





RESOLVES

OF THE

Commonwealth of Massachusetts,

PASSED AT THE SEVERAL

SESSIONS OF THE GENERAL COURT,

HOLDEN IN BOSTON,

BEGINNING 26th MAY, 1812, AND ENDING ON THE 2d MARCH, 1815.

Published agreeably to a Resolve, passed 16th January, 1812.



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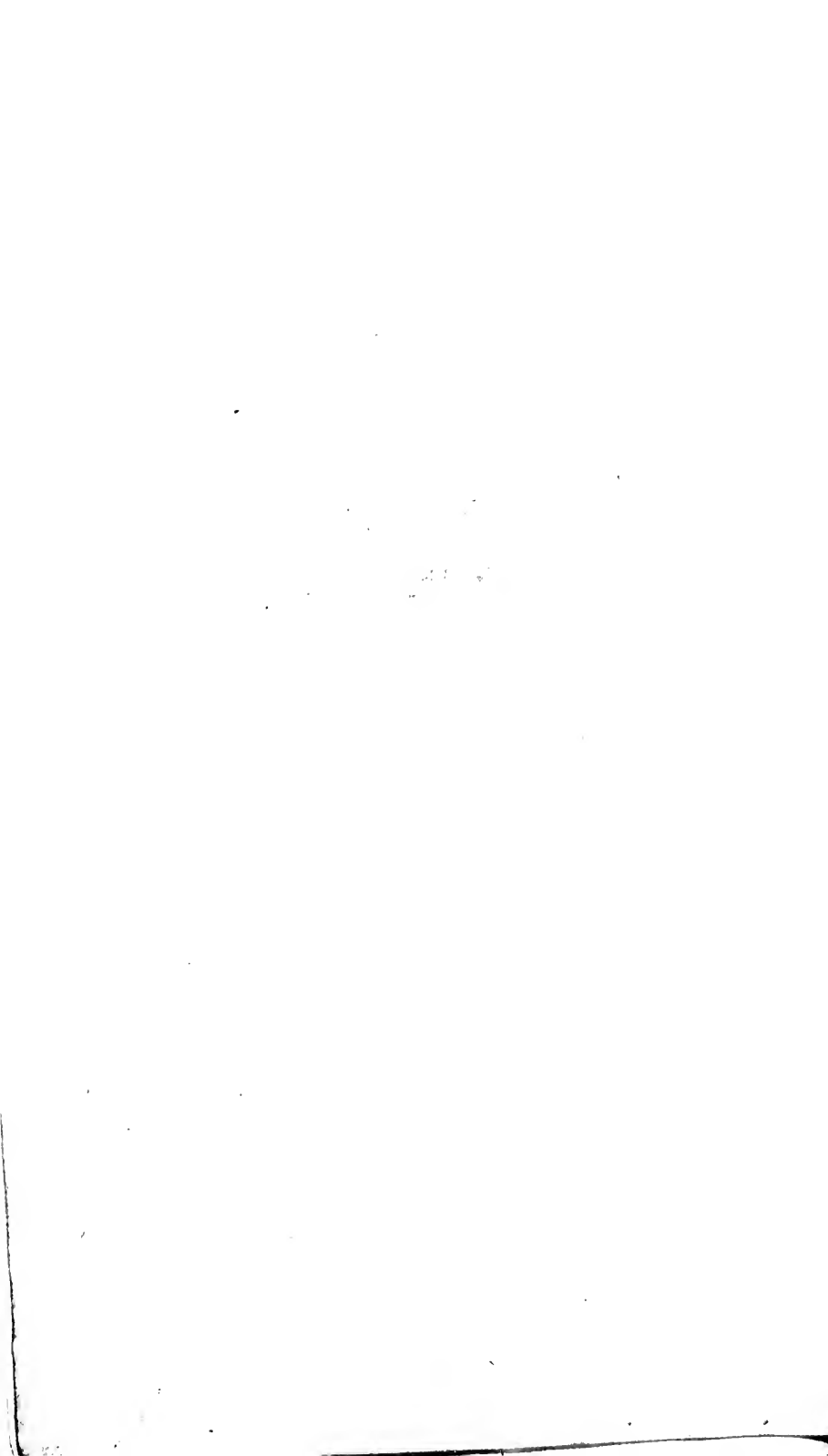


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APPENDIX.



THE

PROCEEDINGS

OF A

CONVENTION OF DELEGATES,

FROM THE STATES OF

MASSACHUSETTS, CONNECTICUT, AND RHODE-ISLAND; THE COUNTIES OF CHE-
SHIRE AND GRAFTON, IN THE STATE OF NEW-HAMPSHIRE; AND
THE COUNTY OF WINDHAM, IN THE STATE OF VERMONT;—

CONVENED AT HARTFORD, IN THE STATE OF CONNECTICUT,
DECEMBER 15th, 1814.

THIRD EDITION, CORRECTED AND IMPROVED.

BOSTON:

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REPORT, &c.

THE Delegates from the Legislatures of the States of Massachusetts, Connecticut, and Rhode-Island, and from the Counties of Grafton and Cheshire in the State of New-Hampshire and the county of Windham in the State of Vermont, assembled in Convention, beg leave to report the following result of their conference.

THE Convention is deeply impressed with a sense of the arduous nature of the commission which they were appointed to execute, of devising the means of defence against dangers, and of relief from oppressions proceeding from the act of their own Government, without violating constitutional principles, or disappointing the hopes of a suffering and injured people. To prescribe patience and firmness to those who are already exhausted by distress, is sometimes to drive them to despair, and the progress towards reform by the regular road, is irksome to those whose imaginations discern, and whose feelings prompt, to a shorter course.—But when abuses, reduced to system and accumulated through a course of years, have pervaded every department of Government, and spread corruption through every region of the State; when these are clothed with the forms of law, and enforced by an Executive whose will is their source, no summary means of relief can be applied without recourse to direct and open resistance. This experiment, even when justifiable, cannot fail to be painful to the good citizen; and the success of the effort will be no security against the danger of the example. Precedents of resistance to the worst administration, are eagerly seized by those who are naturally hostile to the best. Necessity alone can sanction a resort to this measure; and it should never be extended in duration or degree beyond the exigency, until the people, not merely in the fervour of sudden excitement, but after full deliberation, are determined to change the Constitution.

It is a truth, not to be concealed, that a sentiment prevails to no inconsiderable extent, that Administration have given such constructions to that instrument, and practised so many abuses

under colour of its authority, that the time for a change is at hand. Those who so believe, regard the evils which surround them as intrinsic and incurable defects in the Constitution. They yield to a persuasion, that no change, at any time, or on any occasion, can aggravate the misery of their country. This opinion may ultimately prove to be correct. But as the evidence on which it rests is not yet conclusive, and as measures adopted upon the assumption of its certainty might be irrevocable, some general considerations are submitted, in the hope of reconciling all to a course of moderation and firmness, which may save them from the regret incident to sudden decisions, probably avert the evil, or at least insure consolation and success in the last resort.

The Constitution of the United States, under the auspices of a wise and virtuous Administration, proved itself competent to all the objects of national prosperity, comprehended in the views of its framers. No parallel can be found in history, of a transition so rapid as that of the United States from the lowest depression to the highest felicity—from the condition of weak and disjointed republicks, to that of a great, united, and prosperous nation.

Although this high state of publick happiness has undergone a miserable and afflicting reverse, through the prevalence of a weak and profligate policy, yet the evils and afflictions which have thus been induced upon the country, are not peculiar to any form of Government. The lust and caprice of power, the corruption of patronage, the oppression of the weaker interests of the community by the stronger, heavy taxes, wasteful expenditures, and unjust and ruinous wars, are the natural offspring of bad Administrations, in all ages and countries. It was indeed to be hoped, that the rulers of these States would not make such disastrous haste to involve their infancy in the embarrassments of old and rotten institutions. Yet all this have they done; and their conduct calls loudly for their dismissal and disgrace. But to attempt upon every abuse of power to change the Constitution, would be to perpetuate the evils of revolution.

Again, the experiment of the powers of the Constitution, to regain its vigour, and of the people to recover from their delusions, has been hitherto made under the greatest possible disadvantages arising from the state of the world. The fierce passions which have convulsed the nations of Europe, have passed the Ocean, and finding their way to the bosoms of our citizens, have afforded to Administration the means of perverting publick opinion, in respect to our foreign relations, so as to acquire its aid in the indulgence of their animosities, and the increase of their adherents. Further, a reformation of publick opinion, resulting from dear bought experience, in the Southern Atlantick States, at least,

is not to be despaired of. They will have felt, that the Eastern States cannot be made exclusively the victims of a capricious and impassioned policy.—They will have seen that the great and essential interests of the people, are common to the South and to the East. They will realize the fatal errors of a system, which seeks revenge for commercial injuries in the sacrifice of commerce, and aggravates by needless wars, to an immeasurable extent, the injuries it professes to redress. They may discard the influence of visionary theorists, and recognize the benefits of a practical policy. Indications of this desirable revolution of opinion, among our brethren in those States, are already manifested.—While a hope remains of its ultimate completion, its progress should not be retarded or stopped, by exciting fears which must check these favourable tendencies, and frustrate the efforts of the wisest and best men in those States, to accelerate this propitious change.

Finally, if the Union be destined to dissolution, by reason of the multiplied abuses of bad administrations, it should, if possible, be the work of peaceable times, and deliberate consent.—Some new form of confederacy should be substituted among those States, which shall intend to maintain a federal relation to each other.—Events may prove that the causes of our calamities are deep and permanent. They may be found to proceed, not merely from the blindness of prejudice, pride of opinion, violence of party spirit, or the confusion of the times; but they may be traced to implacable combinations of individuals, or of States, to monopolize power and office, and to trample without remorse upon the rights and interests of commercial sections of the Union. Whenever it shall appear that these causes are radical and permanent, a separation by equitable arrangement, will be preferable to an alliance by constraint, among nominal friends, but real enemies, inflamed by mutual hatred and jealousies, and inviting by intestine divisions, contempt, and aggression from abroad. But a severance of the Union by one or more States, against the will of the rest, and especially in a time of war, can be justified only by absolute necessity. These are among the principal objections against precipitate measures tending to disunite the States, and when examined in connexion with the farewell address of the Father of his country, they must, it is believed, be deemed conclusive.

Under these impressions, the Convention have proceeded to confer and deliberate upon the alarming state of publick affairs, especially as affecting the interests of the people who have appointed them for this purpose, and they are naturally led to a consideration, in the first place, of the dangers and grievances which menace an immediate or speedy pressure, with a view of suggesting means of present relief; in the next place, of such

as are of a more remote and general description, in the hope of attaining future security.

Among the subjects of complaint and apprehension, which might be comprised under the former of these propositions, the attention of the Convention has been occupied with the claims and pretensions advanced, and the authority exercised over the militia, by the executive and legislative departments of the National Government. Also, upon the destitution of the means of defence in which the Eastern States are left; while at the same time they are doomed to heavy requisitions of men and money for national objects.

The authority of the National Government over the militia is derived from those clauses in the Constitution which give power to Congress "to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections and repel invasions"—Also, "to provide for organizing, arming and disciplining the militia, and for governing such parts of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress." Again, "The President shall be Commander in Chief of the army and navy of the United States, and of the militia of the several States, *when called into the actual service of the United States.*" In these specified cases only, has the National Government any power over the militia; and it follows conclusively, that for all general and ordinary purposes, this power belongs to the States respectively, and to them alone. It is not only with regret, but with astonishment, the Convention perceive that under colour of an authority conferred with such plain and precise limitations, a power is arrogated by the executive government, and in some instances sanctioned by the two Houses of Congress, of control over the militia, which if conceded, will render nugatory the rightful authority of the individual States over that class of men, and by placing at the disposal of the National Government the lives and services of the great body of the people, enable it at pleasure to destroy their liberties, and erect a military despotism on the ruins.

An elaborate examination of the principles assumed for the basis of these extravagant pretensions, of the consequences to which they lead, and of the insurmountable objections to their admission, would transcend the limits of this Report. A few general observations, with an exhibition of the character of these pretensions, and a recommendation of a strenuous opposition to them, must not however be omitted.

It will not be contended, that by the terms used in the constitutional compact, the power of the National Government to

call out the militia is other than a power expressly limited to three cases. One of these must exist as a condition precedent to the exercise of that power—Unless the laws shall be opposed, or an insurrection shall exist, or an invasion shall be made, Congress, and of consequence the President as their organ, has no more power over the militia than over the armies of a foreign nation.

But if the declaration of the President should be admitted to be an unerring test of the existence of these cases, this important power would depend, not upon the truth of the fact, but upon executive infallibility; and the limitation of the power would consequently be nothing more than merely nominal, as it might always be eluded. It follows therefore that the decision of the President in this particular cannot be conclusive. It is as much the duty of the State authorities to watch over the rights *reserved*, as of the United States to exercise the powers which are *delegated*.

The arrangement of the United States into military districts, with a small portion of the regular force, under an officer of high rank of the standing army, with power to call for the militia, as circumstances in his judgment may require; and to assume the command of them, is not warranted by the Constitution or any law of the United States. It is not denied that Congress may delegate to the President of the United States the power to call forth the militia in the cases which are within their jurisdiction—But he has no authority to substitute military prefects throughout the Union, to use their own discretion in such instances. To station an officer of the army in a military district without troops corresponding to his rank, for the purpose of taking command of the militia that may be called into service, is a manifest evasion of that provision of the Constitution which expressly reserves to the States the appointment of the officers of the militia; and the object of detaching such officer cannot be well conceived to be any other, than that of superseding the Governour or other officers of the militia in their right to command.

The power of dividing the militia of the States into classes, and obliging such classes to furnish by contract or draft, able bodied men, to serve for one or more years for the defence of the frontier, is not delegated to Congress. If a claim to draft the militia for one year for such general object be admissible, no limitation can be assigned to it, but the discretion of those who make the law. Thus with a power in Congress to authorise such a draft or conscription, and in the Executive to decide conclusively upon the existence and continuance of the emergency, the whole militia may be converted into a standing army disposable at the will of the President of the United States.

The power of compelling the militia and other citizens of the United States, by a forcible draft or conscription to serve in the regular armies, as proposed in a late official letter of the Secretary of War, is not delegated to Congress by the Constitution, and the exercise of it would be not less dangerous to their liberties, than hostile to the sovereignty of the States. The effort to deduce this power from the right of raising armies, is a flagrant attempt to pervert the sense of the clause in the Constitution which confers that right, and is incompatible with other provisions in that instrument. The armies of the United States have always been raised by contract, never by conscription, and nothing more can be wanting to a Government, possessing the power thus claimed, to enable it to usurp the entire control of the militia, in derogation of the authority of the State, and to convert it by impressment into a standing army.

It may be here remarked, as a circumstance illustrative of the determination of the Executive to establish an absolute control over all descriptions of citizens, that the right of impressing seamen into the naval service is expressly asserted by the Secretary of the Navy in a late report. Thus a practice, which in a foreign government has been regarded with great abhorrence by the people, finds advocates among those who have been the loudest to condemn it.

The law authorizing the enlistment of minors and apprentices into the armies of the United States, without the consent of parents and guardians, is also repugnant to the spirit of the Constitution. By a construction of the power to raise armies, as applied by our present rulers, not only persons capable of contracting are liable to be impressed into the army, but those who are under legal disabilities to make contracts, are to be invested with this capacity, in order to enable them to annul at pleasure contracts made in their behalf by legal guardians. Such an interference with the municipal laws and rights of the several States, could never have been contemplated by the framers of the Constitution. It impairs the salutary control and influence of the parent over his child—the master over his servant—the guardian over his ward—and thus destroys the most important relations in society, so that by the conscription of the father, and the seduction of the son, the power of the Executive over all the effective male population of the United States is made complete.

Such are some of the odious features of the novel system proposed by the rulers of a free country, under the limited powers derived from the Constitution. What portion of them will be embraced in acts finally to be passed, it is yet impossible to determine. It is, however, sufficiently alarming to perceive, that these projectse manate from the highest authority; nor should it

be forgotten, that by the plan of the Secretary of War, the classification of the militia embraced the principle of direct taxation upon the white population only; and that, in the House of Representatives, a motion to apportion the militia among the white population exclusively, which would have been in its operation a direct tax, was strenuously urged and supported.

In this whole series of devices and measures for raising men, this Convention discern a total disregard for the Constitution, and a disposition to violate its provisions, demanding from the individual States a firm and decided opposition. An iron despotism can impose no harder servitude upon the citizen, than to force him from his home and his occupation, to wage offensive wars, undertaken to gratify the pride or passions of his master. The example of France has recently shewn that a cabal of individuals assuming to act in the name of the people, may transform the great body of citizens into soldiers, and deliver them over into the hands of a single tyrant. No war, not held in just abhorrence by a people, can require the aid of such stratagems to recruit an army. Had the troops already raised, and in great numbers sacrificed upon the frontier of Canada, been employed for the defence of the country, and had the millions which have been squandered with shameless profusion, been appropriated to their payment, to the protection of the coast, and to the naval service, there would have been no occasion for unconstitutional expedients. Even at this late hour, let Government leave to New-England the remnant of her resources, and she is ready and able to defend her territory, and to resign the glories and advantages of the border war, to those who are determined to persist in its prosecution.

That acts of Congress in violation of the Constitution are absolutely void, is an undeniable position. It does not, however, consist with the respect and forbearance due from a confederate State towards the General Government, to fly to open resistance upon every infraction of the Constitution. The mode and the energy of the opposition should always conform to the nature of the violation, the intention of its authors, the extent of the injury inflicted, the determination manifested to persist in it, and the danger of delay. But in cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State, and liberties of the people; it is not only the right but the duty of such a State to interpose its authority for their protection, in the manner best calculated to secure that end. When emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States, which have no common umpire, must be their own judges, and execute their own decisions. It will

thus be proper for the several States to await the ultimate disposal of the obnoxious measures, recommended by the Secretary of War, or pending before Congress, and so to use their power according to the character these measures shall finally assume, as effectually to protect their own sovereignty, and the rights and liberties of their citizens.

The next subject which has occupied the attention of the Convention, is the means of defence against the common enemy. This naturally leads to the inquiries, whether any expectation can be reasonably entertained, that adequate provision for the defence of the Eastern States will be made by the National Government? Whether the several States can, from their own resources, provide for self-defence and fulfil the requisitions which are to be expected for the national Treasury? and, generally, what course of conduct ought to be adopted by those States, in relation to the great object of defence?

Without pausing at present to comment upon the causes of the war, it may be assumed as a truth, officially announced, that to achieve the conquest of Canadian territory, and to hold it as a pledge for peace, is the deliberate purpose of Administration. This enterprise, commenced at a period when Government possessed the advantage of selecting the time and occasion for making a sudden descent upon an unprepared enemy, now languishes in the third year of the war. It has been prosecuted with various fortune, and occasional brilliancy of exploit, but without any solid acquisition. The British armies have been recruited by veteran regiments. Their navy commands Ontario. The American ranks are thinned by the casualties of war. Recruits are discouraged by the unpopular character of the contest, and by the uncertainty of receiving their pay.

In the prosecution of this favourite warfare, Administration have left the exposed and vulnerable parts of the country destitute of all efficient means of defence. The main body of the regular army has been marched to the frontier.—The navy has been stripped of a great part of its sailors for the service of the Lakes. Meanwhile the enemy scours the sea-coast, blockades our ports, ascends our bays and rivers, makes actual descents in various and distant places, holds some by force, and threatens all that are assailable with fire and sword. The sea-board of four of the New-England States, following its curvatures, presents an extent of more than seven hundred miles, generally occupied by a compact population, and accessible by a naval force, exposing a mass of people and property to the devastation of the enemy, which bears a great proportion to the residue of the maritime frontier of the United States. This extensive shore has been exposed to frequent attacks, repeated contributions,

and constant alarms. The regular forces detached by the national Government for its defence, are mere pretexts for placing officers of high rank in command. They are besides confined to a few places, and are too insignificant in number to be included in any computation.

These States have thus been left to adopt measures for their own defence. The militia have been constantly kept on the alert, and harassed by garrison duties, and other hardships, while the expenses, of which the National Government decline the reimbursement, threaten to absorb all the resources of the States. The President of the United States has refused to consider the expense of the militia detached by state authority, for the indispensable defence of the State, as chargeable to the Union, on the ground of a refusal by the Executive of the State, to place them under the command of officers of the regular army. Detachments of militia placed at the disposal of the General Government, have been dismissed either without pay, or with depreciated paper. The prospect of the ensuing campaign is not enlivened by the promise of any alleviation of these grievances. From authentic documents, extorted by necessity from those whose inclination might lead them to conceal the embarrassments of the Government, it is apparent that the treasury is bankrupt, and its credit prostrate. So deplorable is the state of the finances, that those who feel for the honour and safety of the country, would be willing to conceal the melancholy spectacle, if those whose infatuation has produced this state of fiscal concerns, had not found themselves compelled to unveil it to public view.

If the war be continued, there appears no room for reliance upon the national government for the supply of those means of defence, which must become indispensable to secure these States from desolation and ruin. Nor is it possible that the States can discharge this sacred duty from their own resources, and continue to sustain the burden of the national taxes. The Administration, after a long perseverance in plans to baffle every effort of commercial enterprise, had fatally succeeded in their attempts at the epoch of the war. Commerce, the vital spring of New-England's prosperity, was annihilated. Embargoes, restrictions, and the rapacity of revenue officers, had completed its destruction. The various objects for the employment of productive labour, in the branches of business dependent on commerce, have disappeared. The fisheries have shared its fate. Manufactures, which Government has professed an intention to favour and to cherish, as an indemnity for the failure of these branches of business, are doomed to struggle in their infancy with taxes and obstructions, which cannot fail most seriously to affect their growth. The specie is withdrawn from

circulation. The landed interest, the last to feel these burdens, must prepare to become their principal support, as all other sources of revenue must be exhausted. Under these circumstances, taxes, of a description and amount unprecedented in this country, are in a train of imposition, the burden of which must fall with the heaviest pressure upon the states east of the Potowmac. The amount of these taxes for the ensuing year, cannot be estimated at less than five millions of dollars upon the New-England States, and the expenses of the last year for defence, in Massachusetts alone, approaches to one million of dollars.

From these facts, it is almost superfluous to state the irresistible inference, that these States have no capacity of defraying the expense requisite for their own protection, and, at the same time, of discharging the demands of the national treasury.

The last inquiry, what course of conduct ought to be adopted by the aggrieved States, is in a high degree momentous. When a great and brave people shall feel themselves deserted by their Government, and reduced to the necessity either of submission to a foreign enemy, or of appropriating to their own use those means of defence which are indispensable to self-preservation, they cannot consent to wait passive spectators of approaching ruin, which it is in their power to avert, and to resign the last remnant of their industrious earnings, to be dissipated in support of measures destructive of the best interests of the nation.

This Convention will not trust themselves to express their conviction of the catastrophe to which such a state of things inevitably tends. Conscious of their high responsibility to God and their country, solicitous for the continuance of the Union, as well as the sovereignty of the States, unwilling to furnish obstacles to peace—resolute never to submit to a foreign enemy, and confiding in the Divine care and protection, they will, until the last hope shall be extinguished, endeavour to avert such consequences.

With this view they suggest an arrangement, which may at once be consistent with the honour and interest of the National Government, and the security of these States. This it will not be difficult to conclude, if that government should be so disposed. By the terms of it these States might be allowed to assume their own defence, by the militia or other troops. A reasonable portion, also, of the taxes raised in each State might be paid into its treasury, and credited to the United States, but to be appropriated to the defence of such State, to be accounted for with the United States. No doubt is entertained, that by such an arrangement, this portion of the country could be defended with greater effect, and in a mode more consistent with

economy, and the public convenience, than any which has been practised.

Should an application for these purposes, made to Congress by the State Legislatures, be attended with success, and should peace upon just terms appear to be unattainable, the people would stand together for the common defence, until a change of Administration, or of disposition in the enemy, should facilitate the occurrence of that auspicious event. It would be inexpedient for this Convention to diminish the hope of a successful issue to such an application, by recommending, upon supposition of a contrary event, ulterior proceedings. Nor is it indeed within their province. In a state of things so solemn and trying as may then arise, the Legislatures of the States, or Conventions of the whole people, or delegates appointed by them for the express purpose in another Convention, must act as such urgent circumstances may then require.

But the duty incumbent on this Convention will not have been performed, without exhibiting some general view of such measures as they deem essential to secure the nation against a relapse into difficulties and dangers, should they, by the blessing of Providence, escape from their present condition without absolute ruin. To this end, a concise retrospect of the state of this nation under the advantages of a wise Administration, contrasted with the miserable abyss into which it is plunged by the profligacy and folly of political theorists, will lead to some practical conclusions. On this subject, it will be recollected, that the immediate influence of the Federal Constitution upon its first adoption, and for twelve succeeding years, upon the prosperity and happiness of the nation, seemed to countenance a belief in the transcendency of its perfection over all other human institutions. In the catalogue of blessings which have fallen to the lot of the most favoured nations, none could be enumerated from which our country was excluded—A free Constitution, administered by great and incorruptible statesmen, realized the fondest hopes of liberty and independence—The progress of agriculture was stimulated by the certainty of value in the harvest—and commerce, after traversing every sea, returned with the riches of every clime.—A revenue, secured by a sense of honour, collected without oppression, and paid without murmurs, melted away the national debt; and the chief concern of the publick creditor arose from its too rapid diminution.—The wars and commotions of the European nations, and the interruptions of their commercial intercourse afforded to those, who had not promoted, but who would have rejoiced to alleviate their calamities, a fair and golden opportunity, by enriching themselves to lay a broad foundation for national wealth.—Although occasional vexations to com-

merce arose from the furious collisions of the powers at war, yet the great and good men of that time conformed to the force of circumstances which they could not control, and preserved their country in security from the tempests, which overwhelmed the old world, and threw the wreck of their fortunes on these shores.—Respect abroad, prosperity at home, wise laws made by honoured legislators, and prompt obedience yielded by a contented people, had silenced the enemies of republican institutions.—The arts flourished—the sciences were cultivated—the comforts and conveniences of life were universally diffused—and nothing remained for succeeding administrations, but to reap the advantages, and cherish the resources, flowing from the policy of their predecessors.

But no sooner was a new administration established in the hands of the party opposed to the Washington policy, than a fixed determination was perceived and avowed of changing a system which had already produced these substantial fruits. The consequences of this change, for a few years after its commencement, were not sufficient to counteract the prodigious impulse towards prosperity, which had been given to the nation. But a steady perseverance in the new plans of administration at length developed their weakness and deformity, but not until a majority of the people had been deceived by flattery, and inflamed by passion, into blindness to their defects. Under the withering influence of this new system, the declension of the nation has been uniform and rapid. The richest advantages for securing the great objects of the Constitution have been wantonly rejected. While Europe reposes from the convulsions that had shaken down her ancient institutions, she beholds with amazement this remote country, once so happy and so envied, involved in a ruinous war, and excluded from intercourse with the rest of the world.

To investigate and explain the means whereby this fatal reverse has been effected, would require a voluminous discussion. Nothing more can be attempted in this Report, than a general allusion to the principal outlines of the policy which has produced this vicissitude. Among these may be enumerated—

First.—A deliberate and extensive system for effecting a combination among certain States, by exciting local jealousies and ambition, so as to secure to popular leaders in one section of the Union, the control of publick affairs, in perpetual succession. To which primary object most other characteristicks of the system may be reconciled.

Secondly.—The political intolerance displayed and avowed, in excluding from office men of unexceptionable merit, for want of adherence to the executive creed.

Thirdly.—The infraction of the judiciary authority and rights, by depriving judges of their offices in violation of the Constitution.

Fourthly.—The abolition of existing Taxes, requisite to prepare the Country for those changes to which nations are always exposed, with a view to the acquisition of popular favour.

Fifthly.—The influence of patronage in the distribution of offices, which in these states has been almost invariably made among men the least entitled to such distinction, and who have sold themselves as ready instruments for distracting publick opinion, and encouraging administration to hold in contempt the wishes and remonstrances of a people thus apparently divided.

Sixthly.—The admission of new States into the Union, formed at pleasure in the western region, has destroyed the balance of power which existed among the original States, and deeply affected their interest.

Seventhly.—The easy admission of naturalized foreigners to places of trust, honour or profit, operating as an inducement to the malcontent subjects of the old world to come to these States, in quest of executive patronage, and to repay it by an abject devotion to executive measures.

Eighthly.—Hostility to Great-Britain, and partiality to the late government of France, adopted as coincident with popular prejudice, and subservient to the main object, party power. Connected with these must be ranked erroneous and distorted estimates of the power and resources of those nations, of the probable results of their controversies, and of our political relations to them respectively.

Lastly and principally.—A visionary and superficial theory in regard to commerce, accompanied by a real hatred but a feigned regard to its interests, and a ruinous perseverance in efforts to render it an instrument of coercion and war.

But it is not conceivable that the obliquity of any administration could, in so short a period, have so nearly consummated the work of national ruin, unless favoured by defects in the Constitution.

To enumerate all the improvements of which that instrument is susceptible, and to propose such amendments as might render it in all respects perfect, would be a task, which this Convention has not thought proper to assume.—They have confined their attention to such as experience has demonstrated to be essential, and even among these, some are considered entitled to a more serious attention than others. They are suggested without any intentional disrespect to other States, and are meant to be such as all shall find an interest in promoting. Their object is to strengthen, and if possible to perpetuate, the Union of the States, by removing the grounds of existing jealousies, and præ-

viding for a fair and equal representation, and a limitation of powers which have been misused.

The first amendment proposed, relates to the apportionment of Representatives among the slave-holding States. This cannot be claimed as a right. Those States are entitled to the slave representation, by a constitutional compact. It is therefore merely a subject of agreement, which should be conducted upon principles of mutual interest and accommodation, and upon which no sensibility on either side should be permitted to exist. It has proved unjust and unequal in its operation. Had this effect been foreseen, the privilege would probably not have been demanded; certainly not conceded. Its tendency in future will be adverse to that harmony and mutual confidence, which are more conducive to the happiness and prosperity of every confederated State, than a mere preponderance of power, the prolific source of jealousies and controversy, can be to any one of them. The time may therefore arrive, when a sense of magnanimity and justice will reconcile those States to acquiesce in a revision of this article, especially as a fair equivalent would result to them in the apportionment of taxes.

The next amendment relates to the admission of new States into the union.

This amendment is deemed to be highly important, and in fact indispensable. In proposing it, it is not intended to recognise the right of Congress to admit new States without the original limits of the United States, nor is any idea entertained of disturbing the tranquillity of any State already admitted into the union. The object is merely to restrain the constitutional power of Congress in admitting new States. At the adoption of the Constitution, a certain balance of power among the original parties was considered to exist, and there was at that time, and yet is among those parties, a strong affinity between their great and general interests.—By the admission of these States, that balance has been materially affected, and unless the practice be modified, must ultimately be destroyed. The Southern States will first avail themselves of their new confederates to govern the East, and finally the Western States multiplied in number, and augmented in population, will control the interests of the whole. Thus for the sake of present power, the Southern States will be common sufferers with the East, in the loss of permanent advantages. None of the old States can find an interest in creating prematurely an overwhelming Western influence, which may hereafter discern (as it has heretofore) benefits to be derived to them by wars and commercial restrictions.

The next amendments proposed by the convention, relate to the powers of Congress, in relation to Embargo and the interdiction of commerce

Whatever theories upon the subject of commerce have hitherto divided the opinions of statesmen, experience has at last shewn, that it is a vital interest in the United States, and that its success is essential to the encouragement of agriculture and manufactures, and to the wealth, finances, defence, and liberty of the nation. Its welfare can never interfere with the other great interests of the State, but must promote and uphold them. Still, those who are immediately concerned in the prosecution of commerce, will of necessity be always a minority of the nation. They are, however, best qualified to manage and direct its course by the advantages of experience, and the sense of interest. But they are entirely unable to protect themselves against the sudden and injudicious decisions of bare majorities, and the mistaken or oppressive projects of those who are not actively concerned in its pursuits. Of consequence, this interest is always exposed to be harassed, interrupted, and entirely destroyed, upon pretence of securing other interests. Had the merchants of this nation been permitted, by their own government, to pursue an innocent and lawful commerce, how different would have been the state of the treasury and of publick credit! How shortsighted and miserable is the policy which has annihilated this order of men, and doomed their ships to rot in the docks, their capital to waste unemployed, and their affections to be alienated from the Government which was formed to protect them! What security for an ample and unfailing revenue can ever be had, comparable to that which once was realized in the good faith, punctuality, and sense of honour, which attached the mercantile class to the interests of the Government? Without commerce, where can be found the aliment for a navy; and without a navy, what is to constitute the defence, and ornament, and glory of this nation? No union can be durably cemented, in which every great interest does not find itself reasonably secured against the encroachment and combinations of other interests. When, therefore, the past system of embargoes and commercial restrictions shall have been reviewed—when the fluctuation and inconsistency of publick measures, betraying a want of information as well as feeling in the majority, shall have been considered, the reasonableness of some restrictions upon the power of a bare majority to repeat these oppressions, will appear to be obvious.

