred and Seventy dollars and forty Cents. Remitted to them by a Resolve of the General Court of the 13th June 1801 being the proportion of the State Tax Assessed against said Town exclusive of Representatives pay.

Resolved that the Treasurer, be, and he hereby is Authorized and directed to Credit the sum charged to the said Town of Lee as aforesaid — They having given satisfactory evidence that the same has been prudently expended and applied for the building of Bridges and repairing Roads in said Town agreeable to said Resolve of June 13, 1801.

February 2, 1802.

Chapter 68.

RESOLVE REMITTING THE FINES LAID ON THE TOWNS OF BOOTHBAY AND LONGMEADOW, FOR NOT SENDING REPRESENTATIVES FOR THE YEAR 1799.

Whereas the Towns of Boothbay and Longmeadow were fined for not sending a Representative to the General Court in the year of our Lord one thousand seven hundred and ninety-nine :

Resolved, For reasons set fourth by representations from said Towns, That said fines be remitted, and the said Towns are hereby discharged from paying the same, any resolve or order to the contrary notwithstanding; and if any part of said fines have already been paid into the treasury, the money so paid shall be reimbursed out of the treasury to the inhabitants of said Towns who may have paid the same respectively. And His Excellency the Governor is requested to draw his Warrant for the payment thereof accordingly.

February 2, 1802.

Chapter 69.

RESOLVE ESTABLISHING THE PAY OF THE COUNCIL, SENATE AND HOUSE OF REPRESENTATIVES — AND EXTRA PAY TO THE PRESIDENT AND SPEAKER.

Resolved, that their be allowed and paid out of the Treasury of this Commonwealth, to each Member of the Council, Senate and House of Representatives, Two Dollars pr. day for each Days attendance the present Session, and the like sum for every ten Miles distance from their respective places of abode, to the place of the setting of the General Court.

And be it further, Resolved, that their be paid to the

President of the Senate, and Speaker of the House of Representatives, each two Dollars pr day, for each and every days attendance, over and above their pay as Members.
February 9, 1802.

Chapter 71.*

RESOLVE ON THE PETITION OF NATHAN TORREY, OF PARTRIDGEFIELD, IN THE COUNTY OF BERKSHIRE, THAT UPON CONDITION THE ADMINISTRATOR IS AUTHORIZED TO CONVEY CERTAIN LAND.

On the Petition of Nathan Torrey of Partridgefield in the County of Berkshire, stating, that, on the sixteenth day of October in the Year one thousand seven hundred & sixty nine, Elisha Jones late of Weston in the County of Middlesex Esqr. deceased, contracted with the said Nathan to convey to him the easterly half of Lot number six in said Partridgefield upon the payment of a sum of money, the greatest part of which he has paid; & is ready to pay the residue to the Administrator of the said Elisha, & praying that the said Administrator may be impowered to convey to the said Nathan the land aforesd.

Resolved, that upon the sd. Nathan's paying to Israel Jones Esqr. Administrator of the Estate of the said Elisha Jones, the money now due on the contract aforesd., the said Administrator be & he hereby is authorized to convey the easterly half of the lot number six aforesd. to the said Nathan, to hold the same to him his Heirs & Assigns in fee simple, and to make & execute a good & sufficient deed for that purpose — and that the money so paid to the said Administrator shall be Assets in his hands.

February 12, 1802.

Chapter 72.

REPORT RESPECTING THE FUNERAL ARRANGEMENTS OF THE
 LIEUTENANT GOVERNOR.

The Committee of both Houses to whom was committed His Excellency's communication announcing the death of His Honor the Lieutenant Governor — ask leave to report the following funeral arrangements for paying that tribute of esteem and respect so justly due to the merit of his public services.

D. COBB, *p order.*

* Chapter 70 in session pamphlet is a message from the Governor announcing the death of the Lieutenant Governor, and is to be found among the messages.

That His Excellency the Governor, with the Honorable Council, the President of the Senate, and the Speaker of the House of Representatives be requested to attend the funeral at Andover.

That on the day of interment divine service should be performed by the Chaplains of the two Houses, at the Old Brick Meeting House in this Town; and that the members of both branches of the Legislature meet in their respective chambers, and at twelve of the Clock walk in procession from the State House to the Meeting House, to attend the same; and that all Legislative business be suspended on that day.

That His Excellency the Governor be requested to order minute guns to be fired in the town of Boston from the hours of two to four of the clock in the afternoon on the day of the funeral; and that the Selectmen of Boston be requested to direct the tolling of the Bells of the town during the same time.

That His Excellency the Governor, the Honorable Council and each member of the Legislature wear a piece of black crape on the left arm on the day of the funeral, and from thence to the end of the present Session.

The Committee take leave to add, that they had proposed a recommendation that the funeral solemnity of the deceased should be accompanied with those military honors which have been usual on similar occasions — but on information received that the Lieutenant Governor, in the last stages of his illness had expressed an earnest desire that there might be no display of military parade at his interment — the Committee therefore have omitted making this a part of their report. Read and accepted.

February 13, 1802.

Chapter 73.

ORDER DIRECTING THE SECRETARY TO NOTIFY THE GOVERNOR AND OTHERS, &c.

Ordered that the Secretary inform His Excellency the Governor, the Hon'ble Council, the Chaplains of both Houses, and the Selectmen of the town of Boston of the funeral arrangements adopted by the General Court for His Honor the Lieutenant Governor.

February 13, 1802.

Chapter 73A.*

RESOLVE ON PETITION OF THE TOWN OF PORTLAND, MAKING VALID A CERTAIN SALE AND CONVEYANCE.

On the Petition of the Inhabitants of the Town of Portland, in the County of Cumberland, praying that the sale and conveyance of a certain lot of land situated in said Portland and bounded as follows, viz; beginning at a stake standing South, thirty eight degrees east, four rods from the southerly corner of Mr. Jones' House, thence easterly, by the road, twelve rods and twelve links, to a lot of land, which Daniel Ilsley Esquire lately purchased of Nathaniel Coffin, thence southeasterly, by said Ilsley's lot, and on the same course with the southeasterly side thereof to another road or townway lately laid out, thence westerly by the road or way last mentioned, to a stake standing on the northwesterly side of said way on a course south sixteen Degrees east from the bounds first mentioned, thence (that is from said stake) to the said bounds first mentioned, made to them, the said Inhabitants of said Portland by Nathaniel Coffin, of said Portland, Physician, as Attorney to Jeremiah Coffin, then of said Portland, Mariner, on the tenth day of May, Anno Domini, 1791, by his deed bearing that date, may be made good and valid, so that the said Inhabitants may take and hold all the estate the said Coffin was empowered to convey, and that the said Inhabitants of said Town be empowered to make sale of the said lot and the work-house thereon, and to purchase any other lot or parcel of land, which may be found more convenient & suitable for the purpose of a work house;

Resolved, that the said sale, & conveyance be, and the same is hereby, made good and valid, so far as respects the capacity of the said Inhabitants of said Town to take and hold said land, as their corporate estate, according to the true intent & meaning of said deed of conveyance, and that said Inhabitants be empowered to sell & convey their estate in said land, by a committee or agents thereto to be appointed by said Town, and to purchase & hold any other lot or parcel of land, which shall be found more convenient & suitable for the purpose of erecting a Work house thereon.

February 16, 1802.

* This resolve was omitted by the Clerk of the Senate, in the session pamphlet, and endorsed by him to that effect.

Chapter 74.

RESOLVE DIRECTING THE SECRETARY TO CERTIFY A BALANCE DUE TO JOHN WORSTER, A SOLDIER IN THE SEVENTH MASSACHUSETTS REGIMENT.

On the Petition of John Worcester Soldier in the Seventh Massachusetts Regiment in the late American Army Praying for the Ballance due to him for his service.

Resolved that the Secretary be and herby is directed to Certify to the Governor & Council the sum due on the Army Books to the said John Worcester and his Excellency the Governor — by & with the advice & consent of Council is hereby authoriz'd to Issue his Warrant for the Same and the Treasurer is herby directed to Issue his Note to the said John Worcester for the sum which shall be found due to him as aforesaid in the same way & manner as other soldiers were paid. *February 17, 1802.*

Chapter 75.

RESOLVE ON THE PAY ROLL OF THE COMMITTEE OF THE GENERAL VALUATION OF THE STATE.

Pay Roll of the Committee appointed by a Resolve of the 16th of June 1801, on the subject of a general valuation of the State.

NAMES.	No. of miles travel.	Amount of travel.		Days' attendance.	Amount of attendance.		Total amount of travel and attendance.
		Dols.	Cts.		Dols.	Cts.	
Tompson J. Skinner, . . .	150	30		57	156	75	186 75
Simon Frye, . . .	160	32		69	189	75	221 75
James Bowdoin, . . .				50	137	50	137 50
Beza Hayward, . . .	30	6		65	178	75	184 75
Thomas Ilale, . . .	70	14		66	181	50	195 50
Nathaniel Dummer, . . .	195	39		61	167	75	206 75
John Ellis, Jun. . . .	30	6		63	173	25	179 25
Aaron Hill, . . .				67	184	25	184 25
Hugh McLellan, . . .	120	24		64	176		200
Enoch Titcomb, . . .	45	9		63	173	25	182 25
Benjamin Austin, Jr. . .				50	137	50	137 50
Nathan Rice, . . .	20	4		41	112	75	116 75
Benjamin Pickman, . . .	20	4		40	110		114
Nathaniel Wade, . . .	35	7		61	167	75	174 75
Nathaniel Thurston, . . .							
Samuel Hoar, . . .	16	3	20	62	170	50	173 70
Joseph Heald, . . .	45	9		70	192	50	201 50
Nathaniel Hall, . . .				52	143		143
James Taylor, . . .	108	21	60	55	151	25	172 85
Samuel Porter, . . .	100	20		65	178	75	198 75

NAMES.	No. of miles travel.	Amount of travel.	Days' attendance.	Amount of attendance.	Total amount of travel and attendance.
Robert Field, . . .	80	Dols. Cts. 16	51	Dols. Cts. 140 25	Dols. Cts. 156 25
Kilborn Whitman, . . .					
Nathaniel Wells . . .	100	20	64	176	196
Isaiah L. Greene, . . .	75	15	69	189 75	204 75
Micajah Coffin, . . .	135	27	70	192 50	219 50
Rufus Whitmarsh, . . .	43	8 60	65	178 75	187 35
Holder Stocum, . . .	65	13	70	192 50	205 50
Jonas Kendall, . . .	48	9 60	51	140 25	149 85
Aaron Marsh, . . .	50	10	65	178 75	188 75
Isaac Gregory, . . .	75	15	64	176	191
Thomas Ives, . . .	150	30	37	101 75	131 75
Nathaniel Coit Allen, . . .	150	30	70	192 50	222 50
Lothrop Lewis, . . .	130	26	60	165	191
Mark L. Hill, . . .	175	35	53	145 75	180 75
David Payson, . . .	184	36 80	51	140 25	177 05
Edward H. Robbins, . . .	10	2	49	134 75	136 75
John Chandler, . . .	180	36	64	176	212
Oliver Leonard, . . .	305	61	54	148 50	209 50
Martin Kinsley, . . .	300	60	70	192 50	252 50
		679 80		6044 50	6724 30

Resolved, that there be allowed and paid out of the Treasury of this Commonwealth, to the several persons members of the Committee of valuation, named in the foregoing Roll, the several sums therein annexed to their respective names, in full compensation for their travel and attendance as members of said Committee. And His Excellency the Governor is hereby requested to draw his Warrant on the Treasury for the payment of said sums accordingly. *February 17, 1802.*

Chapter 76.

RESOLVE OF A GRANT TO JACOB KUHN.

Resolved that there be allowed & paid out of the Treasury of this Commonwealth to Jacob Kuhn, Messenger of the General Court the sum of One hundred Dollars to enable him to pay for fuel & other necessaries purchased for the use of said Court, he to be accountable for the expenditure of the same. *February 18, 1802.*

Chapter 77.

RESOLVE OF A GRANT TO ISAAC PEIRCE, MESSENGER TO THE GOVERNOR AND COUNCIL.

Resolved that there be paid out of the Public Treasury of this Commonwealth, to Isaac Peirce Messenger to the

Governor and Council the sum of one hundred Dollars, to enable him to purchase fuel and other necessary articles for the Council Chamber and Secretary's Office — He to be accountable for the expenditure of the same.

February 18, 1802.

Chapter 78.

RESOLVE FOR HAMPSHIRE COUNTY TAX, AND ALLOWANCE OF THE ACCOUNTS OF THE COUNTY TREASURER.

Whereas the Treasurer of the County of Hampshire, has laid his accounts before the General Court, in the manner prescribed by Law, which accounts have been allowed: And Whereas the Clerk of the Court of General Sessions of the Peace for the said County of Hampshire has exhibited an estimate, made by the said Court, of the necessary charges, likely to arise within the said County for the ensuing year, amounting to Three thousand six hundred Dollars:

Resolved that the sum of Three thousand and six hundred Dollars, be & hereby is granted as a tax for the said County of Hampshire, to be apportioned, assessed, paid, collected & applied for the purposes aforesaid, according to Law.

February 18, 1802.

Chapter 79.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF CUMBERLAND, AND GRANTING A TAX.

Whereas the Treasurer of the County of Cumberland, has laid his accounts before the General Court, in the manner prescribed by Law, which accounts have been allowed: And the Clerk of the Court of General Sessions of the Peace, has exhibited an estimate made by the said Court of General Sessions of the Peace for the said County of Cumberland, of the debts due from, and of the necessary charges likely to arise within the said County for the year ensuing, amounting to Two thousand & four hundred Dollars:

Resolved that the sum of Two thousand, and four hundred Dollars, be and hereby is granted as a Tax for the said County of Cumberland, to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid, according to Law.

February 18, 1802.

Chapter 80.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF WASHINGTON, AND GRANTING A TAX.

Whereas the Treasurer of the County of Washington has laid his accounts before the General Court, in the manner prescribed by law, which accounts have been allowed, And Whereas the Clerk of the Court of General Sessions of the Peace for the said County of Washington has exhibited an Estimate, made by the said Court of the necessary charges likely to arise within the said County for the ensuing year, amounting to One thousand, One hundred and thirteen Dollars :

Resolved that the said sum of One thousand One hundred & thirteen Dollars, be and hereby is granted as a Tax for the said County of Washington, to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid according to Law. *February 18, 1802.*

Chapter 81.

RESOLVE ON THE PETITION OF ISAAC KNEELAND AND OTHERS AUTHORIZING THE TREASURER OF THE COUNTY OF BERKSHIRE, TO PAY A SUM OF MONEY TO SAID PETITIONERS.

On the Petition of Isaac Kneeland, Elijah Owen Junr., Roderick Norton, Isaac Loveland, Paul Larkum, Stephen Pelton & Moses Cook, praying that for their exertions & expences in apprehending and prosecuting Simeon Granger, James Roberts & others for making & passing counterfeit dollars, the said Petitioners may be allowed a compensation out of the monies accruing to the Commonwealth from the forfeiture of the recognizances of the said Simeon Granger & James Roberts & their several sureties.

Resolved that the Treasurer of the County of Berkshire be & he hereby is authorized & directed to pay to the said Petitioners the sum of one hundred & thirty three dollars, out of the monies which now are or hereafter may be collected & paid to the said Treasurer upon the Recognizances aforesaid — the said sum to be equally divided among the said Petitioners. *February 18, 1802.*

Chapter 82.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF KENNEBECK, AND GRANTING A TAX.

Whereas the Treasurer of the County of Kennebeck, has laid his accounts before the General Court, in the manner prescribed by Law, which accounts have been allowed: And *Whereas* the Clerk of the Court of General Sessions of the Peace for the said County of Kennebeck, has exhibited an estimate, made by the said Court, of the necessary charges, likely to arise within the said County, for the ensuing year, amounting to Five thousand, Eight hundred, & ninety nine Dollars, & fifty nine cents:

Resolved that the said sum of Five thousand, Eight hundred & ninety nine Dollars & fifty nine cents, be and hereby is granted, as a Tax for the said County of Kennebeck, to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid, according to Law.

February 18, 1802.

Chapter 83.

RESOLVE ON THE PETITION OF NATHANIEL TOMPSON, AUTHORIZING NATHANIEL T. MERRILL TO EXECUTE A DEED OF RELEASE OF THE LAND MENTIONED.

On the Petition of Nathaniel Tompson of Falmouth, in the County of Cumberland, Gentleman, stating that the said Tompson on the eighteenth day of february A. D. 1792, made executed & delivered to Enoch Merrill, late of said Falmouth, Mariner, deceased, a certain Deed whereby he the said Tompson conveyed to the said Merrill two pieces or parcels of land, as described in said deed; & that the said Merrill, on the first day of february A. D. 1796, by an Instrument, *not under seal*, signed by the said Merrill promised the said Tompson to give up & relinquish to the said Tompson all the right & title which he the said Merrill had derived from the said Deed, to the land aforesaid; provided he the said Tompson should pay a certain Note of hand described in the obligation signed by the said Merrill; and further stating that the said Note was duly paid by the said Tompson, in the life time of the said Merrill, but that the said Merrill was prevented by death from releasing his right to the Said land; & praying that Nathaniel T. Merrill of said Falmouth, Ad-

ministrator on the estate of the said Enoch Merrill, may be authorized to make & execute a Deed of Release or Quit claim to the said Tompson of all the right & Title which the said Enoch derived from the said Deed to the land aforesaid.

Resolved; that for the reasons set forth in said Petition, the prayer thereof be, & the same is hereby granted; & the said Nathaniel T. Merrill be, & is hereby authorized & empowered to make execute & deliver to the said Nathaniel Tompson a Deed of Release or Quitclaim of all the right & title which the said Enoch Merrill had in & to the said pieces of land by virtue of the Deed aforesaid.

February 19, 1802.

Chapter 84.

RESOLVE ON THE PETITION OF ARODI THAYER, IN BEHALF OF THE PROPRIETORS OF THE KENNEBECK PURCHASE, AUTHORIZING THE COMPANY TO QUIET THE SETTLERS ON SAID LANDS, AND EMPOWERING THE GOVERNOR, WITH ADVICE OF THE COUNCIL, TO APPOINT COMMISSIONERS TO ADJUST AND SETTLE ALL DISPUTES BETWEEN SAID PROPRIETORS AND THE SETTLERS ON SAID LANDS.

On the Petition of Arodi Thayer, in behalf of the Proprietors of the Kennebec purchase from the late Colony of New Plymouth, praying for leave to sell and dispose of certain of their lands for the quieting of settlers; and for the establishing Commissioners to quiet all such settlers as shall agree to submit themselves to their authority; and to fix and determine on the terms upon which they shall be so quieted. And the Legislature being desirous to promote the laudable and liberal application of the Plymouth Company to bring to a peaceable and final close all matters not adjusted by its agent with the settlers on the undivided lands by a submission of the same to three disinterested Commissioners: Therefore

Resolved, that the Proprietors of the common and undivided lands belonging to the Plymouth Company so called, be and they hereby are authorised and empowered by their agent or agents, duly appointed & authorised for that purpose, at any legal meeting of said Proprietors, to compromise and settle with such persons, or each or any of them who may have entered upon any of said lands, and made improvements thereon; and by deed under the hands and seals of such agents sell and convey to such

person or persons any portion or portions of said lands which they may think best, and on such terms as the parties may agree; and after payment of all such taxes and charges as may be due from any Proprietor, to divide and pay over to every proprietor his share of the residue of the money arising from such settlement and sale according to his proportion of the lands. And all such sales shall be as valid in Law as if the deed thereof had been executed by every individual Proprietor, or his or her legal representative.

And whereas it is conceived that a final compromise and settlement of the claims of the said Proprietors with such persons as have intruded upon such common and undivided lands, will have a tendency to promote the peace and quiet of that part of the State. And the said Proprietors having on their part assured the Commonwealth that they are willing to submit the terms of compromise with such persons as have set down on their said lands, and shall not have settled with said company or their agent, to such Commissioners as shall be appointed under the authority of this Government:

Therefore it is further Resolved that the Governor with the consent of the Council be and he hereby is authorised and requested to nominate and commission three disinterested persons to adjust and settle all disputes between said Proprietors and any such person or persons, their heirs or assigns as have not settled with said Proprietors or their agents. And the said Commissioners in settling the terms aforesaid for quieting any settler in the possession of one hundred acres of land laid out so as to include his improvements, and be least injurious to adjoining lands, shall have reference to three descriptions of settlers vizt. those settled before the war with Great Britain; settlers during the war aforesaid, and settlers since that period, or to any person whose possession has been transferred to claimants now in possession. And award such compensation and terms of payment to the Proprietors as shall appear just and equitable. And said Commissioners shall repair to the land in dispute and give due notice of the time of their meeting by the twentieth day of September next; and thereupon proceed and complete the purpose of their Commission as soon as may be, and make their report in writing under their hands and seals, or under the hands and seals of a major part of them, into the office of the Secretary of this Commonwealth, who

shall make out true and attested copies of the report, one for the said Proprietors, and the other for the said settlers. And all reference by the settlers to the said Commissioners shall be in writing signed by the settlers, their Agent or Agents, Representative or Attorney; and by the agent of the Proprietors duly appointed and authorised for the purpose by a vote passed at a legal meeting; of the said proprietors. And the Report of the said Commissioners made, executed and transmitted into the Secretary's Office as aforesaid, shall be final between the parties referring as aforesaid. And it shall be the duty of the Agent for said proprietors to make & execute such deeds of conveyance, upon performance of the conditions awarded as may be necessary to give full effect to the report of said commissioners, which deed shall be as valid in law as if the same was executed by every individual proprietor, or his agent or legal representative; And all monies recieved by said proprietors or their agent in virtue of said proceedings shall be disposed of to the use of the several proprietors in the same manner as is provided by this Resolve in case of settlement by said proprietors without submission to said commissioners. *Provided* that the parties interested in this Resolve shall on or before the first day of November next submit themselves to the Reference aforesaid, otherwise they shall not be entitled to any of the provision or benefit of this Resolve.

And whereas the peace, happiness and prosperity of a large and promising territory seems greatly to depend on an amicable settlement of existing controversies and disputes which tend to public discord & private animosity, a submission to the Commissioners to be appointed as aforesaid is earnestly recommended to all settlers on the lands aforesaid, and all others interested, who wish hereafter to be considered as friends to peace, good order and the Government of the Commonwealth. And all expences and incidental charges of the aforesaid Commission shall be paid one half by the Commonwealth, and the other half by the said Proprietors. *February 19, 1802.*

Chapter 85.

RESOLVE ON THE MEMORIAL OF AMASA SMITH, GRANTING HIM
500 ACRES OF LAND IN THE DISTRICT OF MAINE.

On the Memorial of Amasa Smith praying some compensation for his extraordinary military services.

Resolved That there be granted to the said Amasa Smith Five Hundred Acres of the unappropriated lands in the district of Maine on the eastern boundary of the Commonwealth the same to be laid out under the direction of the Hon. Jno. Read & Peleg Coffin Esqrs.

February 19, 1802.

Chapter 86.

RESOLVE ON THE PETITION OF SETH JOHNSON, DIRECTING THE TREASURER TO ISSUE A NEW LOAN NOTE, WITH A PROVISIO.

On the petition of Seth Johnson of Halifax in the State of Vermont, praying that the Treasurer may be directed to Issue new Notes in lieu of Two Notes which were lost in the destruction of his House by fire.

Whereas it is represented that the said Seth Johnson by the disaster aforesaid, lost Two State Notes One No. 9794 to the said Seth Johnson in the sum of Twenty four pounds four shillings, bearing date December 1st 1782 — One other Army specie Note No. 2314 to Joseph Rumrill in the sum of fifteen pounds Nineteen shillings and Nine pence dated Jany. 1, 1780 :

Resolved that the Treasurer of this Commonwealth, be and he is hereby directed to Issue to the said Seth Johnson a New loan Note bearing five pr Cent Interest from July 1st 1794 for the Amount of said Two Notes lost, with Interest thereon due—to be ascertained by the Treasurer to the said first of July. *Provided* the said Seth Johnson shall give bond with sureties to the Acceptance of the Treasurer conditioned that he will indemnify the Commonwealth against any claim or demand, which may be made on Account of the Aforesaid Notes, so lost as aforesaid.

February 20, 1802.

Chapter 87.

RESOLVE ON THE PETITION OF LOVICE VINSON, OF EDGARTOWN, AUTHORIZING THE EXCHANGE OF CERTAIN TRACTS OF LAND.

On the Petition of Lovice Vinson of Edgartown, in the County of Dukes County, Executrix of the last Will and Testament of Nathan Donham, late of said Edgartown, deceased, and Mother and Guardian to Nathan Donham Vinson, a minor, praying to be authorised to exchange two small tracts of land described in said Petition, the

property of said minor for another tract of land also described in said Petition, the property of Martin Pease.

Resolved, that the said Lovice Vinson, Guardian as aforesaid, he and she hereby is authorised and impowered to exchange with the said Martin Pease the two following tracts of land, the property of said minor — the first containing about seven acres of Marsh and upland — bounded as follows — beginning by the water on the southerly part, by land of Thomas Smith; thence running northerly partly by land of said Smith and George Dagget, to land of the heirs of Joseph Donham, deceased; thence westerly by the last mentioned land, to land of Peter Merchant; thence southerly by land of said Merchant to the water, and from thence to the first mentioned bounds. The other tract containing about four acres and one fourth part of an acre, bounded as follows, beginning at a way called the Indian's highway on the southeasterly side of land belonging to Martin Pease; thence by the said way, southerly about thirty rods to other land of the said Peter Merchant; thence westerly by said Merchant's land, to land of John Clark; thence northerly by said Clark's land to land of the said Martin Pease; and thence easterly by the last mentioned land, to the first mentioned bounds — for sixteen acres of land, the property of said Martin Pease, adjoining the homestead of the said Nathan Donham, deceased, on the southwesterly part; beginning by the water on the south, and takes its breadth by the water, and to run on a line parallel northerly with the line of the said homestead land, its full length to compleat the said sixteen acres. And the said Lovice Vinson, on receiving from the said Martin Pease a good and sufficient deed to the said Nathan Donham Vinson his heirs and assigns of the said sixteen acres of land last above described is hereby authorised and impowered to make and execute to him the said Martin Pease, a similar deed of the two tracts of land first above described.

February 20, 1802.

Chapter 88.

RESOLVE ON THE PETITION OF MARY FOWLE, PERMITTING HER TO RESUME HER FORMER NAME, MARY CAPEN.

Upon the Petition of *Mary Fowle*, of Watertown in the County of Middlesex, shewing, that her original name was *Mary Capen*; that by her intermarriage with Jere-

miah Fowle, of said Watertown, her name was changed to *Mary Fowle*; that by a decree of the Supreme Court of this Commonwealth at their Session in Cambridge in & for said County of Middlesex, in October last, the bonds of matrimony between her and the said Jeremiah were dissolved, for the reasons set forth in her libel against him; & therefore praying that her original name of *Mary Capen* may be restored, and she be hereafter called & known by that name.

Resolved, that the said Mary may resume her said original name of *Mary Capen* and hereafter be called & known thereby.

February 22, 1802.

Chapter 89.

RESOLVE ON THE PETITION OF WILLIAM MCGILL.

On the Petition of William McGill, of Standish, in the County of Cumberland.

Resolved, for reasons set forth in said Petition, that the Executors of the last Will & Testament of Benjamin Titcomb, late of Portland in said County, deceased, be, and they hereby are, authorized to execute a Deed of conveyance of lot no. two in the third Division of one hundred acre lots in said Town of Standish, to said William McGill, his heirs & assigns, on the payment of the contents of the notes given by said William to said Benjamin, for said land, dated June 24 A. D. 1793, & amounting to sixty dollars, which deed shall be as good & effectual in law to convey said lot of land, as if made & executed by the said Benjamin.

February 22, 1802.

Chapter 90.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF BARNSTABLE, AND GRANTING A TAX.

Whereas the Treasurer of the County of Barnstable has laid his accounts before the General Court, in the manner prescribed by Law, which accounts are hereby allowed: And Whereas the Clerk of the Court, of General Sessions of the Peace, for the said County of Barnstable, has exhibited an estimate, made by the said Court, of the necessary charges, likely to arise within the said County for the year ensuing, amounting to One thousand, One hundred & fifty Dollars:

Resolved that the sum of One thousand, One hundred & fifty Dollars, be and hereby is granted, as a Tax for the said County of Barnstable, to be apportioned, assessed, collected paid and applied, for the purposes aforesaid according to Law.

February 23, 1802.

Chapter 91.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF WORCESTER, AND GRANTING A TAX.

Whereas the Treasurer of the County of Worcester, has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed: And Whereas the Clerk of the Court of General Sessions of the Peace, for the said County, has laid before the General Court an estimate, made by the said Court of General Sessions of the Peace, for the said County, of the necessary charges, likely to arise within the said County, for the year ensuing, amounting to Three Thousand Dollars:

Resolved that the sum of three thousand Dollars, be and hereby is granted as a Tax for the said County of Worcester, to be apportioned, assessed, collected paid and applied for the purpose aforesaid according to Law.

February 23, 1802.

Chapter 92.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF NORFOLK, AND GRANTING A TAX.

Whereas the Treasurer of the County of Norfolk, has laid his accounts before the General Court, in the manner prescribed by Law, which accounts are hereby allowed: And Whereas the Clerk of the Court of General Sessions of the Peace for the said County of Norfolk, has exhibited an Estimate, made by the said Court of General Sessions of the Peace, for the said County of the necessary charges likely to arise within the said County for the year ensuing, amounting to Three Thousand Seven hundred & fifty Dollars:

Resolved that the sum of Three thousand seven hundred & fifty Dollars, be and hereby is granted as a Tax, for the said County of Norfolk, to be apportioned, assessed, collected, paid, and applied, according to Law.

February 23, 1802.

Chapter 93.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF YORK, AND GRANTING A TAX.

Whereas the Treasurer of the County of York has laid his accounts before the General Court, in the manner prescribed by Law, which are hereby allowed: And Whereas the Clerk of the Court of General Sessions of the Peace for the said County of York has exhibited an estimate, made by the said Court of General Sessions of the Peace, of the debts due from, and of the necessary charges, likely to arise within the said County for the Year ensuing, amounting to Two Thousand Dollars; and also for the sum of One Thousand Dollars; for the building a new Goal in the said County:

Resolved that the sum of Three thousand Dollars be and hereby is granted as a Tax for the said County of York, to be apportioned, assessed, collected paid & applied for the purposes aforesaid according to Law.

February 23, 1802.

Chapter 94.

RESOLVE FOR PAYING NATHANIEL THURSTON, ESQ. ONE OF THE COMMITTEE ON THE VALUATION.

Resolved that the sum of one hundred & sixty three Dollars & seventy five cents be allowed & paid out of the Treasury of this Commonwealth to Nathaniel Thurston, in full for fifty seven days attendance & thirty five Miles Travel — as a member of the Committee of Valuation.

February 24, 1802.

Chapter 95.

RESOLVE ON THE PETITION OF BENJAMIN WHITMAN AND OTHERS, AUTHORIZING THE GOVERNOR AND COUNCIL TO RAISE A COMPANY OF ARTILLERY, IN THE FIRST BRIGADE, IN THE FIFTH DIVISION OF MILITIA.

On the Petition of Benjamin Whitman and others, praying to be constituted and embodied into a Company of Artillery in the first Brigade in the fifth division of the Militia of this Commonwealth.

Resolved, that the prayer of said petition be granted, and that the Governor, with consent of Council be and he

is hereby authorised and empowered, to raise, complete, and organise, a company of Artillery within the limits of said Brigade, which shall be annexed to the other Artillery Corps in said Brigade, and subject to all such rules and regulations as are or may be provided, for the gover[n]ment of the Militia of this Commonwealth; and that a Resolve passed the thirty first day of January, in the year eighteen hundred, on the petition of Benjamin Whitman & others praying to be imbodied into a company of Cavalry in the first Brigade in the fifth Division of the Militia of this Commonwealth be, and the same is hereby repealed.

February 24, 1802.

Chapter 96.

RESOLVE ON THE PETITION OF THOMAS COOKE, LATE COLLECTOR OF EXCISE IN DUKES' COUNTY, AUTHORIZING THE TREASURER TO DISCHARGE A BOND OF JULY 1, 1793.

On the Petition of Thomas Cooke late Collector of Excise in Dukes County setting forth that there was an error in the Judgment Rendered against him in the Supreme Judicial Court holden at Boston in the County of Suffolk at February term 1792 and praying for relief in the premises.

Resolved for reasons set forth in said petition that the said Thomas Cook be discharged from his bond dated July the first 1793 Given to the Treasurer of this Commonwealth for the Sum of Forty Eight pounds fifteen Shillings & One penny and the Treasurer is hereby directed to discharge the same accordingly.

February 25, 1802.

Chapter 97.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF LINCOLN, AND GRANTING A TAX.

Whereas the Treasurer of the County of Lincoln has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed: And Whereas the Clerk of the Court of General Sessions of the Peace for the said County of Lincoln has exhibited an estimate, made by the said Court, of the necessary charges likely to arise within the said County for the year ensuing amounting to Four thousand, One hundred and eighty three Dollars, & seventy cents:

Resolved that the sum of Four thousand One hundred & eighty three Dollars & seventy cents, be and hereby is granted as a Tax for the said County of Lincoln, to be apportioned, assessed, collected, paid and applied for the purposes aforesaid according to Law.

February 25, 1802.

Chapter 98.

RESOLVE ALLOWING THE COUNTY TREASURER'S ACCOUNTS FOR THE COUNTY OF ESSEX, AND GRANTING A TAX.

Whereas the Treasurer of the County of Essex, has laid his accounts before the General Court, in manner prescribed by Law, which accounts are hereby allowed: And *Whereas* the Clerk of the Court of General Sessions of the Peace for the said County of Essex, has exhibited an estimate, made by the said Court of the necessary charges, likely to arise within the said County for the year ensuing, amounting to Six Thousand Dollars:

Resolved that the said sum of Six Thousand Dollars, be and hereby is granted as a Tax for the said County of Essex, to be apportioned & assessed, collected paid and applied for the purposes aforesaid according to Law.

February 25, 1802.

Chapter 99.

RESOLVE ESTABLISHING THE PAY OF THE CLERKS IN THE SECRETARY'S AND TREASURER'S OFFICES.

Resolved That the following sums be allowed and paid out of the public Treasury to the several Clerks in the Treasurer's and Secretary's Office — to wit — To Joseph Laughton two Dollars and seventy five Cents per day; to William Harris two Dollars and seventy five Cents per day; to Edward McLane, two Dollars and Seventy five Cents per day; to James Foster, two Dollars and seventy five Cents per day; to Edward Cazneau, two Dollars and twenty five Cents per day, during the time they have been, or may be actually employed in said service from the twenty seventh day of September 1801 to the first day of the session of the next General Court.

February 25, 1802.

Chapter 100.

RESOLVE MAKING AN ADDITIONAL GRANT TO THE JUSTICES OF THE SUPREME JUDICIAL COURT.

Whereas the salaries established by Law for the Justices of the Supreme Judicial Court are insufficient for their honorable support at the present time :

Resolved That for the current year commencing on the first day of January last, there shall be allowed to each of the Justices of the Supreme Judicial Court, at the rate of Five hundred Dollars, in addition to his present salary, as by Law established, and payable therewith.

February 27, 1802.

Chapter 101.

RESOLVE AUTHORIZING THE EXECUTORS OF SILVESTER GARDINER, ESQ. TO RECONVEY CERTAIN LANDS TO THE KENNEBECK PROPRIETORS.

On the petition of Robert Hallowell & Oliver Whipple Esqrs. executors of the last Will & testament of Silvester Gardiner Esqr. praying that they may be authorized to reconvey certain lands to the Proprietors of the Kennebeck purchase from the late colony of New Plymouth.

Whereas the sd. Proprietors on the twelfth day of Decr. A D 1759, granted and assigned to the sd. Gardiner his heirs & assigns a parcel of land then lying in the county of York, being part of the tract of land called the Kennebeck purchase, the sd. parcel of land being bounded as follows to wit — beginning at the lowest falls in Damariscotta river, thence running West North West to Sheeps-cut river — and also running from the sd. lowest falls in Damariscotta river East South East until it come to and meets the easterly boundary line of the sd. Proprietors tract of land called the Kennebeck purchase from the late colony of New Plymouth vizt. fifteen miles east from Kennebeck river thence running northerly on sd. boundary line so far as that a West North West line running to Sheeps-cut river, shall be one mile to the Northward of the most northerly part of Fresh pond, thence to run the West North West line aforesaid to Sheeps-cut river aforesaid, thence down the sd. Sheeps-cut river to the line first mentioned with the appurtenances thereof, excepting & reserving out of the same all tracts of lands then before

granted by the said Proprietors & lying within the sd. limits (if any such there were) saving & excepting that the sd. Silvester Gardiner his heirs or assigns should not molest or dispossess any persons in and from such lands and improvements as they or those under whom they claimed were quieted in & by a vote of the said Proprietors passed on the twenty fourth day of January A. D. 1753, which grant was to enable sd. Gardiner to convey parts of sd. lands to Settlers and Purchasers — and the sd. Gardiner gave his bond to the Treasurer of the sd. Proprietors conditioned that he the said Gardiner or his heirs should reconvey said lands to the sd. Proprietors to be held by them in the same proportion as they held them before the said grant was made.

And whereas the sd. Proprietors on the eleventh day of February A D 1761, granted & assigned to the sd. Gardiner his heirs & assigns another parcel of land lying in the county of Lincoln being part of the tract of land called the Kennebeck purchase from the late colony of New Plymouth the sd. parcel of land being bounded as follows to wit beginning at the Southerly line of lot No. 54, (delineated on a plan of Pownallborough made by Jonas Jones, surveyor, dated Dec. 20th, 1759,) on the east side of the township of Pownallborough in Sheepscut river, about four hundred & forty poles to the Northward of the falls in sd. Sheepscut river where the sd. lot No. 54 abutts upon said Sheepscut river, & from thence to run a West North West course two miles & an half, & from the end or termination of said two miles & an half to run a North East course, until it meets with sd. Sheepscut river — and thence running down sd. river as the river runs to the first mentioned bounds with the appurtenances thereof to enable said Gardiner to convey parts of sd. parcel of lands to Settlers & purchasers — and the sd. Gardiner gave his other bond to the sd. Treasurer to reconvey the same to the sd. Proprietors as aforesaid, to be held by them in the same proportion as they held them before the sd. grant was made.

And whereas the sd. Gardiner in his life time sold & conveyed certain parts of the said parcel of lands to Settlers & purchasers — and did not reconvey the residue to the said Proprietors — but on his death the same residue descended, or the right thereto, descended to his legal representatives some of whom are minors — And for

finally settling this affair between the sd. representatives and the sd. Proprietors and in order that certain disputed titles to the sd. residue may be finally settled it is agreed that the sd. executors on being duly authorized for the purpose shall reconvey the said residue to the sd. Proprietors — Therefore

Resolved That the sd. Executors be & they are hereby authorized & empowered, in their said capacity, to make & execute good & lawful deed or deeds to the sd. Proprietors & therein & thereby to convey to them the said Proprietors the said residue of the sd. two parcels of land to be held by them their heirs & assigns as tenants in common and in such proportions as they hold their other undivided lands — which deed or deeds duly executed and acknowledged by the sd. executors and duly recorded shall be good and effectual in law to all intents and purposes, to convey said residue of said parcels of land to the sd. Proprietors to hold as aforesaid that is to say all such parts of the said two parcels of land, and all such rights, interests, & estates therein as were not legally sold, disposed of, or conveyed away by the sd. Gardiner in his life time to settlers, purchasers, or others — and to enable the sd. Proprietors as a corporation or individually in their own names, to sue for and recover the same parts, rights, interests and estates from any wrongful possessor or disseisor in such manner as they can sue for & recover their other undivided lands — Notwithstanding the sd. Gardiner at the time of his death was disseized of any part thereof, and notwithstanding the sd. executors or representatives when they shall execute such deed or deeds shall be disseized — but the sd. Proprietors in virtue of such deed or deeds so executed & recorded shall have such right & title in their names to recover and hold the said parcels of land, or any parts thereof, or any rights, interests, or estates therein, as the sd. executors, representatives, or heirs of the sd. Gardiner now have — and any such possession already had of any parts of the aforesaid parcels of land, as would not bar or preclude the said heirs from recovering such parts, in an action brought by them, shall not bar or preclude the said corporation from recovering the same in an action to be brought thereby.

Provided however — and be it further Resolved That this resolution shall not be construed to impair any right, interest, or estate whatever, which any Settler, on any

part of the two parcels of land aforesaid, now has, or may have by reason of Possession or otherwise but this resolve shall be construed to alter the Law only in respect to the manner and form of the action or remedy.

February 27, 1802.

Chapter 102.

RESOLVE ON PETITION OF WILLIAM BOWDOIN, IN BEHALF OF THE TOWN OF WARE.

On the petition of William Bowdoin in behalf of the Town of Ware, representing the great heavy disproportion of roads which falls upon said Town, & its inability to keep them in repair.

Resolved, for reasons [set] forth in sd. petition that the sum of three hundred dollars, of the taxes assessed upon the sd. Town of Ware, in the State tax acts for the years eighteen hundred & one, & two, exclusive of the representatives pay, be remitted to the inhabitants of the town of Ware; *provided* the sd. sum of Three hundred dollars, & another sum of three hundred dollars, to be raised by private subscription, shall be faithfully expended upon the road leading from Belcherston to Western through sd. Ware, before the first day of January next.

Resolved further that Ruggles Woodbridge of South-[H]adley, Eleazer Clark of Belcherstown, & Samuel Blair of Western be, & they hereby are appointed agents to carry this resolve into effect. *February 27, 1802.*

Chapter 103.

RESOLVE ON THE PETITION OF EZRA BROWN AND OTHERS.

On the petition of Ezra Brown and others a Committee in behalf of the Inhabitants of the town of Windham, in the County of Cumberland, praying for liberty to sell and dispose of their school lands in said town, and appropriate the use thereof to public schools in said town.

Resolved for reasons set forth in said petition that the prayer thereof be so far granted, that the Inhabitants of the said town of Windham be, and hereby are authorised to sell and dispose of the said school lands, and that the net proceeds of the said sale be, and shall forever hereafter continue vested in some of the Public funds of the United States, or of this Commonwealth, or mortgage of

real estate, and the interest arising therefrom, be applied towards the support of Public Schools.

It is also further Resolved that the Town Clerk of said Windham shall procure from the Secretary an attested copy of this Resolve and enter the same at full length on the Records of said town of Windham, in order that the sale and appropriation aforesaid may be known, and the application thereof better secured in future.

February 27, 1802.

Chapter 104.

RESOLVE ON THE PETITION OF JAMES ATHEARN, ESQ.

On the Memorial of James Athearn, Esq. Judge of Probate for the County of Dukes County, shewing that by a Resolve passed in June one thousand eight hundred, Ezekiel Luce, of Tisbury, in said County, was authorised to sell a tract of land the property of Sarah Amos, an aged Indian woman, for the payment of her debts; and directed to account with the said James Athearn for the proceeds of the sale. That the said Ezekiel Luce sold the same, and accounted with the mem[or]ialist accordingly; and that there remains in the Memorialist's hands the sum of Ninety dollars, eighty eight cents and five mills. And praying the direction of the General Court for the distribution of the same.

Resolved, for reasons set forth in said Memorial that the said James Athearn, Esq. be and hereby is authorised and directed to pay the said sum of ninety dollars, eighty eight cents, five mills to George Peters, a mulatto man, and Ann his Wife, whose receipt therefor shall be a sufficient discharge to the said James Athearn, Esq. for the same.

February 27, 1802.

Chapter 105.

RESOLVE APPOINTING THEODORE LINCOLN, ESQ. AGENT TO THE PASSAMAQUODDY INDIANS, AND GRANTING 500 DOLLARS TO ENABLE HIM TO BUILD THEM A MEETING-HOUSE.

On the application of the Passamaquoddy Tribe of Indians for the aid of the Legislature to enable them to build a house of public Worship at pleasant point & to prevent trespasses on a township of land relinquished to them by this Commonwealth.