The next amendment proposes to restrict the power of making offensive war. In the consideration of this amendment, it is not necessary to inquire into the justice of the present war. But one sentiment now exists in relation to its expediency, and regret for its declaration is nearly universal. No indemnity can ever be attained for this terrible calamity, and its only palliation must be found in obstacles to its future recurrence. Rarely can the

state of this country call for or justify offensive war. The genius of our institutions is unfavourable to its successful prosecution; the felicity of our situation exempts us from its necessity.—In this case, as in the former, those more immediately exposed to its fatal effects are a minority of the nation. The commercial towns, the shores of our seas and rivers, contain the population, whose vital interests are most vulnerable by a foreign enemy. Agriculture, indeed, must feel at last, but this appeal to its sensibility comes too late. Again, the immense population which has swarmed into the West, remote from immediate danger, and which is constantly augmenting, will not be averse from the occasional disturbances of the Atlantick States. Thus interest may not unfrequently combine with passion and intrigue, to plunge the nation into needless wars, and compel it to become a military, rather than a happy and flourishing people. These considerations, which it would be easy to augment, call loudly for the limitation proposed in the amendment.

Another amendment, subordinate in importance, but still in a high degree expedient, relates to the exclusion of foreigners, hereafter arriving in the United States, from the capacity of holding offices of trust, honour or profit.

That the stock of population already in these States, is amply sufficient to render this nation in due time sufficiently great and powerful, is not a controvertible question—Nor will it be seriously pretended, that the national deficiency in wisdom, arts, science, arms or virtue, needs to be replenished from foreign countries. Still, it is agreed, that a liberal policy should offer the rights of hospitality, and the choice of settlement, to those who are disposed to visit the country.—But why admit to a participation in the government aliens who were no parties to the compact—who are ignorant of the nature of our institutions, and have no stake in the welfare of the country, but what is recent and transitory? It is surely a privilege sufficient, to admit them after due probation to become citizens, for all but political purposes.—To extend it beyond these limits, is to encourage foreigners to come to these states as candidates for preferment. The Convention forbear to express their opinion upon the inauspicious effects which have already resulted to the honour and peace of this nation, from this misplaced and indiscriminate liberality.

The last amendment respects the limitation of the office of President to a single constitutional term, and his eligibility from the same State two terms in succession.

Upon this topick it is superfluous to dilate. The love of power is a principle in the human heart, which too often impels to the use of all practicable means to prolong its duration. The

office of President has charms and attractions which operate as powerful incentives to this passion. The first and most natural exertion of a vast patronage is directed towards the security of a new election. The interest of the country, the welfare of the people, even honest fame and respect for the opinion of posterity, are secondary considerations. All the engines of intrigue, all the means of corruption, are likely to be employed for this object. A President, whose political career is limited to a single election, may find no other interest than will be promoted by making it glorious to himself, and beneficial to his country. But the hope of re-election is prolifick of temptations, under which these magnanimous motives are deprived of their principal force. The repeated election of the President of the United States from any one State, affords inducements and means for intrigue, which tend to create an undue local influence, and to establish the domination of particular States. The justice, therefore, of securing to every State a fair and equal chance for the election of this officer from its own citizens, is apparent, and this object will be essentially promoted by preventing an election from the same State twice in succession.

Such is the general view which this Convention has thought proper to submit, of the situation of these States, of their dangers and their duties. Most of the subjects which it embraces have separately received an ample and luminous investigation, by the great and able assertors of the rights of their Country, in the National Legislature; and nothing more could be attempted on this occasion, than a digest of general principles, and of recommendations, suited to the present state of publick affairs. The peculiar difficulty and delicacy of performing, even this undertaking, will be appreciated by all who think seriously upon the crisis. Negotiations for Peace are at this hour supposed to be pending, the issue of which must be deeply interesting to all. No measures should be adopted, which might unfavourably affect that issue; none which should embarrass the Administration, if their professed desire for peace is sincere; and none, which on supposition of their insincerity, should afford them pretexts for prolonging the war, or relieving themselves from the responsibility of a dishonourable peace. It is also devoutly to be wished, that an occasion may be afforded to all friends of the country, of all parties, and in all places, to pause and consider the awful state, to which pernicious counsels, and blind passions, have brought this people. The number of those who perceive, and who are ready to retrace errors, must, it is believed, be yet sufficient to redeem the nation. It is necessary to rally and unite them by the assurance, that no hostility to the Constitution is meditated, and to obtain their aid, in placing it under guardians, who alone can save it

from destruction. Should this fortunate change be effected, the hope of happiness and honour may once more dispel the surrounding gloom. Our nation may yet be great, our union durable. But should this prospect be utterly hopeless, the time will not have been lost, which shall have ripened a general sentiment of the necessity of more mighty efforts to rescue from ruin, at least some portion of our beloved Country.

THEREFORE RESOLVED—

THAT it be and hereby is recommended to the Legislatures of the several States represented in this Convention, to adopt all such measures as may be necessary effectually to protect the citizens of said States from the operation and effects of all acts which have been or may be passed by the Congress of the United States, which shall contain provisions, subjecting the militia or other citizens to forcible drafts, conscriptions, or impressments, not authorized by the Constitution of the United States.

Resolved, That it be and hereby is recommended to the said Legislatures, to authorize an immediate and earnest application to be made to the Government of the United States, requesting their consent to some arrangement, whereby the said States may, separately or in concert, be empowered to assume upon themselves the defence of their territory against the enemy ; and a reasonable portion of the taxes, collected within said States, may be paid into the respective treasuries thereof, and appropriated to the payment of the balance due said States, and to the future defence of the same. The amount so paid into the said treasuries to be credited, and the disbursements made as aforesaid to be charged to the United States.

Resolved, That it be, and it hereby is, recommended to the Legislatures of the aforesaid States, to pass laws (where it has not already been done) authorizing the Governours or Commanders in Chief of their militia to make detachments from the same, or to form voluntary corps, as shall be most convenient and conformable to their Constitutions, and to cause the same to be well armed, equipped and disciplined, and held in readiness for service ; and upon the request of the Governour of either of the other States, to employ the whole of such detachment or corps, as well as the regular forces of the State, or such part thereof as may be required and can be spared consistently with the safety of the State, in assisting the State, making such request to repel any invasion thereof which shall be made or attempted by the publick enemy.

Resolved, That the following amendments of the Constitution of the United States, be recommended to the States represented as aforesaid, to be proposed by them for adoption by the State Legislatures, and, in such cases as may be deemed expedient, by a Convention chosen by the people of each State.

And it is further recommended, that the said States shall persevere in their efforts to obtain such amendments, until the same shall be effected.

First. Representatives and direct taxes shall be apportioned among the several States which may be included within this union, according to their respective numbers of free persons, including those bound to serve for a term of years, and excluding Indians not taxed, and all other persons.

Second. No new State shall be admitted into the union by Congress in virtue of the power granted by the Constitution, without the concurrence of two thirds of both Houses.

Third. Congress shall not have power to lay any embargo on the ships or vessels of the citizens of the United States, in the ports or harbours thereof, for more than sixty days.

Fourth. Congress shall not have power, without the concurrence of two thirds of both Houses, to interdict the commercial intercourse between the United States and any foreign nation or the dependencies thereof.

Fifth. Congress shall not make or declare war, or authorize acts of hostility against any foreign nation, without the concurrence of two thirds of both Houses, except such acts of hostility be in defence of the territories of the United States when actually invaded.

Sixth. No person who shall hereafter be naturalized, shall be eligible as a member of the Senate or House of Representatives of the United States, nor capable of holding any civil office under the authority of the United States.

Seventh. The same person shall not be elected President of the United States a second time; nor shall the President be elected from the same State two terms in succession.

Resolved, That if the application of these States to the government of the United States, recommended in a foregoing Resolution, should be unsuccessful, and peace should not be concluded, and the defence of these States should be neglected, as it has been since the commencement of the war, it will in the opinion of this Convention be expedient for the Legislatures of the several States to appoint Delegates to another Convention, to meet at Boston, in the State of Massachusetts, on the third Thursday of June next, with such powers and instructions as the exigency of a crisis so momentous may require.

Resolved, That the Hon. George Cabot, the Hon. Chauncey Goodrich, and the Hon. Daniel Lyman, or any two of them, be authorized to call another meeting of this Convention, to be holden in Boston, at any time before new Delegates shall be chosen, as recommended in the above Resolution, if in their judgment the situation of the Country shall urgently require it.

HARTFORD, January 4th, 1815.

GEORGE CABOT,
 NATHAN DANE,
 WILLIAM PRESCOTT,
 HARRISON G. OTIS,
 TIMOTHY BIGELOW,
 JOSHUA THOMAS,
 SAMUEL S. WILDE,
 JOSEPH LYMAN,
 STEPHEN LONGFELLOW, JR.
 DANIEL WALDO.
 HODIJAH BAYLIES,
 GEORGE BLISS,
 CHAUNCEY GOODRICH,

JAMES HILLHOUSE,
 JOHN TREADWELL,
 ZEPHANIAH SWIFT,
 NATHANIEL SMITH,
 CALVIN GODDARD,
 ROGER M. SHERMAN,
 DANIEL LYMAN,
 SAMUEL WARD,
 EDWARD MANTON,
 BENJAMIN HAZARD,
 BENJAMIN WEST,
 MILLS OLCOTT,
 WILLIAM HALL, JR.

STATEMENTS,

PREPARED AND PUBLISHED BY ORDER OF THE CONVENTION OF DELEGATES,

HELD AT HARTFORD, DECEMBER 15, 1814.

AND PRINTED BY THEIR ORDER.

SCHEDULE (A.)

Shewing the ascertained expenses of the war, prior to July 1, 1814.	
<i>Military Department</i> , or land forces, from January 1, to Sept. 30, 1812, including about six months of peace, and three months of war, in that year, - - - - -	
	\$7,464,814 80
From Sept. 30, 1812, to Sept. 30, 1813, - - - - -	18,484,759 49
From Sept. 30, 1813, to Dec. 31, 1813, - - - - -	5,887,747 00
From Jan. 1, to July 1, 1814, - - - - -	11,210,238 00
Ascertained expenses of the Land forces from } Jan. 1, 1812, to July 1, 1814, }	\$43,047,550 29
<i>Navy Department</i> , from Jan. 1, to Sept. 30, 1812, about six months of peace, and three months of war, the sum of - - - - -	
	\$2,633,612 95
From Sept. 30, 1812, to Sept. } 30, 1813, }	6,420,707 20
From Sept. 30, to Dec. 31, 1813, - - - - -	1,248,145 10
From Jan. 1, to July 1, 1814, - - - - -	4,012,899 90
	14,320,365 15
Ascertained war expenses to July 1, 1814, - - - - -	\$57,367,915 44
to which must be added, large sums not ascertained, and, also disbursements made by individual States, these must be more than - - - - -	3,000,000 00
	\$60,367,915 44

Note.—The Military and Naval expenses of the United States from January 1, 1812, to June 18, 1812, when war was declared, are included in the above Account, and were, partly on account of the peace establishment, and, in part, preparations for war. So that this enormous expenditure was incurred in the Military and Naval departments alone, in two years of small warfare, and in six months that preceded it.

SCHEDULE (B.)

Shewing the receipts at the Treasury of the United States from January 1, 1812, to July 1, 1814, including about 6 months of peace, and about two years of war, to wit—

From Jan. 1, to Oct. 1, 1812, from the proceeds of the customs, the sales of land, &c. being three fourths of the revenue year, - - - - - \$8,201,210 18
 The balance in the Treasury charged this account, 3,947,818 36
 On the 11 million loan under the act of March 14, 1812, - - - - - 5,847,212 50

\$17,996,241 04

Receipts from Oct. 1, 1812, to Oct. 1, 1813, to wit—

From the proceeds of the customs, \$12,596,491 55

Sales of land, - - - - - 830,671 53

Other items of revenue, - - - - - 140,879 35

13,568,042 43

On account of the 11 million loan, \$4,337,487 50

On the 16 million loan, act Feb.

8, 1813, - - - - - 14,488,125 00

Treasury Notes issued on the act of

June 30, 1812, - - - - - 4,898,300 00

Do. do. act Feb.

25, 1813, - - - - - 253,000 00

23,076,912 50

Receipts from Oct. 1, 1813, to Jan. 1, 1814, to wit—

From the customs and sales of lands, &c. - - - - - \$3,678,565 00

On the 16 million loan, - - - - - 1,511,875 00

On the seven and half million loan, 3,907,335 00

Treasury notes, - - - - - 3,778,700 00

12,876,475 00

Receipts from Jan. 1, to July 1, 1814, to wit—

From the proceeds of the customs, 4,182,088 25

Sales of public lands, - - - - - 540,065 68

Internal duties and direct tax, 2,189,272 40

Postage and incidental receipts, 166,744 00

\$7,078,170 33

On the 7 1-2 million loan, act Aug. 2, 1813, - - - \$3,592,665

On 10 million loan (part of the 25 millions) - - - 6,087,011

Carried forward, \$9,678,676 \$7,078,170 33 \$68,417,670 97

Brought up,	-	9,679,676	\$7,078,170	33	\$68,417,670	97
Treasury notes on act Feb. 25, 1813,	-	\$1,070,000				
Do. on act March 24, 1814,		1,392,100				
		<u>2,462,100</u>	<u>12,141,776</u>	<u>00</u>	<u>19,219,946</u>	<u>33</u>
					87,637,617	30
Deduct cash in the treasury, July 1, 1814,	-				4,722,659	32
Deduct payments made at the treasury in the same period from Jan. 1, 1812, to July 1, 1814, to wit—					\$82,914,957	98
The civil list, Indian department, &c.		\$4,697,872	32			
Interest and principal of the publick debt,	-	-	-	-	21,101,417	72-25,799,290,04

Left for war purposes in this period, - - - \$57,115,667,94

Note.—Thus while the war cost above 60 millions of dollars, and the land forces 46 millions of the sum, there was but a small British army employed against the United States, and in this period, disgrace generally attended the American arms by land.

SCHEDULE (C.)

Shewing the great increase of the revenues of the United States, from the adoption of the Constitution to the adoption of the restrictive system; and while commerce continued free, and the great diminution of these revenues since that system was resorted to—they were as follow, as by Treasury statements.

Prior to 1792,	\$4,418,913	1803,	11,064,067
In 1792,	3,661,932	1804,	11,828,307
1793,	4,714,423	1805,	13,560,663
1794,	5,128,432	1806,	15,559,931
1795,	5,954,534	1807,	16,398,019
1796,	7,137,529	1808,	17,060,661
1797,	8,403,560	1809,	7,773,473
1798,	7,820,575	1810,	9,384,214
1799,	7,475,773	1811,	14,423,529
1800,	10,777,709	9 months of 1812,	6,927,706
1801,	12,846,530		
1802,	13,668,223		<u>\$215,988,703</u>

Note.—As bonds were given for the duties, and they usually become payable the next year—the duties payable in any year, were, generally, collected on the importations of the preceding year, as the \$17,060,661 received in 1808 were the duties on the great importations of 1807, a few small sums excepted.

Note, also.—All these revenues arose from commerce, except \$16,262,651.

It will be observed that all the sources of revenue exclusive of impost and tonnage duties, did not, on an average, amount to quite one million of dollars a year; so that the impost and tonnage duties, the

four years preceding the long embargo, amounted to about fifty-eight millions of dollars, or to \$14,500,000 a year. And if there had been no embargoes or restrictions on commerce these would have increased, at least not decreased till the war was commenced. That commenced four years and a half after the embargo was laid. It will be seen that all the revenues amounted, in four years, before the embargo, to \$62,579,274, and deducting for other sources of revenue, one million a year, there will remain \$53,579,274 received from imposts and tonnage duties: whereas in the three years and nine months after the embargo was laid, all the revenues, as above, amounted only to \$38,508,922, or at the rate of \$40,817,990 in four years; but in these four years were included, not only the ordinary million a year, but the two million direct tax of 1798, and the new internal duties of those four years, whence was collected at least two millions and a half; hence deduct \$6,500,000 from \$40,817,990 leaves, received from impost and tonnage duties \$34,317,990,—\$24,261,284 less than was received in the four years preceding the embargo; that is, above six millions a year, or above twenty-seven millions for the four years and a half, the restrictive system existed before the war; hence this sum was clearly lost by this system—See Schedule F.

Note, also—The said \$16,262,651 was received thus,—from internal revenue, \$6,460,003; direct tax, \$1,757,240; sales of land, \$6,161,283 02; postage of letters, &c. \$667,343; miscellaneous, \$1,216,775.

Therefore, it is clear, that if there had been no restrictive system or war, the old debt of the United States, would have been, before this time, paid, or nearly paid.

SCHEDULE (D.)

Shewing the state of the army of the United States previous to July 1, 1814. It was thus—effectives 27,010; aggregate 31,539; stationed as follows:

In the first Military District, at Boston, Portsmouth, Portland and Eastport,	aggregate number	655
2 Military District at New-London, &c.		714
3 do. at New-York,		2,116
4 do. at Fort Mifflin, &c.		308
5 do. at Baltimore, Norfolk,		2,244
6 do. North and South Carolina and Georgia,		2,244
7 do. at New-Orleans, Mobile, &c.		2,378
Stationed on the sea board,		10,659
8 Military District at Detroit, Sandwich, &c.		2,472
9 do. division of the right,	11,795	
at Buffaloe, Sacket's harbour, &c.	6,613	
	—18,408	
on the Canada line,		20,880
		<u>total—31,539</u>

Recruits enlisted from January 27, 1814, to September 30, 1814, as by the return of the Inspector General were 13,898 :

to wit—in February 1814,		980
March	”	2,357
April	”	2,501
May	”	2,138
June	”	1,445
July	”	1,486
August	”	1,687
Sept.	”	1,304
		—————13,898

Note—An army of 31,539, early in the year 1814, was, no doubt, a much larger army than the United States kept up the two first years of the war; and if properly employed, 31,000 regular troops were certainly adequate to oppose any force Great Britain, in those years, employed against the United States—31,000 men, according to the estimates of the War and Treasury Departments, should not have cost more than 12 millions a year, or 24 millions in the two years; whereas the land forces did cost 46 millions and more, in the wasteful manner in which the war was conducted.

Note, also—When it is considered the United States had on the 1st of July, 1814, a regular army of 31,539, and enlisted in 8 months, from February 1, to October 1, 1814, 13,898 men, for what possible preference can the national government have recourse to conscription, and measures destructive of the liberties of the people, to fill the ranks of the army? The course of enlistments amply proves, that if the army be well paid and supported, and according to contracts, there can be no occasion to resort to such violent measures.

Note, also—Of the 10,659 regular troops on the sea board, only 1,369 were stationed in New-England.

SCHEDULE (E.)

Though the operations of the war in 1781 and 1782 were great, especially in the Southern States, yet it cost America far less than fifteen millions a year, as will appear by the publick documents. In 1782 Congress made an estimate for an army of 25,000 men. This estimate, which proved to be correct, was a little over eight millions of dollars. The individual States' expenses will be found not to have exceeded four millions a year, and Navy expenses were trifling. In 1781 the expenses were about three millions more than in 1782.—Prices were about the same then as now.

The following is an abstract of the expenditures of the United States from the adoption of the Constitution, to Oct. 1, 1812, taken from Treasury Reports :

Prior to	1792,	\$ 1,718,129	1803,	4,062,824
In	1792,	1,766,677	1804,	4,052,858
	1793,	1,707,848	1805,	6,357,234
	1794,	3,500,348	1806,	6,080,209
	1795,	4,350,596	1807,	4,984,572
	1796,	2,531,930	1808,	6,504,338
	1797,	2,833,590	1809,	7,414,672
	1798,	4,623,223	1810,	5,311,082
	1799,	6,480,166	1811,	5,592,604
	1800,	7,411,369	9 months of 1812,	11,760,292
	1801,	4,981,669		
	1802,	3,737,079		\$ 107,763,309

Note.... These expenditures do not include the interest and principal of the publick debt.

Never after the peace of 1783, till 1812, did the expenditures of the United States amount to seven millions and a half in any year.

In 1781 Cornwallis was taken, and it is ascertained that over 26,000 British troops were sent into the four Southern States in less than two years in 1780 and 1781. The United States were obliged to keep up large forces in the Middle and Northern States; and the militia drafts were often made in those two years.—During the long period from March 4, 1789, to Oct. 1, 1812, the whole Military expenditures of the United States were but \$44,066,745 65 including Indian wars, war with France, and with the Barbary powers, the Pennsylvania insurrection, and several millions expended in the present war before October, 1812. Much less than two millions of dollars a year. And the Navy expenditures during the same long period were but \$29,839,660 78. About one million and a quarter a year.

Further, An examination of the publick documents will shew, that the eight-years-war of the revolution did not cost more than 205,000,000, of *specie dollars*. More than half that sum was expended in the three first years, when paper money was abundant, and the American and British armies most numerous; a period in which we withstood the forces of the enemy alone, in a manner so honourable to our arms.

SCHEDULE (F.)

This Schedule brings into one view the great loss of revenue occasioned by the Restrictive System, and the enormous waste of publick monies in the two first years of this war; the particulars whereof are stated in the preceding Schedules.

1. 27 millions of dollars, at least, were lost by reason of restrictions on commerce, for four years and a half before the war was declared or commenced, as in schedule C, \$27,000,000

2. War expenses, as stated in schedule A, to the amount of \$60,367,915, at least, were incurred in this war before July 1, 1814; whereas, on any scale of expenses of any wars, ever carried on in this country heretofore, the war expenses from January 1812, to July 1, 1814, ought not to have exceeded 27 millions, if indeed they could equal that sum. There then was clearly a wasteful and improvident

Amount brought forward, 27,000,000
 expenditure of publick monies, in the war and navy departments, in this short period, of more than 33 millions of dollars, 33,000,000

Revenue and public monies lost by foolish restrictions, and in a profligate management of the war, \$60,000,000

Schedule E, also, shews how moderate our military expenses were prior to the present war.

Note.... Had this large sum been saved, as it might have been, with perfect ease by a wise and economical administration, the credit of the United States, at this moment, would have been unimpaired, and the very heavy direct and internal taxes now laid on the people to supply the place of this sum, so lost and wasted, might have been avoided.

In fact, examine the expenditures of all former wars in this country, the force brought against it in the two first years of this war, and every cause of necessary expenditure, and it will appear, that not so much as 27 millions ought to have been expended in the military and naval departments in the period in question.

SCHEDULE (G.)

Shewing the amounts of the several Internal Duties, distinctly, that have accrued for the two first quarters of the year 1814. Ascertained to have been received in each State and Territory of the United States, viz.

Names of States and Territories.	Licenses for Stills and Boilers.	Carriages.	Licenses for Retailers.	Duties on Sales at Auction.	Refined Sugar.	Stamps.
New-Hamp.	4817 98	6155 08	15154	351 29		5 44 05
Massachusetts.	61217 86	33160 78	79220	12285 05	120 09	14281 18
Vermont,	19710 52	2532 18	12271	7 96		13 35
Rhode-Island,	16265 23	2842 88	15702	6039 23		5329 80
Connecticut,	42878 36	13092 61	28556	79 48 1-2		7388 37
New-York,	154484 67	21687 23	156492	8872 69 1-2		51935 06
New-Jersey,	18429 59	16253 92	27163	2823 86		3350 49
Pennsylvania,	271780	25707 08 1-2	118852	10871 61		45590 45
Delaware,	1447 50	5118 18	7477	116 25		2701 56
Maryland,	36736 37	16965 97 1-2	42300	5344 11 1-4		20300 82 3-4
Virginia,	148442 91	28836 91	46691	2018 20		21378 03 1-2
North-Caro.	44780 20	13594 29 3-4	20644	444 14 1-4		5212 41 3-4
Georgia,	11076 68	6532 12 1-4	11931	1003 17		2145 76
South-Caro.	32215 67	15024 72	20843	923 52		10510 16
Ohio,	84708 59	456 24	15200			3246 87 1-2
Kentucky,	56082 19	2634 69 1-2	13684	160 08 1-2		4185 38
Tennessee,	46855 97	661 11	7612			946 05
Louisiana,	5485 08	840 81	7079	1878 30	26 25	7119 86
Illinois Ter.	490 44	62	835			5 60
Michigan "		54	1135	28 93		21 24
Indiana "	1263 73	4	1396			
Missouri "	2027 38	75	1340			45 45
Mississippi "	1562 07	303	3305	91 82		652 76
Dis. of Colum.		2044 91	9505	154 32		10159 56
	1062758 99	214639 73 1-2	663887	53494 03	146 34	217364 28 1-2

GROSS TOTAL—\$2,212,290 38.

SCHEDULE (H.)

This shews the great increase of the commerce of the United States, under federal administrations when it was free. Also its great diminution under embargoes, restrictions and war. 2. The comparative exports of the several States from time to time. 3. The kind of exports, as articles domestick or foreign, as productions of the forest, of agriculture, of the sea, &c.

1. The exports of the United States every fifth year, to wit—

1791	\$17,571,551 45	Note.... Thus the exports, when commerce was free, increased nearly 6 fold in 15 years, and under restrictions diminished about one half as stated below.
1796	67,064,097 00	
1801	93,020,513 00	
1806	103,787,000 00	
1811	61,317,833 00	

Exports of the United States four years next preceding the long embargo, viz.

1804	\$77,701,597
1805	95,566,021
1806, as above,	103,787,000
1807	108,343,558
	\$385,398,176

Exports of the United States four years under restrictions, and one year in war, viz.

1808	Domestick Arts	\$8,417,000
	Foreign do.	12,997,414
1809	Domestick do.	28,841,000
	Foreign do.	20,797,531
1810	Domes. & For.	67,895,597
1811	do. do.	61,317,833
1813	Domestick Arts	25,008,152
	Foreign do.	2,847,845

\$228,122,372

2. The comparative exports of each State, from time to time, viz.

	year 1791	year 1799	year 1806	Dom. Arts.	year 1813
New-Hampshire,	\$ 142,858	\$ 360,039	\$ 795,260		\$ 29,996
Massachusetts,	2,445,975	11,421,591	21,199,243	do.	1,807,923
Vermont,		20,480	193,775	do.	
Rhode-Island,	470,131	1,055,273	2,091,835	do.	236,802
Connecticut,	710,340	1,143,818	1,715,858	do.	974,303
New-York,	2,511,197	18,719,527	21,762,345	do.	8,185,494
New-Jersey,	27,957	9,722	33,867	do.	10,260
Pennsylvania,	2,931,624	12,431,967	17,574,502	do.	3,577,117
Delaware,	119,840	297,065	500,106	do.	133,432
Maryland,	2,193,355	16,299,609	14,580,905	do.	3,787,865
Virginia,	3,131,227	6,292,986	5,055,396	do.	1,819,722
North-Carolina,	524,548	485,921	789,605	do.	797,318
South-Carolina,	1,866,021	8,729,015	9,743,782	do.	2,968,484
Georgia,	491,472	1,396,768	no return.	do.	1,004,595
Ohio,			62,318	do.	
Territories of the U. S.			4,100,583	do.	
Georgetown,			254,353	do.	1,387,493
Alexandria,			991,793		
Michigan,			221,260	do.	
New-Orleans,			3,837,323	do.	1,045,158

3. The kind of exports from the United States, as articles domestick or foreign; productions of the forest, agriculture, of the sea, &c.

	Year 1804	Year 1805	Year 1806	Year 1807
Prod. of the forest,	4,600,000	5,261,000	4,861,000	5,476,000
of the sea,	3,420,000	2,884,000	3,116,000	2,804,000
of agriculture,	30,890,000	31,552,000	32,375,000	37,632,000
of manufact.	2,100,000	2,525,000	2,707,000	2,120,000
Miscellaneous,	430,000	155,000	445,000	468,000
	41,440,000	42,377,000	43,504,000	48,700,000
Foreign articles,	36,231,597	53,179,021	60,283,000	59,643,578
	77,671,597	95,556,021	103,787,000	108,343,578

This statement shews, that about three fourths of the domestick exports of the United States are the produce of agriculture, and for four years prior to the embargo, exceeded on an average 33 millions a year. It will readily be seen what great losses there must have been in regard to these articles, when the regular exportation of them has been capriciously interrupted for 7 years past, by embargoes, restrictions and war, the same as to the produce of the forest, and, that of the sea; the latter amounting, on an average, for four years next before the embargo, to above 3 millions of dollars a year, has been by restrictions and war, wholly destroyed—And the shipping employed formerly, in acquiring these productions of the sea, is nearly rotten at the wharves, and the seamen engaged in this branch of business, very important, in a publick view, are scattered and gone.

The domestick articles in the four years next before the restrictive system, were 50 millions more than the same articles exported in the four years under it, and before the war.

NOTE.—Page 8.

Extract from Report of the Secretary of the Navy, dated November 15, 1814.

There is another branch of the service which appears to me to merit the serious deliberation of the legislature, with regard to the establishment of some regular system, by which the voluntary enlistments for the navy may derive occasional reinforcement from the services of those seamen, who, pursuing their own private occupations, are exempt, by their itinerant habits, from publick service of any kind. In my view there would be nothing incompatible with the free spirit of our institutions, or with the rights of individuals, if registers, with a particular descriptive record, were kept in the several districts, of all the seamen belonging to the United States, and provision made by law for classing and calling into the publick service, in successiou, for reasonable stated periods, such portions or classes, as the publick service might require, and if any

individual, so called, should be absent at the time, the next in succession should perform the tour of duty of the absentee, who should, on his return, be liable to serve his original tour, and his substitute be exempt from his succeeding regular tour of duty.

NOTE.

It appears from the following extract from a speech of Mr. Madison, in the Debates of the Virginia Convention, that he had a prophetick view of circumstances which would induce a majority of States to *SUPPORT VIRGINIA* against the *carrying States*. See also the speeches of Mr. Nicholas in that Convention, and the *essays* in the *Federalist*, written by Mr. Madison.

Extract from debates in Virginia Convention,—Richmond Ed. p. 224.

I will not sit down till I make one more observation on what fell from my honourable friend. He says; that the true difference between the states lies in this circumstance—that some are carrying states, and others productive, and that the operation of the new government will be, that there will be a plurality of the former to combine against the interest of the latter, and that consequently it will be dangerous to put it in their power to do so. I would join with him in sentiment, if this were the case. Were this within the bounds of probability, I should be equally alarmed, but I think that those States which are contradistinguished as carrying states, from the non-importing states, will be but few. I suppose the southern states will be considered by all, as under the latter description. Some other states have been mentioned by an honourable member on the same side, which are not considered as carrying states. New-Jersey and Connecticut can by no means be enumerated among the carrying states. They receive their supplies through New-York. Here then is a plurality of non-importing states. I could add another if necessary. Delaware, though situated upon the water, is upon the list of non-carrying states. I might say that a great part of New-Hampshire is so. I believe a majority of the people of that State receive their supplies from Massachusetts, Rhode-Island, and Connecticut.—Might I not add all those states which will be admitted hereafter into the union? These will be non-carrying states, and will support Virginia in case the carrying states will attempt to combine against the rest.

RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

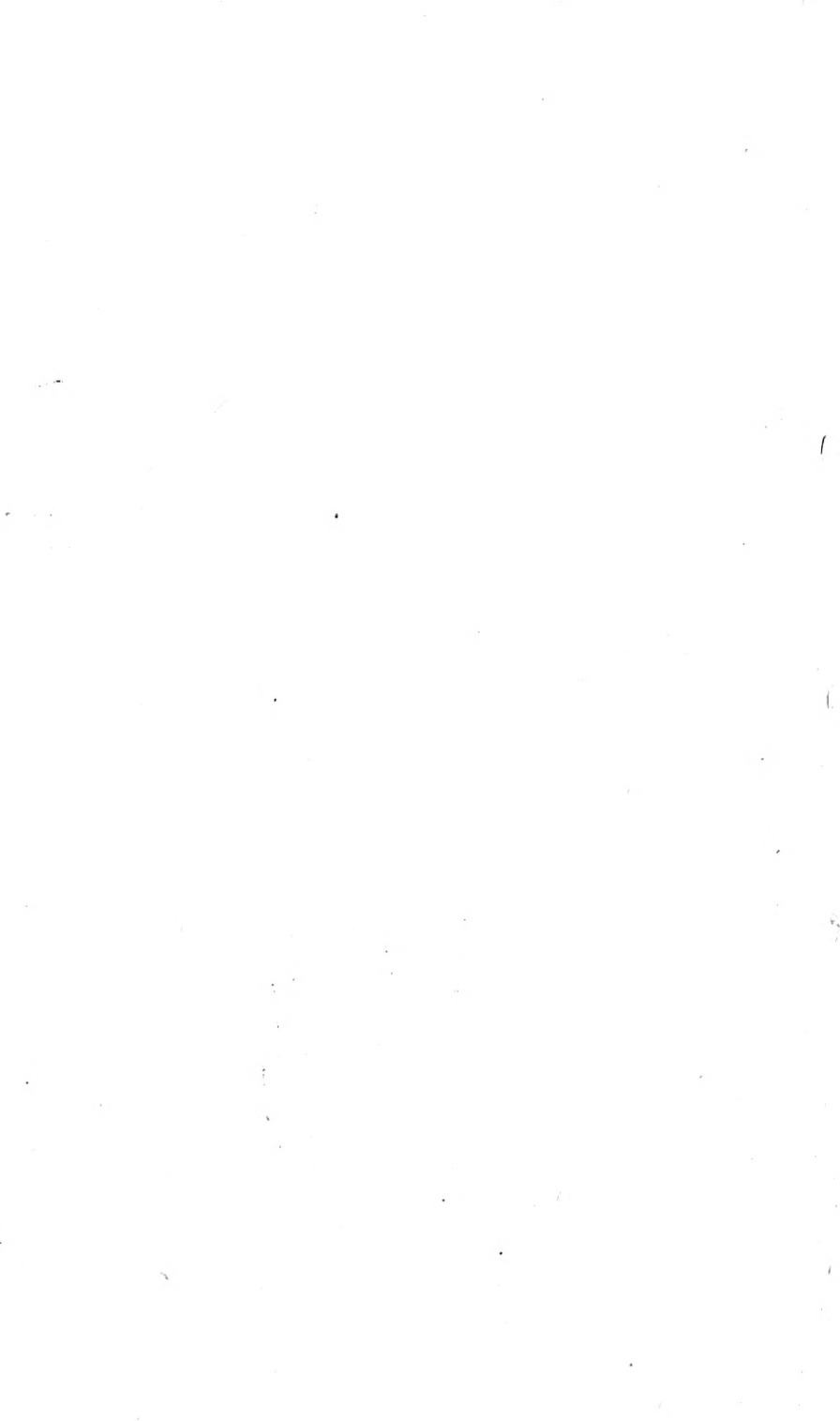
PASSED AT THE SESSION,

COMMENCING THE LAST WEDNESDAY, (BEING THE 26th DAY) OF MAY,
AND ENDING THE TWENTY-SEVENTH DAY OF JUNE, 1812.

Published agreeably to a Resolve passed 16th January, 1812.



BOSTON :
PRINTED BY RUSSELL AND CUTLER.
.....
1812.



RESOLVE,

Directing the manner in which the Laws and Resolves shall be printed in future.—Passed 16th January, 1812.

Resolved, That the Laws of the Commonwealth which shall hereafter be passed, at the several sessions of the General Court, shall be printed in volumes of the royal octavo size ; each volume to contain not less than seven hundred pages, and to have suitable title pages and analytical indices, and that the laws passed from the beginning of the May session of one year to the beginning of the May session of the next succeeding year, shall be divided into chapters, and shall be printed together in the same volume ; and until a volume of the laws shall from time to time be formed as aforesaid, temporary title pages and indices shall be added to the laws which shall be printed from session to session of the General Court.

And be it further resolved, That the Resolves which shall be hereafter passed by the General Court, shall be printed in volumes of the same size, in the same manner, and with suitable title pages, running titles and indices.

And be it further resolved, That it shall be the special duty of the Secretary of the Commonwealth, to superintend the publication and printing of the laws and resolves of the General Court, as the same shall be passed at the respective sessions thereof, and to examine and compare the printed copies of such laws and resolves with the originals, and to print, and annex to the printed copies his certificate of such examination, and of the errors, if any, in such printed copies, to the end, that the laws and resolves of the Commonwealth may be duly and accurately promulgated.

And be it further resolved, That this resolve shall be prefixed to the printed copies of the laws which may be passed at the present session of the General Court, and shall also be prefixed to the next volume of the laws of the Commonwealth, which shall be printed in pursuance of this resolve.

And be it further resolved, That the laws which shall be passed at the present session of the Legislature, shall constitute a part of the fifth volume of the laws, and shall be paged, indexed, and divided into chapters accordingly.



CIVIL LIST

OF THE
COMMONWEALTH OF MASSACHUSETTS,
For the political year 1812—13.

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HIS HONOR
WILLIAM PHILLIPS, ESQ. *Lieut. Governor.*

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.....

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Brookline, Stephen Sharp,
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Abington, Nathan Gurney, jr.
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Scituate, Elijah Turner,
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Hingham, Jonathan Cushing,
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Chatham, Richard Sears,
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Provincetown, Daniel Pease.

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Micajah Gardner,
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Spencer, Jonas Muzzy,
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Jonas Sibley,
Darius Russell,
Oxford, Abijah Davis,
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Shrewsbury,
Vashni Hemenway,
Westboro', Simeon Bellows,
Southboro', Willard Newton,
Northboro', James Keyes,
Boylston, Jonathan Bond,
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Harvard, Reuben Whitcomb,
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Fitchburg, Samuel Gibson,
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Westminster, Jonas Whitney,
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Gardner, Aaron Wood,
Ashburnham, Joseph Jewett,
Winchendon, Samuel Prentiss,
Royalston, Joseph Estabrook,
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Athol, James Humphreys,
Gerry, Ithamar Ward,
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Westfield, Benjamin Hastings,
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Southwick, Reuben Clark,
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Granville, John Phelps,
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Tolland, Thomas Hamilton,
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 Solomon Noble,
Chester, Sylvester Emmons,
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Montgomery, Aaron Parks,
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Plainfield, James Richards,
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Worthington,
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Hadley, Samuel Porter,
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Granby, Eli Dickenson,
Belchertown, Eliakim Phelps,
 Wright Bridgman,
 Phineas Blair,
Ware, William Bowdoin,
Greenwich, Robert Field,
Pelham,
Amherst, Ebenezer Mattoon,
 Simeon Strong.

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Ashfield, Henry Bassett,
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Whatley, Thomas Sanderson.

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Sandisfield & Southfield,
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Alford, Elijah Fitch,
Stockbridge, John Whiton,
 Isaac Curtis,
W. Stockbridge,
 Lemuel Moffit, jun.
Becket, George Conant,
Washington, Simon Henry,
Lee, Joseph Whiton,
 Jared Bradley,

Lenox, William P. Walker,
 Daniel Williams, jun.
Richmond, Hugo Burghardt,
Hancock, Rodman Hazard,
Pittsfield Timothy Childs,
 Oren Goodrich,
 Jonathan Allen,
 John B. Root,
Dalton, Zenas Crane,
Hinsdale, Artemas Thompson,
Peru, Cyrus Stowell,
Windsor, Noah Green,
New Ashford & Lanesborough,
 Aaron Barnes,
 Richard Whitman,
Cheshire, John Leland,
 John Wells,
Adams, Thomas Farnum,
 James Mason,
Williamstown, Ambrose Hall,
 Samuel Kellogg,
Savoy, Liscom Phillips,
Clarksburgh,
Florida,
Mt. Washington,

YORK.

York, Elihu Bragdon,
 Joseph Bradbury,
 Josiah Bragdon,
 Peter Weare,
Kittery, Mark Adams,
 William T. Gerrish,
Elliot, Samuel Leighton,
 John Hammond,
Wells, John Storer,
 Joseph Moody,
 Nahum Morrill,
 John U. Parsons,
 John Bowen,
Arundel, Eliphalet Perkins,
 Seth Burnham,
Biddeford, Jeremiah Hill,
 Reuben H. Green,

Berwick, Richard F. Cutts,
Joseph Prime,
William Hobbs,
Micajah Currier,
Joshua Chase,
Lebanon, David Legro,
Daniel Wood,
Sandford, Sheldon Hobbs,
Elisha Allen,
Alfred, John Holmes,
Lyman, John Low,
Hollis, John Smith,
Jesse Lock,
Waterborough, Henry Hobbs,
Shapleigh, Jeremiah Emery,
John Bodwell, jun.
Newfield, David Moulton,
Parsonsfeld, James Bradbury,
Simon Marston,
Cornish, Jonah Dunn,
Limerick, Edmund Eastman,
Limington, David Boyd,
Walter Hagens,
Buxton, Gibbens Elden,
William Merrill,
Benjamin Leavitt,
Saco, Joseph Morrill,
Benjamin Pike,
Edmund Moody.

CUMBERLAND.

Portland, George Bradbury,
Joseph H. Ingraham,
Isaac Adams,
Enoch Preble,
Richard Hunewell,
William Crabtree,
James Neal,
Falmouth, James Morrell,
James Merrill,
Jonathan Sparrow,
Josiah Hobbs,
John Porterfield,
C. Elizabeth, Rishworth Jordan,

Scarborough, William Hasty,
George Hight,
Gorham, Lothrop Lewis,
David Harding, jun.
Dudley Folsom,
Standish, Edmund Mussey,
Simon Moulton,
Windham, Stephen Hall,
Gray, Eliab Latham,
N. Yarmouth,
Ammi R. Mitchell,
Thomas Chase,
Alford Richardson,
Jeremiah Blanchard,
Pownal, Edward Thompson,
Free Port, Samuel Porter,
Josiah W. Mitchel,
Brunswick, David Dunlap,
Robert D. Dunning,
Philip Owen,
Durham, Secomb Jordan,
Harpswell, Stephen Purrinton,
N. Gloucester, David Nelson,
Samuel Fessenden,
Pegypscot, Joseph Roberts,
Poland, Robert Snell,
Minot, Jonathan Nash,
Raymond, George Small,
Baldwin,
Bridgetown, Phineas Ingalls,
Harrison,
Otisfield, Daniel Holden.

LINCOLN.

Wiscasset, Jeremiah Bailey,
Joseph T. Wood,
Woolwich, Richard Harnden,
Dresden, George Houdlette,
Alna, Jeremiah Pearson,
Whitefield, Joseph Bailey,
Jefferson, Thomas Trask, jr.
New Castle, Daniel Waters,
Edgecomb,
Thomas Cunningham,

Boothbay, Joseph M'Cobb,
 William Maxwell Reed,
Bristol, James Drummond, jr.
 William Chamberlain,
 William Henry Little,
Nobleboro', Ephraim Rollins,
Waldoboro', Joseph Ludwig,
 Benjamin Brown,
 Isaac G. Reed,
Friendship, Melzar Thomas,
Cushing, Edward Killeran,
St. George, Elijah Hall,
Thomaston, Isaac Bernard,
 Ezekiel G. Dodge,
Warren, Samuel Thatcher,
 Cyrus Eaton,
Camden, Joshua Dillingham,
 Nathan Brown,
Hope, Fergus M'Clain,
Union, Nathaniel Robbins,
Putnam,
Palermo, Moses Burley,
Montville, Joseph Chandler,
Georgetown, Lewis Thorp,
 John Pattee,
Bath, Andrew Greenwood,
 Ebenezer Clap,
 Abraham Hammatt,
Topsham, Actor Patten, 3d.
Bowdoin, Moses Dennett,
Bowdoinham, Timothy Merritt,
Lewistown, Joel Thompson,
Lisbon, Nathaniel Eames,
Litchfield, Lemuel Walker,
 Henry Kendall.

KENNEBECK.

Augusta, George Crosby,
 John Davis,
Hallowell, Thomas Agry,
 Peter Grant,
Gardiner, Rufus Gay,
Monmouth, Simon Dearborn,
 Abraham Morrill,

Greene, John Daggett,
Leeds, Daniel Lothrop,
Winthrop, Samuel Wood,
 Issachar Snell,
Reedfield, John Hubbard,
Wayne, Joseph Lamson,
Fayette, Ezra Fisk,
Mount Vernon, John Hovey,
Belgrade, Moses Carr,
Sydney, Ambrose Howard,
 Ichabod Thomas,
Waterville, Elnathan Sherwin,
Dearborn,
Rome,
Vienna,
New Sharon, Abel Baker,
Chesterville,
Farmington, Leonard Merry,
 Timothy Johnson,
Temple,
Wilton, Samuel Butterfield,
Pittston, Oliver Coburn,
Vassalboro', Philip Leach,
 Samuel Redington,
Winslow, Charles Hayden,
Harlem, Samuel Burrill,
Malta,
Fairfax, Japhet C. Washburn,
Clinfon, Asher Hinds,
Unity, Rufus Burnham.

OXFORD.

Paris, Levi Hubbard,
 Elias Stowell,
Hebron, Alexander Greenwood,
Buckfield, Benjamin Spaulding,
Turner, Joseph Bonney,
Livermore, Simeon Waters,
 William H. Brettun,
Hartford, David Warren,
Sumner, Simeon Barrett, jun.
Norway, Joshua Smith,
Fryeburgh, Joseph Chandler,

Hiram & Brownfield,
Joseph Howard,
Denmark,
Porter,
Lowell,
Waterford, Calvin Farrar,
Albany,
Bethel, Moses Mason,
Jay, James Starr, jun.
Dixfield,
Rumford, William Wheeler,
Gilead,
Newry,
East Andover,

SOMERSET.

Norridgewock, Calvin Selden,
Canaan, Eleazer Coburn,
Fairfield, Bartlett Nye,
Anson, John Moore,
Starks, James Waugh, jun.
Mercer,
Industry,
New Vineyard,
Strong,
Avon,
Emlden,
Freeman,
New-Portland,
Madison, Nathaniel Blackwell,
Cornville,
Solon,
Athens,
Harmony,
Palmyra,
Bingham,
Phillips,

HANCOCK.

Castine, Otis Little,
Penobscot, William Freeman,
Orland, Samuel Keyes,
Buckstown, Jonathan Buck,
Joseph Lee,

Brewer, John Farrington,
Orrington, John Wilkins,
Eddington,
Ellsworth, Moses Adams,
Surry,
Blue Hill, Reuben Dodge,
Sedgwick, Daniel Merrill,
Trenton,
Sullivan, Paul D. Sargent,
Gouldsborough, Nathan Shaw,
Eden, Cornelius Thompson,
Mount Desert,
Deer Isle, Pearl Spafford,
Prescott Powers,
Vinalhaven, Cyril Brown,
Isleborough,
Lincolnville, Ephraim Fletcher.
North Port,
Cornelius Rhoades,
Belfast, Jonathan Wilson,
George Watson,
Prospect, Joseph P. Martin,
Frankfort, Abner Bicknell,
Alexander Milliken,
Hampden, Jonathan Knowles,
Bangor, James Carr,
Orono,
Dixmont,
Carmel,
Corinth,
Exeter,
Garland,
New Charlestown,
Foxcroft,
Sebeck,

WASHINGTON.

Lubeck & Eastport,
Lewis F. De Lesdernier,
Sherman Leland,
Machias, Ebenezer Inglee,
Peter Talbot,
Jonesboro',

Addison,
Harrington,
Steuben, Robert Moore,

Columbia,
Calais,
Robbinston,

Benjamin Pollard, Esq. *Clerk,*
Rev. Horace Holley, *Chaplain,*



RESOLVES

OF THE

General Court of Massachusetts,

PASSED AT THE SESSION,

COMMENCING THE LAST WEDNESDAY, (BEING THE 26th DAY) OF MAY,
AND ENDING THE TWENTY-SEVENTH DAY OF JUNE, 1812.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JUNE 5, 1812.

At 12 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment, when His Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH :

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

AS I have not been engaged in the public business of the State for the last five years, and had no expectation that I should again take a part in administering the Government ; I have paid no other attention to the proceedings of the Legislature, or any public transactions, than my duty as a private citizen required. I am therefore unable to lay before you the state of our affairs ; or to suggest for your consideration those subjects of particular interest which in other circumstances might have occurred to me. But I have no reason to regret this inability ; se-

veral of you, Gentlemen, in each House, have been many years employed in the Government, and will readily discern what measures are necessary for the general good.

But though I have no particular knowledge of the late Legislative proceedings, it is impossible for any member of the State to be ignorant that a spirit of division has existed for several years, and has become so prevalent as to diminish individual happiness, and endanger the tranquility of the Commonwealth.

The opinions of men are as various as their features, and there is generally no more cause of complaint in the one case, than in the other. This difference of opinion would happen if all were furnished with the same evidence ; but on many political subjects the evidence offered to different persons is not only diverse, but opposite ; it would be unreasonable, therefore, to expect that all should think alike. If our information is wholly derived from one source, and that happens to be a partial one, our opinions may be honest, though it is hardly possible they should be correct.

In some cases this diversity of sentiment may promote the progress of truth : At least it may teach us habitually to practice that mutual forbearance without which society could not exist : But the danger arises from the warmth and eagerness with which political disputes are conducted. On such occasions, men are tempted to violate the rules of decency, and call in question the rectitude of others, merely because of a difference in judgment. Such offensive imputations are injurious to the peace of the state, and threaten its future prosperity ; for if party abuse should become general and indiscriminate, we shall lose one of the most powerful motives to meritorious conduct : the virtuous and vicious will be placed in the same light, and men of unblemished character will wish to have as little concern in public affairs as possible, that they may preserve their reputations.

When parties are numerous, the individuals often appear to be but little apprehensive of reproach ; they are apt to think that the rules of candor and even of truth may be dispensed with, in propagating their political opinions. But though the disgrace of each individual may be lessened when it is shared by many others, his personal guilt is the same as if he was the only offender ; and the example thus furnished by associated numbers must have a pernicious influence on the morals of the whole people.

Should we at any time suffer ourselves to be influenced by a spirit of party, we shall be in danger of sacrificing the public good to our own attachments and animosities ; and shall be incapable of discerning the use that may be made of our own precedents against ourselves. We

may establish rules by which we shall obtain a momentary ascendancy ; but which in the issue will prove injurious to our own interest, as well as to the peace and order of the State. If the party opposed to us should afterwards prevail, they will be tempted to retaliate with increased severity, in hopes of more durable possession of power. But it is vain to expect that in a free government, the predominance of a party can be preserved by disingenuous means ; or that the peace of the community can be maintained under retorted injuries and provocations. Such injuries will become more oppressive, and the provocations more aggravated, the oftener they happen ; and, if persisted in, must eventually terminate in ruin.

These animosities have also a direct tendency to weaken the State, and render us incapable of self-defence. Within a few years all the Republics in *Europe* have become a prey to military force ; the People were divided by factions ; and those who thought themselves oppressed, assisted a foreign power to overwhelm, both their oppressors and themselves, in one common ruin. Their forms of government have been exchanged for despotism, and their names are blotted out from the list of nations.

The people of these States seem to have been placed by Providence in a situation of peculiar safety. Our territory is sufficiently extensive either for security or convenience. We are remote from the nations of *Europe* who for several years have been involved in a fatal and extensive war. As a commercial people we have had intercourse with all of them, and as a neutral nation must have expected, in such mighty conflicts, to suffer injuries from each. If, however, the merchant finds that any branch of trade is too hazardous to be pursued with advantage, his own prudence will induce him to relinquish it. But I think we can have no reasonable motive to join in this ruinous contest, and thus imitate those Princes, who hazard all that is dear to their subjects, merely to display their spirit or gratify their revenge. We may possibly be engaged hereafter in just and necessary wars of self-defence, and we hope never to be engaged in any other :—But so long as the people are united in affection, there is no danger that any foreign power will think of reducing us to their dominion. This security will be diminished in the same proportion as the violence of party increases ; for a State with ten millions of men may be conquered as easily as one with ten thousand, if the people are divided, and one half are willing to assist in subjugating the other. Such dispositions, I presume, are not any where cherished at the present time : But if the spirit of discord shall increase and become more exasperated, we may hereafter be as frantic with passion and as blind to our own interest, as those nations, whose governments have been subverted by the violence or treachery of their citizens.

It would be difficult to enumerate all the mischiefs that flow from this spirit of party. We have seen that it alienates the minds of men from each other, and has a tendency to excite the most malevolent passion. History will inform us, that when under no restraint, it produces civil wars, and terminates in the destruction of free States. These considerations have been suggested by reflecting men of all parties; and it seems to be the duty of all, as far as their influence extends, to prevent an increase of the evil.

Nothing is of more importance to this purpose than a just and impartial administration of government. The principles of equity and justice are the foundations of society; and the great end of government is to provide that every citizen shall have his right. But if in making and executing the laws we disregard the rules of equal justice; if we endeavour to elevate one portion of the community and depress another, we lose sight of the object for which we became united, and render every principle that can be employed in the government of the State of no effect except fear and compulsion. In such cases the people never obey but with reluctance; nor shall we have any reason to complain if they are intractable. We are as much bound to preserve their rights as they to obey the laws; and until their spirits are broken, they will make continual efforts to recover what belongs to them; for it is not in the nature of Freemen to submit without complaint to unequal regulations.

Our constitution forbids any exclusive pretensions to the honors of the State; every class of men are entitled to partake of the same advantages and have an equal and common right; if this right is infringed we may be sure that sentiments of discontent and animosity will prevail. We ought indeed to select persons of ability and integrity for public employments; but if we make it a rule to advance only our political friends, we shall become the heads of a party, and be incapable of preserving with equity and moderation the rights of the whole people. In Monarchies the Prince is the source of all power and the fountain of honor and office; he, therefore, thinks himself authorised, in appointing his subordinate officers, to reward the attachment and purchase the future support of his adherents. But in Republics the people are possessed of the sovereign power; and Legislators and Magistrates, elected by them, are bound to employ their authority for the common benefit. They have no right to consider the power deputed to them as their own property; or to make vacancies or appointments for selfish or party purposes. Should a contrary rule be established, it appears to me, that political feuds would be endless and implacable;—the persons in office and their friends and retainers would employ

every method to prevent any change in the Administration, while their rivals would be equally assiduous and eager to *effect* a change. From the frequency of our elections there would scarcely be any interruption in these struggles, and the longer they should continue, the greater would be their violence.

To check this party spirit, and promote union and harmony in the public Councils, and among our Fellow-Citizens, much may be done by the Members of the Government, as well in their private as public capacity ; and without their influence and example, no attempts for this purpose will be likely to succeed. By a course of uniform and impartial conduct, we may perhaps convince the People, that our attention is employed for the benefit of all our Fellow-Citizens, without any preference of one part to another : That we are solicitous to establish a just proportion in their burdens and advantages : That of whatever denomination they are, we will listen to their complaints when they are oppressed by the officers, or injured by the measures of Government ; or when the laws themselves operate unjustly ; and that those who are most distinguished for abilities and integrity, and the merit of their public services, will be appointed to office, without political favor or prejudice. If in this way we shall be able, in any degree, to restrain the rage of party, our successors will be encouraged to pursue the same course.

In our public transactions and debates, I presume that we shall carefully abstain from contemptuous or reproachful expressions, and whatever has a tendency to irritation ;—for we can hardly conceive how much evil may arise to the community from circumstances of this kind, which at other periods might seem too inconsiderable to be regarded. And I hope and trust, that in our intercourse with each other, we shall exemplify the gentleness of manners, the candor, benevolence and condescension which are the ornaments and bands of society, and which tend to moderate the zeal and conciliate the friendship of those who are of different sentiments. I am the more confident in these expectations, as we have only to exercise the temper of that Religion in which we have declared our belief, and which all of us profess to revere.

CALEB STRONG.

Council Chamber, June 5, 1812.

ANSWER .

OF THE

HOUSE OF REPRESENTATIVES.



May it please your Excellency,

It is not without the highest gratification and the most auspicious hopes that the Representatives of the people of Massachusetts, address your Excellency as their Chief Magistrate.

To engage again in the service of your country and relinquish the well earned and long endeared enjoyments of domestic retirement, after so many years of voluntary seclusion from the cares and labours of public life, must be a painful sacrifice of inclination to a high sense of duty—Your Excellency will find the best reward for this sacrifice in those sentiments of patriotism which could alone have produced it, in the esteem and affection of all wise and good men ; and in the undissembled respect of the whole people :

A difference of opinion on the interesting, and often intricate, questions of public policy is always to be expected among a free people ; and so long as it is controlled by honest intentions, is not to be regretted ; as it tends to promote useful discussions and to elucidate important truths. The investigation of public affairs whilst conducted in this manner, and for these purposes, will never excite the wise and temperate people of

this Commonwealth to violent contest, or to mutual aggressions.

Whilst they indulge to every private citizen, an unlimited freedom of opinion, they will not require of their public functionaries a perfect unity of sentiment ; they will demand of them only a zealous and undeviating pursuit of the public welfare. And though it will sometimes happen that measures adopted with the best views may prove unsuccessful, or even injurious, the people will never pursue with their resentment the authors of such measures when they appear to have been actuated by an honest endeavour to discern the true interests of their country and a sincere desire to promote them. But when on the contrary their rulers are seen to disregard those principles of justice and equity, which are the foundations of society ; when they adopt measures for the purpose of securing to themselves an ascendancy in the government, and for perpetuating their own power in a manner as hostile to the interests, as it is to the sovereignty of the people ; when in the steady pursuit of their own aggrandizement, they inflame instead of softening the asperities of party, in order that they may rise on the ruin of the whole ; then will the people yield a reluctant obedience to an authority thus abused ; and having a common interest to oppose all encroachments on their rights, they will never cease from their exertions to banish from the public counsels all such ambitious usurpers.

The diversity of sentiment among the citizens of a Republic does not necessarily produce factions ; but it furnishes them, when formed, with the means of subsistence, and supplies the most powerful instruments for the attainment of their purposes. A few ambitious leaders assuming indifferently, and perhaps successively, the badge of either party, by professions of extraordinary zeal and pretensions to exclusive patriotism, acquire an ascendancy over the party which they espouse and appropriate to themselves the principal honors and emoluments of the government.

The people, instead of being considered the depositories of the sovereign power, are treated as the property of these factious leaders, and parcelled out among them in the manner best suited to promote their own views.

Such a system of measures, may be well suited to the spirit of monarchical government, where the Prince is the source of all power and considers himself authorised in appointing his subordinate officers to reward the attachment and purchase the

future support of his adherents ; but the rulers of a Republic, when actuated by this spirit become a faction, whose existence is destructive of individual happiness and fatal to public liberty.

The enlightened people of this Commonwealth, we trust, would always be able to discern the approaches of arbitrary power in this shape, and apply the peaceful remedy furnished by the frequent recurrence of their elections. But, if at last every vestige of freedom should be obliterated, and the people should yield themselves a willing prey to such pretended patriots, this event would neither give tranquility to the public, nor security to the Government. Whilst the individuals of such a party might each think his share of responsibility for their measures to be small, they would generally discover at last, that their share of the emoluments was still more inconsiderable. The weaker members of the party, who had been used as the mere instruments of power, would be overlooked or oppressed by their leaders ; whilst the more powerful would disagree in the division of the spoil. Thus a new faction would arise from the bosom of the first, and the same scenes of *violence* and *anarchy* would be continually repeated, to the ruin of a degraded and oppressed people.

When we contemplate the increasing asperity and violence of political controversies in the United States, and the height which they have already attained among us ; and consider that similar events preceded the destruction of all the Republics of Europe ; and when we reflect on the gigantic power of the French Empire, by which they were finally overwhelmed ; and the rapid and systematic advances of that nation towards universal dominion over the civilized world ; it is with the most painful apprehensions, that we anticipate, at such a moment, a more intimate connexion between the Emperor of France and the United States. This coincidence of circumstances is ominous and alarming. The mysterious ties which have so long bound us to that nation, seem to be constantly acquiring new strength, in proportion as the causes which demand resistance multiply. A war with Great-Britain, with which we are now threatened, would undoubtedly entangle us immediately in a more strict alliance with her enemy, an alliance which has never failed to be at once fatal to personal liberty, and political independence, in every country which has felt its baneful influence.

The House of Representatives ardently join in the hope expressed by your EXCELLENCY, that our Country may never be

engaged in any but just and necessary wars of self-defence.—Placed as we are by Providence, in a situation so remote from the scenes of European Warfare, it seems not difficult with a wise and prudent administration of our government to keep ourselves from being engaged in their fatal conflicts.—Most certainly the people of this country will not willingly join in the ruinous contests which now desolate Europes, and subject themselves to the heavy burdens, the privations, and dangers necessarily connected with such a war, merely to indulge the chivalrous spirit, or gratify the inveterate resentments of their rulers. The rights to be vindicated by War, should be of the most clear and unquestionable nature ;—they should be of vital importance to the interests of the nation ; all other means of redress should have been tried in vain ; and finally the prosecution of the War should furnish at least a strong probability that the injuries complained of will be amply redressed, and that the rights contended for will be actually secured.

In reviewing the controversy now subsisting between our government and that of Great Britain, we can perceive no point of great national importance which might not be satisfactorily adjusted by honest and manly negotiation. But if there should still be some conflicting claims which could not be thus reconciled, it would not tarnish the glory of the nation, nor the honor of our rulers, if they should pause, and inquire whether the persons most immediately interested in these claims, would be benefited by plunging the country into a war. Although Great-Britain, while impressing her own subjects for the service of their country, may sometimes, in consequence of mistakes or of a wanton abuse of power by the officers of her navy, seize on the persons of our citizens ; yet a true regard to the interests of our seamen would induce us to consider, whether their rights might not be better secured by a pacific arrangement, than by resorting to war, which would expose them to similar and much greater evils. If indeed any foreign nation should claim the right to force our citizens into their service, our honor would forbid any compromise of such an insulting and injurious pretension. But whilst we have to complain only of an inconvenient and injurious mode of exercising an acknowledged right, we are at liberty to inquire whether the injuries we suffer would not be over-balanced by those which would follow the attempt to redress them by force. In like manner, if the measures of mutual hostility between the two belligerents are found to be injurious to our commercial in-

terests, the nicest sense of honor will not forbid our enquiring; how far a war with either of them would procure us redress. We should compare the extent and value of that commerce which we may still enjoy, when permitted by our own government, with that total extinction of it, which would follow a war with Great-Britain. As there is nothing in the pretensions of Great-Britain on this subject so incompatible with the honor of our country, as to justify our engaging in a ruinous war, so it is equally evident that the interests of the commercial States in the Union would not be promoted by such a measure.

The House of Representatives cannot be deterred from expressing freely their opinions on the justice and expediency of the impending war, by any apprehension of being considered indifferent to the interests of their country. Even during the existence of war, they will always claim for themselves, and for all their fellow-citizens, a right to discuss openly and frankly the propriety of the measure, and the conduct of the administration by whom it was produced. When, from the result of such enquiries, a majority of the people should be satisfied of the injustice or impolicy of any war, in which they may be involved, they will remove from office the authors of the measure, and place in their stead men who are better informed of the true interests of their country, or more friendly to its peace and prosperity.

We are aware, that the examination of questions so interesting to every citizen is calculated to excite the warmest passions, and has a tendency to produce irritation in the public mind; but we shall endeavor on all occasions to practise that gentleness of manners, and that candor, benevolence and condescension, so strongly inculcated by the precepts of our holy religion; and which also claim our observance not less from the example, than the recommendation of your Excellency.

ANSWER OF THE SENATE.



May it please your Excellency,

Impressed with a deep sense of the responsibility devolved on us, as one of the branches of the Legislature of this Commonwealth, the Senate have received the communication of your Excellency, with the respect due to the Chief Magistrate of an enlightened people.

We concur with your Excellency, that difference of opinion, merely in matters of speculation, will never be considered a disqualification for office, or dangerous to the principles of our elective Government.

Should the spirit of party, however, at any time, become predominant over the intelligence and patriotism of the people, should its baneful influence invite foreign aggressions and promote domestic discontent, in whatever class of our citizens it may become manifest, from such, we trust, public confidence will be drawn. "Such injuries will become more oppressive and the provocations more aggravated, the oftener they happen, and if persisted in, must eventually terminate in ruin."