Resolved for reasons set forth in said application that Theodore Lincoln Esq. be & hereby is appointed Agent for the tr[*i*]be of Indians known by the name of the Quody Indians, with full power & authority to hear all complaints, prevent all trespasses on said township by suits or otherwise as he may think most for the interest of said Indians, to sell or otherwise dispose of the timber growing on said township for the use and benefit of said Tribe when in his opinion the necessities of said Indians require it.

And be it further Resolved that there be paid out of the Treasury of this Commonwealth a sum not exceeding Five hundred Dollars to the said Theodore Lincoln Esq. to be applied by him to the building for the said Tribe of Indians at pleasant point a House of Public worship, and transmit his account to the Legislature for acceptance & allowance.

And be it further Resolved, that all appointments of Agency to said Indians prior to this resolve are hereby suspended.
February 27, 1802.

Chapter 106.

RESOLVE ON THE PETITION OF BENJAMIN BARTLET, ALLOWING HIM 450 DOLLARS, AS A COMPENSATION FOR LOSSES SUSTAINED BY INCENDIARIES.

On the petition of Benjamin Bartlet praying that compensation may be made to him for damages done him by incendiaries to him unknown in burning his barn hay grain &c.

Resolved for reasons set forth in said petition that there be allowed & paid to said Benjamin Bartlet out of the treasury of this Commonwealth the sum of four hundred & fifty dollars & the treasurer of said Commonwealth is directed to pay the same accordingly. *March 1, 1802.*

Chapter 107.

RESOLVE ON THE PETITION OF JOSEPH JONES, ALLOWING HIM 225 DOLLARS, AS A COMPENSATION FOR LOSSES SUSTAINED BY INCENDIARIES.

On the petition of Joseph Jones praying that compensation may be made to him for damages done him by incendiaries to him unknown in burning his barn hay grain &c.

Resolved for reasons set forth in said Petition that there be allowed & paid to said Joseph Jones out of the treasury of this Commonwealth the sum of two hundred & twenty five dollars & the treasurer of said Commonwealth is directed to pay the same accordingly.

March 1, 1802.

Chapter 108.

RESOLVE ON THE PETITION OF HENRY WARREN, ADMINISTRATOR ON THE ESTATE OF GEORGE WARREN, DECEASED, ATTORNEY OF DAVID EMERY, DIRECTING THE SECRETARY TO CERTIFY THE BALANCE DUE TO THE SAID DAVID EMERY, IN THE ARMY BOOKS.

On the petition of Henry Warren, Administrator on the estate of George Warren, late of Augusta, Esquire, deceased, Attorney of David Emery.

Resolved, that the Secretary of the Commonwealth be, and he hereby is directed to certify to the Governour & Council the balance due to sd. David Emery, a private Soldier in Capt. Whipple's Company & Colo. Putnam's Regiment in the Continental Army, notwithstanding a minute against the name of the said Emery that he deserted, which appears to be a mistake. And the Treasurer, on receiving a warrant therefor, is hereby directed to issue a note conformably to the "law providing for the debt of this Commonwealth," for the amount due to the said Emery, payable to the said Henry Warren, administrator on the estate of the said George Warren, who was the Attorney and Assignee of said Emery. *March 3, 1802.*

Chapter 109.

RESOLVE RESPECTING THE PARTITION OF THE OLD STATE HOUSE, AUTHORIZING THE ATTORNEY GENERAL TO SUBMIT THE QUESTION TO THE DECISION OF REFEREES.

Whereas it appears by the Statement of the Attorney General, that great difficulties arise in the Decision of the dispute now pending in the Supreme Court of this Commonwealth, relative to the Partition of the Old State House between the Commonwealth and the Inhabitants of the Town of Boston, and the same cannot easily & equitably be settled in a Court of Law:—Therefore—

Resolved, That the Attorney General be, and hereby is

authorized and directed to submit the aforesaid question in dispute under a Rule of the Supreme Court to the final determination of three Referees, to be appointed, one by the Attorney General in behalf of the Commonwealth, one by the Inhabitants of the Town of Boston, or such Agent or Agents, as they may see fit to appoint for that purpose, and the third by the Justices of the Supreme Court, with authority for them, or any two of them, after a hearing of all three, to determine finally in Equity and Justice, what proportion this Commonwealth is entitled to have & hold of said land & Building. *March 4, 1802.*

Chapter 110.

RESOLVE EXPLAINING A RESOLVE OF THE 3D INSTANT ON THE PETITION OF HENRY WARREN, ESQ. ADMINISTRATOR TO THE ESTATE OF GEORGE WARREN, DECEASED.

Whereas a Resolve passed the 3d instant on the petition of Henry Warren as administrator to the estate of George Warren directing the Secretary to certify to the Governor & Counsel the balance due to David Emery a soldier in the late Continental Army — & directing the Treasurer on receiving a warrant therefor to issue a note conformable to the law providing for the debt of this Commonwealth for the amount due to said Emery — & as the said Resolve did not specifically provide for the payment of the interest due on said balance, & the Treasurer doubts his authority to add the same :

Resolved that the Treasurer issue the said note computing the interest on the said balance as has been usual in similar circumstances. *March 4, 1802.*

Chapter 111.

RESOLVE ON THE MESSAGE OF HIS EXCELLENCY THE GOVERNOR AND THE PETITION OF CAPT. THOMAS KNOWLTON AND OTHERS, GRANTING THEM COMPENSATION FOR PURSUING AND TAKING SUNDRY RIOTOUS PERSONS IN THE COUNTIES OF HANCOCK AND KENNEBECK.

Resolved that there be allowed, to the persons hereafter named, for their services, in the month of June 1801, in pursuing and taking up sundry persons concerned in riotously opposing and firing upon a Surveyor and others employed, under the authority of the Commonwealth, the sums annexed to their respective names viz : to

	<i>D. c.</i>
Thomas Knowlton, Capt.	15
Jonathan Wilson, 1st Lieut.	10
Henry Trewe, 2d Lieut.	8
John Brown, Serjeant,	4 50
John Clark, do.	4 50
James Gilmore, do.	4 50
Nathan Spring, Corporal,	3 75
Nathan Cram, do.	5
Thomas Reed, do.	3 75
Solomon Hamilton, do.	3 75
Thomas Taylor, Private,	3
David Hunter, do.	3
Caleb Smith, do.	3
John Varnum, do.	3
Edward Covell, do.	3
William Walls, do.	3
Samuel Jackson, do.	3
John Hartshorn, do.	3
William Adams, do.	3
Samuel Gage, do.	3
Wm. Taggart, do.	4
John Harvey, do.	3
John Dollaf, do.	4
Seth Elliot, do.	4
Benjamin Thompson, do.	4
Eliphalet French, do.	3
George Hopkins, do.	4
Stephen Knowlton, do.	3
Andrew Paterson, do.	3
John Moran, do.	3
Jabez Prescott, do.	3
Joseph Barns, do.	3
Samuel Brown, do.	4
Daniel Johnston, do.	3
Robert B. Cochran, do.	4
Jonathan Hodgdon, do.	3
Ichabod Colson, do.	3
John Gail, do.	3
Robert Miller, do.	3
Phillip Greely, do.	4
John Boody, do.	3
David Holmes, do.	4
James Butler, do.	3
Samuel Eaton, do.	3
Elisha Brooks, do.	3

To John Russ in full of his account for sundry stores and provisions delivered to Capt. Thomas Knowlton and Lieut. Jonathan Wilson, from the 25th to the 29th of June 1801 the sum of Seventy dollars and sixteen cents.

And be it further resolved, that there be paid out of the Treasury of this Commonwealth to Thomas Knowlton Captain of the company aforesaid Two hundred & forty

six dollars and ninety one cents he to be accountable for, and to pay to the persons before named, the several sums of money set to their names respectively. *March 4, 1802.*

Chapter 112.

RESOLVE GRANTING THOMPSON J. SKINNER, ESQ. CHAIRMAN, AND KILBORN WHITMAN, ESQ. CLERK, OF THE COMMITTEE OF VALUATION, 29 DOLLARS AND 50 CENTS, AND 200 DOLLARS, RESPECTIVELY.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Thompson J. Skinner, Esq. chairman of the committee of valuation, the sum of twenty nine dollars and fifty cents, in addition to his pay as a member of said Committee. And to Kilborn Whitman, Esq. the sum of two hundred and twenty dollars in full for his services as a member and Clerk of said Committee, including travelling fees, and money expended for stationary. *March 4, 1802.*

Chapter 113.

RESOLVE GRANTING TO THE SHERIFF OF THE COUNTY OF NORFOLK 1000 DOLLARS, TO REIMBURSE HIM FOR THE SUMS ADVANCED FOR APPREHENDING JASON FAIRBANKS.

Resolved that there be allowed and paid out of the Treasury to Benjamin Clarke Cutler Esqr. the sheriff of the County of Norfolk the sum of one Thousand Dollars for the purpose of reimbursing the sums subscribed and advanced severally by certain patriotic citizens, as a reward offered & paid by them for apprehending and securing the person of Jason Fairbanks a convicted murderer who had been forcibly taken out of the jail of the said County in the month of August last by persons since convicted of the offence. The said sum to be drawn out of the Treasury by a warrant from his Excellency the Governor by and with the advice of the Council, holding the said sheriff responsible for the faithful appropriation of the said sum. *March 4, 1802.*

Chapter 114.*

REPORT OF THE COMMITTEE ON THE GENERAL VALUATION.

To the honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled.

* Taken from court record.

The Committee appointed by a resolve of the General Court passed the sixteenth day of June last, in conformity to the directions therein contained, convened at the State House in Boston on the first Wednesday of November, and immediately proceeded to the examination of the returns made by the Assessors of the several towns, districts and plantations in this Commonwealth in pursuance of an Act passed in the year 1801, entitled “An Act for ascertaining the rateable estate within this Commonwealth.”

The Committee feel it a duty which they owe their fellow citizens, to state to the General Court, that although in some instances the returns were erroneous, yet generally they were found to be more conformable to the true intent and spirit of the requirement of the Legislature, than has been heretofore observed on like occasions. Having cast up the amount of the different descriptions of property returned as aforesaid, two objects of duty naturally presented to your Committee — the first was, to discover as near as the nature of the case would admit, the deficiency of property arising from erroneous returns of any kind, and with this was unavoidably connected a just mean of making an addition to the different corporations, the amount of their respective deficiencies. The second was to form a just estimate of the taxable items which constitute the aggregate property of the several towns, districts and plantations in the Commonwealth, and to conform them in a just ratio to each other making due allowance for difference of situation, quality of buildings, soil, and variation of circumstances inseparably connected therewith.

In the discharge of the first duty, viz., the ascertaining the quantum of taxable property with which the different places were chargeable, as it respects real estate, the Committee derived information from three sources from one or other of which they generally received such satisfaction as to regulate their judgments.

The first was, the actual return of like property made from the same places on former occasions, making due allowance for the alterations of corporate boundaries since March 1793. The second was, the plans of the different towns, taken in conformity to law since that period. The third was by referring to the recent estimate of the property of the Commonwealth by which the direct tax to the United States was made; though in no instance have we

estimated houses at more than four fifths of the rate at which they were charged in that tax, and in many instances below that proportion, and in all varying the ratio in which they stood to each other, so to make them more conformable to the ancient usage of our State.

With respect to personal estate, the return of shipping, which constitutes a very important item, was found to be returned so correspondent to the actual registry of vessels in the public Offices, as to shew that very few variations from the returns were necessary, and in most other descriptions of property of this kind, we were regulated in our variation from the returns, by the valuation by which the several towns were assessed in 1800, making allowance for different principles which appeared to govern Assessors in different places.

In a few instances the Committee have been obliged to exercise the discretionary powers vested in them, and charge corporations by force of their own judgment, and in all those, they have endeavoured to derive information from the most legitimate sources, to exercise their discretion with great caution and due deliberation, after much discussion and repeated revision. Having thus satisfied ourselves of the quantum of taxable property, chargeable on the different corporations, we proceeded to estimate the same according to its just & permanent value — comparing the produce actually returned, & attending to the representations of Gentlemen of the Committee from the vicinity — ascertaining the value of that produce — attending to the number of people maintained in the different places their different occupations and means by which they subsisted.

The same view was taken of the quantity of stock kept in the several towns, the different manner of their subsistence summer & winter, taking a separate view of each District, its advantages & disadvantages, we have endeavoured to do justice to the whole Commonwealth — to make the estimates and conform the proceedings to such principles as, when carried into effect, may produce an equal apportionment of the public taxes according [to] the relative abilities of every part of the State. In applying the general principles above stated to the particular towns, districts and plantations in the Commonwealth, your Committee are sensible that at first view great variations will appear by contrasting their report with the valuation of 1793, but they view it the express duty with

which they are charged to conform to the great changes which nine years have produced in the circumstances of the Commonwealth; the respective sums apportioned by this report on the several towns are the result of items of taxable property which the Committee had evidence to their satisfaction they possessed the first day of May last; and those items charged at prices conforming to the lowest terms of negotiation between our citizens, all of which are of record, and subject to the inspection of the General Court — if some articles appear to be higher charged in some places than in others, it will probably be found to originate from some circumstance attending the returns from one or the other of the corporations to which the same applies; and that such apparent inequality will be reconciled from some other source in the aggregate of the different places.

Where there are prominent disproportions in the aggregates of towns and districts, they may be traced to some of the following causes viz. —

The commercial advantages which the position of our Country, during the european war has given to our fellow citizens, were much earlier and have been more successfully improved, and produced a much greater accession of inhabitants in some places, than in others.

In the agricultural towns, great changes have taken place in the mode of husbandry, and the manner of managing landed property and it is to be considered, that when the last valuation was taken, many places were then wholly cultivated and full of inhabitants, that other parts had much more cultivated land in proportion to their number of inhabitants, and quite sufficient to admit an increased population upon their improvements, while large portions of other places, were then wholly uncultivated, both of which last descriptions have from that period to the present been progressing in cultivation under a full tide of success, and proportionably increasing in population. From these considerations, with others which naturally occur, the increased population of our State has been very partial in its distribution as is demonstrated by the late census.

The result is a great variation in taxable polls, which produces a greater operation in the apportionment of the valuation, than at first view would appear — for to many of these polls is attached very considerable personal estate.

Predicated on the proceedings and principles above de-

tailed, the result of harmony in the Committee, they submit the following list of apportionment of the sum of 1000 dollars on the several towns, districts and taxable plantations in this Commonwealth, as the ratio by which they in future shall be assessed, trusting that this their report will be examined with accuracy, its faults corrected, and its principles discussed with fairness and candour.

SIMON FRYE *Per order.*

COUNTY OF SUFFOLK.

Polls.	Towns.	Aggregate.		On 1000 dols. includg. polls at 2 milles each.
		D.	C.	D. C.
4640	Boston	802666	76	125 22
471	Hingham	21066	60	3 98
119	Chelsea	9279	36	1 58
36	Hull	1961	27	36
5266		834973	99	131 14

COUNTY OF ESSEX.

1866	Salem	260791	61	41 40
603	Danvers	34137	75	6 14
759	Ipswich	31016	34	6 0
829	Newbury	45764	90	8 27
1328	Newbury Port	141690	83	23 13
1179	Marblehead	67870	59	10 89
737	Lynn	18643	48	4 16
100	Lynnfield	4318	91	82
627	Andover	32416	92	5 93
835	Beverly	51631	96	9 13
393	Rowley	16652	42	3 20
447	Salisbury	15894	28	3 19
526	Haverhill	22350	50	4 28
1114	Gloucester	38764	51	7 83
211	Topsfield	8533	50	1 65
417	Amesbury	12723	10	2 67
330	Bradford	13280	16	2 58
265	Methuen	11413	5	2 18
233	Boxford	11334	42	2 11
101	Wenham	6101	31	1 8
225	Manchester	7733	15	1 57
195	Hamilton	8389	84	1 60
142	Middleton	6417	64	1 21
13462		867877	16	152 29

COUNTY OF MIDDLESEX.

Polls.	Towns.	Aggregate.		On 1000 dols. includg. polls at 2 milles each.	
		<i>D.</i>	<i>C.</i>	<i>D.</i>	<i>C.</i>
573	Cambridge	32329	67	5	89
294	Watertown	17086	67	3	6
720	Charlestown	43862	59	7	71
309	Woburn	11698	27	2	31
385	Concord	19704	49	3	62
375	Newton	16841	63	3	18
496	Redding	17468	51	3	52
416	Marlborough	18243	39	3	47
299	Billerica	12351	44	2	38
346	Framingham	14843	67	2	84
259	Lexington	12381	67	2	31
322	Chelmsford	11816	10	2	35
200	Sherburne	8882	98	1	68
303	Sudbury	11203	44	2	22
256	Malden	11932	00	2	23
235	Weston	13046	14	2	35
226	Medford	15036	8	2	62
291	Hopkington	12378	46	2	37
283	Westford	11020	46	2	16
222	Waltham	14956	82	2	60
216	Stow	7778	95	1	56
87	Boxborough	3345	36		66
402	Groton	14703	65	2	93
184	Shirley	4816	6	1	6
288	Pepperell	8309	96	1	78
272	Townsend	7030	49	1	56
316	Dracut	10236	68	2	11
137	Bedford	8003	48	1	43
224	Holliston	11525	96	2	11
239	Acton	7093	55	1	50
154	Carlisle	5865	19	1	16
120	Dunstable	4513	52		89
198	East Sudbury	8822	96	1	67
166	Lincoln	7763	23	1	45
158	Tyngsborough	5800	20	1	15
224	Tewksbury	6774	6	1	43
173	Wilmington	5692	97	1	17
236	Ashby	7612	64	1	57
207	Littleton	7174	40	1	45
154	Natick	6093	7	1	19
104	Stoneham	3474	91		71
143	Burlington	5251	45	1	4
11212		484767	22	92	44

COUNTY OF HAMPSHIRE.

Polls.	Towns.	Aggregate.		On 1000 dols. includg. polls at 2 milles each.	
		<i>D.</i>	<i>C.</i>	<i>D.</i>	<i>C.</i>
432	Springfield	16719	54	3	28
622	W. Springfield	22004	55	4	50
344	Wilbraham	9199	18	2	2
600	Northampton	21059	72	4	24
130	Easthampton	3758	78		80
192	South Hadley	5937	11	1	24
289	Amherst	10563	73	2	11
194	Granby	5064	22	1	12
166	Whatley	5608	89	1	14
230	Williamsburgh	6836	12	1	45
408	Westfield	14872	17	2	89
374	Deerfield	14489	42	2	84
456	Conway	15915	82	3	17
128	Sunderland	3937	76		82
333	Brimfield	10235	57	2	14
150	So. Brimfield	3891	4		86
106	Holland	3164	90		67
436	New Salem	11237	62	2	50
274	Ashfield	7860	76	1	83
262	Worthington	9361	56	1	88
283	Chesterfield	8077	47	1	73
323	Monson	9322	80	1	99
227	Pelham	5971	30	1	32
261	Hadley	10568	90	2	5
227	Palmer	5749	94	1	28
240	Montague	5287	20	1	24
252	Northfield	9306	99	1	85
423	Belchertown	9501	96	2	22
348	Colrain	10898	56	2	27
181	Charlemont	3765	25		91
239	Shelburne	6492	84	1	42
209	Southwick	6494	43	1	36
437	Granville	15619	45	3	13
259	Greenfield	10933	35	2	10
144	Gill	3967	25		86
282	Greenwich	6923	12	1	56
251	Southampton	7177	38	1	54
276	Warwick	9452	14	1	92
168	Orange	5979	9	1	20
329	Blandford	10349	54	2	15
221	Ware	5232	12	1	16
152	Leverett	3273	65		78
352	Chester	6252	0	1	61
167	Bernardston	5724	94	1	16
203	Leyden	5358	95	1	18
195	Shutesbury	3403	0		88
165	Wendell	3802	4		88

COUNTY OF HAMPSHIRE — CONCLUDED.

Polls.	Towns.	Aggregate.		On 1000 dols. includg. polls at 2 milles each.,	
		<i>D.</i>	<i>C.</i>	<i>D.</i>	<i>C.</i>
141	Goshen	4671	58		99
151	Ludlow	2918	20		72
163	Westhampton	6841	70	1	25
196	Norwich	4505	24	1	4
155	Rowe	2978	92		74
147	Heath	3144	58		75
225	Buckland	4045	77	1	3
211	Cummington	6377	64	1	34
167	Plainfield	4576	88		97
221	Longmeadow	7114	44	1	47
215	Hawley	4703	32	1	8
224	Middlefield	4883	42	1	15
75	Russell	1879	68		42
128	Mongomery	2513	21		62
198	Hatfield	10676	62	1	94
15557		468435	32	98	76

COUNTY OF PLYMOUTH.

742	Plymouth	27387	88	5	44
574	Scituate	26028	50	4	90
393	Duxborough	11742	12	2	49
315	Marshfield	14476	58	2	72
1121	Bridgewater	43424	68	8	51
943	Middleboro'	31055	92	6	38
596	Rochester	15193	63	3	38
197	Plympton	5456	74	1	18
445	Pembroke	16315	93	3	25
262	Kingston	10834	78	2	9
372	Abington	13836	16	2	74
236	Hanover	9451	32	1	84
173	Halifax	5081	33	1	8
186	Wareham	4837	46	1	7
207	Carver	5353	76	1	18
6762		240433	89	48	25

COUNTY OF BRISTOL.

852	Taunton	26069	19	5	51
873	Rehoboth	24693	26	5	32
311	Swanzy	8354	95	1	85

COUNTY OF BRISTOL — CONCLUDED.

Polls.	Towns.	Aggregate.		On 1000 dols. includg. polls at 2 milles each.	
		<i>D.</i>	<i>C.</i>	<i>D.</i>	<i>C.</i>
491	Dartmouth	17525	80	3	53
314	Norton	12083	87	2	38
467	Attleborough	17699	42	3	49
342	Dighton	10592	72	2	21
518	Freetown	16497	5	3	42
258	Raynham	8074	43	1	69
309	Eastown	9852	60	2	4
240	Mansfield	5918	81	1	34
246	Berkley	7486	17	1	54
924	New Bedford	43331	14	8	5
482	Westport	19067	44	3	68
177	Somerset	7188		1	43
6804		234434	55	47	48

COUNTY OF BARNSTABLE.

668	Barnstable	13353	47	3	42
482	Sandwich	17265	76	3	42
449	Yarmouth	8880	99	2	12
166	Eastham	2091	48		63
602	Harwich	12103	14	2	85
242	Wellfleet	2946	24		97
424	Falmouth	11389	4	2	49
259	Truro	3278	54	1	1
295	Chatham	5443	88	1	36
196	Provincetown	3101	37		86
340	Dennis	5438	51	1	44
242	Orleans	3985	37	1	6
4365		89277	79	21	63

DUKES COUNTY.

273	Edgartown	6000	2	1	44
162	Chilmark	11088	70	1	87
236	Tisbury	6130	91	1	39
671		23219	63	4	70

COUNTY OF NANTUCKET.

Polls.	Towns.	Aggregate.		On 1000 dols.
		D.	C.	Includg. polls at 2 milles each.
1440	Nantucket	45488	16	D. C. 9 45

COUNTY OF WORCESTER.

608	Worcester	35872	95	6 40
350	Lancaster	13333	54	2 63
341	Mendon	14474	60	2 77
767	Brookfield	28620	66	5 67
269	Oxford	8889	49	1 82
462	Charlton	19665	51	3 76
518	Sutton	22987	62	4 36
269	Leicester	10931	55	2 12
350	Spencer	13032	22	2 58
306	Rutland	12893	85	2 47
200	Oakham	5865	95	1 25
276	Hubbardston	9037	99	1 86
215	New Braintree	8297	90	1 63
199	Southborough	7258	14	1 45
260	Westborough	10512	84	2 4
156	Northborough	7087	31	1 33
266	Shrewsbury	10134	67	1 99
291	Lunenburg	10478	61	2 9
296	Fitchburgh	8109	10	1 76
303	Uxbridge	12297	81	2 39
133	Northbridge	4031	37	85
363	Harvard	11422	58	2 38
243	Bolton	8307		1 69
133	Berlin	4957	25	99
431	Sturbridge	15625	36	3 12
387	Hardwick	13190	50	2 68
232	Western	9356	88	1 81
337	Leominster	9672	21	2 7
256	Holden	10878	19	2 8
242	Douglas	6333	52	1 39
217	Grafton	10035	13	1 88
347	Petersham	14725	61	2 82
298	Royalston	8656	51	1 84
334	Westminster	11254	14	2 30
246	Athol	7532	47	1 58
257	Templeton	8593	52	1 75
242	Princeton	12368	51	2 27
229	Ashburnham	6851	68	1 45
270	Winchendon	9301	62	1 88
207	Upton	6506	33	1 35
231	Dudley	8942	98	1 75

COUNTY OF WORCESTER — CONCLUDED.

Polis.	Towns.	Aggregate.		On 1000 dols. includg. polls at 2 milles each.	
		<i>D.</i>	<i>C.</i>	<i>D.</i>	<i>C.</i>
143	Paxton	5603	8	1	10
428	Barre	19423	61	3	67
132	Ward	5725	91	1	9
200	Milford	8563	77	1	64
388	Sterling	14853	46	2	93
263	Boylston	9578		1	91
161	Gardner	4669	81		99
199	Gerry	6396	74	1	32
141	Dana	2006	44		57
14392		545151	52	107	52

COUNTY OF BERKSHIRE.

423	Sheffield	12540	74	2	78
64	Mt. Washington	1287	31		32
384	Gt. Barrington	10213	40	2	25
319	Partridgfield	7430	63	1	71
399	New Marlborough	9524	24	2	18
405	Williamstown	12344	2	2	59
314	Lanesborough	11420	42	2	28
90	New Ashford	2125	70		49
523	Pittsfield	17503	90	3	58
253	Lenox	8284	36	1	78
306	Stockbridge	11041	62	2	20
171	Egremont	4522	38		99
370	Tyringham	8027	88	1	90
365	Sandisfield	10722	98	2	16
46	Southfield	990	37		23
206	Beckett	5700	29	1	30
219	Windsor	8224	67	1	53
228	Hancock	5744	30	1	39
242	Rielmond	9253	68	1	82
119	Louden	2277	40		57
203	Washington	5117	77	1	
218	West Stockbridge	6108	74	1	32
122	Alford	3400	41		74
312	Adams	16046	76	2	7
102	Bethlehem	1761	31		45
255	Lee	7355	22	1	57
296	Cheeshire	10087	54	2	5
193	Dalton	5517	71	1	19
116	Savoy	1422	62		44
54	Clarksburgh	939	42		25
7317		210937	79	45	13

COUNTY OF NORFOLK.

Polls.	Towns.	Aggregate.	On 1000 dols. includg. polls at 2 milles each.	
			<i>D.</i>	<i>C.</i>
663	Roxbury	47253 15	8	8
458	Dorchester	26391 28	4	81
273	Milton	13524 3	2	50
253	Braintree	12315 76	2	26
413	Weymouth	16248 66	3	18
459	Dedham	21732 15	4	8
114	Brookline	12257 63	2	
196	Medfield	8136 36	1	57
128	Dover	6252 28	1	16
232	Stoughton	5545 30	1	28
242	Sharon	7036 46	1	48
276	Medway	11672 87	2	24
237	Walpole	8471 31	1	69
494	Wrentham	16648 17	3	39
296	Franklin	13294 40	2	51
171	Bellingham	7161 50	1	35
261	Needham	8967 26	1	81
175	Cohasset	7942 64	1	50
187	Foxborough	5923 33	1	20
181	Quincy	12751 76	2	20
215	Randolph	8899 60	1	74
243	Canton	7330 66	1	57
6167		285756 33	53	60

COUNTY OF YORK.

607	York	23333 84	4	58
711	Kittery	23355 20	4	79
866	Wells	27477 31	5	70
840	Berwick	29138 76	5	89
418	Arundel	13290 68	2	76
311	Biddeford	9788 42	2	16
434	Pepperelboro'	18869 69	3	50
403	Buxton	12719 8	2	62
349	Lebanon	7810 2	1	83
274	Sandford	5568 19	1	35
161	Fryeburgh	4146 43		96
243	Coxhall	5343 11	1	26
222	Waterboro'	4905 64	1	15
188	Limerick	4401 81	1	2
64	Brownfield	1430 39		30
232	Phillipsburgh	4468 85	1	11
363	Shapleigh	7864 78	1	86
270	Parsonsfield	6059 46	1	42
135	Waterford	2606 91		65

COUNTY OF YORK— CONCLUDED.

Polls.	Towns.	Aggregate.		On 1000 dols. Includg. polls at 2 milles each.
		D.	C.	D. C.
130	Bethell	2861	89	67
203	Alfred	4887	47	1 12
264	Limington	5597	86	1 34
118	Newfield	1741	84	48
146	Cornish	2967	10	72
50	Lovell	1385	40	30
25	Hiram plt. including the lands claimed under Wm. and Bridget Phillips, lands sold to Peleg Wadsworth, Esq. [and] and Cutler's lower grant,	450	80	11
25	Po[?]tersfield plt. including Cutler's upper grant,	570	30	13
25	Oxford, No. 5 plt.	570	80	13
30	East Andover plt.	712	58	16
8107		234324	61	50 7

COUNTY OF CUMBERLAND.

756	Falmouth	24634	85	4 95
1001	Portland	63642	78	11 19
601	North Yarmouth	20725	89	4 15
516	Scarborough	18811	68	3 75
507	Gorham	12864	83	2 87
296	Cape Elizabeth	7013	92	1 60
428	Brunswick	10919	92	2 44
275	Harpwell	7235	75	1 60
259	Windham	7945	54	1 67
316	New Gloucester	7499	52	1 71
515	Freeport	14338	27	3 10
263	Standish	5190	11	1 28
290	Durham	7266	4	1 55
106	Raymond	1544	78	48
432	Poland	11306	84	2 49
202	Turner	5145	8	1 14
220	Gray	5133	86	1 18
209	Buckfield	3836	62	97
181	Paris	3677	54	97
127	Norway	2315	18	58
191	Hebron	4859	29	1 8
177	Livermore	2298	66	73
130	Otisfield	2331	87	66
69	Hartford	1478	79	35

COUNTY OF CUMBERLAND — CONCLUDED.

Polls.	Towns.	Aggregate.		On 1000 dois. includg. polls at 2 milles each.
		D.	C.	D. C.
76	Sumner	1931	20	43
56	Rumford	1335	60	30
158	Bridgeton	3875	34	88
40	Thompson pond & Shaker settlement.	418	28	14
65	Flintston plant.	1527	80	35
110	Pejepscot Claim & Littles Gore	1618	82	45
40	Holmanstown Plant.	644	90	17
8612		263369	53	55 21

COUNTY OF LINCOLN.

384	Pownalborough	16681	76	3 18
384	Georgetown	10328	86	2 26
206	New Castle	7103	88	1 42
224	Woolwich	7367	12	1 50
202	Topsham	7113	71	1 47
167	Bowdoinham	4132	60	94
260	Boothbay	5873	80	1 37
431	Bristol	13048	88	2 74
327	Waldoborough	9604	7	2 4
178	Edgecomb	5410	80	1 14
229	Cambden	5893	44	1 28
200	Union	4313	0	1 2
223	Warren	7229	31	1 49
311	Thomaston	8954	61	1 91
227	Cushing	5251	68	1 21
330	Bath	9372	21	2 1
216	Bowdoin	4099	30	1 2
221	Litchfield	3151	54	90
193	Lewistown	4514	1	1 2
163	Nobleboro'	3816	73	88
167	Dresden	4485	18	98
173	New Milford	5412	34	1 13
775	Lisbon	2733	36	74
308	Ballstown	6871	15	1 61
94	Medumcook	1916	58	47
68	Wales	1008	36	29
64	Little River	1160	54	29
100	Great pond settlement	2359	60	54
6225		169220	42	36 85

COUNTY OF KENNEBECK.

Polls.	Towns.	Aggregate.		On 1000 dols. includg. polls at 2 milles each.	
		D.	C.	D.	C.
276	Augusta	6742	4	1	52
295	Hallowell	7115	16	1	62
353	Winslow	4851	59	1	40
298	Vassalboro'	6558	0	1	53
255	Winthrop	6744	87	1	54
216	Readfield	5896	83	1	28
259	Pittstown	7070	38	1	53
156	Norridgewock	2392	61		65
183	Monmouth	2523	33		73
229	Sidney	4215	39	1	7
230	Farmington	4584	12	1	12
194	Mount Vernon	3037	75		83
133	Green	3231	26		74
157	Canaan	3130	0 ¹ / ₂		76
197	Fairfield	3172	22		85
98	New Sharon	1587	0		43
130	Clinton	2304	37		59
117	Starks	1749	69		48
130	Fayette	2294	18		59
136	Belgrade	1317	93		46
132	Harlem	1875	51		53
93	Wayne	1680	38		43
60	Cornville	1050	71		27
158	Anson	1873	56		59
132	Leeds	2154	58		57
100	Jay	2476	51		55
40	Strong	1088	29		23
66	Tyngstown plt.	1203	30		30
74	New Vineyard	870	30		28
25	Vaughnston plt.	500	0		12
95	Twenty five mile pond plt.	1425	0		40
45	West pond plt.	675	0		19
80	Seven mile brook plt.	1200	0		33
80	Industry plt	1200	0		33
60	Vienna	1000	0		26
26	Chesterville	600	0		15
40	Barnardston plt.	800	0		20
26	Kin[g]smanston plt.	600	0		14
66	Freetown plt.	1200	0		30
5440		103995	87	25	90

COUNTY OF HANCOCK.

Polls.	TOWNS.	Aggregate.		On 1000 dols. Includg. polls at 2 milles each.
		<i>D.</i>	<i>C.</i>	<i>D. C.</i>
177	Penobscot	3621	60	89
201	Deer Isle	3050	81	84
145	Mount Desert	2645	83	67
167	Vinal Haven	3046	57	77
115	Trenton	3283	40	70
196	Sedgwick	3513	62	90
164	Sullivan	3848	64	89
206	Frankfort	3178	20	89
117	Blue Hill	3766	99	81
95	He Borough	2148	71	50
95	Goldsborough	1842	62	46
178	Belfast	2391	80	76
171	Orrington	3995	50	92
196	Hampden	3634	6	87
204	Castine	8128	74	1 38
100	Bangor	1516	80	42
138	Buckston	3977	19	85
169	Prospect	3656	64	91
124	Northport	1918	26	54
94	Eden	1717	10	50
73	Orland	1630	70	39
47	Ellsworth	1093	8	21
40	Colborntown	373	68	14
33	Eddington plt.	316	40	12
145	Duck Trap plt.	1220	20	47
50	Plantation No. 6	775	30	32
35	Davidstown plt.	500	0	14
3475		70792	44	17 26

COUNTY OF WASHINGTON.

241	Machias	5106	37	1 22
65	Addison	1610	6	36
76	Columbia	1402	64	35
76	Harrington	1058	20	28
52	Stuben	1363	40	29
135	Eastport	2038	84	59
93	Plantation No. 22	2275	25	40
	Cherryfield			10
738		14854	76	3 59

AGGREGATE OF COMMONWEALTH.

Polls.	Counties.	Aggregate.		On the thousand.	
		Dolls.	Cts.	Dolls.	Cts.
5266	Suffolk	834,973	99	131	14
13462	Essex	867,877	16	152	29
11212	Middlesex	484,767	22	92	44
15557	Hampshire	468,435	32	98	76
6762	Plymouth	240,433	89	48	25
6804	Bristol	234,434	55	47	48
4365	Barnstable	89,277	79	21	63
671	Dukes County	23,219	63	4	70
1440	Nantucket	45,488	16	9	45
14392	Worcester	545,151	52	107	52
7317	Berkshire	210,937	79	45	13
6167	Norfolk	285,756	33	53	60
8107	York	234,324	61	50	7
8612	Cumberland	263,369	53	55	21
6225	Lincoln	169,220	42	36	85
5440	Kennebeck	103,995	87	25	90
3475	Hancock	70,792	44	17	26
738	Washington	14,854	76	3	59
126,012		5,187,310	98	1001	27

March 5, 1802.

Chapter 114A.*

RESOLVE ON THE PETITION OF JESSE DOGGETT & ABIGAIL GAY.

On the Petition of Jesse Doggett and Abigail Gay administrators of the Estate of Joel Gay late of Roxbury in the County of Norfolk, deceased stating that he had in his lifetime agreed with Thomas Williams junior Esqr. of said Roxbury to sell and convey to him a piece of Land situate in said Roxbury, and containing eleven acres one quarter and thirty eight rods, particularly described in said Petition, and that the said Williams had paid said Gay before his decease part of the purchase money, but that he, by his sickness and death which soon after happened, was prevented from fulfilling his part of said Contract, and praying that they may be authorized to convey said Land to said Williams, upon his paying them the residue of the purchase money which he was to have paid said Gay therefor.

* Not printed in previous editions.

Resolved, That the said Jesse and Abigail as Administrators as aforesaid be, and they hereby are, authorized and empowered to make and execute to the said Williams a good and sufficient deed to pass & convey to him in fee simple all the Estate which the said Joel at the time of his decease had in said eleven acres one quarter and thirty eight rods of Land; upon his paying them the residue of the money which he was to have given said Joel for said Land according to their Contract aforesaid, to be accounted for by them as part of his Estate.

March 5, 1802.

Chapter 115.

RESOLVE ALLOWING THE ACCOUNTS OF THE COUNTY TREASURER FOR THE COUNTY OF SUFFOLK AND GRANTING A TAX.

Whereas the Treasurer of the County of Suffolk has laid his accounts before the General Court, in the manner prescribed by Law, which accounts are allowed: And *Whereas* the Clerk of the Court of General Sessions of the Peace, for the said County of Suffolk, has exhibited an estimate, made by the said Court of the necessary charges, likely to arise, within the said County, for the year ensuing amounting to Sixteen Thousand Dollars:

Resolved that the said sum of Sixteen Thousand Dollars, be, and hereby is granted as a tax for the said County of Suffolk, to be apportioned and assessed collected paid and applied for the purposes aforesaid according to Law.

March 6, 1802.

Chapter 116.

RESOLVE ON THE PETITION OF ESTES HOWE, AUTHORIZING THE EXECUTORS OF THOMAS BRATTLE, ESQ. DECEASED, TO EXECUTE A DEED OF THE LAND MENTIONED.

On the Peti[ti]tion of Estes Howe stating that Thomas Brattle Esqr. late of Cambridge in the County of Middlesex deceased, in his life time, engaged in writing, not under seal, to convey to the said Estes two undivided third parts of a certain tract of land lying in Belchertown in the County of Hampshire, containing by estimation, sixty five acres, bounded northerly by lands of Sylvanus Howe, easterly by Swift-River, southerly by land lately in the Possession of Simeon Bardwell, & westerly by lands

of David Worthington & others, at the value thereof in its unimproved state; and praying that Caleb Gannett, Esqr. & John Mellen, Clerk both of Cambridge aforesd. Executors of the last Will & Testament of the said Thomas Brattle may be authorized to convey the same by deed to the said Estis—and it appearing that the said Thomas did not in his life time execute to the said Estis any deed of the said land & that by his last Will & Testament he devised the said land together with other property to the Children of the said Gannett & Mellen, as residuary legatees — which Children are Minors, and to whom their said Parents have been regularly appointed Guardians — and the said Executors & Guardians having expressed their assent to making the conveyance aforesd. if the Legislature should authorize them so to do. — Therefore —

Resolved, That the said Executors be & they hereby are authorized & empowered to make and execute to the said Estes Howe a good & sufficient Deed, thereby conveying to the said Estes Howe his Heirs & Assigns in fee simple two undivided third parts of the tract of land aforesd., at the value thereof as in an unimproved state; such value to be ascertained by three disinterested & discreet men, to be mutually chosen by the said Caleb Gannett, John Mellen & Estes Howe — and the money which shall be paid therefor accordingly shall be received by the said Executors & by them accounted for agreeably to the intent & meaning of the Will of the said Thomas Brattle which Deed so made & executed shall be as valid to all intents & purposes whatever, as if the same had been made by the Testator in his life time.

March 8, 1802.

Chapter 117.

RESOLVE ADJOURNING COURTS IN ESSEX COUNTY.

Whereas it is found expedient that the Courts of General Sessions of the Peace, and Common Pleas next to be holden at Ipswich, within and for the County of Essex, on the second Tuesday of March instant should be adjourned to some future time:

Resolved, that the said Courts of General Sessions of the Peace and Common Pleas, by law to have been holden at Ipswich, within and for the County of Essex aforesaid, be and hereby are adjourned, to be holden at said Ipswich,

on the fourth Tuesday of March instant; and all Writs Recognizances, Warrants and other processes issued and depending before the said Courts; and all matters and things pending before the said Courts, that might have been heard and determined at the usual time by law for holding the said Courts, be and hereby are ordered and directed to be returned heard, and proceeded on at the time appointed by this Resolve for holding the said Courts in the County aforesaid, in like manner as they might have been at the time by law for holding the said Courts, if the same had not been adjourned; of which all concerned are to take notice and govern themselves accordingly, any law of this Commonwealth to the contrary notwithstanding.

And it is further Resolved, that the Sheriff of the said County, or his Deputy, is hereby directed to notify the County of this Resolve, by posting a copy thereof at some public[e] house within each town within the same; or by publishing the said Resolve in all the public newspapers printed in said County, six days at least before the day appointed by this Resolve for holding said Courts.

March 8, 1802.

Chapter 118.

RESOLVE ON THE PETITION OF ALEXANDER BARR OF PORTLAND.

On the Petition of Alexander Barr, of Portland, in the County of Cumberland, joiner, Guardian to William Kingman, a minor, and son of Seth Kingman, of said Portland, Cabinet maker, praying that he may be authorised to make sale of one undivided moiety of a small house, in a very ruinous condition, and a small piece of land situate on the southerly side of Ann Street, in Boston in the County of Suffolk, and bounded westerly and southerly by a lane or passage way of about four feet wide, which is held in common by the said William and One Gordon; easterly by land belonging to the widow Martin, and northerly in front on said street; the same being the property of said minor.

Resolved, for reasons set forth in said Petition that the said Alexander Barr, Guardian as aforesaid be and hereby is authorised and empowered to sell and by deed convey the whole of the said minor's interest in the said real

estate, for the most the same will fetch; he the said Alexander Barr first giving bond to the Judge of Probate for the County of Suffolk, to account for and make payment of the proceeds of the said sale according to law, and in other respects to observe the rules and directions of law in the sale of real estate by Executors and Administrators.

March 8, 1802.

Chapter 119.

RESOLVE FOR THE FURTHER DISPOSAL OF THE MAPS OF MASSACHUSETTS.

Resolved that the Secretary be and he is hereby directed to cause a further distribution of the Maps of the Commonwealth of Massachusetts to be made as follows — vizt. To the Attorney General, the Solicitor General, the Quarter Master General, the Adjutant Genl. the Major Generals of each Division of the Militia in this Commonwealth and to the Treasurer of each County, one sett each to and for the use of said Officers and their Successors in the Offices aforesaid. To the Clerk of the Court of Sessions in each County one sett for each Court-house, to and for the use of the Court of Sessions, to be kept where said Court shall direct — to the Judges of the Supreme Judicial Court one sett each. To the President of the United States one sett — to the Senate and House of Representatives of the United States one sett each — and to the Library of Congress one sett —

And it is further Resolved, that each Member of the present General Court shall be entitled to receive from the Secretary one sett.

March 8, 1802.

Chapter 120.

ORDER TO THE SECRETARY TO DELIVER MAPS TO HIS EXCELLENCY THE GOVERNOR AND THE HONORABLE COUNCIL, AND TO THE SECRETARY AND TREASURER.

Ordered that the Secretary be and he hereby is directed to deliver to His Excellency the Governor — to the widow of the late Lieutenant Governor Phillips — to each Member of the honorable Council, to the Secretary & Treasurer of the present year one set of Maps of this Commonwealth to each.

March 8, 1802.

Chapter 121.

RESOLVE ON THE PETITION OF SALEM TOWN AND OTHERS, DIRECTING THE TREASURER TO DISCHARGE SAID TOWN AND CALEB AMMIDON FROM THE PAYMENT OF THE INTEREST ON THE NOTE MENTIONED.