We lament with your Excellency, the subversion of the Republics of Europe, that they have passed away in quick succession, and are no longer known on the list of Nations.— Ought this not to be a warning to the American people? It surely calls on men of all political opinions, in language not to be mistaken, to unite in defence of our common country; to aid the National Government in their undeviating exertions for the protection of those rights, and the preservation of those principles, which are not less dear and valuable for being proscribed by lawless power.

The Senate agree with your Excellency that "it is among the distinguishing favours of Providence, that our territory is sufficiently extensive either for security or convenience," and "remote from" the theatre of the "fatal and extensive wars of Europe." Injuries were to be expected "from each" of the belligerents; but we are satisfied that we ought not to abandon the protection of our commerce, or submit to the impressment of our seamen, through fear of the consequences of a war, which we deem "just and necessary, and in self-defence." Nor do we apprehend that in such a contest, "our security would be diminished" by "violence of party." In a war so just, for aggressions so aggravated, and after a forbearance so unprecedented, we can have no doubt but "the violence of party" would be absorbed in patriotism, and the people of all parties, would tender their lives and fortunes to protect and defend the rights and liberties of their injured country. We love peace and we deprecate war—But we apprehend that a peace purchased at the expence of our essential rights, would be a reproach to a free people, and tend to extinguish that spirit, by which our fathers achieved our glorious revolution. And inasmuch, as the subject of peace and war, is properly intrusted to the Congress of the United States, in whose wisdom and patriotism we have full confidence, the Senate of this Commonwealth, and we doubt not all the other branches of this Government, and the people of this State, will most cordially and zealously support such measures as the crisis demands, and such as are consistent with the honor, the interest and the safety of the Nation. We cordially agree with your Excellency, that protection and obedience are reciprocal, and that "freemen will not long endure" unequal regulations, nor submit to laws which do not originate in those "principles of equity and justice which are the foundation of society." We regret that in this Republic, "appointments should ever have been made for selfish or party purposes." And we fear such a course of policy may have induced the creating of "vacancies, to restore to their operation "the rules of equal justice." We sincerely hope that the Executive of this state will "employ their authority for the common benefit," and, that no "vacancies or appointments" will be made "for selfish or party purposes." We agree with your Excellency that it is the duty of the Government as well in their private as public capacity, to endeavor to check the prevalence of party spirit, and we hope that their example and a course of impartial

conduct, will produce this desirable object, and prove to the people, that the attention of the Government is employed for the benefit of the whole community and not for any particular party. We are also sensible that our "influence and example," are at this time particularly necessary, to assuage the heat and check the violence of party spirit, and to unite the people in defence of those rights, which have been so wantonly trampled on by the belligerents, and which are still the sport of our implacable foes.

By such a course, in which we have no doubt of the co-operation of your Excellency, we shall encourage our friends and disappoint our enemies, increase the confidence and zeal of our sister states, strengthen and confirm the bond of Union, and convince the world, that no foreign enemy can expect to profit from our political dissensions. With these impressions and opinions, we shall proceed in the duties devolved on us, by the public will, encouraged by your Excellency's "hope, that candour, benevolence and condescension," will mark our intercourse with each other, and with a full confidence, that our joint efforts will be united, in whatever measures may be thought necessary for the improvement and execution of the laws, as well as for the defence of our beloved country.

The greater confidence is reposed in this opinion, from a belief that we shall be governed by the temper of that holy religion, in which all good men profess their "belief;" and we trust that we shall find additional inducements to practice and inculcate that charity "which thinketh no evil," and "which seeketh not her own but another's good."

RESOLVES.

June, 1812.

CHAP. I.

Resolve respecting the pay of the Members of the Legislature.
4th June, 1812.

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 and every day's 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 be it further resolved, That there be paid to the President of the Senate and to the 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.

CHAP. II.

Resolve allowing an additional Notary Public for Bristol County.
5th June, 1812.

Resolved, That there be one additional Notary Public for the County of Bristol, to reside at Dartmouth.

CHAP. III.

Resolve respecting Notaries Public for the County of Lincoln.
5th June, 1812.

Resolved, That there be an additional Notary Public, chosen for the County of Lincoln to reside in Bristol, and that there be only one Notary Public chosen to reside in Bath in said County.

CHAP. IV.

Resolve allowing an additional Notary Public for the County of Cumberland. 5th June, 1812.

Resolved, That there be an additional Notary Public for the County of Cumberland, to reside at Portland.

CHAP. V.

Resolve on the subject of Notaries Public in the County of Franklin. 5th June, 1812.

Resolved, That two Notaries Public be appointed for the County of Franklin, one to reside in the town of Greenfield, and one in the town of Deerfield in said County.

CHAP. VI.

Resolve confirming Town Meetings in Russell.
6th June, 1812.

On the petition of the Inhabitants of the town of Russell, in the County of Hampshire, stating that at the annual meeting of the inhabitants of said town in March, A. D. 1812, they having forgotten to choose a Moderator by ballot, proceeded to choose one by nomination; and praying that the doings of said town, at said meeting, and subsequent thereto, may be rendered valid in the same manner as if the Moderator had been chosen by ballot according to law.

Resolved, That the several town meetings held in said town of Russell as aforesaid, be and they are hereby confirmed,

and rendered valid to all intents and purposes, so far as the doings of the same were in other respects done according to law, the choosing of said Moderator in manner aforesaid notwithstanding.

CHAP. VII.

Resolve granting a Tax to the County of Cumberland.
6th June, 1812.

On the representation of the Committee on County estimates; stating that the estimate for the County tax for the County of Cumberland is not accompanied with the Treasurer's account of said County, and as great inconveniences may arise if no tax is authorised for said County the present year—

Resolved, That the estimate made by the Court of Sessions for the County of Cumberland, at the September term, eighteen hundred and eleven, amounting to six thousand dollars, be and is hereby granted as a tax for the said County of Cumberland, for the present year, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid according to law.

And it is further resolved, That the Treasurer of the said County of Cumberland, be and he is hereby required and directed to produce his account as Treasurer, at the next session of the present General Court.

CHAP. VIII.

Resolve for a Notary Public to reside at Braintree.
6th June, 1812.

Resolved, That there be chosen for the County of Norfolk, a Notary Public to reside in the town of Weymouth or Braintree.

CHAP. IX.

Resolve confirming the doings of the town of Sumner.
6th June, 1812.

On the petition of the Inhabitants of the town of Sumner, in the County of Oxford, setting forth that the warning of the first

meeting of the town, after their act of incorporation, was defective; that from the incorporation of said town, the certificates of the oaths of their town officers have not been recorded at length, as by law they should have been, that in the year of our Lord one thousand eight hundred and two, said town duly made choice of Elisha Bisbee, Hezekiah Stetson, and James Hearsey, Selectmen and Assessors; but that their choice as assessors was not recorded, although they were sworn, and performed the duties of assessors for said year, and praying that the doings and proceedings of said town in the premises may be confirmed and rendered valid.

Resolved, For reasons set forth in said petition, that the doings and proceedings of the first meeting in said town be as valid and effectual as if said warning had been legal; and that the doings and proceedings of the town clerk, assessors and other town officers, be as valid and effectual as if the evidence or certificates of their being duly sworn had been duly preserved or recorded; And that the assessments and proceedings of said Elisha Bisbee, Hezekiah Stetson and James Hearsey be as valid and effectual as if their choice and qualifications had been regularly and legally entered on the records of said town.

CHAP. X.

Resolve granting Jacob Ruggles \$90. 6th June, 1812.

On the petition of Jacob Ruggles of Wrentham, a Soldier in the Company of Artillery commanded by Captain Tilson, which company is annexed to the third regiment, second brigade and first division of Militia, under the command of General Crane, praying compensation for an injury received while performing his duty on the third day of October last.

Resolved, That for the reasons set forth in his petition, there be allowed and paid out of the Treasury of this Commonwealth to the said Jacob Ruggles, the sum of Ninety Dollars, in full compensation for his losses occasioned by said injury.

CHAP. XI.

Resolve on the Petition of Benjamin Studley, authorising Ruth Washburn to convey a Pew. 8th June, 1812.

Whereas Benjamin Studley, did in the year of our Lord, seventeen hundred and ninety six, purchase of Joseph Wash-

burn, the third Pew east of the Pulpit, in the Congregational Meeting-house in Leicester, in the County of Worcester, and did pay the said Washburn, the full consideration of said purchase; and whereas the said Washburn has since deceased, without making any deed of conveyance of said pew, or any bond under seal to the said Studley; Therefore,

Resolved, That Ruth Washburn, administratrix on the estate of the said deceased, be and she hereby is authorised to execute and acknowledge a deed of said pew to the said Studley, his heirs and assigns, in as full and as ample a manner as the said Joseph Washburn could have done in his life time; and the said deed so executed and acknowledged, may be delivered by said Ruth, and shall be as valid and effectual in law as if the same had been executed by the said Joseph Washburn in his life time.

CHAP. XII.

Resolve on the Petition of William Paine, of Worcester, in the County of Worcester, Physician, praying for the consent of the Legislature of this Commonwealth, to his being naturalized as a Citizen of the United States. 10th June, 1812.

Be it Resolved, By the Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled, and by the authority of the same, that whenever the said William Paine, shall bring himself within the provisions of the several statutes of the United States, which establish a uniform rule of naturalization, and shall make due application to any Court of Record to be admitted a Citizen of the same, the Legislature of this Commonwealth doth hereby consent thereto.

CHAP. XIII.

Resolve authorising Stephen and Lucy Lamson to sell certain Estate. 10th June, 1812.

Whereas Ephraim Kendall of Ipswich, in the County of Essex, did, in his last Will and Testament, devise to his daughter Lucy (now wife of Stephen Lamson aforesaid) Real Estate to the value of about fifteen hundred dollars, particularly described

in the said deceased's last will and testament, and the divisions of the said deceased's estate, with remainder to the Children of the said Lucy : And whereas said Estate in its present situation is of little income : Therefore,

Resolved, That the said Stephen and Lucy, be and they hereby are authorised to sell said Estate, the said Stephen first giving bond with surety or sureties to the satisfaction of the Judge of Probate for the County of Essex, to vest the proceeds of such sale in other real estate to be secured to the Children of the said Lucy at her decease ; and the said Stephen and Lucy are hereby authorised to execute and deliver a good and sufficient deed of the premises upon the conditions aforesaid, and their deed so executed and delivered, shall be as good and valid in law to transfer said Estate, as if the same had been devised to the said Lucy in fee.

CHAP. XIV.

Resolve on the Petition of the Selectmen of the town of Carver.
10th June, 1812.

Resolved, That the Selectmen of the town of Carver, in the County of Plymouth, be and they are hereby authorised to sell so much of one hundred acres of Land, lying in the said town, belonging to Luana Seepet, an Indian woman, as in the discretion of the said Selectmen, may be sufficient for her comfortable support ; first giving security to the acceptance of the Judge of Probate for the County of Plymouth, for the faithful application and use of the monies accruing from the sale of said Land, and to and for the sole and exclusive use and benefit of the said Luana Seepet.

CHAP. XV.

Resolve on the Petition of Nathaniel Ingersoll, and others.
11th June, 1812.

On the Petition of Nathaniel Ingersoll and others, the Proprietors of the Half Township of Land conveyed to the Trustees of Deerfield Academy, by a Deed from the Agents for the sale of Eastern lands, dated September 20th, A. D. 1806,

Resolved, For reasons set forth in said Petition, that a further time of three years from the 20th day of September next, be, and hereby is allowed to the said Nathaniel Ingersoll and others, their heirs and assigns, to complete the settlement of ten families on the Half Township of Land granted the Trustees of Deerfield Academy.

Provided, the said Nathaniel Ingersoll and others, their heirs or assigns, shall, on or before the first day of February next, give bond to the Treasurer of this Commonwealth, in the sum of six hundred dollars, with sufficient surety or sureties to the satisfaction of the Agents for the sale of Eastern lands, conditioned that there shall be settled on said grant the number of ten families within the time extended aforesaid, or for the payment of thirty dollars for each family which shall then be deficient of that number, upon satisfaction of which bond given as aforesaid, either by causing the said number of families to be settled on said grant within the time aforesaid, or by paying the said sum of thirty dollars for each family which shall then be deficient, then the estate, right and title of the said Nathaniel Ingersoll and others, their heirs and assigns, shall be valid, full and effectual to all intents and purposes as if the condition of settlement, expressed in the original Deed given of said Half Township by the Agents for the sale of Eastern lands, had been fully and seasonably complied with.

CHAP. XVI.

Resolve on the Petition of Thomas Chase and Samuel Fessenden.
11th June, 1812.

On the petition of Thomas Chase, and Samuel Fessenden, praying that the Agents for the sale of Eastern Lands may be authorised to procure a survey of a Tract of Land belonging to the Commonwealth, situated between the towns of Gray and Raymond, in the County of Cumberland, and also praying that the said Agents may be authorised to sell and convey the same.

Resolved, That the Agents for the sale of Eastern Lands, be and they are hereby authorised and empowered to ascertain the quantity and quality of a certain gore of Land lying between the towns of Gray and Raymond, in the County of Cumberland, and to sell the same to the said Chase and Fessenden, or any other person or persons, for such sum and on such con-

ditions as they shall think just and reasonable : The said Agents directing the Surveyor to give thirty days notice of the time and place appointed, for making the survey, by leaving a written notification with the Town Clerk, or Selectmen of each of the adjoining towns, and also by publishing the intention of such sale three weeks in the Eastern Argus, printed in Portland, at least thirty days prior to the time of such sale.

CHAP. XVII.

Resolve on the Petition of Barrett Potter. 11th June, 1812.

On the Petition of Barrett Potter, the Proprietor of Half Township of Land, conveyed to the Trustees of Westfield Academy, by Deed from the Agents for the sale of Eastern lands, dated September 20th, A. D. 1806.

Resolved, For reasons set forth in said Petition, that a further time of three years from the twentieth day of September next, be and hereby is allowed to the said Barrett Potter, his heirs and assigns, to complete the settlement of ten families on the Half Township of Land granted the Trustees of Westfield Academy.

Provided, the said Barrett Potter, his heirs or assigns, shall on or before the first day of February next, give bond to the Treasurer of this Commonwealth, in the sum of six hundred dollars, with sufficient surety or sureties to the satisfaction of the Agents for the sale of Eastern lands, conditioned that there shall be settled on said grant the number of ten families within the time extended as aforesaid, or for the payment of thirty dollars for each family which shall then be deficient of that number ; upon satisfaction of which bond given pursuant to this resolve, either by causing the said number of families to be settled on said grant within the time aforesaid or by paying the said sum of thirty dollars for each family which shall then be deficient ; then the estate, right and title of the said Barrett Potter, his heirs and assigns, shall be valid, full and effectual to all intents and purposes, as if the conditions of settlement expressed in the original Deed given of said Half Township, by the Agents for the sale of Eastern lands, had been fully and seasonably complied with.

CHAP. XVIII.

Resolve on the Petition of Samuel Mackay and Samuel M. Mackay.
11th June, 1812.

Whereas by the Petition of Samuel Mackay of Boston, and Samuel M. Mackay, a minor, son of said Samuel Mackay, it appears that two several parcels of land in Williamstown, were conveyed to said Samuel Mackay and Samuel M. Mackay, and by the deeds conveying the same, a life estate in said lands was vested in said Samuel Mackay, and the remainder was vested in said Samuel M. Mackay, and in the opinion of the Petitioners, and of the friends of the said Samuel M. Mackay, who is now in the twentieth year of his age, and in the study of a profession, it would be highly advantageous to the Petitioners to hold their shares of said estates in severalty, and it being made to appear that the remainder held by said Samuel M. Mackay in the one of said parcels of land, which was purchased of Samuel Sloan, in manner as aforesaid, is no more than a fair and just equivalent for said Samuel Mackay's life estate in the parcel of said land, which was purchased of Lemuel Stuart, in manner as aforesaid. Therefore,

Resolved, That the said Samuel M. Mackay be authorised by Deed, to release to said Samuel Mackay, his remainder of a lot of land in Williamstown, purchased by said Samuel and Samuel M. of Samuel Sloan.

Provided, the said Samuel Mackay, shall in consideration thereof release to said Samuel M. Mackay, his life estate in a lot of land in Williamstown, purchased by said Samuel and Samuel M. of Lemuel Stuart, and the Deed of said Samuel M. Mackay, releasing his said remainder, on the condition and for the consideration aforesaid, shall be valid and legal to all intents and purposes, and convey the same as fully as if the said Samuel M. Mackay were now of full age.

CHAP. XIX.

Resolve granting a Tax to the County of Dukes County.
11th June, 1812.

Whereas the Treasurer of Dukes County has laid his accounts before the Legislature for examination, which accounts

have been examined and allowed—And whereas the Clerk of the Court of Sessions for said County, has exhibited an estimate made by the said Court of the necessary charges which may arise within the said County for the year ensuing, and of the sums necessary to discharge the debt of the said County.

Resolved, That the sum of nine hundred dollars be and the same is hereby granted as a Tax for the said County, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid according to law.

CHAP. XX.

On the Petition of Aaron Wait, praying for a new State Note, in lieu of one lost. 11th June, 1812.

Resolved, That the Treasurer of this Commonwealth be, and he is hereby directed to issue a new State Note for one hundred and sixty-nine dollars and ninety-two cents, bearing the same number and date, and upon the same rate of interest, and to indorse thereon such interest as has been paid on the note stated to be lost, the said Aaron first giving bond to the satisfaction of the Treasurer, conditioned to save the Commonwealth harmless from all demands, for or on account of the note stated to be lost as aforesaid.

CHAP. XXI.

Resolve on the Petition of John Davis, and others.
11th June, 1812.

Resolved, That John Davis, Ephraim Spooner, and Joshua Thomas, Esq's, Overseers of the Indian Plantation of Marshpee, in the County of Barnstable, be, and they hereby are authorised and empowered to make and execute a good and sufficient deed in fee simple to the Reverend Phineas Fish, (duly ordained Missionary over said plantation) of a piece of land situate therein, not exceeding one acre and a half, for the purpose of erecting a dwelling-house and other buildings for the accommodation of said Missionary.

CHAP. XXII.

Resolve for granting a Tax for the Counties of Oxford and Plymouth. 11th June, 1812.

On the representation of the Committee on County Estimates, stating that the estimates for the County Taxes for the Counties of Plymouth and Oxford, are not accompanied with the Treasurer's accounts for said Counties, and as great inconveniences may arise, if no taxes are authorised for said Counties for the present year,

Resolved, That the estimate made by the Court of Sessions, for the County of Plymouth, May, 1812, and amounting to four thousand five hundred dollars for the present year, be, and is hereby granted as a tax for the said County : and that the estimate made by the Court of Sessions for the County of Oxford, March, 1812, amounting to two thousand dollars for the present year, in addition to a like sum of two thousand dollars, granted by a resolve of the General Court passed 26th Feb'y. 1812, and which appears in evidence to the Committee was for the expences of the year 1811, be, and is hereby granted as a tax for the said County of Oxford, the said several sums to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

And be it further Resolved, That the Treasurers of the said Counties, respectively be, and they are hereby required and directed to produce their accounts as Treasurers of the Counties aforesaid respectively at the next Sessions of the present General Court.

CHAP. XXIII.

Resolve on the Petition of Nahum Morrell, Esq. granting him pay as Representative from Wells last winter. 12th June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Nahum Morrell, Esq. of Wells, forty four dollars in full for his travel and attendance as a Representative to the General Court the last winter session.

The following Message was received from the Governor, on the subject of the State Prison.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

I have directed the Secretary to lay before you a letter to the Governor and Council, from the Directors of the State Prison, and an account exhibited by the Warden of the Prison, which has been examined and approved by the Directors, of all the expenditures and disbursements, and of all the receipts and profits on account of said Prison, and a statement of its general concerns.

CALEB STRONG.

Council Chamber, June 12th, 1812.

CHAP. XXIV.

*Resolve on the Petition of Samuel W. Phelps.
12th June, 1812.*

Resolved, That in consequence of the local situation and the peculiar organization of the Battalion of Artillery in Marblehead, that the Major Commandant of said Battalion have the same power and privilege to appoint a Surgeon for said Battalion of Artillery that is now provided by law, for the appointment of Surgeons to the several Regiments in this Commonwealth.

CHAP. XXV.

Resolve on the Petition of Thomas L. Winthrop, Guardian to James B. Winthrop, a minor, empowering him to convey and sell Lands. 13th June, 1812.

On the Petition of Thomas L. Winthrop, Esq. of Boston, Guardian of James Bowdoin Winthrop, a minor,

Resolved, For reasons set forth in said Petition, that the said Thomas L. Winthrop, be, and he hereby is authorised and empowered to divide, manage, lease and improve, and also to sell and convey, and for that purpose to make, and execute deeds

of conveyance of all or any part of certain residuary estates and lands given and devised by the last will of the late Hon. James Bowdoin, deceased ; and also certain other lands, conveyed by deed, by the said Bowdoin in his lifetime, unto the said James Bowdoin Winthrop ; such deed or deeds, so made and executed by the said Guardian, to be valid in law, and pass the title of such lands, in as effectual a manner as any such deed made and executed by the said Minor would do, were he of full age.

CHAP. XXVI.

Resolve granting \$47 50, to William S. Leadbetter, for transporting a Convict to the State Prison. 13th June, 1812.

On the Petition of William S. Leadbetter, of Richmond, in the County of Berkshire, praying for an allowance for transporting Cato Freeman, from the Gaol in Lenox, in the County of Berkshire, to the State's Prison, in Charlestown.

Resolved, For reasons set forth in said Petition, that there be paid out of the Treasury of this Commonwealth, to the said William S. Leadbetter, the sum of forty seven dollars and fifty cents, in full for the service aforesaid ; and his Excellency the Governor, with the advice of Council, is hereby authorised to draw his warrant on the Treasurer for said sum.

CHAP. XXVII.

Resolve establishing the Pay of the Clerks in the Secretary's and Treasurer's Offices. 13th June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the first Clerk in the Secretary's Office, four dollars and forty seven cents per day, and to each of the other Clerks in said office, three dollars and forty nine cents per day, for each day that they are respectively employed therein for one year, commencing the first day of the present month of June.

And it is further resolved, That there be allowed and paid out of the Treasury aforesaid, to the first Clerk in the Treasurer's Office, four dollars and forty seven cents, and to the other

Clerks in said office, three dollars and eighty four cents, for each day they are respectively employed therein, for one year, commencing the first day of the present month of June.

CHAP. XXVIII.

Resolve on the Petition of James Fales, authorising him to sell Estate. 15th June, 1812.

On the Petition of James Fales,

Resolved, For reasons set forth in the said petition, that Lebbeus Rudd, of Charlemont, Administrator on the estate of Jeremiah Fales, late of said Charlemont, deceased, be, and he hereby is authorised and empowered to make sale at public vendue to the highest bidder, of the whole of the Farm mentioned and described in said Petition, lying and being in the town of Charlemont, and bounded as follows, viz. : North on Deerfield River ; east on land of James Hawks ; south on the south line of said town of Charlemont ; and west on land of Thomas and John Sheppard, and to convey the same by deed duly executed, to the purchaser, his heirs and assigns, and the said Administrators shall be holden to account to the Judge of Probate for the County of Hampshire. for so much of the proceeds of the sale of said Farm as was due and owing from the said James Fales to the said Jeremiah Fales at the time of his decease, with the lawful interest due thereon, in the same way in which he would be holden to account for personal estate of said deceased, and the remainder of the proceeds of the sale of said Farm, if any, the said Administrator is hereby authorised, and shall be holden to pay over to the said James Fales.

CHAP. XXIX.

Resolve on the Petition of Samuel Freeman and Parker Ilsley, confirming the Probate of a Will. 16th June, 1812.

Upon the Petition of Samuel Freeman and Parker Ilsley, jr. shewing, that they were appointed Executors to the last Will and Testament of Enoch Ilsley of Portland, in the County of Cumberland, merchant, deceased, and that said Freeman be-

ing Judge of the Court of Probate in that County, and interested in the Will, application was made by them to the Supreme Judicial Court, to approve and allow the same, which was accordingly allowed and approved by said Court, at a term thereof begun and holden at Boston, on the fourth Tuesday of November last past, under and by force of a law of this Commonwealth, made and passed the twelfth day of March, A. D. 1784, entitled “an act for establishing Courts of Probate;” which the said Petitioners supposed was the only act in force touching their case, and under that impression and belief, and agreeably to the order of the said Supreme Judicial Court, they proceeded to give bond and return an Inventory, and do such other acts and things as their duty as Executors required, until the thirtieth day of May last, when and not before, they discovered a law of this Commonwealth, made and passed the sixteenth day of February, A. D. 1811, entitled an “act for the settlement of estates of persons deceased, wherein Judges of Probate may be interested,” and that agreeably to the provisions therein contained, they ought to have presented the said Will to the Judge of Probate in the County of York, and praying this Honorable Court to confirm the Probate of said Will and the acts and doings of said Supreme Judicial Court and Executors as afore said, and to authorise them to complete the execution of their trust in such manner as the Legislature shall direct,

Resolved, That the Probate of said Will, and all and every act, matter and thing touching the same, done by the said Supreme Judicial Court, and by the Executors aforesaid, in the execution of their said trust, shall be, and hereby are confirmed and made valid and effectual in law, to all intents and purposes whatever, any thing in the act made and passed the 16th day of February, A. D. 1811, or in any other act or law to the contrary notwithstanding; and the Executors aforesaid are hereby authorised and empowered to proceed in the further execution of their trust, and in the settlement of said estate in the Supreme Judicial Court, in the same way and manner as they could and might have done, if the act last mentioned were not in force.

CHAP. XXX.

Resolve authorising Robert Page and Eunice Longfellow to institute a Suit on the Bond of John North.

16th June, 1812.

On the Petition of Robert Page and Eunice Longfellow, Administrators on the estate of Jonathan Longfellow, late of Gardiner, in the County of Kennebeck, deceased, praying that they may be authorised to institute a Suit on the Bond of John North, a Coroner in said County, and against his sureties for his good conduct as a Coroner of said County,

Resolved, For the reasons set forth in said Petition, that the said Robert Page and Eunice Longfellow, as Administrators aforesaid, be, and are hereby authorised to institute a Suit on the said Bond, and against the sureties of the said John North, for his good conduct as Coroner aforesaid, in the name of the Treasurer of this Commonwealth, for the use and benefit of the said Robert and Eunice, in their said capacity as Administrators aforesaid, and at their own proper expense and charge.

CHAP. XXXI.

Resolve on the Petition of Cyrus Hamlin, directing the Treasurer to stay execution against the Bondsmen of David Learned, late Sheriff of Oxford County. 16th June, 1812.

Resolved, That a further extension of time be allowed Cyrus Hamlin, Isaac Lovewell and Joseph Leavett, Sureties for David Learned, an absconding Sheriff of the County of Oxford, and that the Treasurer of this Commonwealth be directed to stay execution for three hundred and twenty four dollars and interest, until the second Wednesday of the winter sessions of this General Court.

CHAP. XXXII.

Resolve on the Petition of Theophilus Wheeler, and Thaddeus Mason Harris, Administrators of the Estate of Elijah Dix. 16th June, 1812.

On the Petition of Theophilus Wheeler and Thaddeus Mason Harris, Administrators on the goods, effects and estate which were of Elijah Dix, late of Boston, in the County of Suffolk, deceased, praying that they, in their said capacity, may be allowed further time to exhibit their demands against the estate of Alexander Dix, late of said Boston, deceased, and that the Judge of Probate for the County of Suffolk, be empowered to extend the time when the Commissioners on said Alexander Dix's Estate are by law required to make their return, so that said Administrators may have further time to exhibit their claims against the estate of the said Alexander, deceased,

Resolved, That the Judge of Probate for the County of Suffolk, be, and he hereby is authorised and empowered to extend the time when the Commissioners appointed on the estate of Alexander Dix, of Boston, in said County, merchant, deceased, are by law required, to make return of their commission, or if need be to grant and issue a new commission on said estate, allowing to said Commissioners first mentioned, or to such as he may appoint, pursuant to the authority herein granted, such further time to make their return, not exceeding twelve months, as he shall judge expedient from time to time, and in the mean time to receive and examine the claims of all those who have not proved their claims against the said Alexander's estate; and that the Creditors who shall hereafter prove their claims under the former or any commission that may be granted by virtue hereof, shall and may be entitled to receive from the Administrators, on said Alexander Dix's estate, and from the monies that now are or may hereafter be in their hands, or may be collected from said estate, so much and as large dividends or dividend in respect thereof, as shall be finally allowed to any other Creditor or Creditors of said estate, who have heretofore proved their claims under the said commission.

CHAP. XXXIII.

Resolve granting Adjutant General Donnison \$750, in full to 1st July next. 16th June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to William Donnison, Esq. the sum of seven hundred and fifty dollars in full compensation for his services as Adjutant General, and for office rent and clerk hire in his said office to the first day of July next.

CHAP. XXXIV.

Resolve granting \$153, to John Davis, Esq. one of the Committee for laying out a road from Penobscot River to the North boundary of the State. 16th June, 1812.

On the Petition of John Davis, representing that a mistake of one hundred and fifty three dollars was made in the settlement of his account as one of the Committee for laying out and exploring a road from the tide waters of Penobscot river, to the North boundary line of this Commonwealth. Therefore

Resolved, That whereas the Committee of both houses, to whom was referred the Petition aforesaid, having on examination of the accounts in the Secretary's Office, found that the sum of one hundred and fifty three dollars was twice deducted, and that the said John Davis received, as by resolve passed the 18th February, 1812, two hundred and thirty six dollars and ninety five cents, instead of three hundred and eighty nine dollars and ninety five cents, his Excellency the Governor, with advice and consent of Council, is requested to draw his warrant on the Treasurer in favor of said John Davis, for the amount of one hundred and fifty three dollars, the balance that appears to be due him.

CHAP. XXXV.

Resolve establishing the Salaries of the Lieutenant Governor, Secretary and Treasurer of the Commonwealth. 16th June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to his Honor the Lieutenant Gov-

ernor thereof, the sum of five hundred and thirty three dollars and thirty three cents, as and for his salary for one year from the thirty first day of May last past.

Also to Alden Bradford, Esq Secretary of this Commonwealth, the sum of two thousand dollars, as and for his salary for one year from the 6th day of June, current, he, the said Secretary, to be accountable, at the end of said year, for all the fees of office he shall have received.

And likewise to John T. Apthorp, Esq. Treasurer and Receiver General of the said Commonwealth, the sum of two thousand dollars, as and for his salary for one year from the said sixth day of June current, and that all the aforesaid salaries be paid quarterly as they shall become due.

CHAP. XXXVI.

Resolve appointing a Committee to settle the accounts of the Hon. Jonathan L. Austin, late Treasurer. 17th June, 1812.

Resolved, That the Hon. John Wells, Benjamin Homans, Joseph Head, Benjamin Weld and Thomas Harris, Esqs. be Commissioners to examine, liquidate, adjust and settle the accounts of Jonathan L. Austin, Esq. late Treasurer and Receiver General of this Commonwealth, from the time of his entering on the duties of his office to the seventh day of June instant, inclusively ; and the said Commissioners are directed and empowered to deface all notes and due bills, orders, or other obligations issued under the authority of this Commonwealth, by any officer thereof, which have been redeemed by the Treasurer, or his predecessors, and to make a regular transfer of the books, papers, files, money, security obligations, and all other property now in the Treasury, to the present Treasurer, and report their proceedings at the next Session of the General Court.

CHAP. XXXVII.

Resolve granting Silvanus Lapham \$1 per day. 17th June, 1812.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, unto Silvanus Lapham, As-

sistant Messenger of the General Court, one dollar per day during the present session of the Legislature, over and above the usual allowance to him.

CHAP. XXXVIII.

Resolve on the Petition of Aaron Dexter and Ebenezer Preble, directing the Agents for the sale of Eastern Lands, to correct an error, in the line of township, granted in aid of a Botanic Garden.—17th June, 1812.

On the Petition of Aaron Dexter and Ebenezer Preble, representing that they are Proprietors of a Township of Land, granted by a resolve of the Legislature to aid and support a Botanic Garden, under the care of the Trustees of the Agricultural Society, which Township was located and surveyed by said Trustees previous to the sale, and by some accident the survey began half a mile distant from the previous line of survey, authorised by the Committee on Eastern Lands, which made a jog or break in the same.

Resolved, For reasons set forth in said Petition, that the Agents for the sale of Eastern Lands, be, and they hereby are authorised to make the corrections in the lines of said grant, so that the Township may be bounded by Phillips' Limerick Academy on the north, so as to include the gore of land, that now exists between the grant to Phillips' Limerick Academy and the grant to the Agricultural Society, and receive a conveyance from said Proprietors for an equal quantity on the south side of said grant to the Agricultural Society, leaving to the said Proprietors, a Township six miles square, as was the intention of the resolve of the Legislature, passed the first day of March, 1805, with the conditions and reservations contained in said resolve.