On the petition of Salem Town Luther Ammidon and Calvin Ammidon Administrators on the Estate of Caleb Ammidon Esqr. Deceased, praying for a discharge of the Interest of a Certain Note of hand payable by them to the Treasurer of this Commonwealth for the Sum of five hundred dollars.

Resolved for reasons set forth in said petition that the Treasurer of sd. Commonwealth be, and he is hereby directed, to discharge the said Salem Town and Caleb Ammidon from the payment of the Interest due on said note, any Law or Resolve to the Contrary notwithstanding.

March 8, 1802.

Chapter 122.

RESOLVE GRANTING TO PELEG COFFIN, ESQ. TREASURER, 12 DOLLARS 77 CENTS, FOR THE REPAIRS OF THE HOUSE APPROPRIATED FOR THE USE OF THE GOVERNOR.

Whereas the Treasurer of this Commonwealth has laid before this court his account for money expended (since the fifth day of March last) in repairing the House appropriated to the use of the Governor, which account appears to be well vouched & right cast :

Resolved that the sum of twelve dollars & seventy seven cents be & hereby is granted, to be paid out of the Treasury of this Commonwealth to the Honble. Peleg Coffin Esq. Treasurer aforesaid, which sum, together with six hundred & forty seven dollars & fifty nine cents which he has already received, is in full of his account for altering & repairing said house.

March 8, 1802.

Chapter 123.

RESOLVE ON THE PETITION OF JACOB KUHN, GRANTING HIM 70 DOLLARS FOR EXTRA SERVICES.

On the petition of Jacob Kuhn messenger to the general court.

Resolved that the sum of seventy dollars be & hereby

is granted, to be paid out of the Treasury of this Commonwealth to Jacob Kuhn messenger of the general court, in full for his extra service in attending on the committee of valuation since the first of November last.

March 9, 1802.

Chapter 124.

RESOLVE APPOINTING A COMMITTEE OF BOTH HOUSES TO MARK OUT THE ROUTE WHEREON THE TURNPIKE ROAD, FROM THE COURT HOUSE IN DEDHAM TO PAWTUCKET BRIDGE, SHALL BE ERECTED, AGREEABLE TO A LATE ACT.

Resolved that Salem Town Esqr. Mr. Kendall & Mr. Rice of Hingham be a Committee to direct and mark out the route whereon the Turnpike road from the Court House in Dedham to Pawtucket Bridge, shall be erected, and made, agreeably to the Act entitled an Act establishing the Norfolk and Bristol Turnpike Corporation — such Committee to be compensated for their services by said Corporation.

March 9, 1802.

Chapter 125.

RESOLVE GRANTING TO ABRAHAM BARTLETT 70 DOLLARS FOR HIS SERVICES FOR THE COMMITTEE OF VALUATION.

Resolved that there be allowed and paid out of the Treasury of this Commonwealth, To Abraham Bartlett, Seventy Dollars for thirty five Days writing for the Committee on valuation — In full for Said Services.

March 9, 1802.

Chapter 126.

RESOLVE GRANTING 20 DOLLARS PER ANNUM TO ANNE STOW.

On the petition of Anne Stow, a distressed widow and relict of Aaron Stow, late of Grafton, in the County of Worcester, deceased, shewing that the said Aaron was killed in the month of September 1800, while doing duty as a soldier in a company of militia commanded by Capt. Goulding — and praying that some provision be made towards the support of herself, and four small children, one of whom was born after the death of her said husband.

Resolved, for reasons set forth in said Petition that there be paid out of the Treasury of this Commonwealth,

to the said Anna Stow, computing from the day of the death of said Aaron, the sum of twenty dollars per annum, during her remaining the widow of said deceased, and no longer. And His Excellency the Governor, with advice of Council, is requested to issue his Warrants from time to time accordingly. *March 10, 1802.*

Chapter 127.

RESOLVE ALLOWING THE QUARTER MASTER GENERAL'S ACCOUNTS, AND MAKING A GRANT TO HIM.

The Committee of both Houses, to whom were referred the Returns of the Ordnance and Military Stores, belonging to the Commonwealth, and also the accounts of the Quarter Master General, for the year 1801, Report —

That they have examined the Returns of warlike apparatus, and notice with pleasure, the valuable Train of Artillery, consisting of One hundred & five brass, and twenty two Iron field pieces, complete for immediate service. But your Committee observe with pain, the utter deficiency of muskets, in the Arsenals, consisting only of Three hundred & forty, fit for service. The quantity of Powder is also incompetent to supply any sudden demand. The Committee conceive it to be their duty to submit this important subject to the serious consideration of the Legislature.

In examining the Quarter Master General's accounts, the Committee find, that there was granted, for the service of the last year, the sum of Ten thousand five hundred Dollars, to which is to be added the sum of six hundred & sixty nine Dollars & forty nine cents, having been received by him, for the sale of Public property, amounting in all, to Eleven thousand, One hundred & sixty nine Dollars, and forty nine cents. Of these sums, Ten thousand, three hundred & fifty nine Dollars & twenty cents, have been expended for the Public service, leaving in his hands a balance of Eight hundred & ten Dollars & twenty nine cents. The Committee have examined the items of this account, and find them well vouched & right cast.

The Committee have also examined his estimate, for the service of the year 1802, amounting to Nine thousand seven hundred and twenty three Dollars. But as there are no items in this estimate, — but for specific objects,

the Committee are of opinion, that it would be proper to grant, for the services of the Quarter Master Generals Department, for the present year, the sum of Ten thousand Dollars, in which however is to be included, the sum of Eight hundred and ten Dollars & twenty nine cents, being the balance remaining in his hands.

The Committee are also of opinion, that it would be proper that the Quarter Master General should be furnished with a sett of Maps & Laws of the Commonwealth, for which he should be responsible.

The following Resolve is also submitted,

SALEM TOWN, *Pr. order.*

Resolved That Amasa Davis, Esq., the Quarter Master General be, and he hereby is discharged from the sum of Ten thousand, three hundred & fifty nine Dollars & twenty cents, expended by him out of the sums received upon the Warrants, and sales of public property from the 20th February 1801, to the 29th January 1802, and that there be allowed & paid out of the Treasury to the said Amasa Davis Esq. the sum of Nine thousand One hundred & Eighty nine Dollars & seventy one Cents, which with the sum remaining in his hands of Eight hundred & ten Dollars & twenty nine cents, amount to Ten thousand Dollars, for defreying the charges & expenditures of the Quarter Master Generals Department for the current year, he to be accountable for the same. *March 10, 1802.*

Chapter 128.

RESOLVE ON THE PETITION OF THOMAS MONKHOUSE, AUTHORIZING THE COMMITTEE ON EASTERN LANDS TO EXECUTE A NEW CONTRACT, ON THE CONDITIONS AND RESERVATIONS EXPRESSED IN THE FORMER CONTRACT.

On the Petition of Thomas Monkhouse praying for a further time for the purformance, on his part of the contract made with the then Committee for the sale of Eastern lands on the 2d day of March 1795 by Harrison Gray Otis, & now Assigned to sd. Monkhouse for Township Number seven in the Eighth Range of Townships lying North of the Waldo Patent between the Rivers Kennebeck and Penobscot.

Resolved, That the Honorable John Read & Peleg Coffin Esqr., the Commonwealths Agents for the fulfilling and performing the contracts of the said Committee for the sale of Eastern lands, be and they hereby are empowered & directed to execute a new contract with said Monk-

house for the sale of said Township of land subject to the conditions & reservations expressed in the former contract, he paying to the said Agents within three months from the passing this Resolve compound Intrest on the principal sum stipulated to be paid for said Township, up to the time of payment of such Intrest and giving to said Agents satisfactory security for the ballance of said principal sum payable in three Yearly instalments of one third each with Intrest; And upon such payments being made, such Agents are hereby Authorized & empowered, to execute to said Monkhouse his Heirs or Assigns, a good & sufficient Deed of said Township of land according to the tenor of their Contract.

March 10, 1802.

Chapter 129.

RESOLVE ON THE PETITION OF THE SOCIETY FOR PROPAGATING THE GOSPEL AMONG THE INDIANS AND OTHERS GRANTING THEM 500 DOLLARS.

On the Petition of the Society for Propagating the Gospel among the Indians & others; Representing that the continuance of the Aid of Government is necessary to the efficacy of their Exertions for the purposes of their Institution — and it appearing that the said Society have expended three hundred & eighty dollars of the five hundred granted them by a Resolve the 20th day of Feby. 1798 Therefore

Resolved that the sum of five hundred dollars be granted to the said Society & paid out of the Treasury of this Commonwealth To be expended by them in furnishing & providing such of the Inhabitants of this Commonwealth as are destitute by their situation & circumstances of Instruction in Religion Morality & common School learning with the necessary means of obtaining these important ends — They to render an account for the same.

March 10, 1802.

Chapter 130.

RESOLVE REMITTING TO THE TOWNS OF TRENTON, SULLIVAN, AND BANGOR; TO SAMUEL FOSTER, LATE COLLECTOR OF EXCISE FOR SUFFOLK CO.; AND TO CALEB HYDE; THE SEVERAL SUMS MENTIONED, AND DIRECTING THE TREASURER TO DISCHARGE THEM.

Resolved that there be Remited to the Town of Trenton the Sum of two hundred and Sixteen Dollars & two Cents,

it Being the Amount of The Debt Due from Said Town on taxes No. 6, 7 & 9. That there be remitted to the Town of Sullivan, the Sum of one hundred Dollars Eighty three Cents, it Being the Amount of the Debt Due from Said Town on tax No. 6, & that there be Remitted to the Town of Bangor the Sum of one hundred & forty one Dollars forty Cents it Being the Amount of the Debt Due from Said Town on taxes No. 6 & 7. That there be remitted to Samuel Foster late Collector of Excise for the County of Suffolk, the Sum of nine hundred and ninety three Dollars Eighty three Cents the Balance Due from the Said Samuel To the Commonwealth — that there be Remitted to Caleb Hyde Late Sheriff of the County of Berkshire one thousand four hundred and fifteen Dollars and Sixty nine Cents, which Sum Stands Charged to the Said Hyde on the Treasury Books: and the Treasurer is hereby authorised and Directed to Discharge the Said Towns, and the Said Samuel & Caleb from the Sums aforesaid.

March 10, 1802.

Chapter 131.

RESOLVE ON THE PETITION OF HENDRICK WILLIAM BRESSEE, AUTHORIZING THE JUDGE OF PROBATE FOR SUFFOLK CO. TO DIRECT THE COMMISSIONERS ON MUNGO MACKAY, JUNIOR'S ESTATE TO SET AGAIN.

On the Petition of Hendrick William Bressee of Surinam in South America, merchant.

Resolved, that the Judge of Probate in and for the County of Suffolk is hereby Authorised to direct the Commissioners on the Estate of Mungo Mackay Jun. Deceased — again to set — and allow a further time of Four Months, to the Creditors of said Estate to exhibit their Claims.

March 10, 1802.

Chapter 132.

RESOLVE ON THE EASTERN BOUNDARY LINE OF THE COMMONWEALTH.

Whereas in the settlement of the Line, seperating this Commonwealth from the British Province of New Brunswick, made by the Commissioners of the United States and of the King of Great Britain, no actual survey thereof was made, and no fixed boundaries ascertained, from the monument placed at the head of the Waters, which empty into the river St. Croix, on the northerly course of said

line; And whereas no actual survey has been made of the line of Division between this Commonwealth & the British Province of Lower Canada; And whereas also the jurisdiction of certain islands in or near Passamaquoddy Bay is disputed and unascertained; And it is highly important that the lines aforesaid be defined by actual survey, and the jurisdiction of said islands ascertained, for the security of individual settlers and the prevention of future disputes between the two nations: Therefore,

Resolved, That his Excellency, the Governor, be, and he hereby is, requested to represent to the Government of the United States, the urgent necessity of defining the aforesaid boundary lines by actual survey and marking the same by fixed monuments, & of ascertaining the jurisdiction of said islands; and to request that Commissioners may be appointed on the part of the United States, & measures taken to procure the appointment of such Commissioners on the part of the British Government, to effectuate the purposes aforesaid; that all misunderstandings between the two nations, touching said boundary lines & juris[dis]diction may hereafter be happily avoided.

March 10, 1802.

Chapter 133.

RESOLVE ESTABLISHING THE PAY OF CHAPLAINS AND CLERKS OF BOTH HOUSES.

Resolved That there be allowed & paid out of the public Treasury to the Revd. Peter Thacher Chaplain of the Senate Sixty Dollars — to the Revd. Thomas Baldwin; Chaplain to the House of Representatives Sixty Dollars — to Mr. George E. Vaughan Clerk of the Senate Three hundred & fifty Dollars — & to Henry Warren Esq. Clerk of the House of Representatives Three hundred & fifty Dollars — in full for their services aforesaid respectively the present year. And that the Treasurer be & he is hereby directed, on receiving a warrant therefor to pay the same accordingly.

March 10, 1802.

Chapter 134.

RESOLVE ON THE PETITION OF NATHAN SMITH, AND GRANT TO.

On the Petition of Nathan Smith, praying for relief on Account of his sufferings by a Gun shot wound, received while in the pursuit of his lawful business.

Resolved for reasons set forth in said petition, that there be paid out of the Treasury of this Commonwealth, to the said Nathan Smith, thirty five dollars and fifty cents the amount of his Doctor's bill, and One hundred dollars more to relieve him and his family under their misfortunes.

March 10, 1802.

Chapter 135.

RESOLVE GRANTING 100 DOLLARS TO THOMAS WALLCUT FOR WRITING FOR THE COMMITTEE OF VALUATION.

Resolved that there be allowed & paid out of the public Treasury, to Thomas Wallcut, One hundred Dollars in full for Fifty days service employed in writing for the Committee on the Valuation.

March 10, 1802.

Chapter 136.

RESOLVE GRANTING 106 DOLLARS TO THOMAS WALLCUT FOR HIS SERVICES AS ASSISTANT CLERK TO THE HOUSE OF REPRESENTATIVES.

Resolved that there be allowed & paid out of the Public Treasury One hundred & six Dollars to Thomas Wallcut, in full for his services as Assistant Clerk of the House of Representatives the present Session, including four days writing done previous to the Session.

March 11, 1802.

Chapter 137.

RESOLVE GRANTING 161 DOLLARS TO EDWARD P. HAYMAN FOR HIS SERVICES AS ASSISTANT CLERK OF THE SENATE.

Resolved, that there be allowed and paid out of the Treasury of this Commonwealth to Edward P. Hayman, Assistant Clerk of the Senate, the sum of One hundred & sixty one dollars, in full for his services the present session of the General Court.

March 11, 1802.

Chapter 138.

RESOLVE ON THE PETITION OF JONATHAN JOHNSON.

On the petition of Jonathan Johnson of Westford in the County of Middlesex, representing his being captured by the Indians during the late Revolutionary War, while he belonged to the Massachusetts line of the army, and having given satisfactory evidence of his being detained a

prisoner for upwards of three years, and enduring every supportable hardship—and he being now in great indigence of circumstances; therefore,

Resolved that there be allowed & paid out of the Treasury of this Commonwealth, to the said Johnson, the sum of fifty Dollars, as an indemnification for his great sufferings.

March 11, 1802.

Chapter 139.

RESOLVE GRANTING PAY TO THE COMMITTEE ON ACCOUNTS.

Resolved, that there be Paid out of the Publick Treasury of this Commonwealth to the Committee appointed to examine & Pass on Accounts, for their attendance on that service during the Present Session, the sums annexed to their Names, In Addition to their Pay as Members of the Legislature: vizt. to the Hon. Isaac Thompson, Fifty days the sum of twenty five Dollars to the Hon. Thomas Hale Forty six days the sum of twenty three Dollars to Samuel P. Russell Esq. Twenty-Nine days, the Sum of fourteen Dollars & fifty cents to Timothy Jackson, Esq. Forty five days, the Sum of twenty two Dollars & fifty cents; and to Ezra Starkweather, Esq. nineteen days, the sum of nine Dollars & fifty cents, Which sums shall be in full for their services aforesaid.

March 11, 1802.

Chapter 140.

RESOLVE AUTHORIZING THE ASSESSORS OF THE TOWN OF ELLSWORTH, IN THE COUNTY OF HANCOCK, TO ASSESS THE INHABITANTS.

Resolved that the assessors of the town of Ellsworth in the county of Hancock be & they hereby are authorized & required to assess on the polls & Estates of the Inhabitants of said town, and on the non resident owners of land within the same, the sum of forty seven dollars & eighty cents, which sum is to be assessed & collected in the same manner that the State tax for the year eighteen hundred & two is to be assessed, & collected in the said town of Ellsworth; and the constable, or collector to whome such assessment shall be committed, shall pay the aforesaid sum of forty seven dollars & eighty cents into the treasury of the town of Trenton, on or before the first day of April in the year eighteen hundred & three, & shall take duplicate receipts of the Treasurer of sd. Town for the

same, one of which he shall lodge in the clerks office in the said town of Ellsworth; which sum when paid as aforesaid shall be in full for the said town of Ellsworths proportion of the said towns state taxes for the years Eighteen hundred & eighteen hundred & one.

March 11, 1802.

Chapter 141.

RESOLVE GRANTING TO THE ATTORNEY GENERAL 400 DOLLARS, FOR CERTAIN PURPOSES.

Resolved, That there be paid out of the public Treasury to the Attorney General of this Commonwealth a sum, not exceeding four hundred Dollars, to enable him to defray the Expenses, which may arise in the appointment of Referees, to determine the suit now pending between the Inhabitants of the Town of Boston and the Commonwealth, on the partition of the Old State house, with all other incidental expenses, which may accrue in the settlement of said Suit. And his Excellency the Governor, with the advice of Council, is hereby authorized to issue his warrant on the Treasury for such parts of said sum of four hundred Dollars, as the Attorney General may from time to time represent, as necessary, for the aforesaid purpose — he to account for the same.

March 11, 1802.

Chapter 142.

RESOLVE ON THE PETITION OF ABEL BOYNTON, EMPOWERING HIM TO SELL CERTAIN ESTATE.

On the Petition of Abel Boynton Guardian of William Brabrook & Nancy Brabrook Minors, praying for liberty to sell half a House & about half an Acre of Land on which the same stands it being all the Real Estate of said Minors, & situated in the Town of Westford & County of Middlesex.

Resolved for Reasons set forth in said Petition that the said Abel be & he hereby is authorized & empowered to sell & convey the Real Estate aforesaid, in the same manner, & under the same rules restrictions & conditions, as Guardians are by Law subject to, in making sale of real estates belonging to Minors.

March 11, 1802.

Chapter 143.

RESOLVE ALLOWING THE ACCOUNT OF PARK HOLLAND AND GRANTING HIM 142 DOLLARS 16 CENTS FOR CERTAIN PURPOSES.

Whereas Park Holland, Esq. has laid his account before this Court, agreeably to a Resolve passed on the seventh day of March, one thousand, eight hundred and one :

Resolved, that the said account be and hereby is allowed ; and that the sum of one hundred and forty two dollars and sixteen cents, the balance thereof be paid out of the Treasury of this Commonwealth to the said Park Holland, Esq. And His Excellency the Governor with advice of Council, is requested to issue his Warrant on the Treasury accordingly.

March 11, 1802.

Chapter 144.

RESOLVE AUTHORIZING THE FORMER AGENTS OF THE NEW STATE HOUSE TO MAKE THE NECESSARY REPAIRS TO THE ROOF.

Resolved, That Edward H. Robbins, Thomas Dawes, & Charles Bulfinch Esqrs. be & they are hereby authorized & empowered to examine the Roof of ye new State House, & to put ye same into such repair, as they shall judge necessary for the preservation of ye same & to lay their accounts for allowance & Payment before ye next general Court.

March 11, 1802.

Chapter 145.

RESOLVE RESPECTING THE DOME OF THE STATE HOUSE, AUTHORIZING THE FORMER AGENTS TO SECURE THE SAME FROM DANGER OF FIRE, ETC.

Resolved That Edward H. Robins, Thomas Dawes & Charles Bulfinch Esqrs. Agents of this Commonwealth for erecting the New State House, be & they hereby are fully authorised & impowered, in Order to secure the Dome of the said Building from the Danger of Fire, & from the Effects of the Weather, to cause the same to be sheathed with suitable Copper & to cover the Platform on which the Lantern stands with thick Sheet Lead.

And be it farther resolved That the said Agents be & they hereby are farther empowered to place in the Well in the State House yard a Pump of such a Construction

as they shall judge most conducive to the public Convenience, & most useful in Case of Fire.

And be it farther Resolved That the Sum of four thousand Dollars shall be paid out of the Treasury of the Commonwealth to the said Agents by Warrant from the Governor, for the Purposes aforesaid, they to be accountable for the Expenditure of the same. *March 11, 1802.*

Chapter 146.

ROLL NO. 46.

The Committee on Accounts, having examined the accounts they now present :

Report, That there are due to the corporations and persons hereafter mentioned, the sums set to their names respectively, which, if allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned.

Which is respectfully submitted,

ISAAC THOMSON, *Per order.*

Pauper Accounts.

	D. C.
To the town of Adams for boarding cloathing and nursing Orpah Estes, Catharine an Indian, and Freeman Blakely to Jany. 30th 1802	108 41
To the town of Abington for supplies for Margaret Benner to January 1st 1802	38 67
To the town of Attleborough for boarding, cloathing, doctoring, and nursing Lamond Gibson to his death including funeral charges, & John Quindly to June 26th 1800, and Clarissa Kelley & child to January 25th 1801, and Benjamin Maxey to January 20th 1800 and Samuel Bates and family to December 1st 1800 and for removing them out of the Commonwealth	213 40
To the town of Alford for boarding & cloathing William Maxfield to Decr. 25th 1801	75 97
To the town of Ashby for supporting John Franklin and wife, two negroes, to February 21st 1802	64 25
To the town of Brimfield for boarding and cloathing John Wakely to Jany. 4th 1802	63 17
To the town of Bridgewater for boarding Henry Ash to January 1st 1802	62 70
To the town of Boxford for boarding, cloathing, and nursing Catharine Welsh and Mehitable Hall to January 2d 1802	118 32
To the town of Belchertown for boarding and cloathing Betty Demmon to January 20th 1802	52 30
To the town of Boxborough for boarding John Kennedy to January 7th 1802	75 93
To the town of Buckland for boarding John Wilkie to January 11th 1802	67
To Josiah Bartlett for doctoring sundry paupers in the town of Charlestown to December 31st 1801	77 33

	D. C.
To the town of Blanford for boarding, cloathing, doctoring, and nursing James Carter to January 9th 1802	76 65
To the town of Beverly for boarding, cloathing, doctoring, & nursing Morish Nash, Matthias Claxton, James Wallace, and William Green to February 1st 1802 and Jane McComb to her death including funeral charges	221 35
To the town of Brookfield for boarding, cloathing, and doctoring Luke Phinny and wife, and Cato Kiun to January 1st 1802	108 29
To the town of Barre for boarding and cloathing John Christian Dandrick to Jan'y 1st 1802	38 68
To the town of Billerica for supplies for Michael Taylor to January 30th 1802	42 21
To the Board of Health for the town of Boston for boarding, doctoring, and nursing on Ransford Island, the following persons, viz. — Mitchell William Smith, Lois Talbot, Fanny Talbot, Roda Durfee, Prudy Gilbert & two children, and John Hornbrook, including funeral charges, to February 16th 1802	228 50
To the town of Boston for boarding, cloathing, and nursing sundry paupers to December 1st 1801 including funeral charges	2668 98
To the town of Berwick for boarding & cloathing Ambrose Vickery to February 1st 1802	39 47
To John Bartlett for Medicine and attendance on sundry Paupers in Roxbury to January 1st 1802	17 50
To John Brewer 40 07 & John Ballham 52 93 in full for supplies for Richard Pomeroy (by the request of the Selectmen of Eastport, to Jan'y. 10th 1802.	93
To the town of Conway for boarding & cloathing John Atsatt to January 22d 1802	57 35
To the town of Colrain for boarding & cloathing William Wilson, William Osborn, & Rachel Carr to Jan'y. 1st 1802 and for supplies for Henry Rogers, including Dr. Langs Bill to the same time	156 88
To the town of Charlemont for boarding and cloathing Abraham Bass to Jan'y. 8th and Dennis Kennedy to Jan'y. 22d 1802	107 69
To the town of Castine for supplies to his death, including funeral charges, for James Butler	6 50
To the town of Cambridge for boarding cloathing and doctoring Peggy Conden to Jan'y. 28th 1802	60 19
To the District of Carlisle for boarding cloathing and doctoring Robert Barber & Matthew Jemerson to Jan'y. 30th 1802	96 76
To the town of Charleton for boarding cloathing and doctoring Thomas Adams to Jan'y. 1st 1802	64 16
To the town of Chelmsford for boarding, cloathing, and doctoring the widow of John McClenny & her child to January 8th 1802	61
To the town of Charlestown for boarding and cloathing Mary Park & her son & daughter and Jonathan Nickles to Jan'y. 1st 1802 & said Nickles's wife to her death including funeral charges	164 08

	D. C.
To William Coffin for doctoring and medicine for sundry Paupers in the town of Gloucester to Jany. 30th 1802	125
To the town of Concord for supporting William Shaw James McDaniels and John Lawley to January 9th 1802 including Doctors Bills	81 92
To the town [<i>of</i>] Dighton for boarding & nursing David Okelly to Jany. 14th 1802 & Caesar Conecticut to his death including funeral charges	26 81
To the town of Douglass for boarding cloathing & nursing Poladore Dixon to his death including funeral charges	50
To the town of Durham for boarding cloathing, & nursing John Johnson's family to January 1st 1802 & Isaac Graham to his death including funeral charges	172 57
To the town of Deerfield for boarding and Cloathing Samuel Ray to his death including funeral charges	66 79
To the town of Danvers for boarding cloathing, doctoring and nursing John Julius Hires to Jany. 23d 1802, and John Woodman & Jerusha Bird to Feby. 3d 1802	140 26
To the town of Dunstable for Doctoring and boarding Margaret Lane to Feby. 1st 1802	46 40
To the town of Duxbury for boarding & cloathing Deborah Blinkins an Indian woman to May 11th 1800	85 64
To the Plantation of Ducktrap for boarding cloathing, doctoring, and nursing, Isabella Woodberry to January 20th 1802	46 15
To the town of Dedham for boarding & cloathing Ellenor Cargill & Robert Clue to Jany. 1st 1802	52 75
To the town of Deer Isle for boarding, doctoring and nursing Thomas Cutter and for removing him to the State of New hampshire	91 48
To the town of Dorchester [<i>for</i>] boarding, cloathing and nursing Mrs. Thornton to her death including funeral charges, Caleb Barker to Octr. 4th 1801, James Hitchard to Decr. 14th 1801, & John Stephen Homans & John Robinson to Feby. 23d 1802	138 10
To the town of Egremont for boarding & [<i>and</i>] cloathing Mary Daley & her three Idiot children to January 12th 1802	248
To the town of East-Sudbury for supplies for John Thorning to Jany. 26th 1802	45
To the town of Falmouth for boarding, doctoring and nursing Matilda Jones to her death including funeral charges	25 17
To the town of Freetown for boarding, cloathing, and doctoring Francis Brow to Feby. 14th 1802	111 54
To Constant Freeman Keeper of the Alms-house in Boston to December 1st 1801	198 84
To the widow Christian Foster for expences & doctors bill in the last sickness of her husband David Foster, he being a Pensioner, including funeral charges	36
To the town of Gorham for boarding, cloathing, doctoring, and nursing Mehitable Hussey to her death including funeral charges	70
To the town [<i>of</i>] Greenville for boarding and doctoring Thomas Williams & his wife to Jany. 17th 1802	90 03
To the town of Great-Barrington for boarding and cloathing Isaac Hoose, Mary Hoose, Catharine Hoose, & Tom a negro to Jany. 2d 1802	112 90

	D. C.
To the town of Granby for boarding and cloathing Ebenr. Derwin and John Murry to January 25th 1802	93 64
To the town of Groton for boarding, cloathing, doctoring and nursing John C. Wright, his wife and child, John W. Benterodt his wife & child, & Edward McLane to Janv. 10th 1802	305 62
To the town of Goshen for boarding & cloathing and doctoring Meriam Lampheer to Jany. 7th 1802	73 11
To the town of Greenfield for boarding & cloathing and doctoring John Battis, & Eunice Convers to Jany 4th 1802 including funeral charges for said Battis	73 72
To the town of Georgetown for boarding & cloathing Nicholas Hunabry to Jany. 19th 1802	67 20
To the town of Gouldsborough for boarding & nursing Robert Caise to his death including funeral charges	38
To the town of Gloucester for boarding, cloathing, and nursing sundry paupers to Novr. 10th 1801, and Dennison Doget to December 14th 1801, Thomas Gardner to his death including funeral charges	916 49
To the town of Gill for supplies & Doctoring Peter Mange to Feby. 2d 1802	50 42
To James Goss for doctoring & medicine for sundry paupers in the town of Gloucester to January 1st 1802	30
To Oliver Hartshorne Keeper of the Prison in Boston for dieting Martin Coster to Jany. 2d & Thomas White to March 2d 1802	40
To the town of Hawley for boarding & cloathing Thomas Oakes to Jany 1st 1802	73 84
To the town of Hadley for boarding, cloathing doctoring and nursing Mary Battis to Jany. 1st 1802 and Francis Trainer to his death including funeral charges	90 86
To Joseph Hodgkins Keeper of the house of Correction in Ipswich in the County of Essex, for boarding and cloathing sundry paupers to Jany. 18, 1802	247 34
To the town of Hopkinton for boarding and cloathing James Roach to Feby. 18th 1802	52
To the town of Hallowell for boarding and cloathing Rachel Cummings, & George Frost a foundling child to Jany. 1st 1802	157 08
To the town of Holliston for boarding and cloathing James Lewis to Feby 6th 1802	67 20
To the town of Hardwick for boarding, cloathing, doctoring, and nursing David Chamberlain to Decr 28th 1801 and John Veal to his death including funeral charges	186 75
To the town of Ipswich for boarding & cloathing John Miller to June 12th 1801, William Broadbent to Jany. 1st Dinah Higgins to Jany. 15th Peter Agar to Feby 3d 1802 and Dennis Gullabul to her death including funeral charges	154 04
To the town of Kingston for boarding and cloathing Thomas Kittredge to Jany. 15th 1802	67 92
To the town of Lenox for boarding, cloathing John Howe, Christopher Crow, Abraham Palmer and his two children to Jany. 14th 1802	310 5
To the town of Leyden for supporting and doctoring William Lewis to Novr. 19th 1801 & Jedediah Fuller & family to Jany. 16th 1802	203 12

	D. C.
To the town of Lancaster for boarding, nursing and doctoring Orpah Hall to Feby. 14th 1801	47 25
To the town [of] Lanesborough for boarding, nursing, and doctoring Samuel Koppin to his death including funeral charges, and John Young to January 1st 1802	117 21
To the town of Lincoln for boarding, & cloathing Thomas Poccock to February 1st 1802	66 48
To the town of Milton in addition to an allowance made them last June for boarding and nursing John Gray	7
To the overseers of the Marshpee Indian Plantation for boarding and cloathing George Homes and George George to Jany. 1st 1802	94 50
To the town of Mendon for supplies for John Hunt to Jany. 11th 1802	50 73
To the town of Methuen for supplies for Thomas Pace to Jany. 1st 1802	45 98
To the town of Milford for boarding & cloathing Hosea Dixon & Ebenezer Torry to Jany. 18th 1802	85 25
To the town of Manchester for boarding & cloathing and doctoring Thomas Douglass & Caty Grovely to Feby. 2d 1802	175 36
To James Mann for doctoring & medicine for Peggy Taylor in Wrentham to Deer 6th 1801	10
To the town of Marlborough for boarding, cloathing doctoring and nursing James Webster to his death including funeral charges, & Joseph Waters to Jany. 1st 1802	109 39
To the town of Marblehead for supporting and doctoring James Obrien to Sepr. 18th and George Lynch to Novr. 12th 1801	54 37
To the town of Marshfield for supplies for Peggy Mitchell to April 1st 1801	11 79
To the town of New-Marlborough for boarding cloathing, doctoring & nursing Nathl. Curtis wife and son to July 28th 1801	104 21
To the town of Nantuckett for boarding cloathing, doctoring, & nursing Nony Hide & child to Deer. 21st 1801 Mary McCarty & child to June 5th 1801, John Wilbor to Deer. 19th 1801, & D. Costalis & Abraham Smith to their death including funeral charges	207 76
To the town of New-Salem for boarding two children of Jesse Bedient to Jany. 18th 1802 and doctoring and nursing Moses Hutchens to his death including funeral charges	48 48
To the town of New-Bedford for boarding, cloathing, doctoring, and nursing Patience Sydnall and her two children, & Jos. de Souza to Novr. 18th 1801 and Mary Plumb to her death including funeral charges	184 19
To the town of Northfield for boarding, cloathing, doctoring and nursing Matthew Robly and wife and two children to Jany. 26th 1802	54 11
To the town of Newbury for supporting and doctoring sundry Paupers to January 1st 1802 including funeral charges	780 52
To the town of North Yarmouth for boarding and cloathing William Elwell to February 20th 1802	95 89
To the town of Newbury Port for boarding cloathing and doctoring sundry Paupers to December 31st 1801	861 34

	D. C.
To the town of Northampton for supporting sundry paupers to February 1st 1802	117 86
To the town of Oxford for boarding cloathing, doctoring, and nursing Catharine an Indian woman to Jany. 1st 1802	66 35
To the town of Pownalborough for boarding cloathing, doctoring and nursing, Joseph Penrise to his death including funeral charges	53 08
To the town of Palmer for boarding & cloathing William Mendon & John Swaney to Jany. 9th 1802	84 89
To the town of Plymouth for boarding doctoring and nursing Nathaniel Thomas to his death including funeral charges	96 92
To the town of Partridgefield for supporting Mary Lace to Novr. 30th 1801	45 56
To the town of Pittsfield for boarding and cloathing Mary Welsh to Jany. 12th 1802	40 09
To the town of Portland for boarding and cloathing sundry paupers to Jany. 2d 1802	354
To the town of Rehoboth for boarding & cloathing Ann Correl & Richard Bolton to Jany. 1st 1802	47 38
To the town of Rowley for boarding cloathing, doctoring, & nursing William White and Hannah Harris to Jany. 1st 1802	54 67
To the town of Reading for boarding cloathing, and doctoring Samuel Baneroff to Jany. 25th 1802	101 60
To the town of Rutland for boarding & cloathing William Henderson to Feby. 8th 1802	45 65
To the town of Roxbury for boarding, cloathing, doctoring, & nursing sundry paupers to Jany. 1st 1802 including funeral charges	697 26
To the town of South-Hadley for supplies and doctoring for Peter Pendegrass to January 19th 1802	35 56
To the town of Swanzey for boarding cloathing, doctoring, and nursing three illegitimate children, Deborah Blinkins, & Esther Church to Jany. 22d 1802 & Fenner Pierce to her death including funeral charges	127 41
To the town of Sutton for supplies and doctoring for Christopher Ambler in full to December 7th 1801	85 50
To the town of Stockbridge for boarding, cloathing and doctoring Samuel Haney, Joseph Grant, Sarah Haney, Sarah Hosford & Jenny Collins, to Deer. 1st 1801	212 08
To the town of Shelburne for boarding & cloathing Francis Lester to Jany. 18th 1802	37 21
To the town of Salisbury for boarding doctoring & nursing Catharine Wilson to May 12th 1801	10 50
To the town of Southwick for supplies & cloathing for George Reed to Jany. 1st 1802	72 50
To the town of Shrewsbury for supplies and doctoring for Caesar West and wife to Jany. 25th 1802	35
To the town of Scituate for boarding cloathing and doctoring and supplies for Major Humble, Mary Carlow, & Elizabeth Breeden to Feby. 3d 1802	100 45
To the town of Stoneham for supporting William Barton to Feby. 18th 1802	33 75
To the town of Salem for boarding cloathing, doctoring and nursing sundry paupers to Jany. 4th 1802 including funeral charges	1172 01

	D. C.
To the town of Taunton for boarding, cloathing doctoring, & nursing Robert Burton & Mary Hazard to their death including funeral charges & her child George to Deer. 7th 1801	104 51
To the town of Tyringham for supporting Ralph Way & Ebenr. Ayers to January 1st 1802	70 98
To the town of Upton for boarding Elizabeth Brown to her death including funeral charges	43 37
To the town of Uxbridge for boarding and cloathing David Mitchell & Betty Trifle to Jany. 20th 1802	85 71
To the town of Washington for boarding and cloathing Phebe Clark & William Foster to Jany. 12th 1802	70 60
To the town of Western for boarding & cloathing John Cane to his death including funeral charges	50 63
To the town of Westford for boarding, cloathing and doctoring Elizabeth Wilson to Jany. 1st 1802	71 10
To the town of West-Springfield for boarding and cloathing Anna Pettee Sophia Howe & John Howe to Jany. 19th 1802	97 75
To the town of West-Stockbridge for supplies and doctoring for John Rowley to his death including funeral charges	59 47
To the town of Walpole for boarding & cloathing Partrick Hancock & Sally Davis, to Jany 1st 1802 & supplies for David Browns including doctors bill to Feby. 15th 1802	158 55
To the town of Woolwich for boarding cloathing and doctoring Joshua Fuller to Jany. 1st 1802	59 91
To the town of Weston for boarding cloathing and doctoring Nancy Cornwell to Feby. 3d 1802	95
To the town of Windsor for supplies for Henry Smith & wife to Deer. 14th 1801, & for boarding and cloathing Benjamin Still's wife to Jany. 9th 1802	94 21
To the town of Wilbraham for boarding and cloathing John Brewer to Jany. 25th 1802	38 75
To the town of Warren for boarding William Moarman to Jany. 5th 1802	52
To the town of Wells for boarding, cloathing, and nursing James Propet to Jany 16th 1802	58 68
To the town of Westfield for boarding and cloathing William Davis, James Dewell to Jany. 1st 1802	89 57
To the town of Wrentham for boarding, cloathing, and nursing John Harcourt, Peggy Taylor and Betty Taylor to Jany. 1st 1802	165 53
To the town of Worcester for boarding cloathing, Doctoring and nursing Joseph King, and supplies for Stephen Temple & Jack Melvin and Peter Willard to Feby. 9th 1802 and Thomas Butler to his death including funeral charges, and a sum allowed in addition to the last years account	280 08
To the town of Westport for expences in removing Daniel Cory and Benjamin Hurd to the State of Rhode Island	6 50
To the town of Wareham for boarding Alexander Frazer to Sepr. 11th 1801	69 16
To the town of Westborough for boarding and cloathing John Seudmore to Feby. 15th 1802	74 31
To the town of Watertown for supporting Pegg a Mulletoe woman to Feby. 3d 1802	52

	D. C.
To the town of York for boarding & cloathing Edward Perkins Sarah Perkins Mary Crocker & Abigail Chappel to 7th January 1802. & William Kearswell, Sarah Kearswell and Elizabeth Perkins to December 25th 1801	225 58
Total	19799 44

Militia Accounts.

Courts Martial & of Enquiry &c.

	D. C.
To William Donnison Adjutant General in full for his services to January 1st 1802	633 33
To a Court of Enquiry whereof Major David Tracey was President held at Great-Barrington May 29th 1801	7 43
To a Court Martial wherof Lt. Col John Chandler and Lt. Col. William Kendall were Presidents held at Readfield and Hallowell in March and September 1801	151 79
To a Court of Enquiry whereof Lt. Col. Samuel B. Rice was President held at Sturbridge August 13th & 14th 1801	28 38
To a Court of Enquiry whereof Lt. Col. Sylvanus Lazell was President held at Sandwich May 6th & 7th 1801	68 33
To Cap. Aaron Davis's Company of Cavalry for attending the Sheriff of the County of Norfolk, by order of the Commander in chief, at the Execution of Jason Fairbanks Sepr. 10th 1801	28 54

Aid de Camps & Brigade Majors.

To Liberty Banister Aid de Camp in full for his services to Jany. 8th 1802	25 10
To George Blanchard Brigade Major in full for his services to December 31st 1801	38 32
To Stephen Dewey Brigade Major in full for his services to Octr. 20th 1801	53 50
To Medad Dickinson Brigade Major in full for his services to Jany. 18th 1802	28 85
To Barzillai Gannet Aid de Camp in full for his services to Jany. 1st 1802	22 13
To William Hinkley Brigade Major in full for his services to July 31st 1801	11 42
To William Hunt Aid de Camp in full for his services to November 20th 1801	28 54
To Josiah Harris Brigade Major in full for his services to November 1st 1801	33 50
To Samuel Howard Brigade Major in full for his services to Jany. 27th 1802	208 39
To William Jackson Brigade Major in full for his services to December 30th 1801	31 30
To Jacob Mann Brigade Major in full for his services to Jany. 1st 1802	95 84
To John Nye Brigade Major in full for his services to December 31st 1801	21
To Sylvester Osborne Brigade Major in full for his services to Feby. 1st 1802	111 76
To William P. Rider Brigade Major in full for his services to Feby. 9th 1802	17 60

	D. C.
To Samuel M. Thayer Brigade Major in full for his services to Feby. 24th 1802	59 25
To John Taylor Brigade Major in full for his services to Feby. 1st 1802	56 07
To Samson Woods Brigade Major in full for his services to Jany. 14th 1802	36 45
To Robert Wheeler Brigade Major in full for his services to Jany. 18th 1802	40 50

Adjutants Accounts.