CHAP. XXXIX.

Resolve on the Petition of Thomas Gage, Jun. authorising him as Guardian of John Winthrop Jewitt, to make sale of a certain half lot of Land in the town of Monmouth. 18th June, 1812.

On the Petition of Thomas Gage, Jun. of Rowley, in the County of Essex,

Resolved, That Thomas Gage, Jun. aforesaid Guardian of John Winthrop Jewett, a non compos, be, and he hereby is authorised, for the reasons set forth in said petition, to sell and convey by deed, one undivided half of said lot of Land, situate in said Monmouth, in the County of Kennebeck. *Provided*, said Gage shall first give bond to the Judge of Probate for the County of Essex ; conditioned that the money arising from the sale, shall be secured for the use and benefit of the said John W. Jewett, by the mortgage of real estate, or secured in some suitable fund.

CHAP. XL.

Resolve authorising the Assessors of Byfield to abate Ministerial Taxes. 18th June, 1812.

On the Petition of the Assessors of the parish of Byfield, in the County of Essex, praying leave to abate certain ministerial taxes against Obadiah Hills, Moses Tenney, Richard Kent, Stephen Dole, John Thurloe, Paul Moody, William Moody, David Pearson, deceased, Joshua Dummer, Samuel Dummer, Shubael Dummer, deceased, and John Noyes, inhabitants of said parish, as set forth in said petition.

Resolved, That the prayer of said petition be granted, and that the Assessors of the said parish of Byfield, for the time being, be authorised to abate so much of the ministerial taxes of the persons above named, as is prayed for in said petition.—*Provided*, the said persons shall on or before the twentieth day of July next, accept the abatement of their said taxes, on the conditions agreed upon, and offered them by the said parish, at a legal meeting thereof, held on the twenty-first day of April, A. D. eighteen hundred and twelve.

CHAP. XLI.

Resolve granting Warren Chase \$1 per day as Assistant to the Messenger of the General Court. 18th June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Warren Chase, Assisstant to the Messenger of the General Court, one dollar per day during the

present session of the Legislature, over and above the usual allowance to him.

CHAP. XLII.

Resolve for Paying the Page of the House of Representatives.
18th June, 1812.

Resolved, That there be allowed and paid out of the Treasury, to the Messenger of this House, to be by him paid over to Stephen Hall Tower, one dollar per day for each and every day, he, the said Tower, shall have attended as Page to this House the present session of the General Court.

CHAP. XLIII.

Resolve granting \$1 per day to John Perry, Assistant to the Messenger. 18th June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Perry, an Assistant to the Messenger of the General Court, one dollar per day, during the present session of the Legislature, over and above the usual allowance to him.

CHAP. XLIV.

Resolve granting a Tax for the County of Franklin.
18th June, 1812.

Whereas the Clerk of the Court of Sessions, for the County of Franklin, holden at Greenfield, in April last, having exhibited an estimate made by said Court, of the charges which may arise within the said County for the year ensuing, and of the sum necessary to discharge the debts of said County,

Resolved, That the sum of two thousand five hundred dollars be, and the same is hereby granted as a Tax on the said County of Franklin, the present year, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid according to law.

CHAP. XLV.

Resolve on the Petition of Justice Ketchum and Roger West, discharging the said Roger West from an Execution.

18th June, 1812.

On the Petition of Justice Ketchum and Roger West, shewing that the said Roger West recognized as surety, for one Roger W. Ketchum, in the sum of five hundred dollars for the appearance of the said Roger W. Ketchum, before the Supreme Judicial Court, which was to be holden at Northampton, within and for the County of Hampshire, on the 4th Tuesday of April Anno Domini, 1811, to answer to the said Commonwealth on a certain charge or complaint of forgery; but the said Roger W. Ketchum did not appear at the Court aforesaid, to be holden as aforesaid, whereby the said recognizance was forfeited; whereupon a writ of scire facias issued against the said Roger West and judgment hath thereupon been rendered and execution issued for the amount of said recognizance and costs of suits, which is unpaid,

Resolved, That for reasons stated in said petition, upon payment of the sum of one hundred dollars by the said Roger West to the Solicitor General of this Commonwealth, or to the Treasurer of the County of Hampshire, together with all the costs which has accrued by reason of the prosecution against the said Roger W. Ketchum, and the costs of suing out and prosecuting said writ of scire facias by the twentieth day of September next, the said Roger West be, and he is hereby discharged from the aforesaid judgment and execution.

CHAP. XLVI.

Resolve granting \$125 to Theron Metcalf, Esq. Reporter in cases of Contested Elections. 18th June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Theron Metcalf, Esq. Reporter to the House of Representatives, in cases of contested elections, in full for his services in that office up to the present time, the sum of one hundred and twenty five dollars; and his Excellency the Governor, is hereby requested to draw his warrant on the Treasurer in favor of the said Metcalf for that sum.

CHAP. XLVII.

Resolve on making an addition to the established Salary of the Messenger of the General Court. 18th June, 1812.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, three hundred and fifty dollars for the present year, commencing the thirtieth day of May last, to be in addition to the sum of four hundred dollars allowed him by a resolve of March 26, 1793, establishing the pay of the Messenger of the General Court.

CHAP. XLVIII.

Resolve on the Petition of John Hunt, directing the Solicitor General to agree to the continuance of an action pending in the Supreme Judicial Court. 19th June, 1812.

On the Petition of John Hunt, as Agent for Barnabas Bidwell, *Resolved*, That for reasons set forth in the petition aforesaid, the Solicitor General be, and he is hereby authorised and directed to agree on the part of this Commonwealth, to the continuance of an action, now pending in the Supreme Judicial Court, between this Commonwealth and the said Barnabas Bidwell, from term to term, until the November term thereof, in the year of our Lord, one thousand eight hundred and thirteen. *Provided*, the said Barnabas shall, within sixty days from the termination of the present session of the General Court, pay to the Solicitor General or to the Treasurer of this Commonwealth the sum of twelve hundred dollars in part of the verdict which has been found in the said case, and shall also give security to the said Commonwealth, to the satisfaction of the Solicitor General, for the payment of the interest which may hereafter accrue upon the amount of said verdict.

CHAP. XLIX.

Resolve granting Messrs. Adams and Rhoades, \$90, in full of their demands on account of contract. 20th June, 1812.

On the petition of Adams and Rhoades, of Boston, Printers,

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to said Adams and Rhoades, the sum of ninety dollars, they having agreed to receive the same in full of all demands they have against the Commonwealth, arising from a certain contract, or agreement, made between them and Benjamin Homans, Esq. late Secretary of the Commonwealth, and Marcus Morton, Esq. Clerk of the Senate, 26th June, 1811, which contract accompanies said petition, the said Adams and Rhoades before the said sum is paid them, are to give a release in writing of all said demands, and leave the same with the Treasurer: And that his Excellency, the Governor, be, and he hereby is requested to draw his warrant on the Treasurer for said sum, conditioned as aforesaid, in favor of said Adams and Rhoades.

CHAP. L.

Resolve authorising the Treasurer to borrow \$50,000.
20th June, 1812.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorised and directed to borrow of the State, Boston, and Union Banks, in addition to the sum now borrowed, any sum not exceeding fifty thousand dollars, that may at any time within the present year be necessary for the payment of the ordinary demands made on the Treasury, and that he repay any sum he may borrow, as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. LI.

Resolve granting \$75 to the widow of William Gale, late Messenger to the Governor and Council. 22d June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the widow of William Gale, deceased, seventy-five dollars, in full for his compensation as late Messenger of the Governor and Council.

CHAP. LII.

Resolve on the petition of Asa Peabody. 22d June, 1812.

On the petition of Asa Peabody, on behalf of the town of Cambridge, stating, that at the term of the Court of Sessions, holden in and for the County of Middlesex, in January last, two cases were dismissed from the docket of said Court by accident, in the one of which cases the town of Cambridge were petitioners for a Jury to assess damages claimed by Andrew Craigie, Esq. for his land taken for the high-way from the Canal Bridge to Cambridge Common, and in the other of which cases the town of Cambridge were petitioners for a Jury to assess damages claimed in a similar manner by William Winthrop, Esq.

Resolved, for the reasons set forth in said petition, That the Justices of the Court of Sessions for the County of Middlesex, be authorised and directed to restore said cases to their docket, and to proceed thereon in the same manner as if they had never been dismissed therefrom.

CHAP. LIII.

*Resolve appropriating for the State Prison \$4,000.
22d June, 1812.*

Resolved, That his Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorised to draw warrants upon the Treasurer of this Commonwealth, in favor of the Warden of the State Prison, for such sums and at such periods as may be deemed expedient by the Governor and Council, not exceeding four thousand dollars, to enable said Warden to fulfill his contracts and defray the necessary expences of said Prison, he to be accountable for the same.

CHAP. LIV.

*Resolve on the Petition of Amos Sargeant and Betsy Buckman.
22d June, 1812.*

On the petition of Amos Sargeant, of Malden, in the County of Middlesex, Guardian of Stephen Buckman, of said Malden,

a Spendthrift, and Betsy Buckman, wife of said Stephen, stating that the whole of said Stephen's personal estate is necessary for the immediate use and support of said Stephen and his family, and that the said Stephen Buckman and Betsy, his said wife, in her right, are seized of divers parcels of real estate, situate in said Malden, the fee of which real estate belongs to said Betsy ; that the debts now due from the said Stephen, and which have been presented to said Guardian for payment, amount to three hundred and eighty dollars, and that the necessary expences of said Guardianship which have already arisen, amount to sixty dollars, making with said debts, the sum of four hundred and forty dollars ; and praying that he, the said Amos Sargeant, in his said capacity, may be authorised and empowered by joining in a deed or deeds, with the said Betsy, to sell and convey in fee so much of said real estate, as shall raise the sum of four hundred and forty dollars for the payment of said debts, and said expences of said Guardianship, and the further sum of fifteen dollars to pay the necessary expences of making said sale.

Resolved, That the prayer in said petition be granted, and that the said Guardian of the said Stephen Buckman be, and he hereby is authorised and empowered, by joining in a deed or deeds with the said Betsy, to sell and convey in fee so much of said real estate, of which the said Stephen and the said Betsy are seized as aforesaid, as shall raise the sum of four hundred and forty dollars, including the sum of three hundred and fifty dollars, empowered to be raised by a resolve passed February 28, 1812, for the payment of said debts, and said expences of said Guardianship, and the further sum of fifteen dollars to pay the expences of said sale ; and such conveyance so made by the said Amos, in his said capacity, together with the said Betsy, shall operate to all intents and purposes as a valid conveyance of all the rights, title and interest, which the said Stephen Buckman and the said Betsy, in her right, have as aforesaid, and which either of them has in and to so much of said real estate, as shall be so sold and conveyed as aforesaid ; he, the said Guardian, to account with the Judge of Probate, for said County of Middlesex, for the proceeds of the sale of so much of said real estate as shall be sold as aforesaid.

CHAP. LV.

Resolve granting Jacob Kuhn \$1000 to purchase Fuel, &c. for the Government. 22d June, 1812.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's and Treasurer's offices; he to be accountable for the expenditure of the same.

The following Message was received from his Excellency the Governor.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

I have this morning received a letter from the Hon. Mr. Lloyd, one of the Senators in Congress, inclosing a copy of an Act of Congress, passed the 17th inst. declaring War against the United Kingdoms of Great Britain and Ireland, and their dependencies, and which on the 18th inst. was approved by the President. I have directed the Secretary to lay this communication before you.

CALEB STRONG.

Council Chamber, June 23d, 1812.

CHAP. LVI.

Resolve respecting the Pay of the Chief Justice of the Court of Common Pleas, for the third Eastern Circuit. 22d June, 1812.

Resolved, That the Treasurers of the several Counties in the third Eastern Circuit of this Commonwealth, be, and they hereby are authorised and directed to pay over to the Chief Justice of the Circuit Court of Common Pleas, for said Circuit, as a further compensation for his services, the amount of the excess of fees which may be paid over to them respectively by the several Clerks of the Courts within the said Circuit, agreeable

to a Law of this Commonwealth, passed on the eighteenth day of June last : *Provided*, that the same, together with the legal fees of the said Chief Justice, shall not amount to more than one thousand dollars per annum.

CHAP. LVII.

Resolve granting Pay to the Clerks of the General Court.
23d June, 1812.

Resolved, That there be paid out of the public Treasury, to Marcus Morton, Clerk of the Senate, and Benjamin Pollard, Clerk of the House of Representatives, two hundred dollars each ; and also to Robert C. Vose, Assistant Clerk of the Senate, and to Thomas Wallcut, Assistant Clerk of the House of Representatives, one hundred and twenty five dollars each, in full for their services in said offices the present session of the General Court.

CHAP. LVIII.

Resolve appropriating \$200 to enable the Secretary to pay Assistant Clerks. 23d June, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Alden Bradford, Esq. Secretary of this Commonwealth, the sum of two hundred dollars to enable him to pay such Assistant Clerks as he may have employed to expedite the public business in his office, he to be accountable for the expenditure thereof.

CHAP. LIX.

Resolve on the Petition of Eleazer W. Ripley, Esq. for a new trial. 24th June, 1812.

On the petition of Eleazer W. Ripley, Esq. setting forth, that at the Supreme Judicial Court, begun and holden at Boston, on the fourth Tuesday of November, 1809, he was aggrieved at the verdict in the trial of a certain indictment against him, and praying for a new trial :

Resolved, For reasons set forth in said petition, that a new trial be granted to said Eleazer W. Ripley, in the said Supreme Judicial Court, within the County of Suffolk, on said indictment, in the same manner as if no trial had been had therein: *Provided*, said new trial shall be claimed by said Ripley, within one year next after the passing this resolve.

CHAP. LX.

Resolve appointing a Committee to make Galleries in the Representatives' Chamber, &c. 24th June, 1812.

Resolved, That Messrs. Jonathan Hunnewell, Jonathan Whitney and Thomas Barry, all of Boston, be a Committee, to cause a Gallery to be made at the North end of the Representatives' Chamber, and another Gallery over the one now on the east side of said Chamber, and to make such other alterations therein as may be thought best for the accommodation of the Members at the next Session of this General Court.

And it is further resolved, That said Committee may cause such alterations to be made in the stoves and fire places of the Council Chamber and Secretary's Office, as they may deem necessary and proper.

CHAP. LXI.

Resolve on the Petition of Ozias Goodwin and others. 24th June, 1812.

Resolved, That his Excellency the Governor, be, and he is hereby authorised and requested to cause a sufficient number of boats or vessels to proceed immediately to sea, at the expense of the Commonwealth, for the purpose of giving notice to all American vessels that may be found upon our coast, of the declaration of war by the Congress of the United States against Great Britain, to the end that they may be enabled to adopt such measures for their safety, as the occasion shall require; and that the Governor be authorised to draw his warrants on the Treasury for the amount of the expences that may be necessarily incurred thereby.

CHAP. LXII.

Resolve authorising the Governor to draw Money from the Treasury for the service of Government, not exceeding \$2000.
24th June, 1812.

Resolved, That there be allowed and paid out of the public Treasury to the Secretary of the Commonwealth, such sums of money as from time to time shall appear to his Excellency the Governor, with the advice of Council, to be necessary for the service of Government, and to be disposed of as the Governor and Council may direct, the amount thereof not to exceed two thousand dollars, and the Secretary shall account to the Legislature for the same, and his Excellency the Governor is authorised to draw his warrants therefor.

CHAP. LXIII.

Resolve for Paying the Committee on accounts, June Session, 1812.
24th June, 1812.

Resolved, That there be allowed and paid out of the public Treasury, to the Committee to examine and pass on accounts presented against the Commonwealth 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.

Hon. Nathan Willis, seventeen days, seventeen dollars.

Hon. Silas Holman, nineteen days, nineteen dollars.

James Robinson, nineteen days, nineteen dollars.

George Crosby, nineteen days, nineteen dollars.

Joseph Whiton, eighteen days, eighteen dollars.

Which sums shall be in full for their services aforesaid respectively.

ROLL No. 67....June, 1812.

THE Committee on Accounts having examined the several accounts they now present,

REPORT, That there are due to the Corporations, and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned, which is respectfully submitted.

NATHAN WILLIS, *per order.*

PAUPER ACCOUNTS.

Town of Adams, for boarding and clothing Freeman Blakely, Ann Waller, Susannah Camp, and Lydia Daileys, two children, to 22d May, 1812,	\$ 81 40
Asburnham, for boarding and doctoring Sukey Franklia, to the time of her death,	14 00
Alford, for boarding and doctoring Isaac Meach to June, 1811, and transporting sundry paupers out of the State,	74 97
Alfred, for boarding and clothing William Griffis, and supporting sundry prisoners confined in gaol for debt, to 1st June, 1812,	84 75
Abington, for boarding and clothing Thomas Seymore to 19th June, 1812,	28 40
Boxborough, for boarding and clothing John M'Koy to 31st May, 1812,	56 83
Baldwin, for boarding and clothing Daniel Hickey to 1st May, 1812,	89 23
Brimfield, for boarding and clothing John Christian to 27th May, 1812,	28 87
Berwick, for boarding Lemuel Woodworth to the 25th May, 1812,	18 40
Barnardstown, for boarding and clothing Oliver Stephens to 25th May, 1812,	25 54
Boxford, for boarding and clothing Mehitable Hall to 5th June, 1812,	69 80
Brookfield, for supplies to Jonas Banton and George Eastington, to 2d May, 1812,	57 82
Blandford, for boarding and clothing Samuel Walker, to 1st February, 1812,	75 00

Brookline, for supplies and doctoring Jacob Harvey to 20th April, 1812,	74 00
Bellingham, for boarding and clothing Robert Atkins and Nathaniel Freeman to 1st April, 1812,	35 94
Bedford, for boarding and clothing James Cades to 6th June, 1812,	24 51
Belfast, for boarding and doctoring Joseph Parsons and James Wells to the time of their death, including funeral charges, and supplies for Owen Chancy to the time he left the town,	57 91
Bridgewater, for boarding and clothing William Badger and Frederick Bignor to 25th May, 1812,	32 60
Boston, for boarding and clothing sundry paupers, including allowance to the Keeper of the Alms-House to the 1st June, 1812,	8,049 10
Becket, for boarding, clothing, and doctoring Sally Leonard and Hiram Leonard, to 19th May, 1812, Betsey Lamphire and child until she left the State,	56 00
Bradford, Samuel, keeper of the gaol in Boston, County of Suffolk, for supporting sundry prisoners confined for debt, to 25th May, 1812,	365 96
Cheshire, for boarding, clothing, and doctoring Ephraim Richardson, Naomi Davis and child, Polly Newcomb, and Polly Cooper, and supplies for Alfred Joice, to 23d May, 1812,	274 15
Cushing, for boarding and clothing James Walker, to 1st June, 1812,	16 00
Charlton, for boarding, clothing, and doctoring Edward Madden and Jonathan Spear, to 26th May, 1812,	31 00
Carlisle, for boarding and clothing Robert Barber, to 23d May, 1812,	23 56
Colerain, for boarding and clothing Sally Lamonicer to 21st May, 1812, and Nancy Andrews, until she left the State,	51 97
Cape Elizabeth, for boarding and clothing James Ramsbottom to 10th May, 1812,	33 56
Dartmouth, for boarding and clothing John Quannawill to 20th May, 1812, and removing S. Griunell out of the town,	85 00
Durham, for boarding and clothing Asa, Samuel, and Jonathan Demerit. to 20th May, 1812,	158 60

Douglas, for boarding, clothing, and doctoring Betsy Trifle to the time of her death, including funeral charges,	91 05
Dedham, for boarding and doctoring Robert Clue and Sarah Smith to 1st June, 1812,	19 50
Danvers, for boarding, clothing and doctoring sundry paupers, to 9th June, 1812,	400 18
Elliot, for supplies to Jacob Brewer to 16th May, 1812,	18 74
Edgarton, for supporting sundry paupers to 20th May, 1812,	219 25
Florida, for boarding and clothing a child of Amos Eldridge, to the time she was bound out,	12 65
Falmouth, County of Cumberland, for boarding, clothing, and doctoring Felician Sang to 31st May, 1812,	87 90
Franklin, for supplies and doctoring Thomas Barre and wife to 1st June, 1812,	95 63
Gill, for boarding and clothing Sarah Hamilton, Samuel Lyon and wife, to 23d May, 1812,	53 13
Greenwich, for boarding, clothing, and doctoring William Rice, Jonathan Bailey, his wife, and three children, Samuel Bailey, and Elizabeth Harrington, to 23d May, 1812,	146 57
Goshen, for boarding, clothing, and doctoring Sarah Horseford to 4th March, 1812,	65 00
Granville, for boarding and clothing George Taylor and Archibald Stewart to 1st June, 1812,	53 00
Granby, for boarding and clothing Ebenezer Darwin to 25th May, 1812,	29 17
Gorham, for boarding, clothing, and doctoring Robert Gilfiling and Jacob Morse to 29th May, 1812,	77 95
Gloucester, for boarding, clothing, and doctoring sundry paupers to May, 1812,	716 00
Hallowell, for boarding, clothing, and doctoring sundry paupers to 1st June, 1812,	195 20
Hope, for boarding John Sullivan to 20th May, 1812,	30 00
Hardwick, for boarding and doctoring Joseph Pease to the time of his death, including funeral charges,	18 68
Hudson, John, Keeper of the Gaol in Salem, County of Essex, for supporting sundry prisoners, confined for debt, to 26th May, 1812,	144 92

Hodgkins, Joseph, Keeper of the House of Correction in the County of Essex, for boarding and clothing sundry Paupers, up to the 6th June, 1812, including an allowance made by the Court of Sessions, to the 21st March, 1812,	394 60
Hamilton, for boarding and clothing Molly McCrief, to 5th April, 1812,	61 50
Lincolnvile, for boarding Timothy Cox and Alexander White, to 21st May, 1812,	46 80
Litchfield, for supplies to Hannah Taylor and two Children, Daniel Howard and wife, to 1st June, 1812,	78 00
Lancaster, for boarding and clothing William Shearer, to 9th June, 1812,	88 66
Leyden, for boarding, clothing and doctoring Jedediah Fuller and wife, Elizabeth Wagner and Ruth Abel, to 22d May, 1812,	71 71
Lenox, for boarding and clothing Abraham Palmer, to 12th May, 1812, and Nicol McArthur, to the time of his death, including funeral charges,	33 85
Lee, for boarding, clothing and doctoring Azubah Cain and Lucy Fuller, and supplies for Daniel and Betsy Santee, Jonathan and Sarah Blackman, to 22d May, 1812,	158 70
Montague, for boarding, clothing and doctoring John Searle, to 18th May, 1812,	48 97
Marblehead, for boarding and clothing sundry paupers, to 5th June, 1812,	256 29
Monson, for boarding and doctoring Cuff Green, to 6th April, 1812,	22 08
Mount Vernon, for boarding and clothing David Basford, to 21st May, 1812,	56 53
Mendon, for boarding John Williamson, to 9th March, 1812,	10 00
Marlborough, for boarding and clothing Joseph Waters, to 28th May, 1812,	62 00
Milford, for boarding, clothing and doctoring Elizabeth Gould, 25th May, 1812,	52 08
Norwich, for boarding Daniel Williams, to 31st May, 1812,	19 80
New Marlborough, for boarding, clothing and doctoring Mary Rogers and Jane Peters, to 21st May, 1812,	22 57

Northborough, for boarding and clothing Richard Grant, to 1st April, 1812,	19 20
Northfield, for boarding and clothing Richard Kinsbury, to 23d May, 1812,	31 65
Northampton, for supplies for the wife of John Sax, and the wife of Andrew Severence, to 15th May, 1812,	26 73
Newburyport, for boarding, clothing and doctoring sundry paupers, to 1st June, 1812,	1286 55
Newbury, for boarding, clothing and doctoring sundry paupers, 1st June, 1812,	602 62
New Salem, for boarding a Child of Olive Bedient, to the time he was bound out,	59 00
Overseers of Marshpee Indians, for supporting sundry paupers to 1st May, 1812,	193 52
Peru, for supplies and doctoring James Robbins and family, to 19th May, 1812,	82 99
Pepperell, for supplies to Robert Minchins, to 11th May, 1812,	44 00
Pittsfield, for boarding, clothing and doctoring Peter Henon, Thomas Keen and wife, Polly Thurston and Polly Holly, to 20th May, 1812,	112 63
Plymouth, for boarding, clothing and doctoring Thomas Torrence, James Reed, and John M. Roop, to 31st May, 1812,	80 53
Portland, for boarding, clothing and doctoring sundry paupers, to 1st June, 1812,	1258 91
Rutland, for boarding, clothing and doctoring William Henderson, John Cowling, Russell Fariar, to 1st June, 1812, and Samuel Rose to the time of his death, including funeral charges,	57 72
Richmond, for boarding Ephraim Taylor, to the time of his death, including funeral charges,	21 00
Rowley, for boarding and doctoring Barnabas Dow, and Ella Collins, to 9th May, 1812, and Jesse Kemble, to the time he left the town,	85 46
Rochester, for boarding and clothing George White to 10th June, 1812,	35 25
Randolph, for boarding, clothing and doctoring John Cole, to 1st April, 1812,	27 50
Somerset, for boarding and clothing William Elliot, to the 25th May, 1812,	19 08

Swansey, for boarding and clothing Thomas Canally, to 22d May, 1812,	35 37
Sandwich, for boarding Richard Crouch, to 24th May, 1812,	22 00
Sutton, for boarding and clothing Isabella Santee and four children, to 3d June, 1812,	44 20
Sandisfield, for boarding and clothing Eliza Dandoo and William Sanford, to 21st May, 1812,	33 32
Salem, for boarding and clothing sundry paupers, to 7th June, 1812,	1223 00
Uxbridge, for boarding and clothing Phillis Jenks and her children, and David Mitchell, to 24th May, 1812,	101 10
Vassalborough, for funeral charges, for Sally Gordon,	5 00
Williamstown, for boarding, clothing and doctoring Robert Morrill, Charles McArthur, Rachael Galusha, and supplies for George Hendergrass, to 20th May, 1812,	84 05
Windsor, for boarding and clothing Henry and Rachel Smith, to 20th May, 1812,	46 33
Westfield, for supplies to John Newton and wife, to 23d May, 1812,	49 01
Waterborough, for boarding and clothing William Jordon, to 9th June, 1812,	26 80
West Hampton, for boarding, clothing and doctoring Lemuel Culver and Phebe Culver's child, to 1st June, 1812,	45 54
Williamsburgh, for boarding and doctoring Philip Nahum, to the time of his death, including funeral charges,	18 54
Worcester, for boarding and supplies to sundry paupers, to 1st June, 1812,	141 60
Waldoborough, for supplies to John Handell, to 6th June, 1812,	8 00
West Springfield, for boarding and clothing James Aldreth, Hannah Shovey and Hannah Felt, to 20th May, 1812, and Justus Allen, to the time of his death, including funeral charges,	79 67
York, for boarding and clothing sundry paupers, to 8th June, 1812,	216 81
	<hr/>
Total Paupers,	\$20,257 20

MILITARY ACCOUNTS.

Bastow, Sumner, for the expense of a Court of Inquiry, held at Leicester, 11th February, 1812, whereof Col. Henry Penneman was President,	46 97
Knap, Samuel L. for the expense of Court Martial, holden at Topsfield, 24th March, 1812, whereof Col. Benjamin Stickney was President,	119 92
Donnison, William, Adjutant General, for the expense of a Board of Officers, holden at Boston, 12th April, 1812, whereof Gen. John Barker was President,	41 16
Goodwin, John M. for the expense of a Court Martial, holden at Plymouth, 19th May, 1812, whereof Col. John Thomas was President,	130 73
Goodwin, John M. for part of the expense of a Court Martial, holden at Plymouth, 29th October, 1812, whereof Col. Benjamin Lincoln was President, omitted in Roll 66, by mistake,	34 66
Sawtell, Richard, for the expense of a Court of Inquiry, holden at Canaan, 24th March, 1812, whereof Maj. Josiah Hayden, Jun. was President,	37 17

Brigade Majors and Aids-de-Camp.

Bucklin, Joseph, to 6th February, 1812,	9 00
Bastow, Sumner, to 3d June, 1812,	39 82
Dunbar, William, to 26 May, 1812,	28 50
Elwell, Robert, to 4th May, 1812,	50 85
Fisher, Jacob, to 28th May, 1812,	27 67
Goodwin, John M. to 12th May, 1812,	36 01
Keith, Cyrus, to 5th June, 1812,	12 00
Mattoon, Noah D. to 27th May, 1812,	67 50
Prince, Hugh, to 10th January, 1812,	56 89
Prince, Hugh, as A. D. C. to 20th May, 1812,	35 00
Russell, Edward, 13th May, 1812,	34 05
Starr, James, to 14th May, 1812,	43 95

Adjutants.

Adams, Moses, to 17th May, 1812,	41 47
Boyd, Williard, to 2d June, 1812,	84 00
Backus, Zenos, to 7th June, 1812,	73 74
Bourne, Joseph, to 15th October, 1811,	11 45

Champney, John, 26th May, 1812,	54 63
Davis, Stephen, 10th May, 1812,	17 35
Fisk, Ezra, to 22d May, 1812,	40 70
Gage, Nathaniel, to 1st June, 1812,	18 76
Hatch, Solomon, to 1st October, 1811,	7 50
Hyde, Lina, to 4th January, 1812,	10 32
Hennan, Ranson, to 20th May, 1812,	29 96
Ingraham, James M. to 4th May, 1812,	30 52
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Keith, Cyrus, to 6th June, 1812,	43 61
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Pingree, Samuel, to 15th May, 1812,	29 91
Plummer, Benjamin, 1st November, 1811,	18 05
Pepe, Ebenezer, Jun. to 10th June, 1812,	26 12
Payson, Ebenezer, to 11th June, 1811,	23 69
Richards, Wyman, to 8th May, 1812,	46 95
Sales, Richard, to 8th June, 1812,	25 67
Spring, Josiah, to 25th May, 1812,	11 31
Starr, James, Jun. to 1st May, 1812,	18 77
Russ, John, to 26th May, 1812,	77 60
Tainter, Hervey, to 12th May, 1812,	16 57
Taft, Hazelton, to 1st June, 1812,	25 88
Turner, Thomas, to 11th February, 1812,	13 10
Viles, Bowman, to 2d February, 1811,	16 50
Whitman, Benjamin, to 12th May, 1812,	14 20

Expences for Horses to haul Artillery.

Carter, Luke, 19th May, 1812,	15 00
Carter, Nehemiah, to 10th October, 1811,	7 50
Derby, Benjamin, to 2d October, 1811,	5 00
Ranlet, Samuel, to 14th September, 1811,	5 00
Stover, James, to 1st June, 1812,	6 25
Stone, Martin, to 12th September, 1811,	8 75
Wright, Samuel, to 2d June, 1812,	7 50

Total Military, \$1816 15

SHERIFFS' AND CORONERS' ACCOUNTS.

Cooper, John, Sheriff of the County of Washington, for returning votes for the Governor, Lieutenant Governor and Senators, and distributing precepts and returning votes for members of Congress to 15th April, 1812,	105 74
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Chandler, John, Sheriff of the County of Kennebeck, for returning votes for Governor, Lieutenant Governor and Senators and Members of Congress to 1st May, 1812,	50 40
Goodwin, Ichabod, Sheriff of the County of York, for returning votes for Governor, Lieutenant Governor and Senators for 1811,	6 40
Larned, Simon, Sheriff of the County of Berkshire, for returning votes for Governor, Lieutenant Governor and Senators for 1811 and 1812,	22 40
M'Millan, John, Sheriff of the County of Oxford, for returning votes for Governor, Lieutenant Governor and Senators,	12 00
Shepherd, Thomas, Sheriff of the County of Hampshire, for returning votes for Governor, Lieutenant Governor and Senators for 1812,	8 00
Ulmer, George, Sheriff of the County of Hancock, for returning votes for Governor, Lieutenant Governor and Senators, and distributing precepts and returning votes for members of Congress to May, 1812,	77 18
	<hr/>
Total Sheriffs and Coroners,	\$282 12

PRINTERS' ACCOUNTS.

Cutler and Russell, for printing for the General Court to 16th June, 1812,	713 00
Edes, Peter, for printing Acts and Resolves to May, 1812,	16 66
Foster, Moses B. for printing for Treasury Office to June 16th, 1812,	2 00
Holland, Anthony, for printing Acts and Resolves to May, 1812,	16 66
Lindsey, Benjamin, for printing Acts and Resolves to May, 1812,	16 66
Rhoades, Adams and Co. for printing for the Secretary Treasurer and Adjutant General's Offices and General Court to 8th June, 1812,	2631 18
Clapp, William W. for printing done for the Government to June, 1812,	28 96
	<hr/>
Total Printers,	\$3,425 12

MISCELLANEOUS ACCOUNTS.

Austin, Jonathan L. for Oil, for the use of the State House,	69 12
Chase, Warren, for assisting the Messenger to the General Court to 23d June, 1812,	50 00
Dillaway, William, for transporting the dead body of a stranger from Long-Island by order of the Coroner,	10 00
Durant, William, for labour done on the State House to 20th May, 1812,	44 68
Kuhn, Jacob, for balance due him on the 17th June, 1812, over and above a grant made him by a resolve of the General Court, of the 24th June, 1811, for eight hundred dollars, also a grant of the same date of twenty-three dollars, a grant of the tenth day of January, 1812, of five hundred dollars, and a grant of the twenty-eighth day of February 1812, for forty-six dollars,	200 97
Larkin, Ebenezer, for supplies of Stationary for the Secretary's and Treasurer's Offices to 16th June, 1812,	120 37
Lincoln, Amos, for labor done on the State-House to 24th May, 1812,	139 83
Lapham, Elyvanus, for assisting the Messenger to the General Court to 23d June, 1812,	56 00
Perry, John, for his attendance on the General Court to 23d June, 1812,	56 00
Smith, Samuel, for copying papers for the Senate to 21st June, 1812,	10 00
Scott, James, for supplies of Stationary for the Secretary's Office to 30th May, 1812,	77 20
Thomas, Joshua, Goodwin Nathaniel and Hayward Beza, Commissioners to examine the accounts of the Treasury of the County of Plymouth for their services Nov. 1811,	32 00
Vose, Robert C. for filing papers of the Senate, 1810 and 1811,	12 00
Total Miscellaneous,	8878 17

Aggregate of Roll No 67.

Expence of State Paupers,	\$20,257 20
Do. Militia,	1,816 15
Do. Sheriffs and Coroners,	282 12
Do. Printers,	3,425 12
Do. Miscellaneous,	878 17
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	\$26,658 76

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' names respectively, amounting in the whole to the sum of twenty-six thousand six hundred and fifty-eight dollars, and seventy-six cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 24th, 1812.

Read and passed, sent down for concurrence.

SAMUEL DANA, *President.*

In the House of Representatives, June 24th, 1812.

Read and concurred,

TIMOTHY BIGELOW, *Speaker.*

June 24th, 1812.—Approved,

CALEB STRONG

COMMONWEALTH OF MASSACHUSETTS

.....

Secretary's Office, Sept. 25th, 1812.

By this, I certify, that in compliance with a Resolve of the Legislature of this Commonwealth, passed January 16th, 1812, I have examined and compared the printed copies of the Resolves of the General Court, passed the Session, commencing on the last Wednesday of May, being the 26th day, and ending the 27th day of June, 1812, with the originals remaining in the Secretary's Office, and find the same correct.

ALDEN BRADFORD,

Secretary of the Commonwealth.

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Ex 2



RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THE SESSIONS, IN

OCTOBER 1812, AND JANUARY 1813.



Published agreeably to a Resolve of January 11, 1812.

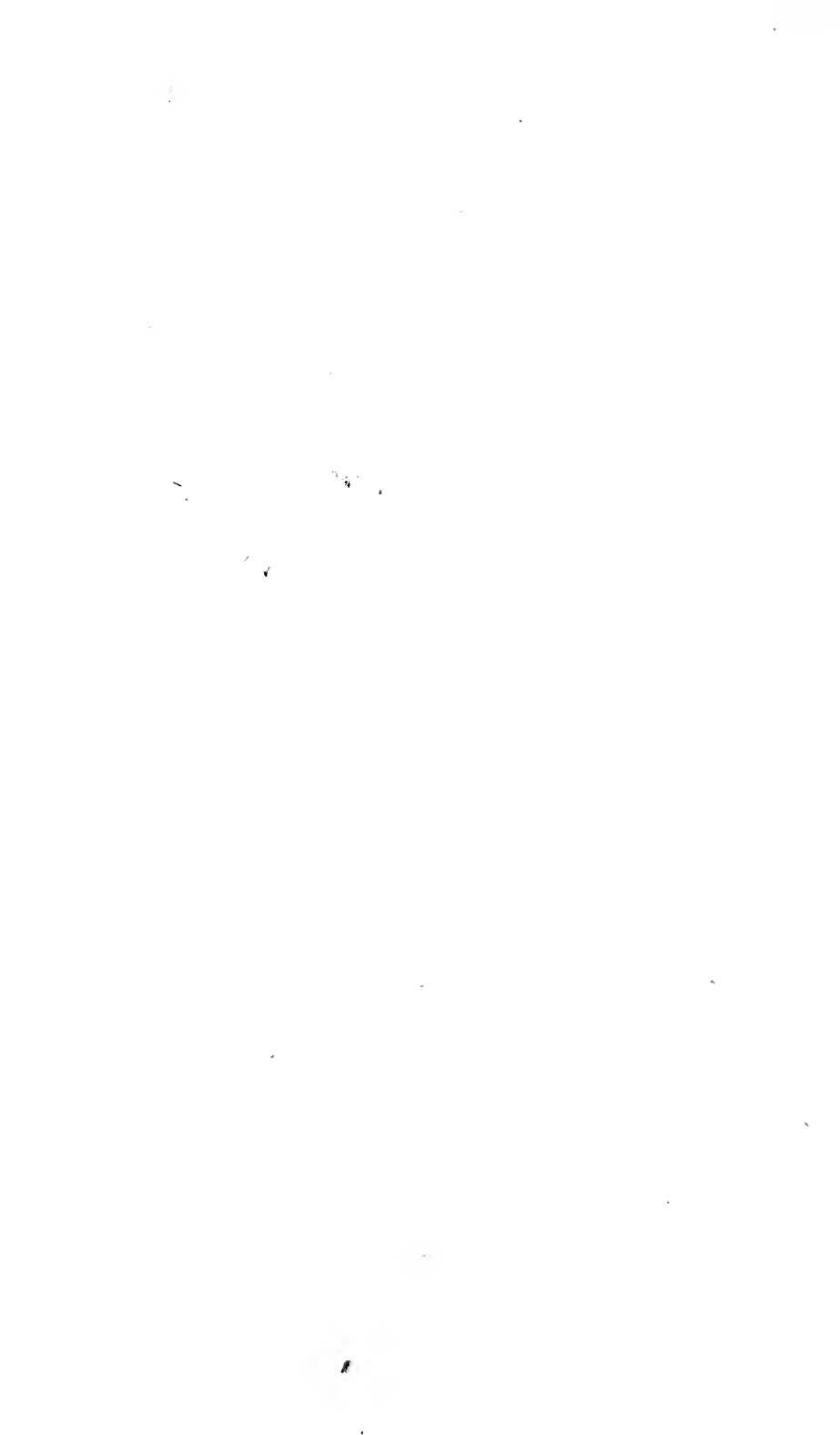


BOSTON :

PRINTED BY RUSSELL AND CUTBER.

.....

1813.



RESOLVES

OF THE

General Court of Massachusetts,

PASSED AT THE SESSION,

COMMENCING ON THE FOURTEENTH AND ENDING THE TWENTY

FOURTH DAY OF OCTOBER, A. D. 1812.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, OCT. 14, 1812.

At 12 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment, when His Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH :

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

THE period again approaches when Electors of a President and Vice President of the United States are to be appointed, and you have now assembled that you may execute the important trust, of directing the manner of their appointment on the part of this State. I hope that nothing will interfere to prevent an impartial discharge of this public duty. The

language of the Constitution on this subject is imperative ;—
 “Each State shall appoint in such manner as the Legislature thereof may direct, a number of Electors”—This form of expression was necessary ; for it is obvious, that if the States should neglect to appoint Electors, the national government would be at an end. In addition to this, the Constitution has required, that the members of the State Legislatures, and all Executive officers, shall be bound by oath or affirmation, to support the Constitution. We have taken this oath, and have sworn impartially to perform all the duties incumbent on us as members of the State Government—should this duty be neglected, the people of the State would, on this important occasion, lose their political consequence, and be deprived of the rights of citizens.

By a letter of the 12th of last June, the Secretary of War, requested me, by direction of the President, to order into the service of the United States, on requisition of Major General Dearborn, such part of the quota of militia from this State, detached conformably to the Act of the 10th of April last, as he might deem necessary for the defence of the sea-coast. On the 22d of June, I received a letter from Gen. Dearborn informing me that war was declared against Great Britain ; and requesting me to order forty one companies of the detached militia into the service of the U. States, for the defence of the posts and harbors in this State, and the harbor of Newport in the State of Rhode Island ; and stated that the companies were intended for the following posts and harbors in the following proportions : For Passamaquoddy, five companies ; for Machias, one company ; for Castine, three companies ; for Damariscotta and Wiscasset, two companies ; for Kennebunk, one company ; for Portland, five companies ; for Marblehead, Salem, Cape-Ann, and Newburyport, four companies ; for Boston, twelve companies, and for Rhode Island eight companies. I also received from General Dearborn, two other letters of June 26th and June 29th, on the same subject.

The Constitution of the United States declares, that “Congress may provide for calling forth the Militia to execute the laws of the Union, suppress insurrections, and repel invasions.” And the act of Congress of April 10th, authorising a detachment of one hundred thousand of the militia, empowers the President “to call into actual service any part or the whole of said detachment in all the exigencies provided by

the Constitution." From these clauses in the Constitution and Law of April 10th, the President derives his authority to call the militia of the States into actual service ; and, except in the exigencies above mentioned, he can have no authority by the Constitution to do it. But there was no suggestion, either in the Letter from the War department above referred to, or in those from General Dearborn, that this State or Rhode Island was invaded, or in imminent danger of an invasion, or that either of the exigencies recognized by the Constitution and law of the United States existed. If such declaration could have been made with truth, it would undoubtedly have been made.

General Dearborn plainly supposes, that in consequence of the Act declaring War, he was authorised, by virtue of the power given him by the President, to require any part or the whole of our detached Militia to be called out, and marched to such places in this and the other States as he may think proper. If this construction of the Constitution is correct, the President and Congress will be able at any time, by declaring War, to call the whole Militia of the United States into actual service, and march them to such places as they may think fit, and retain them in the service as long as the War shall continue. It is declared, indeed, by the aforesaid Act of April 10th, "that the said detachment shall not be compelled to serve a longer time than six months after they arrive at the place of rendezvous." But if the mere Act of declaring War, gives a right to the National Government to call the Militia into service and detain them six months, it must give a right to detain them six years, if the war continues so long ; and the National Government has the same authority to call out the whole as a part of the militia.

Heretofore it has been understood, that the power of the President and Congress to call the militia into service, was to be exercised only in cases of sudden emergency, and not for the purpose of forming them into a standing army, or of carrying on offensive war.—But according to the above construction, the right to employ the militia is made to depend, not upon contingencies which the National Government might be unable to foresee or provide against, but upon its own act—upon the existence of a state of war, which the government has a right to declare as often, and continue so long as it may think proper.

Although many of the most important attributes of sovereignty are given by the Constitution to the Government of the United States, yet there are some which still belong to the State Governments. Of these, one of the most essential is the entire control of the Militia, except in the exigencies above mentioned : this has not been delegated to the U. States, it is therefore reserved to the States respectively : and whenever it shall be taken from them, and a consolidation of the military force of the States shall be effected, the security of the State Governments will be lost ; and they will wholly depend for their existence upon the moderation and forbearance of the National Government. I have been fully disposed to comply with the requirements of the Constitution of the United States, and the laws made in pursuance of it, and sincerely regretted, that any request should be made by an officer of the national Government to which I could not constitutionally conform. But it appears to me that the requisition aforesaid was of that character ; and I was under the same obligation to maintain the rights of the State, as to support the Constitution of the United States. If the demand was not warranted by the Constitution, I should have violated my duty in a most important point, if I had attempted to enforce it, and had thereby assisted in withdrawing the militia from the rightful authority of the State. Besides, if the measure was not required by the Constitution, it would have been oppressive, as the Militia must have been called from their occupations to places remote from their homes, and detained in the service during the busy season of the year. I therefore, on the third day of July, issued a general order ; and on the same day wrote to General Dearborn, that I had directed the Adjutant-General to furnish him with a copy of it, and that after mature reflection I had endeavored, in that order, to pursue the course which my duty, in relation to the request contained in his letter of June 22d, required of me.

Afterwards, by a letter of July 15th, Gen. Dearborn informed me, that having received orders to leave the sea coast, where he was ordered for the purpose of taking the necessary measures for placing the towns and garrisons in a state of defence against the invasion or attack of the enemy, and to repair to Albany, it became his duty to request me to order out such part of the detached Militia *as the present state of war required*, the number being stated in his letter of June 22d ; and that as other objects would require the service of

a great part of the regular troops, it would become his duty to order them from the sea board.—This letter I had no opportunity of answering before Gen. Dearborn left the state. But I presumed, if this State was in danger of invasion, that the regular troops would not be ordered to Albany; and if they were so ordered, that the Militia were not liable to be called into service, and stationed in the Forts of the United States to do garrison duty, when no danger of invasion appeared.

On the 27th of July, I received a letter from the Secretary of War of the 21st of that month, stating, that orders had been given to General Dearborn to move the regular troops to the northern frontier, leaving a sufficient number to man the guns in the garrisons on the sea-board, and renewing the requisition aforesaid. In this letter he says “The danger of invasion which existed at the time of issuing the order of the President, increases.” This expression was peculiarly guarded, as the order of the President was issued before war was declared. However, as this, and the last letter of Gen. Dearborn seemed to imply that there was some danger of invasion, and as the measures to be taken on my part were of importance, I thought it expedient to convene the Council, and request their advice on the subject of the foregoing letters. The Council advised, that they were unable from a view of the Constitution of the United States and the documents aforesaid, to perceive that any exigency existed, which could render it advisable to comply with the said requisition. But, as upon important questions of law, and upon solemn occasions, the Governor and Council have authority to require the opinions of the Justices of the Supreme Judicial Court, that it was advisable to request the opinion of the Supreme Court upon the following questions, viz. :

1—Whether the commanders in chief of the militia of the several states have a right to determine, whether any of the exigencies contemplated by the constitution of the U. States, exist; so as to require them to place the militia or any part of it in the service of the United States, at the request of the President, to be commanded by him pursuant to acts of Congress?

2—Whether, when each of the exigencies exist, authorizing the employing the militia in the service of the United States, the militia thus employed can be lawfully command-

ed by any officer, but of the militia, except by the President of the United States.

After the above request was made to the Supreme Court, a person deputed by the inhabitants of Eastport and Robinston on our eastern boundary applied to me, representing, that there were many lawless people on the borders from whom they had serious apprehensions of an attack ; and requesting that a number of the militia might be stationed in those towns. The Council advised that three companies of the detached militia should be called into the service of the U. States for their protection. On the 5th of August, I issued an order for that purpose, and directed that two of the companies should be stationed at Eastport, and one company at Robinston, until the President should otherwise direct ; and the same day, by a letter to the Secretary of War, informed him of the transactions aforesaid—and having received the opinion of the judges on the above questions, enclosed to him their answers—a copy of that opinion, and the letters and papers above referred to, will be laid before you by the Secretary.

Soon after the declaration of war, several towns on the sea coast, applied to the Governor and Council for arms and ammunition, as many persons who were exempt from military duty were destitute of the necessary means of defence. Agreeably to the advice of the council, they were, in some instances, furnished with those articles. By inspecting the returns of the Quarter-Master-General, you will be convinced of the necessity of obtaining a further supply of small arms and military stores ; and the more so, as our defence on the sea-board seems almost wholly to be confided to the militia. We have in this state several hundred miles of sea-coast, a number of Islands near the coast are inhabited by our citizens, and more than one hundred of our towns may be approached by the enemy's ships. It is obvious therefore, that only a maritime defence can afford them full security. Still, however, we should employ such means as we possess for their protection ; and to this end, it will be necessary that the whole militia should be armed and equipped in the best possible manner, and ready to march at the shortest notice ; and in case of invasion, that arms should be in readiness for every man who is able to bear them. In this way it is probable that our defensive force, and the general security of the sea-board, will be as great as if portions of the militia were drawn

from every part of the state, and stationed in a few of the large towns on the coast.

While the war, in which we are unhappily involved, continues, it is to be carried on, only in the name and by direction of the public. The people cannot act of themselves, except for the defence of their possessions and territories.— Without the commission or particular order of the government, they have no right to commit hostilities or undertake any offensive expedition. In modern warfare, the troops alone carry on the war, while the rest of the people peaceably follow their callings, and if they refrain from hostilities, have generally but little to fear from the enemy's arms.

For many years, and until within a late period, the nations of Europe have made war with moderation and generosity, and in a manner which proved that they had not forgotten that their enemies were men, and might afterwards become friends. Indeed war is so dreadful in its effects, and so destructive to human happiness, that the law of nature allows of it only in the utmost extremity; and requires, that when it is resorted to, the persons engaged in it shall endeavor to mitigate its horrors, as far as their safety will permit, by the exercise of justice and humanity. These principles of the law of nature are confirmed by the precepts of the Christian religion.

Whatever sentiments may prevail among the people of this state concerning the justice or expediency of the present war, I hope and trust that they will perform the duties enjoined on them by our constitution and laws, and that they will do nothing to obstruct the government in the constitutional measures they may think proper to adopt. If those measures are thought to be unjustifiable or particularly injurious to this part of the union, let us cherish a confidence in the wisdom and justice of the other states, and wait with patience for the remedy provided by the constitution. In the mean time, let us regard with abhorrence those violent personal outrages, which are fatal to the peace, and disgraceful to the character of any people; let us be watchful and determined to prevent tumults and disorders of every kind, by which our internal tranquility would be endangered; and be as willing to indulge in others the right of expressing their opinions of public measures, as we are to exercise that right ourselves.

I shall readily co-operate with you, Gentlemen, in any measures that may be thought conducive to the defence and

tranquility of the State, and the preservation and security of the Union ; and may the God of our Fathers protect us in this calamitous period, and guide us in the way of duty and safety.

CALEB STRONG.

Council Chamber, October 14, 1812.

ANSWER

OF THE

HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE House of Representatives have considered your Excellency's Address to both branches of the Legislature, with that attention which so important a communication is calculated to inspire ; and will enter upon the discharge of those solemn duties which have devolved on them, with all that moderation and candor, which are consistent with the obligations they are under to their constituents and their country.

While freedom is driven from the continent of Europe, and her republics have successively fallen before that scourge of liberty, whose corruption or arms have spread desolation and slavery through the old world, the right of electing their own rulers, at stated periods, is still left to the people of the United States : A right, upon the faithful, upright and vigilant exercise of which, the continuance of our Republic most essentially depends. The people of this Commonwealth have contemplated, with anxious solicitude, the re-

turn of that period, when the State would be again *required* to appoint their portion of Electors of President and Vice President of the United States. They have considered it as an event, which, by the independent exercise of the right of suffrage, would afford a peaceful and constitutional remedy for the multiplied evils they have so long experienced; and would restore to our unhappy country, the days of her former prosperity. As the immediate Representatives of the people, therefore, your Excellency may rest assured, that this House will persevere in its efforts, to enable this great Commonwealth to discharge a duty imperiously required of them by the Constitution, and to exercise a right, at once so important to their interests and so consonant to their wishes.— A recurrence to the proceedings of the former session of the Legislature, while it will evince the readiness of the House of Representatives to sacrifice their own favorite views to the attainment of this great object, will bear testimony to the industry and zeal they have manifested in their endeavors to comply with the requisitions of the Constitution—And they now pledge themselves to your Excellency and their constituents, that they will not cease their efforts to preserve to Massachusetts the inestimable privilege, guaranteed by that instrument, of appointing, in a fair and impartial manner, Electors of the first Magistrate of the nation. To a steadfast adherence to this determination, they will be alike induced, by their own wishes, their regard to the rights and interests of their constituents, the allegiance they owe to this Commonwealth as a “sovereign and independent State,” their attachment to the Constitution of the United States, and the obligations of that oath, by which they are bound to its support. Should this duty therefore be neglected, should no mode of appointing electors be prescribed by the Legislature, should the people of this State, upon this most important occasion, be deprived of their political consequence, and of the rights of citizens, and thus have imposed on them a President hostile to their interests and abhorrent to their wishes, the House of Representatives owe it to themselves to declare, that of this political sin *they will be guiltless*. They cannot however permit themselves to believe, that at a period so momentous to their country and the world, either branch of the Legislature will attempt to controul the wishes, or counteract the demands of a great majority of the people of this Commonwealth.

The House of Representatives have witnessed with great satisfaction, the course which your Excellency has adopted and pursued, in regard to the requisition of Major-General Dearborn, for a part of the quota of the militia of this Commonwealth ; and it is due to your Excellency to declare, that the conduct of the Executive, upon this interesting subject, has met the unqualified approbation, not only of this House, but of the great body of the People. While, on the one hand, it has discovered a sincere desire to comply with the requisition of the Constitution of the United States, and the laws made in pursuance thereof, it has equally evinced a determination to protect the citizen against all unconstitutional encroachments, and to maintain the rights of the State, as secured and recognized by that Constitution. By the Constitution, Congress are wisely entrusted, not only with the right of declaring war, but with the power of raising such forces, both by sea and land, as may be necessary for its vigorous prosecution. By a discreet and judicious exercise of these important powers, the national government may, at all times, place themselves in such a state of preparation, as to render the aid of the militia unnecessary in the commencement of an *offensive war*, deliberately declared by themselves ; and the power to call the militia into service was never intended to be exercised, except in cases of sudden emergency, or for the purposes of defence ; not with a view of forming them into a standing army, or to prosecute a war of conquest. Any other construction of the Constitution than that which your Excellency has adopted, would expose the citizens to be torn from their homes, whenever the general government might think proper to declare war ; and to be retained in the service of the United States, as long as the war might continue ; while, by thus depriving the Commonwealth of all their means of protection and defence, every essential attribute of State sovereignty would be completely destroyed. The Commonwealth of Massachusetts have never surrendered to the General Government the power to call forth their militia, excepting to execute the laws of the Union, suppress insurrection, and repel invasion ; and whenever this call is made, it is not only the right of the Commander in Chief, but his sacred duty, to determine whether either of those exigencies exist. The citizens of this Commonwealth will long cherish grateful recollections of the faithful and independent manner, in which your Excellency has discharged

this important trust. And the papers and documents, upon this subject, referred to in your Excellency's communication, shall receive from the House of Representatives all that attention which their importance requires.

While the troops of the United States are withdrawn from our garrisons and harbors, and our extensive sea coast is left destitute of a maritime defence, the House of Representatives will endeavor to furnish all the means of protection in their power, by supplying every citizen with such arms and military stores, as their situation may require. Still, however, it is obvious, that maritime protection only, can afford full security to the numerous towns which are exposed to the enemy, and the Islands which border on our coast.

The House of Representatives are not without hope, that their own experience will satisfy the national government, of the necessity of a naval force ; for while disaster and defeat have attended our arms on the land, a recent occurrence has borne honorable testimony to the skill and bravery of our gallant seamen.

The House of Representatives deem it unnecessary, at this time, to enter into a consideration of the avowed causes of that unhappy war in which our country is engaged. They cannot, however, refrain from expressing their surprise and regret, that although the principal cause for its declaration has ceased, by the revocation of the British Orders in Council, no disposition has been manifested by our rulers, to bring it to a peaceable termination ; and the United States now present the novel spectacle of a nation, professedly contending for the rights of commerce, and by that contest annihilating its benefits, while, if the declarations of our own government be correct, that the French decrees are repealed, we might at this moment, enjoy an unrestrained commerce with all parts of the globe ; contending too with a nation, whose *downfall* would be attended by our own *subjugation* ; and in concert with that power, whose *triumph* would bind us in *chains*. In such a war, commenced without preparation, and prosecuted as it has been with a mixture of imbecility and rashness, it is not surprising, that those who must endure its privations, and who foresee its dreadful consequences, should, from the best principles of patriotism, proclaim its inexpediency, and doubt its justice. Upon this subject, the House of Representatives have fully expressed their opinions on a former occasion ; and they have only now to add, that by

the events which have since transpired, both at home and abroad, those opinions have been strengthened and confirmed.

In a government like ours, public sentiment alone must arrest the progress of those calamities, which the measures of the administration might produce. This House, therefore, have viewed with detestation and abhorrence, the attempts which have been openly made in a distant state, to overawe public opinion, by lawless force, and to silence the freedom of the press by personal outrage.

The House of Representatives assure your Excellency, that they will be unceasing in their efforts to maintain the tranquility of this Commonwealth, to secure to the citizens, the liberty of speech, the freedom of the press, and the rights of election ; to assuage the asperity of party animosity ; to mitigate the calamities of war, by the exercise of justice and humanity ; to preserve the union of the States in the genuine spirit of the constitution ; and, by the blessings of heaven, to restore to our suffering country, prosperity and peace.

ANSWER OF THE SENATE.

May it please your Excellency,

THE communication which you have been pleased to make to the Legislature at the opening of the present session, will meet from the Senate with that respectful consideration, which its authority and the importance of the subjects it contemplates, eminently demand. The duties of Legislators, at all times arduous, have become at the present interesting crisis of our country, peculiarly imposing. The people with anxious solicitude are looking to the measures of government for immediate protection ; and a government faithful to principle, and singly regardful of the interests of the people, will not disappoint their reasonable expectations. Upon the Legislatures of the several States, the Constitution has devolved a most important and responsible duty in the designation of the mode of appointing Electors of President and Vice President of the United States, for the discharge of which the Legislature of Massachusetts is now specially convened. That this duty is *imperative*, is most obvious from the language, by which it is enjoined. It is a high and distinguished privilege, secured to the people by their Charter of government, that the Executive should be vested by their will, and act responsible to their power. The right of election cannot be denied to them. The *mode* of the exercise is only left to be prescribed by the Legislature. If this were optional, to be complied with or neglected, the right would cease, and the election become arbitrary in the government, a matter either of convenience to the Legislature, or of indulgence to the people. On the present occasion, the members of the Senate feel solicitous only to acquit their obligations to their constituents and their country, in the adoption of *such mode*, as is consistent with the spirit of the Constitution, and congenial with the feelings, the situation and the best interests of the inhabitants of the State. In acting thus, they will on their part comply with the imperative language of the Constitution ; and should the selfishness of in-

trigae, or the pertinacity of opposition defeat their purpose, they will cheerfully submit their responsibility for consequences to the discernment and justice of the nation.

In pursuance of the authority delegated by the Constitution, and in the exercise of a discretion confided in by the people, the Congress of the United States have placed this country in the character and attitude of a belligerent with Great-Britain. This new situation has already presented unexpected events, and brought into operation novel principles. It is also calculated to draw the efficiency of the government to a hitherto untried test, and to prove its competency or inadequacy to self preservation. In the view taken by your Excellency of the subject of the requisition by the President of the United States, of a *portion* of this States' quota of the detached militia, is a striking illustration of the remark, that as yet, the experiment upon the value of our form of government, has been altogether imperfect. A similar demand was made of the Executives, of most if not of all the States in the Union, and while on the part of some, there was a prompt, zealous and patriotic compliance, which in a period of common danger spurns at etiquette, and disdains complaint, on the part of others, there has been a cold, reluctant and unaiding assent, or cautious, doubting and equivocal refusal. To believe the conduct of the National Executive, sanctioned by the conforming measures of most of the State authorities, *plainly unconstitutional*, would require more distrust of their patriotism and our own intelligence, than the members of the Senate are disposed to entertain. If the language of the Constitution be of equivocal import, confidence should yield its support to the measures of government. The hour of danger is not the fit time for abstract speculation, and to decide principles by views to political policy, would be hardly more rational than satisfactory. The vigilance with which your Excellency would guard the sovereignty of the *State*, is a sure guarantee for its present integrity; but the jealousy with which your Excellency regards the authority of the *National Administration*, might suggest an apprehension for the safety of the Union. If the existence of the exigencies provided for by the Constitution, as authorizing a requisition for the militia, is made dependent upon the information or opinion of the Executives of the several States, there must be a want of harmony and efficiency in the government. From situation,

the Executive of one State would have earlier and more precise intelligence than that of another ; and upon the same information, there would often be a diversity of action. The rope of sand, which connected the old Confederacy, would be a chain of adamant, in comparison with the obligation which should thus secure the fidelity of the several States to the Union. The Constitution, in the apprehension of the Senate, anticipated occasions for which the providence of Congress could not prepare. A resistance to law, sudden insurrection and hostile invasion are exigencies, for which a prospective remedy may be provided, and Congress are invested with authority to adopt means, at all times, for its application. To defy the event of danger, to slumber in the garrison, while the outposts are carried, to disregard threatening, until violence succeeds, would be the consummation of political folly. Must we wait to be invaded before we prepare for resistance ? And is the act of preparation *less legalized*, because it anticipates and defeats the occasion ? A detachment of the militia may be required, and from the mere requisition its necessity may be superseded. What an enemy may not accomplish by surprise, it will often not attempt. If it be denied to the National Executive to decide upon the necessity of a detachment of militia, it will render indispensable the support of a standing army. The causes of danger mostly result from our foreign relations. These are first and best known to the National Executive, and not only would their communication often be improper, but in cases easy to be conceived, would jeopardize the safety of the nation. To confide then to the Executive of the several States, the prerogative of deciding upon such Presidential requisition, would imply information which the Constitution has denied, and the existence of powers, which can be realized efficiently by the permanent authority only. The Senate therefore learn with regret, that they are constrained to dissent from the opinions of your Excellency, on this most important subject. It would have been more to their satisfaction, that the patriotic and valorous spirit of the Militia of Massachusetts should have been permitted to participate in vindicating the rights of an abused and insulted country. That there was occasion, the Senate are informed by your Excellency's communication. The State of Massachusetts, a component part of a nation at War, having "*several hundred miles of sea coast, Islands near the coast inhabited by Citizens, and more*

than one hundred towns which may be approached by the enemy's ships," must be in peculiar danger of invasion, and have the most urgent demand for that protection to which your Excellency seems aware, "*our defence on the sea-board is almost wholly to be confided!*" Should the danger not be removed, the Senate confidently anticipate the co-operation of your Excellency with the National Executive in those measures of self-preservation, which the exposed situation of our sea-board imperiously require, and with this view will cheerfully comply with the recommendation of your Excellency in providing for the supply of arms and equipments necessary to a perfect and efficient state of preparation.

May it please your Excellency—The war in which the United States are engaged, results from the injustice and aggressions of a nation, to which, *in our love for peace*, we have denied nothing but the sacrifice of our sovereignty and independence. Our commerce had become the sport of *British* rapacity, and our citizens, victims to a cruel and relentless tyranny, negotiation had failed, patience was exhausted, and hope of peaceable redress was extinct, ere a resort was had to arms—The appeal was made by Congress to the patriotism of the people. In the proportion that they value their liberties, with the same ardor that they cherish the blessings of peace, should be their devotion to this just and necessary war. Vigor in its prosecution will accelerate its desirable issue. Let the arm of Government be strengthened by the consentaneous will of the people, and the contest will soon be finished. It is upon our own divisions that the enemy may triumph. Union is more to us than *armies with banners*; and the spirit of patriotism than *weapons of warfare!*

The Senate accord with the sentiment of your Excellency, "*that the laws of nature and the precepts of the christian religion alike command the endeavor to mitigate the horrors of war, as far as safety will permit, by the exercise of justice and humanity*"—and with the highest indignation, have witnessed, within a late period, a violation of these solemn obligations by the nation with which we are contending. The employment of *Savages* whose native ferocity inspires with terror even when restrained, but spreads desolation when incited to action, is an outrage upon the first principles of civilization which since the period of the revolution, until the present war, has not been repeated. The butchery of

women and children, the scalps of old men and of infants are triumphs and trophies, of which an infidel nation would scorn to boast. And has the enemy deserved this reproach? Lest history be unfaithful in its record, for it is upon a people proud of their *Religion*, that the stigma is to be reflected.