To John Adams Junr. Adjt. in full for his services to Octr. 4th 1801	9 28
To Elijah Alvord 2d Adjt. in full for his services to Jany. 25th 1802	8 50
To Jonah Brewster Adjt. in full for his services to Jany. 21st 1802	16 71
To Oliver Beldin Junr. Adjt. in full for his services to Decr. 24th 1801	15 42
To Matthias Blossom Adjt. in full for his services to Decr. 6th 1801	38 92
To Moses Burt Junr. Adjt. in full for his services to August 10th 1801	2 17
To Benjamin Blanchard Adjt. in full for his services to Octr. 1st 1801	15 37
To James Burnam for money paid for Adjutants service to Jany. 1st 1802	7 95
To Jonathan Burrows Adjt. in full for his services to December 7th 1801	16 32
To William Bridge Adjt. in full for his services to January 1st 1802	28 06
To Joseph Billings Adjt. in full for his services to March 5th 1802	34 44
To Ebenezer Center Adjt. in full for his services to Jany. 18th 1802	9 22
To Elihu Cutler Adjt. in full for his services to Feby. 11th 1802	41 89
To Peter Clark Adjt. in full for his services to March 5th 1802	24 75
To Russell Dewey Adjt. for his services to October 16th 1801	17 94
To Joel Deming Adjt. for his services to December 10th 1801	8 14
To Abraham Fuller Adjt. for his services to December 31st 1801	26 22
To John G. Fudger Adjt. for his services to Jany. 20th 1802	13 03
To Joseph Farley Adjt for his services to October 1st 1801	36 84
To Levi Fairbanks Adjt. for his services to Feby. 19th 1802	21
To Lemuel French Adjt. for his services to Feby. 24th 1802	10 57
To William Gould Adjt. for his services to January 16th 1802	22 85
To Edward Goodwin Adjt. for his services to June 19th, 1801	16 23
To Christopher Hurlburt Adjt. for his services to September 21st 1801	26 78

	D. C.
To Ebenezer Heath Adj. for his services to September 1st 1801	10 84
To Caleb Howard Adj. for his services to Feby. 13th 1802	12 85
To Epaphrus Hoyt, Adj. for his services to Jan'y. 14th, 1802.	16 62
To William Hight Adj. for his services to September 23d 1801	13 84
To Thomas Hill Adj. for his services to December 25th 1801	17 93
To Timothy Hopkins Adj. for his services to Jan'y. 1st 1802	18 78
To Cyrus Keith Adj. for his services to Feby. 8th 1802	21 33
To Simeon Kingman Adj. for his services to Jan'y. 27th 1802	27 32
To Isaac Lane Adj. for his services to Feby. 3d 1802 including an additional allowance on a former Account	37 20
To Nathaniel Libbey Adj. for his services to Jan'y. 14th 1802	33 43
To Benjamin Lincoln Adj. for his services to December 24th 1801	26 48
To John Merrill Junr. Adjutant for his services to Jan'y. 10th 1802	89 60
To Herbert Moors Adj. for his services to Octr. 1st 1801	24 12
To Isaac Maltby Adj. for his services to Jan'y. 27th 1802	24 89
To Moses Merrill Adj. for his services to Feby. 1st 1802	20 82
To Daniel Nash Adj. for his services to Jan'y. 1st 1802	8
To John Nye Adj. for his services to Jan'y 1st 1802	18 80
To Daniel Osborn Adj. for his services to Feby. 2d 1802	6 33
To Jeremiah O'Brien Junr. Adj. for his services to December 23d 1801	27 79
To Esaias Prebble Junr. Adj. for his services to Jan'y. 2d 1802	16 64
To Samuel Pingree Adj. for his services to Novr. 6th 1801	15 12
To John Prince Junr. Adj. for his services to Jan'y. 20th 1802	8 78
To Benjamin Poor Adj. for his services to December 30th 1801	36 56
To Abel Phelps Adj. for his services to October 2d 1801	12 23
To Isaac Patten Adj. for his services to Feby. 10th 1802	7 87
To George Russell Adj. for his services to Jan'y 4th 1802	27 17
To John Sargent Adj. for his services to Sepr. 22d 1801	10 58
To Nathaniel Shaw Adj. for his services to August 30th 1801	18 85
To Erastus Smith Adj. for his services to Jan'y. 18th 1802	34 62
To George Stanley Adj. for his services to October 3d 1801	23 01
To Quartus Stebbins Adj. for his services to November 4th 1801	11 79
To William Stone Adj. for his services to November 1st 1801	41 22
To Henry Sweet Adj. for his services to October 12th 1801	13 83
To John Stoddard Adj. for his services to Feby 4th 1802	12 47
To Samuel Satterlee Adj. for his services to July 21st 1801	4 67
To James Tyler Adj. for his services to September 14th 1801	12 75
To William C. Whitney Adj. for his services to Jan'y. 29th 1802	28 06
To Cyrus Williams Adj. for his services to Jan'y. 15th 1802	7 65

	D.	C.
To Nathaniel Whittier Adj. for his services to Jany. 9th 1802	6	10
To Timothy Whiting Adj. for his services to Feby. 5th 1802	25	14
To David White Adj. for his services to Feby. 4th 1802	15	88

Expence for Horses to haul Artillery &c.

To Eli Bullard for money expended for horses to haul Artillery &c. to Feby. 10th 1802	23	71
To John Bray for money expended for horses to haul Artillery &c. to Feby. 25th 1802	24	
To Adam Brown for money expended for horses to haul Artillery &c. to Octr. 14th 1801	9	
To Jesse Dogget for money expended for horses to haul Artillery &c. to Feby. 25th 1802	15	
To Solomon Gould for money expended for horses to haul Artillery to Octr. 19th 1801	6	
To Asher Hickcox for money expended for horses to haul Artillery &c. to Octr. 6th 1801	3	33
To Oliver Johonnot for money expended for horses to haul Artillery &c. to Feby. 25th 1802	24	
To John Kellogg for money expended for horses to haul Artillery &c. to Jany. 11th 1802	5	
To Samuel B. Lyon for money expended for horses to haul Artillery to Feby. 8th 1802	5	
To Joseph Miller for money expended for horses to haul Artillery &c. to Novr. 1st 1801	8	33
To Robert B. Orr for money expended for horses to haul Artillery &c. to Jany. 25th 1802	1	40
To Ignatius Sargent for money expended for horses to haul Artillery &c. to Octr. 29th 1801	7	50
Total,	3286	15

Sheriffs Accounts.

	D.	C.
To Bailey Bartlett for returning votes for Governor, Lt. Governor & Senators, to Jany. 15th 1802	3	20
To Edmund Bridge for dispersing precepts and returning votes for a Representative to Congress to January 1st 1802	64	64
To John Cooper for returning votes for a Representative to Congres to Decr. 31st 1801	126	66
To Ichabod Goodwin for returning votes for Governor &c. and Representative to Congress to Feby. 8th 1802	24	49
To John Waite for dispersing precepts & returning votes for Governor &c. and Representative to Congress to Jany. 19th 1802	32	54
Total,	251	53

Printers Accounts.

	D.	C.
To Ashley and Brewer for publishing Acts and Resolves in Springfield to January 1st 1802	16	67
To Phinehas Allen for publishing Acts and Resolves in Pittsfield to January 18th 1802	16	67

	D. C.
To Adams & Rhoades for publishing Acts and Resolves in Boston to Feby. 20th 1802	33 33
To Thomas C. Cushing for publishing Acts and Resolves in Salem to June 1st 1801	16 67
To Peter Edes for publishing Acts and Resolves in Augusta to Jany. 1st 1802	11 17
To Galen H. Fay for publishing Acts and Resolves in Haverhill to Jany. 1st 1802	11 17
To Heman Mann for publishing Acts and Resolves in Dedham to Jany. 1st 1802	16 66
To Benjamin Russell for publishing Acts and Resolves in Boston to January 1st 1802	16 67
To Young and Minns printers for the General Court to March 2d 1802	971 20
Total,	1110 21

Convicts.

	D. C.
To Oliver Hartshorn for dieting & cloathing Elisha Dillingham, a Castle Convict, in Boston Gaol to March 3d 1802	75 11
To Nathan Heard for dieting & cloathing Eli Page, a Castle Convict, in Worcester Gaol, to January 13th 1802	65 49
To Thomas Manning for doctoring & medicine for sundry paupers in the town of Ipswich, and in the house of Correction, & for Convicts in the Gaol in said town in full to February 10th 1802	79 79
To Joseph Hunt for doctoring sundry Convicts in Concord Gaol in full to January 31st 1802	30 08
To John Richardson for dieting, cloathing and nursing sundry Convicts in Concord Gaol, to Feby. 9th 1802	586 41
To Jeremiah Stanniford for dieting and cloathing Samuel Walker, a Castle Convict, in Ipswich Gaol to December 6th 1801	43 75
Total,	880 63

Miscellaneous Accounts.

	D. C.
To Col. John Boyle for Stationary for the Secretary's and Adjutant General's Offices to January 1st 1802	111 62
To Norton Brailsford and Francis Green in full for their Account for repairs on the State House to Jany. 1st 1802	119 95
To Josiah Bartlett, Esqr. 12 00	} 47 50
Enoch Titcomb Esqr. 25 50	
& Benj Pickman Junr. Esqr. 10 00	
for their services as a committee appointed by a Resolve of March 5th 1800 to confer with a committee of the town of Boston on the subject of the old State House, and to sell the Commonwealth's interest in the same	
To Peleg Coffin Esqr. for Oil for the Lamps, and for other expenditures in the Treasury Office to March 1st 1802	189 84½
To Thomas Dawes and James Bowdoin Esqrs. thirty five dollars each for examining & adjusting the accounts of the Treasurer & defacing notes, due bills &c. to July 1st 1801	70

	D. C.
To Simeon Draper, Coroner in the County of Worcester, for taking an Inquisition on the body [of] John Cane Novr. 15th 1801	17 40
To the Guardians of the Dudley Indians, for a balance due to them which is in full to May 30th 1801 which sum the Treasurer is directed to charge said Indians with, and to be deducted out of the sum due to them from the Commonwealth	102 47
To John W. Folsom, Coroner in the County of Suffolk, for taking Inquisitions upon the bodies of five persons, which is in full up to December 17th 1801	111 6
To Samuel Gore for sundry paintings for the State House to Jany. 1st 1802	61 45
To Timothy Goodwin for sundry Articles for repairing the State House to January 11th 1802 as per his account	26 42
To George Geyer for tolling the bell at the interment of the late Lieut. Governor	2
To Jonathan Hastings for postage of Letters &c. to Jany. 23d 1802 as per his Acct.	122 87
To John Howe and Sons for services performed for Government by order of the Messenger to the General Court to June 25th 1801	3 33
To Lemuel Ludden for tolling bell, and cleaning Meeting House at the interment of the late Lieut. Governor	7
To B. & J. Loring for putting 7 sets of Maps into frames, and sundry services for the Committee on the Valuation	12
To Amos Lincoln for services performed for Government by order of the Secretary and the Messenger to the General Court	169 25
To Isaac Pierce, Messenger to the Governor & Council in full of the balance of his Account to Jany. 5th 1802	51 59
To Thomas Spear for taking care of Hospital Island to Feby. 14th 1802	44 44
To Oliver Wendell Esqr. for money expended for horses, carriages &c. for the Governor, Council, President of the Senate, and Speaker of the House of Representatives, in attending the funeral of the late Lieut. Governor at Andover	50 87
To Henry Warren for entering the schedule of rateable property in books for the committee on the valuation agreeable to an order [of] the Legislature	115 74
To Josiah Wheeler for sundry repairs on the State House to June 25th 1802	41 40
To Elijah Wheelock for tolling bell at the interment of the late Lieut. Governor	2
To James White & Co. for Stationary for the General Court to March 5th 1802	201 98
To Daniel Cowing for his services in assisting the Messenger of the General Court to March 12th 1802	89 25
To Sylvanus Lapham for his services in assisting the Messenger of the General Court to March 12th 1802	94 50

Aggregate of Roll No. 46. March 1802.

	D.	C.	D.	C.
Expence of State Paupers, . . .	197	99	44	
Do. of Militia, . . .	32	86	15	
Do. of Sheriffs, . . .	25	1	53	
Do. of Printers, . . .	11	10	21	
Do. of Convicts, . . .	88	0	63	
Do. Miscellaneous . . .	18	65	93	

\$27193 89

Read and accepted, and thereupon

Resolved, That there be allowed & paid out of the Public Treasury, to the several corporations and persons mentioned in this Roll, the sums set against such corporations and persons respectively, amounting in the whole to twenty seven thousand one hundred ninety three dollars, and eighty nine cents, the same being in full discharge of the accounts and demands to which they refer.

March 11, 1802.

SPEECHES AND MESSAGES,
1800-1801.

SPEECHES

OF

HIS EXCELLENCY THE GOVERNOR,

AND

MESSAGES TRANSMITTED BY HIS EXCELLENCY TO THE
GENERAL COURT, ETC., DURING THE LEGISLATIVE
YEARS

1800-1801.

[May Session, 1800.]

NEW-STATE-HOUSE, BOSTON, June 3, 1800.

The Senators and Representatives having convened in the Representatives' Chamber to receive the Governor, at 12 o'clock His Excellency entered, attended by the Honorable Council, and the Secretary of State, and, after a short pause, delivered the following speech :

Gentlemen of the Senate, & Gentlemen of the House of Representatives,

The Invitation of my fellow Citizens to the respectable Office, which I have undertaken to execute, has excited in me Sentiments of Gratitude, for the honor they have conferred upon me — At the same time it has given me anxiety, from an apprehension, that I shall be unable to discharge the duties of the Office, in a manner that will justify their confidence — But I flatter myself, that their candour will incline them, to judge favorably of the motives of my conduct, even in cases where an error may be supposed.

The occasion upon which we meet, naturally revives in our minds, the recollection, of the severe losses we have lately suffered, in the death of some of our most respectable, and distinguished fellow citizens.

In the course of the last year, this State has been deprived, of its late excellent Governor — He was eminently fitted for the offices which he had sustained, for he

possessed those qualities that acquire universal respect — To a sound understanding, and extensive political & legal knowledge, he united engaging manners, and habitual goodness — Benevolent, upright and unassuming, he was beloved as a man, and revered as a Magistrate, and his memory is blessed.

Since that event, the whole nation has suffered the loss, of the first and best of men — We are all witnesses, of the unexampled mourning, with which the death of General Washington is deplored — His Patriotism and services, endeared him to every friend of America, and his fame has spread through the World — But though the reputation he acquired, from his great achievements & abilities, was a singular attainment, and may therefore damp the spirit of emulation; yet his integrity and purity of manners, his respect for the Institutions of Religion, and zeal for the public good, can be imitated by all: — May the people of the United States, ever cherish the remembrance of his modest worth, and form themselves after his example, of private and patriotic virtue — Then they will be safe and happy, and will inherit the land forever.

Within a few days the people of this State, have again been called, to lament the death of a Chief Magistrate. — The late Lieutenant Governor was an early and constant friend to the rights of his fellow citizens, and his faithful services, secured to him their attachment — He discharged with reputation the functions of his office, & since the death of the Governor, conducted the affairs of the State with prudence and ability, and to the general satisfaction of the people.

With these subjects of mournful regret, the situation of public affairs, will suggest considerations suited to excite our gratitude to the Supreme Being, that we enjoy the blessings of a free & undisturbed Government — That the laws are respected and administered without opposition; and notwithstanding any diversity of political opinions, that good will to each other, so generally prevails among the citizens of this State.

While a great part of Europe is involved in a most sanguinary and calamitous war, the People of this Country are favored with internal peace; and are at liberty to make improvements in Agriculture, and advance towards perfection in the useful arts — But as the Nations with whom we are most concerned in Commerce, are parties in

the War, the United States have not been able to maintain their neutral Character, without experiencing frequent & vexatious interruptions to their trade, by infractions of the law of Nations — Of late these injuries have proceeded from a Nation, for whom we had entertained the most friendly sentiments; and though the Executive authority pursued the most conciliating methods to obtain redress, they were unsuccessful — not even defensive measures were adopted, untill, as well the People as the Government, were made to realize, the truth of a maxim, which had been often repeated by the late President — That if we desire Peace, it must be known that we are prepared for War.

A review of the transactions that have taken place between the United States and foreign Nations, since the General Government was established, must convince every unprejudiced Mind — not only, that the Executive Authority has invariably and sincerely pursued a pacific policy, — but that much wisdom and prudence have been exercised, in preserving tranquility to the People of these States.

We are encouraged to hope, that the present negotiation with the French Government, will put an end to the injuries we complain of; and that we shall not be compelled to relinquish the advantages of a neutral situation — However, it is our duty as citizens to adhere to the Government instituted by ourselves, and for [for] our own security; and to submit, cheerfully, to the expenses that have been incurred, under the Laws of that Government, in arming for our defence — If, as we hope, there will be no occasion in the issue to make use of Arms, that result may be owing to our being possessed of them.

As I have had no share in the administration of the State Government for several years, it will not be expected, that I shall attempt to point out particular subjects, that may require Legislative interposition — But in general the Constitution has declared, in terms that can scarcely be too often repeated, that — “it shall be the duty of Legislatures and Magistrates, in all periods of the Commonwealth, to cherish the interests of Literature and the Sciences, & all Seminaries of them, especially the University at Cambridge, Public Schools, and Grammar Schools in the towns — To encourage private Societies and public Institutions, Rewards & Immunities, for the promotion of Agriculture, Arts, Sciences, Commerce,

Trades, Manufactures, and a natural history of the Country — To countenance & inculcate the principles of Humanity and general Benevolence, public and private Charity, Industry and Frugality, Honesty & Punctuality in their dealings, Sincerity, good Humour and all social affections & generous Sentiments, among the People.”

In the distribution of public employments, it is of importance to the reputation and tranquility of the State, that appointments should be made with impartiality, and with a due regard to superior talents and meritorious services — But as virtue, and submission to the Laws, are essential to a Republic, and form the only sure basis of its prosperity — these qualifications must, I think, be in a peculiar manner requisite, in those who are appointed to office in such a Government — for a man who is not under the influence of moral principles, can have no just claim to the public confidence.

There is perhaps no opinion, which has more generally prevailed among civilized Nations, than — that religious principles in the People, are essential to Morality, and a principal support of lawful Government; and that the obligation to piety, is imposed on man, by his nature — If lately opinions opposite to these are patronized, and revealed Religion in particular, is represented as unfriendly to individual or social happiness — it becomes those who believe the truth of Christianity, to endeavour to prevent the progress of these doctrines of unbelief, by every mild & prudent method — by promoting Institutions for the general diffusion of knowledge — by excluding vicious and profligate persons from the employment of instructing Youth — by encouraging and supporting public teachers of Piety, Religion and Morality — & by exemplifying in their own conduct, the genuine effects of that Religion, which they regard, as the purest source of human felicity.

Permit me, Gentlemen, to assure you that I shall be solicitous to fulfill the expectations, which my fellow citizens have a right to form, of my zeal for their service — and that I shall cheerfully concur with you, in any measures, that may be calculated to secure to them the benefits, of a mild and just Government — And may the Almighty succeed our united endeavours, to render the People of this Commonwealth prosperous and happy.

CALEB STRONG.

JUNE 3d, 1800.

[May Session, 1800.]

Gentlemen of the Senate and Gentlemen of the House of Representatives,

I transmit to you a Letter from the Honble. Samuel Lyman in which he declines to serve as a Commissioner for ascertaining the boundary Line between this State and the State of Connecticut, to which Service he was appointed by an Act passed on the 8th of March 1791.

At a later Period I was appointed a Commissioner for the same Purpose — although several Attempts have been made to commence the Business, some Accident has in every Instance prevented a Meeting of the Commissioners of the two States — and I am now under the necessity of declining the Service.

CALEB STRONG.

COUNCIL CHAMBER, June 9th, 1800.

[November Session, 1800.]

NEW-STATE-HOUSE, BOSTON, Nov. 12, 1800.

The Senators and Representatives having convened in the Representatives' Chamber to receive the Governor, at 12 o'clock His Excellency entered, attended by the Honorable Council, and the Secretary of State, and, after a short pause, delivered the following speech :

Gentlemen of the Senate and Gentlemen of the House of Representatives,

As the Welfare and Prosperity of a Nation essentially depend on the Character of their Magistrates, and the Wisdom with which their Government is administered, the Object of your present Session must be highly interesting, not only to our constituents but to the whole People of the United States. The Time approaches when by their Constitution and Law the Election of their President and Vice President must be completed, and you are now assembled to take the Measures that are previously necessary on the part of this Commonwealth to accomplish that important Purpose — You will endeavour to select those, who are to give the ultimate Suffrages of the State, from the best informed Citizens and the Friends of order and good Govern[ment]. May that wise & gracious Providence which has hitherto guided & sustained the American

People, preside in your Deliberations and direct the Result of them.

Although I have the Pleasure to observe that Tranquility generally prevails through the Commonwealth, yet it is my Duty to state to you, that by Letters & Affidavits which the Secretary will lay before you, it appears that since the last Session of the General Court, a Number of Persons in the County of Hancock have in a violent Manner obstructed the Business of surveying Land in that County, by firing upon and dangerously wounding a Surveyor and Chainmen who were employed in that Service. The Necessity of suppressing Disorders of such fatal Tendency is obvious — Indeed the Persons guilty of these Outrages were concealed or in Disguise, but they are supposed to have been actuated by a Spirit of Resistance to the Law, which would be increased & emboldened by an Appearance of Unconcernedness on the part of the Government to restrain or punish it.

From the Reports of several of the Major Generals I am happy to be able to inform you, that the Militia of this Commonwealth are in a State of unusual Improvement. A large Proportion of them are completely equipped and uniformed, and in the Course of the late Reviews their Discipline & Subordination reflected Honour on the Officers & Soldiers and entitled them to peculiar Commendation. With a Militia thus trained and animated with military ardour through the Union, America will not hesitate to assert her National Rights, or be unable to defend them when they are invaded.

I presume you will not be willing to protract a Session at this unusual Season of the year, by attending to Business that may conveniently be postponed to the Time when you will meet for the ordinary Purposes of Legislation.

CALEB STRONG.

BOSTON, Novr. 12th, 1800.

[January Session, 1800.]

NEW-STATE-HOUSE, BOSTON, Jan. 23, 1801.

The Senators and Representatives convened together for the purpose of receiving the Governor's communication. Precisely at 12 o'clock His Excellency entered, and delivered the following Speech :

Gentlemen of the Senate and Gentlemen of the House of Representatives,

The favourable Situation of our fellow Citizens, and the appearances of general and progressive Improvement, which present themselves to our View in the various parts of the Commonwealth, afford us Subjects of mutual Congratulation.

In the Course of the last Year the Seasons through the greater part of our Country have been fruitful, our Trade and Fisheries were generally prosperous, and the People of this State have not again been visited with that alarming Disease, which has fatally prevailed in some Parts of the United States — these and many other Providential Blessings, will on this Occasion occur to our Remembrance, and demand the Gratitude of our Hearts.

But while we rejoice in the publick Prosperity, it will be our Duty to reflect, that we owe to our fellow Citizens our vigilant and faithful Endeavours, to preserve their present Advantages, and promote their lasting Reputation and Interest — to check the growth of Vice and Impiety — to cherish the Institutions for moral Instruction and the Education of Youth; and to maintain the Principles of Justice and provide for its equal Administration in every part of the Commonwealth.

At the same Time our Obligations to support the federal Constitution will require us, to attend to the publick National Affairs, and endeavour to diffuse correct Information concerning them, among our fellow Citizens — to remove groundless Prejudices — to discountenance the Spirit of Party and undue attachments to any foreign Nation, and to do all in our Power to increase the Respectability of the American Character.

From the Commencement of the War in Europe, it has been the Policy of the General Government to cultivate Peace with all Nations — to observe an exact Neutrality between the Powers at War, and by the fulfilment of Tr[e]aties and Respect for the Law of Nations, to maintain itself in that impartial Course, which its Duty and Interest prescribed. But notwithstanding these cautious Measures, our Intercourse with other Nations has been obstructed, and to justify the Obstructions, our Respect for the Duties owing from one Nation to another, has at different Times been drawn into Question by one or other of the belligerent Powers.

At length a Regard to the publick Safety compelled the Government to have Recourse to defensive Measures, and the Success of our Infant Navy in preventing Depredations upon our Commerce, will serve to convince the People, that a System of maritime Defence will be the most easy and efficacious, whenever their Rights shall be in Danger from external Enemies.