In a government of popular existence, the administration of which is directed by the will of the people, it is reasonably to be expected, that there will be great diversity in opinion, and boldness and ardor in expression. This is as essential to the continuance of the republic, as it is grateful to the minds of freemen. The Constitution has provided for a peaceable redress of wrongs, and for a certain correction of oppressive and arbitrary measures, by the opinions and suffrages of the people. A recourse to violence in opposition to law, can therefore never be necessary, and in no event is to be justified. The late most unhappy and dreadful commotion in the capital of a sister state, is an alarming and monitory illustration of the total insecurity of all personal privilege, against the fury and madness of an excited and un-governed populace; and has furnished a precedent, which the *state of Massachusetts* must ever blush to acknowledge, has met with countenance from some of her citizens, in the insults and indignities more recently offered to public officers. Your Excellency may be assured of the sacred regard, in which the *Senate of Massachusetts* held the right of opinion and the freedom of discussion, and of the solemn determination to pursue such measures in their individual as well as official character as shall restrain personal outrage, preserve order, and maintain the supremacy of law.

RESOLVES.

October, 1812.

CHAP. LXIV.

Resolve on the Petition of James Freeman and others.
19th October, 1812.

On the petition of James Freeman, Nathan Nye and Samuel Fessenden, present Committee of the first precinct in the town of Sandwich, praying that Branch Dillingham, and Zenas Nye, Constables of said town, may be authorized to collect the present tax of said precinct for the present year A. D. 1812.

Resolved, for reasons set forth in said petition, that the said Dillingham and Nye be, and they are hereby authorized and empowered to collect the said precinct tax which has been committed to them; and that the same authority is hereby given them for that purpose, as if they had respectively been legally chosen Collectors of taxes for said precinct.

CHAP. LXV.

Resolve confirming the doings of the town of Lebanon, County of York. 19th October, 1812.

On the petition of a Committee in behalf of the town of Lebanon, in the County of York, praying a confirmation of

the acts and proceedings of the Selectmen, Assessors and Town Clerk of said town.

Resolved, for reasons set forth in said petition, that the several persons, purporting to be chosen to the respective town offices in said town of Lebanon, at the last annual meeting of the inhabitants of said town for the choice of town officers, be and hereby are considered as the legal officers of said town to all intents and purposes, notwithstanding any omissions or illegalities in the proceedings of said meeting, or in the acts and proceedings of said town at any former period.

Resolved further, That the Collectors of said town of Lebanon for the year 1811, be and hereby are authorized to complete the collection of the taxes contained in their respective rate bills in pursuance of warrants to them respectively directed, notwithstanding any defects in said warrants by reason of having no seals affixed to the same.

CHAP. LXVI.

Resolve on the Petition of Nathaniel Lawrence, Executor to the Will of Nathaniel Soden. 19th October, 1812.

On the petition of Nathaniel Lawrence, Executor of the last will and testament of Samuel Soden, late of Watertown, yeoman, deceased, stating that he duly complied with the direction of law in posting up notifications of his appointment and in advertising the same in the public newspapers, as ordered by the Judge of Probate for the County of Middlesex, but that through mistake of the law, he did not file his affidavit of his doings before said Judge within three months from the time of undertaking that trust, but did file the same afterwards :

Resolved, That the affidavit of the said Nathaniel Lawrence, made and filed in the Probate Office of the County of Middlesex on the seventh day of October, in the year of our Lord one thousand eight hundred and twelve, shall be valid in law to all intents and purposes, in the same manner as if the same had been made and filed by him within three months after his undertaking of the said trust of Executor to the said Samuel Soden.

CHAP. LXVII.

Resolve on the Petition of John Partridge, Administrator on the estate of Joshua Davis. 19th October, 1812.

On the petition of John Partridge, Administrator with the will annexed, on the estate of Joshua Davis, late of Sidney, in the County of Kennebeck, gentleman, deceased, shewing that the said Davis on the second day of April, A. D. 1804, then in full life, did by his certain agreement of that date, bargain and sell to Thomas Thorn, of Lisbon, in the County of Lincoln, yeoman, a certain tract of land, lying in said Lisbon, bounded thus, viz. beginning at the southerly corner of land belonging to James Small; thence running northerly on said Small's line, two hundred and forty poles; thence running easterly sixty six poles and two thirds of a pole; thence running southerly by land belonging to Lewis Cushman, two hundred and forty poles; thence running westerly on the north line of the Hallowell Right, so called, sixty six poles and two thirds of a pole, to the first mentioned bounds, containing one hundred acres more or less; and shewing further, that the said Thorn had made several payments to said Davis in his life time, and since his decease, said Thorn has paid the residue to the said administrator, but the said Davis died before he executed a deed thereof, and prays this Court, that he, the said administrator, may be authorized to make and execute a deed accordingly.

Therefore resolved, for reasons set forth in said petition, that John Partridge, of Sidney, in the County of Kennebeck, aforesaid, administrator on the estate of said Joshua Davis, be, and he hereby is authorized and empowered to make and execute in due form of law, a good and sufficient deed of the aforescribed premises to said Thomas Thorn, his heirs and assigns forever, and to warrant and defend the same to the said Thorn, his heirs and assigns forever, against the lawful claims and demands of any person or persons whatsoever, in as full and ample manner as the said Joshua Davis could have done in his life time.

CHAP LXVIII.

Resolve on the Petition of John Rice Goulding, discharging him of an Execution. 20th October, 1812.

On the petition of John Rice Goulding, praying to be discharged from a judgment in favor of the Commonwealth, and execution issued thereon, by which the said John is now imprisoned in the common gaol in the town of Worcester :

Resolved, for reasons set forth in said petition, that the said John Rice Goulding be, and he hereby is discharged and fully released from the said judgment and execution, and that the Sheriff of the County of Worcester be, and he hereby is authorized and empowered to discharge the said John Rice Goulding from his imprisonment on the said execution :

Provided, however, that the Commonwealth shall not be subjected to any cost or expense which may have accrued for the support of the said John during his confinement thereon.

CHAP. LXIX.

Resolve on the Petition of Edmund Eastman, a Member of the House of Representatives, granting him \$84. October 20th, 1812.

On the petition of Edmund Eastman, a Member of this House from the town of Limerick, praying to be allowed for travel and attendance as such at the last session of the General Court, although he was not present, having been taken sick on his way to attend the same, and confined thereby for more than two months :

Resolved, for reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to the said Edmund Eastman, the sum of eighty four dollars, in full compensation of his claim in the premises.

CHAP. LXX.

Resolve for providing for the pay of the Council, Senators and House, &c. 20th October, 1812.

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

CHAP. LXXI.

Resolve for Districting the Commonwealth for the purpose of choosing Electors of President and Vice President. 22d October, 1812.

Resolved by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That for the purpose of choosing Electors of President and Vice President of the United States, this Commonwealth shall be divided into six Districts, as follows :—The Counties of Suffolk, Essex and Middlesex, shall form one District and choose five Electors ; the Counties of Worcester, Hampshire, Hampden, Franklin and Berkshire, shall form one District and choose six Electors ; the Counties of Plymouth, Bristol, Norfolk, Barnstable, Dukes County and Nantucket, shall form one District and choose four Electors ; the Counties of York, Cumberland and Oxford, shall form one District and choose three Electors ; the Counties of Lincoln, Kennebeck and Somerset, shall form one District and choose three Electors ; and the Counties of Hancock and Washington, shall form one District and choose one Elector.

And be it further resolved, that the Selectmen of the several Towns and Districts, and the Assessors of the several Plantations in the respective Electoral Districts before

described, shall in manner the law directs for holding town Meetings, and by five days previous notice (which shall be sufficient for this purpose, any law or usage to the contrary notwithstanding) cause the inhabitants thereof, duly qualified to vote for Representatives to the General Court of this Commonwealth, to assemble on Thursday the twelfth day of November next, to give in their written or printed votes to the Selectmen, or Assessors, whose duty it shall be to preside in such meeting, for the number of persons as Electors assigned to such Districts respectively, 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; and the said Selectmen or Assessors, or the major part of them, shall, in open town meeting, sort and count the votes and form a list of the persons voted for, with the number of votes for each person against his name, and shall make a public declaration thereof in said meeting, and shall in presence of said inhabitants seal up copies of said list and transmit the same to the office of the Secretary of the Commonwealth, on or before the twentieth day of November next; and on the twenty-first day of November next, the Governor and Council, then in session, shall examine said returns and determine and declare, who are elected from each District by a majority of the votes in said Districts respectively; and in case the number of Electors hereby appointed to each District shall not be chosen by a majority of votes, it shall be the duty of the Governor and Council to ascertain from the returns of votes, the persons or person who shall have the highest number of votes returned from such District, and to declare as many of such persons, having such plurality of votes, as shall be equal to the deficient number, duly elected for such District.

And be it further resolved, That his Excellency the Governor be, and is hereby requested forthwith to transmit to each person so chosen Elector, a certificate of said choice; and that said Electors be, and hereby are directed to meet on the first Tuesday of December next, at the State House in Boston, at four o'clock in the afternoon; and in case of the death or absence of any of the Electors, the deficiencies shall immediately be supplied from the people, by a majority of votes of the Electors present; and the Electors, thereafter, on the first Wednesday in December next, shall vote by ballot for one person for President, and for one person for Vice

President of the United States ; and that for their travel and attendance, they shall receive the same compensation as Members of the Senate are entitled to.

And be it further resolved, That if the Selectmen of any Town or District, or the Assessors of any Plantation in the Commonwealth, shall neglect to transmit the list of votes of said Town, District, or Plantation, in manner aforesaid, to the Secretary of the Commonwealth, on or before the twentieth day of November next, each of said Selectmen or Assessors so neglecting, shall forfeit and pay a sum not exceeding five hundred nor less than one hundred dollars :

Provided, That if the Selectmen or Assessors aforesaid, shall transmit to the Sheriff of the County in which such Town, District or Plantation shall lie, the votes of such Town, District or Plantation, on or before the fourteenth day of said November, the said Selectmen shall be excused from the penalty aforesaid ; and it shall be the duty of the Sheriffs of the several Counties in this Commonwealth, to transmit the votes by them respectively received from the Selectmen or Assessors of the several Towns, Districts and Plantations, to the Secretary of the Commonwealth, on or before the said twentieth day of November next ; and any Sheriff neglecting to return the votes by him received as aforesaid, within the time aforesaid, shall forfeit and pay for any such neglect, a sum not exceeding one thousand nor less than five hundred dollars, and the Sheriff shall be allowed and paid out of the Treasury of this Commonwealth, the sum of ten cents for each mile's travel to and from the town of Boston, in transmitting the votes aforesaid.

And be it further resolved, That the penalties herein provided, may be prosecuted for and recovered by indictment or by action on the case, in the Supreme Judicial Court, or Circuit Court of Common Pleas, one moiety thereof to the use of the Commonwealth, and the other moiety to him or them who may complain, prosecute or sue for the same.

CHAP. LXXII.

Resolve on the Petition of Asa Luddens, discharging him from an Execution. 23d October, 1812.

Upon the representation and petition of Asa Luddens, stating that an execution was issued against him upon a judgment recovered by the Commonwealth against him, the said Luddens, at the March term of the Supreme Judicial Court, in the County of Suffolk, in the year of our Lord 1811, and praying, for reasons set forth in said petition, to be discharged therefrom.

Resolved, That the Sheriff of the County of Hampshire, or his Deputy, in whose hands the said execution now is, be, and he is hereby directed, upon the payment of all costs included in said execution, and his fees, to discharge the said execution, that the said Asa Luddens be therefrom fully acquitted, and discharged from the same.

CHAP. LXXIII.

Resolve on the Petition of Josiah Batchelder, allowing further time for payment of his bond. 23d October, 1812.

On the petition of Josiah Batchelder, of Boston, in the County of Suffolk, shewing, that he on the fifth day of August, in the year of our Lord one thousand eight hundred and nine, contracted with the Agent for the sale of Eastern Lands, to purchase a tract of Land, containing twenty-eight thousand eight hundred twenty two acres, and gave in part payment for the same, his four obligations, amounting to four thousand three hundred twenty dollars, payable in four equal annual payments, the last of which will expire on the fifth day of August, in the year one thousand eight hundred and thirteen, and praying for an extension of time for completing the payment of his said obligations, and also for effecting a settlement of the tract according to the terms of the contract, and of the deed to be given in pursuance of the same.

Resolved by the Senate and House of Representatives in General Court assembled, and by the authority of the same,

That the said Josiah Batchelder be, and he is hereby allowed the further term of two years from the fifth day of August next ensuing, to complete the payment of the balance which may then be due from the said Batchelder to the Commonwealth on the obligations aforesaid, he, the said Batchelder, paying interest thereon according to the terms of the said contract; and also that he, said Batchelder, be allowed the further time of two years, in which to effect the settlement of twenty families on the said tracts, after the term shall have elapsed which is mentioned in the said contracts.

Provided, nevertheless, that the said Batchelder, his heirs or assigns, shall on or before the first day of September next, give bond to this Commonwealth in the sum of four hundred dollars, with sufficient surety or sureties to the satisfaction of the Agents for the sale of Eastern Lands; conditioned that the number of families required by said original contract to be settled on said land, shall within the said term of two years be settled on the same, or for the payment of thirty dollars for each family which shall then be deficient of the whole number.

CHAP. LXXIV.

Resolve on the Petition of William Farwell.
23d October, 1812.

On the petition of William Farwell, of Fitchburg, in the County of Worcester, praying that the disabilities he is under in consequence of having been convicted at the Supreme Judicial Court, begun and holden at Worcester, within and for the said County of Worcester, on the third Tuesday of April, in the year of our Lord one thousand eight hundred and ten, of having in his possession, within this state, false, forged and counterfeit bank bills, with intent to pass the same, knowing the same to be false, forged and counterfeit, may be removed.

Resolved, for reasons set forth in said petition, and the certificate thereto subjoined, that the disabilities the said William Farwell is under, in consequence of the said conviction, be removed, and that he be restored to all legal rights and privileges of a citizen of this Commonwealth,

to which he would be entitled had he never been convicted as aforesaid.

CHAP. LXXV.

Resolve authorizing the Governor to employ Expresses.
23d October, 1812.

Resolved, That his Excellency the Governor be, and hereby is authorized to employ such Express riders, or other means as to him, with advice of Council, may appear expedient, for the purpose of communicating to the Towns, Districts and Plantations of the Commonwealth, the resolution providing for the choice of Electors, and also of facilitating the returns of votes to the Secretary's office; and that a sum not exceeding five hundred dollars be appropriated for this purpose, for which sum his Excellency the Governor is hereby authorized to draw his warrants on the Treasury.

CHAP. LXXVI.

Resolve on the Petition of John Marston, directing the Treasurer to issue a new State Note.
23d October, 1812.

On the petition of John Marston, stating that he has in his possession, a State Note which has been altered, and praying for a new Note for such sum as shall be found to be due.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and directed to receive of the said John Marston, a consolidated State Note, numbered twenty thousand five hundred and thirty-one, at the sum of four pounds and fourteen shillings, being the sum for which it originally issued, upon the loan authorized by an act passed February 7, 1794, calculating the interest thereon agreeably to the direction of said act.

CHAP. LXXVII.

Resolve on the Petition of Ezra Kingman, authorizing Nathaniel Thompson to execute a Deed.

24th October, 1812.

On the petition of Ezra Kingman, stating that he purchased two certain lots of Land of one Isaac Chamberlain, late of Bridgewater, in the County of Plymouth, deceased, and took his promise in writing, but without seal, for a Deed, and that the said Isaac died, without having given said Deed, praying that the said Land may be confirmed to him.

Resolved, That Nathaniel Thompson, Esq. of Halifax, in the County of Plymouth. aforesaid, Administrator on the Estate of the said Isaac Chamberlain, deceased, be, and he hereby is authorized and empowered to make and execute a Deed or Deeds of the said lots of Land to the said Ezra Kingman, describing them according to their true boundaries, and the said Deed or Deeds so made and executed, shall give to, and vest in the said Ezra, as good and perfect title to said Lands and their appurtenances, as if the said Isaac had given and executed a Deed thereof to the said Ezra, according to his said promise in writing.

CHAP. LXXVIII.

Resolve on the Petition of Elijah Robinson and Wife.

24th October, 1812.

On the petition of Elijah Robinson, and Charlotte, his wife, praying that they may be authorized to make and execute a Deed of a certain tract of Land, lately sold by her father, now deceased, to John Whitmore.

Resolved, That Elijah Robinson, of Vassalborough, in the County of Kennebeck, and Charlotte, his wife, be, and they hereby are authorized and empowered to make, execute and deliver unto John Whitmore, of Bowdoinham, in the County of Lincoln, a good and lawful Deed of a certain lot of Land lying in said Bowdoinham, containing about one hundred acres, and bounded (according to the report of Commis-

sioners) westerly by Robert Jaek's land ; southerly by Robert Patten's land ; easterly by land formerly owned by Captain Maxwell ; and northerly by James Williams' land, and lies between the McKenney lot, so called, and a lot of land sold by Joshua Davis, father of the said Charlotte, to Robert Patten, which said land to be conveyed as aforesaid, appears to have been sold and bargained to be conveyed to the said Whitmore by the said Davis, who afterwards died, without having legally conveyed the same, and such Deed so to be made, executed and delivered by the said Elijah and Charlotte, as aforesaid, shall make and vest in the said Whitmore as good and valid a title to said lands and their appurtenances, as if the said Davis, had made, executed and delivered such Deed.

CHAP. LXXIX.

Resolve on the Petition of Lee Tinker, authorizing Stephen Spelman, to execute a Deed. 24th October, 1812.

On the petition of Lee Tinker, of Granville, in the County of Hampden, setting forth, that in the life time of his brother, Martin Tinker, late of Granville, aforesaid, deceased, he, the said Lee, purchased of the said Martin, a certain lot of Land, lying in said Granville, containing about twenty acres, and bounded south on lands of William Marvin ; west on a County road ; north on land of Nathan Caldwell ; and east on lands of the heirs of said Martin, deceased, and that the said Lee paid to the said Martin in his life time, the full consideration for the said land, viz. four hundred and seventy dollars ; and that the said Martin died without having executed a Deed of the said premises to the said Lee Tinker.

Therefore resolved, That Stephen Spelman, of said Granville, Administrator on the Estate of said Martin Tinker be, and he is hereby authorized and empowered to make and execute a good and sufficient Deed of the Land above described, to the said Lee Tinker ; and such Deed, duly acknowledged and recorded, shall give as good a title to the said Land, to all intents and purposes, as if the same had been duly executed by the said Martin Tinker in his life time.

CHAP. LXXX.

Resolve allowing Pay to Sylvanus Lapham, Assistant to the Messenger of the General Court. 24th October, 1812.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, unto Sylvanus Lapham, Assistant to the Messenger of the General Court, one dollar per day during the present session of the Legislature, over and above the usual allowance to him.

CHAP. LXXXI.

Resolve allowing Pay to John Perry, Assistant to the Messenger of the General Court. 24th October, 1812.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Perry and Warren Chase, Assistants to the Messenger of the General Court, one dollar per day each, during the present session of the General Court, over and above the usual allowance to them.

CHAP. LXXXII.

Resolve granting Jacob Kuhn \$400 to purchase Fuel for the General Court, &c. 24th October, 1812.

Resolved, That there be 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 and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary and Treasurer's Offices, he to be accountable for the expenditure of the same.

CHAP. LXXXIII.

Resolve making Appropriations for the State Prison.
24th October, 1812.

Resolved, That his Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized to draw warrants upon the Treasurer of this Commonwealth, in favor of the Warden of the State Prison, for such sums, and at such periods as may be deemed expedient by the Governor and Council, not exceeding three thousand dollars, to enable said Warden to fulfil his contracts and defray the necessary expences of said Prison, he to be accountable for the same.

CHAP. LXXXIV.

Resolve for Paying Stephen H. Tower, Page to the House.
24th October, 1812.

Resolved, That there be allowed and paid out of the Treasury to the Messenger of this House, to be by him paid over to Stephen Hall Tower, one dollar and twenty-five cents for each and every day he, the said Tower, shall have attended as Page to this House the present session of the General Court.

CHAP. LXXXV.

Resolve for Paying Ward Lock, Assistant Messenger to the Governor and Council. 24th October, 1812.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Ward Lock, Assistant Messenger to the Council, fifty six dollars in full for his services the last and the present session of the General Court.

CHAP. LXXXVI.

Resolve authorizing the Quarter Master General to purchase Gunpowder, Timber, &c. 24th October, 1812.

Resolved, That the Quarter Master General be, and he is hereby authorized and directed to purchase, for the use of the Commonwealth, five tons of Gunpowder; also twenty tons of Timber of suitable dimensions for mounting the Cannon belonging to the Commonwealth.

Be it further resolved, That the said Quarter Master General be, and he is hereby directed to cause to be erected, a brick Building in the town of Cambridge, in the County of Middlesex, in size sufficient for the safe keeping of the Military Stores, the property of the Commonwealth, deposited in said town of Cambridge.

Be it further resolved, That the sum of twelve thousand dollars be paid to the said Quarter Master General, from the Treasury of this Commonwealth, to meet the expences aforesaid, for the application of which he is to be accountable, and that his Excellency the Governor, be requested to issue his warrant on the Treasury for the amount, at such periods, and in such sums as his Excellency with advice of Council, may deem expedient.

CHAP. LXXXVII.

Resolve on the Petition of Thomas Shepurd, Esq. authorizing the Treasurer to issue an alias Warrant of Distress. 24th October, 1812.

Upon the petition of Thomas Shepard, Esq. late Sheriff of the County of Hampshire, praying that a warrant of distress against Jonathan Wood, Collector of the town of Pelham, for the State tax, assessed upon said town for the year 1810, amounting to one hundred and sixty five dollars, may be renewed.

Resolved, for reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he hereby is authorized to issue an alias warrant of distress against Jonathan Wood, Collector of said town of Pelham, for the balance due from said town of the State tax, for the year A. D.

1810, the said Jonathan Wood having escaped from the custody of William C. Lyman, a Deputy Sheriff under the said Thomas, late Sheriff as aforesaid, after the said Wood was arrested on a former warrant.

Providing, nevertheless, that nothing in this resolve shall in any manner discharge the said late Sheriff or any other person or persons from his or their responsibility to this Commonwealth, or to the Treasurer thereof, for the amount due to said Commonwealth on account of said tax.

CHAP. LXXXVIII.

Resolve providing for the Payment of the Clerks of the two Houses. 24th October, 1812.

Resolved, That there be allowed and paid out of the public Treasury, one hundred and twenty dollars to Marcus Morton, Clerk of the Senate, and the like sum to Benjamin Polard, Clerk of the House of Representatives, and seventy five dollars each to Robert C. Vose, Assistant Clerk of the Senate, and Thomas Walcutt, Assistant Clerk of the House of Representatives, in full for their services for the present session.

CHAP. LXXXIX.

Resolve on the Petition of Benjamin Joy, authorizing the Agents for the Sale of Eastern Lands, to convey a lot of Land to said Joy. 24th October, 1812.

On the petition of Benjamin Joy, requesting that the Agents for the sale of Eastern Lands be authorized to give a Deed of a lot of Land, in conformity to a resolve passed the 3d March, 1810.

Whereas, the said Benjamin Joy having completed the road mentioned in said resolve of the third March, 1810, the Agents for the Sale of Eastern Lands, are authorized to convey the lot of Land in Township No. 4, 1st Range of Townships north of the Waldo Patent, granted by said resolve (upon a Certificate being produced from Charles Hammond,

Esq. that said road is completed to his satisfaction) in the same manner they were authorized to do in case said road had been seasonably made.

CHAP. XC.

Resolve prescribing the Form of the Returns of Votes for Electors of President and Vice President of the United States, &c. 24th October, 1812.

Resolved. That it be recommended to the several Towns, Districts and Plantations in this Commonwealth, to observe the following form in the returns of votes for Electors of President and Vice President, and that the Secretary of the Commonwealth cause the same to be published, as soon as may be, in all the newspapers in which the laws of the Commonwealth are published :—

FORM.

At a legal Town Meeting held at _____ in the County of _____ on the twelfth day of November, in the year 1812, for the choice of Electors of President and Vice President of the United States, the undernamed persons had the number of votes to their names respectively annexed :—

<i>Names.</i>	<i>Number of Votes.</i>
A. B.	_____ hundred.
C. D.	_____ hundred.
E. F.	_____ hundred.

Sorted, counted and sealed in presence of

G. H. }
T. K. } *Selectmen.*

Attest,

Town Clerk.

CHAP. XCI.

Resolve appropriating Money to pay for Alterations in Representative and Senate Chambers. 24th October, 1812.

Resolved, That the sum of one thousand dollars be allowed and paid to Jonathan Hunnewell, Johnathan Whitney

and Thomas Barry, to defray the expences of alterations and repairs made by order of this House in the Representatives' Chamber, they to be accountable for the same ; and that his Excellency the Governor be, and hereby is authorized to draw his warrant on the Treasury for that sum accordingly.

Be it further resolved, That the sum of one hundred and ninety two dollars, thirty eight cents, be allowed and paid to Hon. Samuel Dana, Esq. President of the Senate, to defray the expences of alterations and repairs made by order of the Senate in the Senate Chamber, he to be accountable for the same ; and his Excellency the Governor, is requested hereby to draw his warrant on the Treasurer for that sum accordingly.

CHAP. XCII.

Resolve for Paying Ezekiel G. Dodge, a Member from Thomastown, and Cyril Brown, from Vinalhaven.
24th October, 1812.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Ezekiel G. Dodge, a Member of this House, from the town of Thomastown, sixty eight dollars, and to Cyril Brown, a Member of this House from the town of Vinalhaven, seventy two dollars in full for their travel and attendance respectively, the present session of the General Court.

CHAP. XCIII.

Resolve for Paying Leonard Hoar, a Member from the town of Lincoln. 24th October, 1812.

Resolved, There be paid out of the public Treasury to Leonard Hoar, Esq. Member of the House of Representatives from the town of Lincoln, in full for his travel and attendance the present session of the General Court, twenty seven dollars, he being omitted in the pay roll.

CHAP. XCIV.

Resolve for Paying Robert Snell, a Member from Poland.
24th October, 1812.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Robert Snell, a Member of this House from the town of Poland, fifty-five dollars in full for his travel and attendance the present session of the General Court.

CHAP. XCV.

Resolve on the Petition of Walter Field and others, legalizing certain Actions. 26th October, 1812.

On the petition of Walter Field and others,

Resolved, for reasons set forth in said petition, that the writs entered in the Circuit Court of Common Pleas, held at Greenfield, in and for the County of Franklin, on the first Monday of August last, which were made returnable on that day, be sustained by the said Court, and proceeded upon to final judgment, in the same manner as if the act entitled "an act to fix the times and places for holding the Circuit Courts of Common Pleas, within and for the several Counties in this Commonwealth, and for repealing all laws heretofore passed for that purpose," passed June 22d, 1812, had taken effect immediately upon passing the same.

Note—This Resolve passed the Senate the 23d, and the House of Representatives 24th of October.

RESOLVES

OF THE

General Court of Massachusetts,

PASSED AT THEIR SESSION,

COMMENCING ON THE TWENTY SEVENTH OF JANUARY, AND

ENDING ON THE TWENTY SEVENTH DAY OF

FEBRUARY, A. D. 1813.

GOVERNOR'S MESSAGE.

REPRESENTATIVES' CHAMBER, JAN. 27th, 1813.

At 12 o'clock, the Secretary of the Commonwealth went down from the Council Chamber to the Senate, and to the Representatives' Chamber, with the following Message from his Excellency the Governor:—

MESSAGE :

Gentlemen of the Senate,

And Gentlemen of the House of Representatives,

IN the elections which have taken place in this State since your late session, the People have manifested an unusual degree of unanimity. They have, for the most part, an equal interest in promoting the prosperity of the country, and when dispassionate and well informed, they will not be found deficient either in discretion or rectitude. May they be yet more united both in sentiments and affection, and be ready to forget unimportant points of difference when the public peace and safety require their union.

Although we have no agency in conducting our national affairs, we must view with anxious concern the important changes which are taking place among the powers of Europe. One of its sovereigns, under the pretence of giving freedom to the seas, is carrying war and desolation into regions remote from each other, and seems determined, by fraud and violence, to subjugate or destroy every civilized nation.— Thus tyranny has in all ages assumed the fictitious garb of liberty. In the calamities and dangers of Europe we are now unhappily involved ; but as the principal alledged cause of hostility against England has been removed by the repeal of the British Orders in Council, and a desire has been evinced to keep the way open to reconciliation, we can hardly suppose that the war will be continued, to protect in our merchant vessels, the seamen of Great Britain against the claims of that government ; or to conquer the adjoining territories, the acquisition of which must be expensive and of very doubtful advantage ; and still less to aid the triumphs and support the usurpations of the unrelenting oppressor of mankind.

In a commercial State the contracting of debts is necessary, as trade cannot be carried on to any great extent without credit. But owing to the spoliations upon our commerce by the nations of Europe ; to the frequent and unexpected changes in the commercial regulations and restrictions of our own government ; and to the present war with Great Britain, the unavoidable accidents to which men in trade are exposed, have of late been more numerous than at any former period. Many persons by these unforeseen events, have been impoverished in their circumstances, and are become incapable of paying their debts. Perhaps you will think it necessary to make some provision, by law, for their relief, which shall guard them against the severity of their creditors, and at the same time give no encouragement to extravagance or fraud, by an unreasonable indulgence to debtors.

The commissioners appointed in pursuance of the Resolve of the 20th of June, 1811, to determine whether certain persons claiming lands in Bristol and other towns in the county of Lincoln, are entitled to any part of the lands lying within the boundaries of their respective claims, have made an award, which will be delivered to you by the Secretary.— This award if carried into execution will probably have a happy effect in producing a settlement of disputes in that

part of the State. In the letter which the commissioners addressed to me, you will perceive that individuals under one of the claims have performed services and expended monies in settling and defending the country, for which they have failed to realize a compensation. But the Commissioners doubted whether the above case was within their powers. On this subject you, Gentlemen, will probably have no hesitation in adopting the measures they have recommended. By a Resolve of the 24th of last June, the sum of twelve hundred dollars was appropriated to meet the expences of the Commissioners, a great part of which has been applied accordingly. As their service appears to have been difficult and highly meritorious, I have no doubt you will be disposed to make them an honourable compensation.

The Secretary will lay before you the Adjutant General's Return of the whole Militia of the Commonwealth. His Return of the detached Militia under the General Order of the 25th of last April; a statement of the Field Artillery and its distribution; and copies of all the Magazine Returns of the several towns within each Brigade. You will be gratified by his representation, that the Militia throughout the State, with some minute exceptions, are well organized, and capable of acting with promptness and effect whenever required by the exigence of affairs.

CALEB STRONG.

Council Chamber, January 27th, 1813.

RESOLVES

Passed the Session commencing January 27th, 1813.

CHAP. XCVI.

Resolve on the Petition of Stephen Choate, late Treasurer of the County of Essex. 30th January, 1813.

Upon the petition of Stephen Choate, late Treasurer of the County of Essex, stating that he had received certain sums of money therein specified, in bills which have since depreciated, and praying relief.

Resolved, for reasons set forth in said petition, that the Treasurer of this Commonwealth be authorized, upon a settlement with said Stephen Choate, to receive of said Stephen Choate as money, two hundred and fifty five dollars in bills of the Northampton Bank ; one hundred and ninety five dollars in bills of the Berkshire Bank, and thirty dollars in bills of the Farmers' Exchange Bank, being the same bills described in said Stephen Choate's petition.

CHAP. XCVII.

Resolve establishing the Pay of the Members of the Legislature. 1st February, 1813.

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 and every day's attendance the present session of the General Court ; and the like sum of two dollars for every ten miles travel from their respective places of abode to the place of the sitting of the said Court.

And be it further resolved, That there be paid to the President of the Senate and to the 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.

CHAP. XCVIII.

Resolve on the Petition of John Edmands, authorizing him to execute a Deed. 2d February, 1813.

Whereas, Samuel Dewing, late of North Brookfield, in the County of Worcester, deceased, did, in his life time, contract with Peter Harwood, of said North Brookfield, to sell and convey to him a certain tract of land lying in said North Brookfield, known by the name of the Bacon Lot, containing about twenty two acres, lying in common and undivided with land of Solomon Dewing, Jun. and did, at the time of said contract, receive a part of the payment for said land, and did agree to give said Harwood, a good and sufficient Deed of the same, but did not in his life time fulfil said agreement.