The Predicament of a neutral People is frequently delicate and hazardous, for when a War is prosecuted with great Acrimony, the contending Parties are extremely apt to consider those who are not for them, as against them — but whatever Apology may be formed for Wrongs that proceed from the heat of Passion, there can be none for deliberate and authorised Injuries — still however, an honorable Accomodation is always to be preferred to a State of Hostility, for a wise and humane Government will never resort to the calamitous Expedient of War, untill every Advance towards a Reconciliation which the national Dignity will permit, has proved ineffectual.

It must I think be allowed that the Government of the United States, in the Cases I allude to, have conducted with Moderation, and with a manifest Preference of mild and pacifick Measures — while Preparations were made for the unhappy alternative of War, no method consistent with the publick Safety, was left unattempted, to obtain Justice by Negotiation.

Before the Constitution of the United States was adopted, the Union between them had become little more than nominal — they had interfering Interests, and in some Cases were hardly restrained from Expressions of mutual Resentment — the Congress at that Time was only authorised to make Requisitions upon the several States, and the latter exercised the Priviledge of refusing to comply with those Requisitions. If this State of Things had continued during the Disturbances in Europe, it is scarcely to be supposed that all the States would have remained neutral — it is not unlikely that from Accident or Motives of Partiality or mistaken Interest, they would have arranged themselves under opposite Standards — the Possibility of such an Event, must in our Estimation, enhance the Value of that Form of Government which has connected us together.

But it has been often said, that however well adapted the Constitution was to our Circumstances, the Administration of Government under it, has been injurious to the

publick Welfare, and has abounded with Errors either from Ignorance or Design — If the present improved Condition of our Country does not refute these Suggestions, it might be unavailing to point out particular Measures, that would seem to entitle the Rulers of the Nation to our Regard and Confidence.

The People of this State, however, will recollect that when the Constitution was formed they were oppressed with an almost insupportable Weight of Taxes, and that with all their Exertions it was difficult for them to pay the Interest of the State Debt — By the Settlement of the publick Accounts, and the Assumption of the Balance due to us by the national Government, we are relieved from this Burden; and you will find by a Statement of the Treasurer which will be laid before you, that our present Debt may soon be cancelled, if Measures for that Purpose shall be preferred, to the payment of the Rate of Interest which the publick Creditors are entitled to — and that no unusual Taxes will be necessary.

A Report of the Quarter Master General which will also be laid before you, will shew that the State has a large Supply of military Stores and warlike Implements, which may be used, if there shall be Occasion, by our well organized Militia, for the publick Defence. You will direct such measures to be taken for securing the exposed Property mentioned in the Report, as the Interest of the Commonwealth may require.

That the Laws may be duly executed, permit me to suggest the Expediency of making some additional Provision for suppressing Lotteries which are not established or allowed by the Legislature — The Importance too, of our Inspection Laws will require the most effectual methods to prevent or punish a violation of them — perhaps it will be found necessary in both Cases to authorise Prosecutions by a Grand Jury.

Our Constituents now enjoy Peace and Tranquility, and are protected by standing Laws, which are designed to secure them in the Enjoyment of the Fruits of their Labour, against every Species of Injustice or Oppression — whatever more can be done to meliorate their Condition or increase their Security, you Gentlemen will now attempt to do.

The Success of your Labours will very much depend upon your Influence and Example, in promoting good

Order among the People, and producing a Compliance with the Regulations you may think proper to adopt — The most excellent Laws will be of no Use if they are not observed, and they will not be observed by the People, unless they are respected by those who make and execute them.

I shall transmit to you Gentlemen by particular Messages, any Information of Importance which I may be able to communicate.

From the good Agreement which appeared in the former Sessions, I have no doubt that your Deliberations at this Time will be conducted with Candour, and I trust they will produce important Benefits to our fellow Citizens — so far as my Duty is concerned you may be assured of all the Co-operation that can result from Zeal for the Welfare of the Commonwealth, and a Disposition to promote Harmony in the several Branches of the Government.

CALEB STRONG.

JANY. 23, 1801.

[January Session, 1800.*]

Gentlemen of the Senate and Gentlemen of the House of Representatives,

By a Resolve which passed on the 23d of February 1801, the Governor was requested to provide for the support, and Education of Levi Konkapot an Indian Boy, for three years from that date — He has been supported at the Academy at Andover, and if it is the wish of the General Court, that after the expiration of the above term any further provision shall be made at the public expence for his support & education, it will be necessary to express it.

CALEB STRONG.

COUNCIL CHAMBER, February 7, 1801.

[January Session, 1800.]

Gentlemen of the Senate and Gentlemen of the House of Representatives,

I submit to your Consideration a Resolve of the Legislature of Maryland which I have this Day received pro-

* Not printed in previous editions.

posing Amendments to the Constitution of the United States, by the Establishment of an uniform mode for the Choice of Electors of President and Vice President of the United States and of Representatives to Congress.

CALEB STRONG.

COUNCIL CHAMBER, Feby. 17th, 1801.

Reply of the President of the United States to the address of the Legislature, on his retiring from office.*

To the Senate and House of Representatives of the State of Massachusetts,

The very respectful affectionate and obliging address, which has been presented to me by the President of the Senate and Speaker of the House of Representatives by your order has awakened all my sensibility and demands my most grateful acknowledgments.

As the various testimonials of the approbation & affection of my fellow citizens of Massachusetts, which have been indulged to me from my earliest youth have ever been esteemed the choicest blessings of my life, so this final applause of the Legislature so generously given after the close of the last scene of the last act of my political drama is more precious than any which preceded it. — There is now no greater felicity remaining for me to hope or to desire, than to pass the remainder of my days in repose, in an undisturbed participation of the common privileges of our fellow citizens *under your protection*.

The satisfaction you have found in the administration of the general government from its commencement is highly agreeable to me and I sincerely hope that the twelve years to come will not be less prosperous or happy for our Country.

With the utmost sincerity I reciprocate your devout supplications for the happiness of yourselves, your families constituents and posterity.

JOHN ADAMS.

QUINCY, March 26th, 1801.

* Not printed in previous editions.

SPEECHES AND MESSAGES.

1801.

[May Session, 1801.]

THURSDAY, June 4, 1801.

The Senators and Representatives convened together in the Representatives' Chamber; at 12 o'clock His Excellency the Governor entered, attended as usual, and delivered the following speech :

Gentlemen of the Senate & Gentlemen of the House of Representatives,

With Diffidence I have again undertaken the important Office, to which the partial Regard of the People has invited me — I feel a grateful Sense of this renewed Testimony of their Confidence, and hope that a fair Examination of my publick Conduct will prove, that I have no other Objects in view than the peace & prosperity of the State — whenever it shall be thought that another will more effectually promote these Objects, I shall cheerfully return to a private Station — in the mean Time my best Endeavours will be continued to advance the Reputation and welfare of my fellow Citizens, to preserve their Priviledges unimpaired, and to select those for publick Office, who are most distinguished for Abilities and Integrity, by whatever name of political Distinction they may be called —

Although in the Choice of a President of the United States the Result has not corresponded with the Wishes of many Citizens of this Commonwealth; yet they will reflect, that in Republicks the Opinion of the major part must prevail, and that Obedience to the Laws, and Respect for constitutional Authority, are essential to the Character of good Citizens. We are encouraged to expect, that the first Magistrate will not depart from the essential Principles of our Government, and so long as

his Administration shall be guided by those Principles, he will be entitled to the Confidence of the People, and their Interest requires that he should possess it. But if it shall be thought hereafter that these Anticipations are not realized, still a Sense of Decorum, and Regard to Justice and the publick welfare, should exclude Asperity and false colouring from every Discussion of publick Measures, for the Morals and Liberties of the People will be in danger if the free Presses in the United States are disgracefully prostituted to Faction and Falshood.

The Defence of our Country is confided by the Constitution to the General Government; but as the chief Reliance is placed upon a well disciplined Militia, and as the appointment of the Officers and the Authority of training the Militia, are reserved to the several States, the frequent attention of the Legislature to these Circumstances, will be necessary to the publick safety.

Among the various Subjects of State Legislation, there is none more important to the preservation of our Free Governments, or more interesting to the happiness of Society, than the Instruction of the People, and particularly the Education of Youth — it is not enough to teach Children to read and write — & understand the first Rules of Arithmetick — it is also of Importance to habituate them to Restraint, to form their Tempers and Manners by the Principles of benevolence and justice, and to awaken the useful Energies of their Understandings, and cherish the virtuous propensities of their Hearts — a bad Temper is often made a good one by Education, and the difference we observe in the Characters of men, is in a great measure owing to the different Impressions they received from the Examples and Precepts of their Instructors — in the presence of those who are respectable, they are accustomed to controul their Passions, and learn the important Lesson of self-command, with such an Education they seldom fail to make useful and quiet members of Society — but those who are idle and unrestrained in early life, will be ready afterwards to oppose lawful Government and disturb the publick peace. — Moral qualifications are of the first Importance in the Office of Instructors; their Virtues should serve for models in the Conduct of Life — If they are chargeable with Vice or Impiety, no Attainments in knowledge can compensate for the Contagion of their bad Examples.

The celebrated Legislators of antiquity, considered the Education of Children, as the most essential Duty and the most important Exercise of Government — it was regulated by the authority of the Magistrates and upon Principles of the publick good — Their Institutions were calculated to inspire the Youth with Respect for the Laws and Love to their Country, to form them to habits of temperance and truth, and teach them to honour their Superiors and venerate old age. Our ancestors were impressed with the Importance of this Subject, and manifested an earnest Sollicitude that their Children might be educated in Literature and religious and moral Principles. The University in the Neighbourhood is an Evidence of this — soon after the Settlement of the Country, they provided for the Establishment of Schools for the Children of the poor as well as the rich, and if Parents neglected to teach their Children to read, and to bring them up in some honest Employment, the Select-Men with the Assistance of two Magistrates were authorised, to take such Children from them and place them with masters to be strictly attended to — The whole Influence of Education is necessary in Republican Governments, they depend for their Support upon the enlightened and affectionate attachment of the People, and there is no ground to expect they will be preserved, unless the Youth are trained to knowledge and virtue, and taught by Example and Education to submit their own to the publick Will. Our Constitutions have Liberty for their vital Principle, but this Liberty is reasonable and subordinate to the Laws, and whenever it shall become superior to Law, it will degenerate to Licentiousness and be lost.

The Care which is now employed in the Instruction of youth must give pleasure to every Friend of the State; and if the failures in Education are owing, not to the want of legal provision, but to Inattention in the People, the Influence of the Individual Members of the Legislature may go far to remedy the Defects.

As a part of this Subject permit me to suggest, that the Institutions of the Sabbath and of publick Worship, were regarded by our Ancestors with peculiar Devotion, and that our State Constitution recommends the Support of them, while at the same time it carefully guards against a Violation of the Rights of Conscience.

It will be acknowledged by every one that publick

Worship is useful as a School of good manners and of decent and orderly Department. But as Religion is the only sure Foundation of human Virtue, the Prosperity of the State must be essentially promoted by a due Observance of the Sabbath, and by the meeting together of the Citizens to learn the Duties of moral Obligation, and contemplate the Wisdom and goodness with which the Almighty governs the World — In such assemblies they can hardly fail to receive useful Information in the Conduct of Life, and Impressions of Reverence for the Deity which will never be totally effaced — even the Instructions that produce no apparent Effect at the Time, may so far gain a place in the Memory, as readily to revive in it when Occasion calls for them — It is the Nature of Vice to dissolve Society ; but these Institutions tend to uphold it in a Condition favorable to Order and Virtue — by preserving them therefore we shall preserve the Virtue and secure the happiness of the People.

If any of the Towns or Plantations which have been lately settled in the Commonwealth, are unable to provide the Means of Instruction and Education at their own Expence, will it not be expedient for the Publick to afford them assistance that no Children may grow up in the State without Instruction —

I will detain you no longer Gentlemen than to observe, that I know of nothing except the usual Business of the General Court which now calls for your attention, and that I shall readily agree to any measures conducive to the publick good, which you may think proper to propose.

CALEB STRONG.

JUNE 4th 1801.

[May Session, 1801.*]

Gentlemen of the Senate & Gentlemen of the House of Representatives,

I transmit to you a Letter which I have reced. from his Excellency the Governor of Rhode Island enclosing a Resolve of the General Assembly of that State for appointing Commissioners on their part to ascertain & settle, in Conjunction with Commissioners on the part of this Commonwealth the boundary Line between the two States.

* Not printed in previous editions.

In the eighth Division of the Militia there is a Vacancy in the office of Majr. General in Consequence of a Request in writing from Henry Dearborn Esqr. that he might be discharged from that office — there is also a Vacancy in the office of Majr. General in the second Division by the Resignation of General Abbot.

The Secretary will lay before you a Letter which I have recd. from Joshua Holt Esqr. relative to Levi Konkapot an Indian Boy for whose Education, provision was lately made by a Resolve of the General Court.

CALEB STRONG.

JUNE 4th, 1801.

[May Session, 1801.*]

Gentlemen of the Senate, & Gentlemen of the House of Representatives,

The Secretary will lay before you a Letter addressed to me by the Treasurer of the Commonwealth, inclosing a statement which exhibits a general view of the Treasury up to the 31st of May 1801.

CALEB STRONG.

COUNCIL CHAMBER, June 5th 1801.

[May Session, 1801.*]

Gentlemen of the Senate and Gentlemen of the House of Representatives,

I have requested the Secy. to lay before you a Letter addressed to him by the Atty. General representing that no Provision is made by Law for sending to other States for Persons charged with Crimes in this State and who have fled from Justice, or for the Expences that may arise by bringing such Persons into this State for Trial.

CALEB STRONG.

JUNE 6th, 1801.

[January Session, 1801.]

STATE-HOUSE, FRIDAY, January 15.

The Senators and Representatives convened in the Chamber of the latter, agreeably to assignment, and at

* Not printed in previous editions.

12 o'clock, His Excellency Governor Strong entered, and delivered the following Speech :

Gentlemen of the Senate, & Gentlemen of the House of Representatives,

We have the satisfaction to reflect, that the public peace and order have been preserved during the last year ; and we contemplate with pleasing anticipation the growing strength and respectability of the State — We possess a healthy & extensive territory, which is rapidly increasing in population, and is accommodated with circumstances favorable to agriculture & commerce ; our Ships visit every part of the World, and bring home the products of every Country. We are blest with a Government of our own choosing, which secures the most perfect freedom of which men in Society are capable ; and affords equal protection to the person and property of every individual, and we shall be as happy as the nature and condition of men will permit us to be, if we make a wise improvement of the favors we have received from Heaven.

But the prosperity of the people is inseparably connected with purity of manners, and their practice of the moral virtues ; when these become extinct, their happiness will be at an end. The increase of wealth in Republics has often endanger'd the virtue of the people ; so long as it is employed for useful purposes, it contributes to the strength and security of the State ; but those who have observed its effects in other nations, will perceive the importance of guarding against the abuse of it ; lest a departure from the simplicity of ancient manners should be followed by criminal luxury and dissipation, and the loss of moral & religious principles.

If wealth introduces a vain profusion in the various modes of expense, if it excites an eagerness for dissolute pleasures and frivolous amusements, it will corrupt the manners, and vitiate the taste of the people, and lead them into criminal excesses of every kind ; the rich will be considered as patterns for imitation by those of moderate fortunes, and these will be followed by others of still less ability, and thus many will ruin themselves by a profusion for which no one will feel himself obliged, or will support their extravagance by unworthy practices, and make good by fraud and rapaciousness what is lavished in vanity ; in

either case, if the evil is extensive, the ruin of the State becomes inevitable.

We ought then to be solicitous to preserve the habits of industry & temperance in which we have hitherto prospered, and to inspire our fellow citizens with a love for the frugality of primative manners; while these habits continue, the people will make advances in agriculture and the valuable arts, and will think their chief happiness is involved in the public welfare; our religious and literary institutions will be supported and cherished, and improvements will be made in aqueducts, bridges and highways, and other useful accomodations. In the flourishing periods of the ancient Republicks, and even when sumptuary laws restrained the vanity, and controuled the appetites of the citizens, they adopted a style of magnificence in their public edifices; and if a spirit of union prevails among our fellow citizens, and their views are directed towards objects beneficial to the Commonwealth; the Government, by using a prudent economy in the administration of the revenue will be able to adopt a like style in public buildings, and whatever is conducive to the honor of the State, and the general convenience of the people.

With the increase of inhabitants, we are to expect that crimes will multiply in proportion, and it is therefore of increasing importance, to render that branch of our Law which relates to crimes & punishments, as perfect as may be. The frequent escapes from the Goals in the several Counties show the necessity of making some further provision for keeping those offenders safely, who are sentenced to a long imprisonment; for if any hope can be entertained of an escape, the sentence will make but a feeble impression on the mind, and be of little use in preventing future offences. A great proportion of crimes are the effects of idleness, and it seems peculiarly proper therefore to punish them by confinement to hard labour; that offenders, while they are prevented from a repetition of their crimes may be compelled to acquire new habits, and contribute something to the good of Society; to this end our laws have in many cases prescribed that mode of punishment, and yet from the time that Castle Island was ceded to the United States, no place of confinement to labour has been provided by the Commonwealth.

By a Resolve passed about two years since, a Committee

was appointed to select and procure a piece of land in Charlestown, and to erect a State prison thereon, provided the expense should not exceed thirty thousand Dollars; the first part of this Commission has been performed, but the latter, owing probably to the limitation of the expense, remains wholly unexecuted. Soon after the cession of Castle Island, ordnance and military stores, the property of this Commonwealth, were delivered to the Agents of the United States at an appraised value of more than forty thousand Dollars; if payment of this sum is obtained, it appears probable from the accounts exhibited by the Treasurer, which will be laid before you, that a State prison may be erected without any addition to the usual taxes.

The genius of our Laws is mild, and the crimes for which the punishment of death is inflicted are few, but perhaps even this small number might be lessened, by changing the punishment of death to that of solitary imprisonment; if convicts could be restrained without any hazzard of escape, and be wholly secluded from that society whose peace their criminal conduct would endanger.

Agreeably to the Resolve of the 19th of June last two persons have been appointed to survey and lay out the land refered to in that Resolve, or so much of it as shall appear to be necessary; but their service is likely to be inconsiderable, for in the applications by the Soldiers, and their legal representatives for the benefits offered in the Resolve, the pecuniary allowance has in almost every instance been prefered to a grant of land.

Many of you, Gentlemen, from a long acquaintance with the public concerns of the State, will readily distinguish the proper objects of legislative attention, and I shall cheerfully concur with you in any measures that may tend to encourage agriculture and the liberal and mechanical arts, — to promote the most equal and speedy distribution of Justice, — to render our militia a still more respectable force, — to provide for the equal apportionment of taxes; & to preserve and establish the public credit of the State. But you will permit me to observe, that frequent and unnecessary alterations of the Law are inconvenient, as they lead to the supposition of inconsistency in the Government, and render it more difficult for the citizens to understand the Rules by which they are to

be governed. The best Laws are not exempt from inconveniences, but when those of long standing are repealed, the regulations which are substituted in their place, are often attended with still greater defects.

The Valuation, in which some progress has been made, is an interesting subject, and requires much discernment in ascertaining facts, & much candour in deciding upon them. But I trust that by condescending to the opinions of each other, and giving due weight to every suggestion, you will be able to proceed with facility and pleasure, in completing this important business. And I flatter myself, that no difference of sentiment, will impair the harmony of the session; and that we shall have the pleasure at the close of it to reflect, that by our united and faithful exertions in the public service, we have supported the reputation of the Government, and promoted the happiness of the People.

CALEB STRONG.

JANY. 15th 1802.

[January Session, 1801.*]

Gentlemen of the Senate & Gentlemen of the House of Representatives,

In compliance with the request of the Governor of North Carolina, I lay before you an authenticated Copy of a Resolution of the Legislature of that State, relative to the amendment to the Constitution of the United States proposed by the Legislature of Maryland for the purpose of establishing an uniform mode for the choice of Electors of President & Vice President of the United States, & of Representatives in Congress.

I also transmit to you two Letters from the Attorney General of this State, representing the difficulties which arise in prosecuting for the Penalties incurred by the neglect of Sheriffs & Selectmen to perform the duties enjoined on them by the Act for dividing the Commonwealth into Districts for the choice of Representatives in the Congress of the United States; & by the Act for regulating Elections.

CALEB STRONG.

COUNCIL CHAMBER, January 22d 1802.

* Not printed in previous editions.

[January Session, 1801.*]

Gentlemen of the Senate & Gentlemen of the House of Representatives,

Two Indians of the Passamaquoddy Tribe are now here to Solicit the Aid of the Legislature in preventing Trespasses on the Township of Land which has been relinquished to them by the State, & to request the Assistance of the Government in building for them a house for publick Worship at Pleasant Point where they now reside — The Secretary will lay before you two Letters which relate principally to these Subjects.

CALEB STRONG.

COUNCIL CHAMBER, February 4th, 1802.

[January Session, 1801.]

Gentlemen of the Senate & Gentlemen of the House of Representatives,

The Commonwealth has lost one of its best & ablest Friends by the Death of the Lieutenant Governor — He died yesterday about two in the Afternoon, & his Family propose that his Funeral shall be attended on Monday next at 2 o'Clock. A long & intimate acquaintance with him enables some of us to bear testimony to his distinguished Merit — He was solicitous to preserve the good order of Society & to exhibit to his Fellow Citizens a pattern of every Civil & moral Virtue — Without any solicitation on his part he was many years elected a Member of the Senate, & presided in their deliberations with Candor & Dignity — In the office of Lieutenant Governor he secured respect by a mild deportment resulting from the testimony of a good Conscience — He was firm & inflexible whenever the Interests of the Commonwealth were concerned, & he acquitted himself with honor in all the Offices confided to him by the Publick, & in all the relations of private life.

I shall be ready to join with you Gentlemen in any tribute of esteem & respect which you may think due to the Merit of his publick services.

CALEB STRONG.

FEBRUARY 11, 1802.

* Not printed in previous editions.

[January Session, 1801.*]

*Gentlemen of the Senate & Gentlemen of the House of
Representatives,*

By advice of the Council I have directed the Secretary to lay before you a Letter from two Officers of the Militia in the County of Hancock, requesting compensation for services for which no provision has been made by Law.

CALEB STRONG.

COUNCIL CHAMBER, February 17th, 1802.

* Not printed in previous editions.

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