Therefore resolved, That John Edmands, of said North Brookfield, as Administrator of the goods and estates which were of said Samuel Dewing, he. and is hereby authorized to execute and acknowledge a Deed of said Land to the said Peter Harwood, his heirs and assigns, in as full and ample a manner as said Samuel Dewing could have done in his life time : and the said Deed so executed and acknowledged, may be delivered by the said Edmands, and shall be as valid and effectual in law, as if the same had been executed by the said Samuel Dewing in his life time.

CHAP. XCIX.

Resolve allowing Pay to John Williams, a Member of the Legislature from Conway. 5th February, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to John Williams, of Conway, a Member of this House, forty five dollars in full for

his travel and attendance at the last session of the General Court.

CHAP. C.

Resolve confirming the Doings of the Town of Gilead.
6th February, 1813.

On the petition of Perley Burnam and Abraham Burbank, Selectmen of Gilead,

Resolved, That whereas doubts exist as to the legality of the proceedings of a Town Meeting held in said Gilead, on the third day of March, eighteen hundred and twelve, the same are hereby confirmed and made valid, any want of conformity to the law regulating the choice of town officers and town meetings to the contrary notwithstanding :

Provided, That this resolve shall not be construed to legalize any sale of real estate, by virtue of any tax voted in said town of Gilead, since said proceedings were had in said town meeting.

CHAP. CI.

Resolve confirming the Records and Doings of the Town of Limerick. 6th February, 1813.

On the petition of the Town of Limerick, in the County of York, praying that the Records and Doings of the same may be confirmed and established, notwithstanding any informalities, up to the present time.

Resolved, That the transactions of said town meetings be, and they are hereby confirmed and rendered valid, any informalities or irregularities in regard to issuing, posting and recording the warrants for meetings of said town notwithstanding :

Provided, however, that nothing herein contained, shall be so construed as to effect the title to any lands assessed or sold as the estate of any non resident proprietors of lands lying within the same town.

CHAP. CII.

Resolve on the Petition of William Donnison, Adjutant General. 6th February, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to William Donnison, Esq. the sum of seven hundred and fifty dollars in full compensation for his services as Adjutant General, and for office rent, and clerk hire in said office, to the first day of January, 1813.

CHAP. CIII.

Resolve confirming the Doings, &c. of the Town of Limington. 6th February, 1813.

On the petition of a Committee in behalf of the Inhabitants of the town of Limington, in the County of York :

1st—Stating that the warrant issued for calling their first meeting in said town, which was holden April 2d, 1792, was never recorded and the original lost, but the notification and proceedings of said meeting are recorded.

2d—That at said meeting, and every other annual meeting prior to the year 1802, there is no record that the town officers were sworn.

3d—That, at the annual meeting in 1802, and at every annual meeting since, it is not recorded by whom the town officers were sworn, or that they were sworn agreeably to the forms prescribed by law, and praying that said records and proceedings may be confirmed and rendered valid in law, notwithstanding said omissions.

Resolved, for reasons in said petition, that the proceedings of all the aforesaid meetings of the said town of Limington, and the records thereof, and of the qualifications of their town officers be, and are hereby confirmed and rendered valid in law to all intents and purposes, any illegalities or omissions in issuing, posting, returning or recording the warrants or notifications of said meetings, or in recording the oaths or legal qualifications of their town officers, or any omissions respecting them notwithstanding.

CHAP. CIV.

Resolve on the Petition of the Selectmen of the town of Plymouth. 6th February, 1813.

On the petition of the Selectmen of the town of Plymouth, for and in behalf of said town, praying for a further time to locate the last township of land granted them on the 24th February. 1808.

Resolved, That for reasons set forth in said petition, that a further time of three years from this date be, and hereby is allowed to said Inhabitants to locate said township, and the Agents for the Sale of Eastern Lands, are hereby directed to govern themselves accordingly, any thing in said resolve to the contrary notwithstanding.

CHAP. CV.

Resolve on the Petition of John Lowell and Calvin Sanger. 9th February, 1813.

On the Petition of John Lowell, of Boston, in the County of Suffolk, and Calvin Sanger, of Sherburne, in the County of Middlesex, owners and proprietors of two Townships of Land in the District of Maine, praying further time for completing the settling duties required in the original grants.

Resolved, for reasons set forth in said petition, that a further time of three years from the first day of June next be, and hereby is allowed to the said John Lowell and Calvin Sanger, to complete the settlement of forty families on each township, viz. Townships number five in the fifth range, and number four in the sixth range north of the Waldo Patent.

Provided, the said John Lowell and Calvin Sanger, their heirs or assigns, shall on or before the first day of June next, give bonds to the Treasurer of this Commonwealth, in the sum of two thousand four hundred dollars for each of said townships, with sufficient surety or sureties to the satisfaction of the Agents for the Sale of Eastern Lands ; conditioned that there shall be settled on each of said townships, the number of forty families within the time extended as aforesaid, or for the payment of thirty dollars for each family which shall then be deficient of the whole number, upon

satisfaction of which bond given pursuant to this resolve, either by causing the said number of families to be settled on said townships, within the time aforesaid, or by paying the said sum of thirty dollars for each family which shall then be deficient, then the estate, right and title of the said John Lowell and Calvin Sanger, their heirs and assigns, shall be valid, full and effectual, to all intents and purposes, as if the conditions of settlement expressed in the original deeds given of said townships by the Agents for the Sale of Eastern Lands, had been fully and seasonably complied with.

And be it further resolved, That the Treasurer of this Commonwealth be, and he hereby is directed, upon receiving bonds as above specified in this resolve, to give up or cancel two bonds now in the Treasury office, signed by John Lowell, Francis C. Lowell and Warren Dutton, given agreeably to a resolve passed the 2d day of March, 1809.

CHAP. CVI.

Resolve on the Petition of Nathaniel Ingersoll, Trustee of the Westford Academy. 9th February, 1813.

On the petition of Nathaniel Ingersoll, praying further time for the settlement of families on a half township of land granted to the Trustees of Westford Academy.

Resolved, for reasons set forth in said petition, that a further time of three years from the first day of June next be, and hereby is allowed to Nathaniel Ingersoll, of New Gloucester, in the County of Cumberland, and John Hodgdon, of Ware, in the County of Hillsborough, in the State of New-Hampshire, their heirs and assigns, to complete the settlement of ten families on the half township of land granted the Trustees of Westford Academy :

Provided, the said Nathaniel Ingersoll and John Hodgdon, their heirs or assigns, shall on or before the first day of June next, give bond to the Treasurer of this Commonwealth, in the sum of six hundred dollars with sufficient surety or sureties to the satisfaction of the Agents for the Sale of Eastern Lands ; conditioned that there shall be settled on said grant, the number of ten families within the time extended aforesaid, or for the payment of thirty dollars for each family which shall then be deficient, then the estate, right and title

of the said Nathaniel Ingersoll and John Hodgdon, their heirs and assigns shall be valid, full and effectual to all intents and purposes, as if the condition of settlement expressed in the original deed given of said half township, by the Agents for the Sale of Eastern Lands, had been fully and seasonably complied with.

And be it further resolved, That the Treasurer of the Commonwealth of Massachusetts is hereby directed, upon receiving the bond as above specified, to give up or cancel a bond, signed by John Hodgdon, Asa Butterfield and Samuel Bancroft, Jun. given agreeably to a resolve passed the 11th February, 1809, which is now lodged in the Treasury office.

CHAP. CVII.

Resolve on the Petition of Isaac Davis, 3d, of Roxbury.
9th February, 1813.

On the petition of Isaac Davis, the third, of Roxbury, praying relief in consequence of expences incurred by him from a wound received while doing military duty.

Resolved, That for reasons set forth in the petition, there be allowed and paid out of the public Treasury to Isaac Davis, the third, of Roxbury, the sum of seventy eight dollars in full for the loss of time and expence occasioned by a wound he received on the 9th of October, 1812, while doing military duty.

CHAP. CVIII.

Resolve on the Petition of Josiah W. Mitchell, of Freeport, allowing him Pay as a Member of the Legislature.
10th February, 1813.

On the petition of Josiah Whitman Mitchell, a Member of this House from the town of Freeport, praying to be allowed for travel and attendance at the last session of the General Court, although he was not present, having been taken sick on his way to attend the same, and confined thereby for thirteen days.

Resolved, for reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Josiah Whitman Mitchell, the sum of fifty six dollars in full compensation of his claim in the premises.

CHAP. CIX.

Resolve on the Petition of the Attorney and Solicitor Generals, and grant of \$800 to each. 11th February, 1813.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Perez Morton, Esq. Attorney General, and to Daniel Davis, Esq. Solicitor General, the sum of eight hundred dollars each, in addition to their salary established by law, which sums shall be in full for their respective services and salary to the first day of March, A. D. 1813.

CHAP. CX.

Resolve on the Petition of Asa Sparks, authorizing Azariah Root to convey a Tract of Land to him.
11th February, 1813.

On the petition of Asa Sparks, requesting the Legislature of the Commonwealth to authorize some person or persons to convey or sell to him a tract of Land in the town of Sheffield, in the County of Berkshire, belonging to said Commonwealth.

Resolved, for reasons set forth in said petition, that Mr. Azariah Root, of said Sheffield, be, and he hereby is authorized to sell and convey to the said Asa Sparks, his heirs or assigns, all the right, title and interest of said Commonwealth in and unto a tract of Land, containing about thirty one acres, lying in said town of Sheffield, upon such terms and conditions as the said Azariah Root shall think just and reasonable, under existing circumstances, and when sold, to account for the proceeds therefor to the Treasurer of this Commonwealth.

CHAP. CXI.

Resolve on the Petition of the Agents for Saco Free Bridges.
12th February, 1813.

On the petition of Daniel Cheaves, Edmund Coffin, Nathaniel Goodwin and Ichabod Fairfield, Agents and Trustees of the Proprietors of the Saco Free Bridges, praying for further time to enable them to build a Bridge over the eastern branch of Saco river, from Indian Island to the shore in Saco.

Resolved, for reasons set forth in said petition, that there be, and hereby is allowed the said Proprietors, a further time of three years, from the first day of January last, to complete said Bridge, any thing in the resolve passed the second day of March, in the year of our Lord one thousand eight hundred and ten, or the resolve passed the twenty first day of June, in the year of our Lord one thousand eight hundred and eleven, to the contrary notwithstanding.

CHAP. CXII.

Resolve on the Petition of Daniel Holmes, of Alfred.
13th of February, 1813.

On the petition of Daniel Holmes, setting forth, that in the winter 1810, he, by the order of the House of Representatives, attended as a witness before a Committee of the honorable House, on a complaint against one Thomas Keeler, and that he summoned several witnesses to attend by order as aforesaid, and praying that his fees and expences may be allowed him.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the said Daniel Holmes, forty-five dollars in full compensation of all fees and expences, for his services, travel and attendance as aforesaid.

CHAP. CXIII.

Resolve on the Petition of James Bean, of Alfred.
13th February, 1813.

On the petition of James Bean, setting forth, that in the winter of 1810, he, by the order of the House of Representatives, attended as a witness before a Committee of the honorable House, on a complaint against one Thomas Keeler, and praying that he may be allowed a reasonable compensation.

Resolved, That there be paid out of the Treasury of this Commonwealth to the said James Bean, sixty four dollars, in full compensation for all fees and expences for his travel and attendance as aforesaid.

CHAP. CXIV.

Resolve on the Petition of John B. Rand, praying for compensation. 13th February, 1813.

On the petition of John B. Rand, praying for compensation for a wound received while doing duty as a soldier in Captain William Stephenson's Company, at a Regimental muster in Gorham, on the twenty seventh day of September, in the year of our Lord one thousand eight hundred and eleven.

Resolved, for reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said John B. Rand, forty dollars, in full compensation for loss of time and money expended in consequence of said wound.

CHAP. CXV.

Resolve granting \$100 for the purchase of a lot of Land in Hollowell, on which to erect a Gun House.

13th February, 1813.

On the petition of David Day and others, praying for a

grant of money, for repairing and removing a Gun House, and to purchase land whereon to erect the same.

Resolved, That one hundred dollars be granted and paid out of the Treasury to the said David Day and others, to be applied and used to the sole purpose of purchasing a lot of Land in the town of Hallowell, whereon they may erect a Gun House and for the removal and repairs of the same; and His Excellency the Governor, with advice of Council, is requested to issue a warrant on the Treasury for the payment of the said sum accordingly.

CHAP. CXVI.

Resolve authorizing Moses Holden to prosecute the Administrator or Heirs of Hannah Ranger.

15th February, 1813.

On the petition of Moses Holden, of Barre, in the County of Worcester, praying that the operation of the several statutes of limitation in suits against Executors and Administrators as well as against Heirs and Devisees, may be suspended as it respects certain claims which the said Holden has against the estate of one Hannah Ranger, deceased, for whom the said Holden had formerly been surety, and for whose default he has been obliged to pay and has paid a large sum of money.

Resolved, for reasons set forth in said petition, that the said Moses Holden be, and hereby is authorized and empowered to commence and prosecute against the Executor or Administrator, or against the Heirs or Devisees of the said Hannah Ranger, all such actions, suits or claims as he has or may have against the estate of the said Hannah, in the same way and manner, as he might or could have done, if the same had been commenced within the time prescribed by law, and that any Court within this Commonwealth, proper to hear and determine the said actions, suits or claims, may proceed to hear and determine the same, and render the same judgment therein as the said Court might or could have done, if the said actions, suits or claims had been commenced within the time prescribed by law, any thing in any act or law of this Commonwealth to the contrary notwithstanding.

Provided, however, that the said actions, suits or claims

shall be commenced within one year from the passing of this resolve.

And be it further resolved, That the operation of the several statutes of limitation of this Commonwealth, so far as they may come within the purview of this resolve, be, and the same hereby are suspended, and the same shall not operate as a bar to the several actions, suits and claims above-mentioned.

CHAP. CXVII.

Resolve on the Petition of William Wetmore, authorizing the Widow of Henry Newman, to assent to the delivery of a Deed by the Mill Pond Corporation.

15th February, 1813.

On the petition of William Wetmore, representing that Henry Newman, deceased, contracted to procure for him a Deed from the Boston Mill Pond Corporation, of two certain lots of Land in the Mill Pond, so called, which Deed was procured accordingly, but not delivered by said Corporation, and praying that the Administratrix of the said Newman's estate may be authorized to assent to and the said Corporation to deliver the said Deed.

Resolved, That the Widow and Administratrix of the estate of the said Henry Newman, deceased, be, and she is hereby authorized to complete and perform the contract of her said intestate with the said Wetmore, by assenting to the delivery of the Deed aforesaid, by the Corporation aforesaid, the said lots of Land as described in said Deed, being one bounding on Friend-street; there measuring twenty one feet, and running back westerly eighty feet; and the other bounding on Portland-street; and there measuring sixteen and a half feet, and running back easterly eighty feet; both lots to make up three thousand square feet in the whole; said lots being a part of the Mill Pond in said Boston: And whereas the said Wetmore, on behalf of said Administratrix, hath desired that the said Administratrix, be authorized to make a settlement, by compromise or otherwise, with said Corporation, concerning the contracts of said intestate for filling up certain parcels of the said Mill Pond as she may think best.

Therefore resolved, That the said Administratrix be, and she hereby is authorized and empowered to make any settlement and compromise with said Corporation, concerning all such contracts of her said intestate for filling up any part of said Mill Pond as have not been completed, as she may judge most for the interest of all concerned therein, or to sell and dispose of the interest of her said intestate in said contracts, in such way and manner as she may think expedient.

CHAP. CXVIII.

Resolve on the Petition of Stanton and Spelman, allowing further time to pay for their Land. 16th February, 1813.

On the petition of Francis Stanton and Phineas Spelman, representing that they are proprietors of two lots of Land in Bangor, but by reason of the time granting the redemption of said Lands, by a resolve of the General Court, passed the third day of March, 1810, having expired, the Agents for Eastern Lands are not authorized to give Deeds.

Resolved, for reasons set forth in said petition, that a further time of twelve months from the date hereof be, and hereby is granted to the Settlers, their heirs and assigns (who have settled on lands belonging to this Commonwealth, situated in the towns of Bangor, Hampden, No. 2, 1st Range, and No. 2, 2d Range, in the County of Hancock, and the town of Eastport, in the County of Washington) to pay the sums due on said lots to the Agents for the Sale of Eastern Lands, and said Agents are hereby directed to receive of said Settlers, their heirs or assigns, what remains due to the Commonwealth, and give them sufficient Deeds of their several lots.

CHAP. CXIX.

Resolve on the Petition of John and Samuel Preble, authorizing the Agents for the Sale of Eastern Lands, to sell Land to them. 16th February, 1813.

On the petition of John Preble and Samuel Preble, setting

forth that they are in possession of a certain Island in Union River, the property of this Commonwealth, and praying that they may have the same confirmed to them.

Resolved, That the Agents for the Sale of Eastern Lands, be directed to sell the same to the said Petitioners, or to any other person or persons, on such terms and conditions as in the opinion of the said Agents, may be just and reasonable.

CHAP. CXX.

Resolve on the Petition of Pero Sharper and Wife, granting them leave to sell Land. 16th February, 1813.

On the petition of Pero Sharper and Bersheba Sharper, wife of Pero Sharper, both of the town of Edgartown, in the County of Dukes' County, for leave to sell about thirty acres of land, more or less, at a place called Farm Neck, in the town of Edgartown, which they derived from their ancestor, Robert Seton, deceased.

Resolved, That the prayer of said petition be granted, and that Benjamin Smith, Esq. William Jenegan, Jun. Esq. and Jethro Worth, Esq. all of Edgartown, be a Committee to dispose of said land, first giving bonds to the acceptance of the Judge of Probate for the County of Dukes' County, for the faithful application and use of the monies accruing from the sale of land to and for the sole use and exclusive benefit of said Pero Sharper and Bersheba Sharper :

Provided, also, that said land be sold at public auction, and that notice be given of the time and place of sale, by posting up advertisements thereof in two or more public places in said town of Edgartown, thirty days previous to said sale.

CHAP. CXXI.

Resolve on the Petition of Edward E. Powars, establishing his Pay as Messenger to the Governor and Council.
17th February, 1813.

Resolved, That there be allowed and paid out of the Trea-

sury of this Commonwealth, to Edward E. Powars, two dollars and fifty cents for each day he shall be employed as Messenger to the Governor and Council.

CHAP. CXXII.

Resolve respecting the Pay of the Justices of the Circuit Court of Common Pleas, for the second Eastern Circuit.
18th February, 1813.

Resolved, That the Treasurers of the several Counties in the second Eastern Circuit of this Commonwealth be, and they hereby are authorized and required in each and every year to pay over to the Justices of the Circuit Court of Common Pleas for said Circuit, as a further compensation for their services the amount of the excess of fees which may be paid over to them respectively, by the several Clerks of the Courts within the said Circuit, agreeably to a law of this Commonwealth, passed on the eighteenth day of June, in the year of our Lord one thousand eight hundred and eleven, entitled an act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files and for other purposes, until the same, together with the legal fees of said Court, shall amount, to each Justice, to the sum of twelve hundred dollars per annum ; and it shall be the duty of the said Justices to exhibit annually to the Treasurers, who may pay them any such excess of fees, certificates of the Clerks of the several Courts in said Circuit, of the amount of fees which have been received by said Justices in each of said Counties during the year preceding such payment.

CHAP. CXXIII.

Resolve on the Petition of Jemima Burnell and others, relinquishing to them the Commonwealth's Right to the Estate of Lydia Baxter, deceased. 18th February, 1813.

Upon the petition of Jemima Burnell, of Nantucket, widow of Jonathan Burnell, Jun. stating that her natural daughter,

Lydia Baxter, died, leaving some estate, and praying, for reasons set forth in said petition, that the right to said estate may be relinquished in her favor.

Resolved, for reasons set forth in said petition, that all right and title which this Commonwealth hath in, and to all the estate and property, real and personal, of Lydia Baxter, late of said Nantucket, widow, deceased, be, and hereby is released to the said Jemima Burnell, and the Judge of Probate for the County of Nantucket, is hereby authorized to proceed in the settlement and distribution of the said estate, in the same manner as if the said Lydia Baxter had been the legitimate child of the said Jemima Burnell.

CHAP. CXXIV.

Resolve on the Petition of Henry Purkitt and others, respecting Old Soldiers. 19th February, 1813.

On the petition of Henry Purkitt and others, praying further time for the Old Soldiers, their Widows and Heirs, to make settlement on the lands granted to them by resolve of the General Court, passed 5th March, 1801.

Resolved, That a further time of six years from the first day of May next, be, and hereby is granted and allowed to the non commissioned Officers and Soldiers who have proved or may hereafter prove their claims to two hundred acres of land agreeable to a resolve of the General Court, passed the 5th day of March, 1801, and the several resolves respecting the same:

And be it further resolved, That (whereas the General Court, by their resolve dated 28th February, 1811, directed the Secretary of this Commonwealth to deliver to the Agents for the Sale of Eastern Lands, all the plans, papers, copies of deeds, and other documents concerning the Commonwealth's Lands in the District of Maine, and the Agents aforesaid were directed to receive the same and place them on their files for the use of the Commonwealth) the Agents for the Sale of Eastern Lands be, and they hereby are authorized to execute Deeds, in fee simple, in behalf of the Commonwealth, and to execute all the duties which the Secretary of the Commonwealth was authorized to do and perform, by virtue of the resolves of the 5th of March, 1801,

and 19th June, 1801, and other subsequent resolves, passed for the benefit of non commissioned Officers and Soldiers who enlisted in the late American army during the war with Great Britain, any thing in the several resolves of the General Court to the contrary notwithstanding.

CHAP. CXXV.

Resolve granting Roger West \$43 37. 19th February, 1813.

On the petition of Roger West, of Greenwich, in the County of Hampshire, praying for the reimbursement of a sum of money paid to the Treasurer of the Commonwealth, over and above the sum that he was by law required to pay.

Resolved, That there be allowed and paid out of the Treasury of the Commonwealth to said Roger West, the sum of forty three dollars and thirty seven cents, in full for the sum by him so overpaid.

CHAP. CXXVI.

Resolve granting Oliver Esty \$125 for bringing to justice certain Offenders. 19th February, 1813.

On the petition of Oliver Esty, of Orange, in the County of Franklin, praying for a reward of his services and expences in causing to be arrested, convicted and punished, certain offenders against the laws of this Commonwealth, therein mentioned.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the said Oliver Esty, as a full reward for his services and expences aforesaid, the sum of one hundred and twenty five dollars.

CHAP. CXXVII.

Resolve directing the Treasurer of this Commonwealth respecting Notes, Bonds and other Obligations, the property of the State. 19th February, 1813.

Resolved, That in all cases in which more than one year's interest shall now be, or hereafter shall become due on any

Note, Bond, Contract, Mortgage, or other Obligation in the hand of the Treasurer, being the property of this Commonwealth, it shall be the duty of the Treasurer forthwith to give notice thereof to said debtor or debtors, in writing, and at the expiration of ninety days after said notice, to cause suit to be commenced, both for the principal and interest due except when in the opinion of the Treasurer the debtor or debtors, in such Note, Bond, Mortgage, Contract or other Obligation, may be poor and wholly irresponsible for the same.

CHAP. CXXVIII.

Resolve granting a Tax for Eighteen Counties.
19th February, 1813.

Whereas, the Treasurers of the following Counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions for said Counties, have exhibited estimates made by the said Courts, of the necessary charges which may arise within the said several Counties for the year ensuing, and of the sums necessary to discharge the debts of the said Counties.

Resolved, That the sums annexed to the several Counties contained in the following schedule be, and the same are hereby granted as a Tax for each County respectively, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law:—

Suffolk, forty one thousand dollars,	41000
Essex, sixteen thousand eight hundred and fifty dollars,	16850
Middlesex, six thousand six hundred dollars,	6600
Worcester, three thousand dollars,	3000
Hampshire,	
Franklin, three thousand two hundred dollars,	3200
Hampden, two thousand dollars,	2000
Norfolk, three thousand dollars,	3000
Plymouth, four thousand dollars,	4000
Bristol, three thousand dollars,	3000
Barnstable, two thousand six hundred dollars,	2600
York, five thousand dollars,	5000

Cumberland, eight thousand dollars,	8000
Kennebeck, seven thousand and ninety six dollars,	7096
Lincoln, seven thousand one hundred and sixty four dollars and sixty four cents,	7164 64
Hancock, four thousand dollars,	4000
Washington, one thousand six hundred and thirty five dollars,	1635
Somerset, one thousand eight hundred and seventy six dollars and eighty one cents,	1876 81
Oxford, two thousand five hundred dollars,	2500

CHAP. CXXIX.

Resolve discharging the Quarter Master General of Monies received, paying the balance of his account, and making an appropriation for his Department.
20th February, 1813.

Resolved, That Amasa Davis, Esq. Quarter Master General be, and he hereby is discharged from the sum of twenty five thousand dollars, which he expended, including his salary, office rent and clerk hire, amounting to eleven hundred dollars for one year, ending the seventeenth day of January, in the year of our Lord one thousand eight hundred and thirteen, out of the sum he has received the last year, by warrant on the Treasurer.

Resolved, That the sum of nine hundred and eighty dollars and forty eight cents be paid to the said Amasa Davis, Esq. from the Treasury of this Commonwealth, as the balance of his account.

Resolved, That the sum of seventeen thousand six hundred and eighty five dollars be paid to the said Quarter Master General, from the Treasury of this Commonwealth, to meet the expences of his department the ensuing year, and to enable the said Quarter Master General to purchase, for the use of the Commonwealth, a piece of Land, containing about one half of an acre and thirty five rods in the town of Cambridge, adjoining the land belonging to the said Commonwealth, on which the ordinance store is now building :

Provided, said land can be purchased for a sum not exceeding one hundred and seventy five dollars, for the appli-

tion of which he is to be accountable, and that his Excellency the Governor be requested to issue his warrant on the Treasury for the amount, at such period and in such sums, as his Excellency, with the advice of Council, may deem expedient for the public service.

CHAP. CXXX.

Resolve on the Petition of Caleb Alexander and others, Stockholders in "the Franklin Glass Factory Company."
20th February, 1813.

Resolved, That the Records and Doings of the said Company in their several meetings be, and the same are hereby confirmed and made valid in law, as much so as if the first meeting of said Corporation had been notified according to law, and that Doctor Ebenezer Hall be, and he is hereby authorized and empowered to call a meeting of said Corporation, by posting up notification of such meeting at the house of Stephen Ball, in Warwick, in the County of Franklin, at least six days before said meeting.

CHAP. CXXXI.

Resolve on the Petition of the town of Hollis.
20th February, 1813.

On the petition of the town of Hollis, praying that the line between the towns of Hollis, Lyman and Waterborough, may be ascertained and established conformably to their several acts of incorporation.

Resolved, That Seth Burnham, Esq. of Arundel, Gibbon Elden, Esq. of Buxton, and Daniel Granger, Esq. of Saco, be, and they are hereby appointed a Committee, with full powers to ascertain and establish the boundary lines between the towns of Hollis, Lyman and Waterborough, in the County of York, conformably to the respective acts of incorporation of the said towns ; and the said Committee are also further empowered to direct and require at the joint expence of the said towns, that permanent monuments shall be erected

at each angle in the whole extent of the said line ; and the time and expences of the said Committee for their services as aforesaid, shall be paid by the said towns respectively, in equal third parts.

CHAP. CXXXII.

Resolve on the Petition of Hannah Tackanish, an Indian Woman. 20th February, 1813.

On the petition of Hannah Tackanish, of Edgarton, in the County of Dukes' County, Indian Woman, praying that some person may be authorized to sell lands for the payment of expences in obtaining her rights in Farm Neck, so called, on Martha's Vineyard.

Resolved, That the Hon. Matthew Mayhew, of Chilmark, be, and he hereby is authorized and directed to sell at public auction, so much of the land on Farm Neck, in the town of Edgarton, recovered by the said Hannah Tackanish and others, described in her petition, as shall amount to the sum of one hundred and sixty dollars, and give and execute a good and lawfull deed of the same to the purchaser, and that he apply the same to the payment of the charges of the suit aforesaid, leaving in the Register's office for Dukes' County, a receipt for said payment.

CHAP. CXXXIII.

Resolve for taking, by vote, the Sentiments of the Inhabitants of York County, as to the place, where shall be erected Buildings for the safe keeping of Records.
20th February, 1813.

On the petition of Sheldon Hobbs and others, inhabitants of the County of York, praying that the public offices of said County may be held at Alfred.

Resolved, That the Selectmen of the several towns of said County, be directed to notify and warn the inhabitants of their respective towns qualified to vote in town meeting, to meet on the first Monday of April next, for the purpose of ascertaining, by their votes, the most convenient place or pla-

ces to erect a fire proof Building or Buildings, for the keeping the Records of said County ; and at such meeting the Selectmen shall receive, count and sort the votes of the inhabitants so assembled, and ascertain the number of votes for the place or places the voters of said town shall judge most convenient, and the Clerk at such meeting shall record the number of votes and the place or places for which they shall be given in.

CHAP. CXXXIV.

Resolve on the Petition of Thomas Turner, Adjutant of Artillery in Pembroke. 20th February, 1813.

On the petition of Thomas Turner, of Pembroke, Adjutant of Artillery in the 1st Brigade of the 5th Division of the Militia of this Commonwealth.

Resolved, That the Committee on Accounts be, and they hereby are directed to make the usual allowance to said Turner, for his services as Adjutant aforesaid, the statute of limitations to the contrary notwithstanding.

CHAP. CXXXV.

Resolve on the Petition of William Snell, a Pensioner. 20th February, 1813.

On the petition of William Snell, praying for an additional allowance to a former grant.

Resolved, for reasons set forth in said petition, that there be allowed and annually paid out of the Treasury of this Commonwealth to the said William Snell, a further sum of twenty eight dollars, thirty three cents and three mills, as a pension for life, in addition to what has been already granted to him ; and that the payment commence on the thirtieth day of December, in the year of our Lord one thousand eight hundred and twelve.

CHAP. CXXXVI.

Resolve on the Petition of the Trustees of Sandwich Academy. 22d February, 1813.

On the petition of the Trustees of Sandwich Academy, requesting further time to locate a grant of half a township of land, made to them in February, 1804.

Resolved, for reasons set forth in said petition, that there be allowed to the said Trustees, for the purpose of locating said land, the further time of two years from the passing of this resolve.

CHAP. CXXXVII.

Resolve on the Petition of John Phillips, Jun. Administrator on the Estate of the late Hon. Samuel Phillips, deceased. 23d February, 1813.

On the petition of John Phillips, Jun. Administrator upon the estate of the Hon. Samuel Phillips, Esq. praying that a balance found due from the Commonwealth to the said Samuel, may be paid to him.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to John Phillips, Jun. Administrator of the goods and estate of the Hon. Samuel Phillips, Esq. deceased, the sum of seventeen hundred fifty six dollars and thirty six cents, in full for the balance found due from said Commonwealth to said Samuel Phillips.

CHAP. CXXXVIII.

Resolve on the Petition of Lemuel Petts, authorizing his Excellency the Governor therein. 23d February, 1813.

On the petition of Lemuel Petts, praying indemnity by reason of the breaches of the covenants in a deed made by the Commonwealth to said Petts.

Resolved, on the foregoing petition, for the reasons therein stated, that Lemuel Petts, aforesaid, be, and hereby is au-

thorized to draw and receive from the Treasury of this Commonwealth, the sum of five hundred dollars for the value of the lands mentioned in said petition, and also such sum as shall be taxed in said suits, set forth in said petition, for the demandants' costs by the Clerk of the Circuit Court of Common Pleas, in the County of Middlesex, whose certificate of the amount of said costs, shall be evidence to authorize his Excellency the Governor of this Commonwealth, to issue his warrant therefor, and also the sum of seventy dollars for expences in defending said suits :

Provided, however, that the said Lemuel shall before receiving said several sums, make and execute a release or an attested copy of the deed of said Agents to said Lemuel, of the covenants contained in said deed, and shall file said copy with the release thereon in the office of the Secretary of the State.

CHAP. CXXXIX.

Resolve confirming the Doings of the town of Starks, County of Somerset. 23d February, 1813.

On the petition of the Selectmen of the town of Starks, in the County of Somerset, stating that said town on the 9th day of March last past, did elect their Assessors by hand vote, and praying that the doings of said Assessors may be made valid, the want of their being legally chosen notwithstanding.

Therefore resolved, for reasons set forth in said petition, that the Doings of said Assessors be, and they are hereby confirmed and made valid to all intents and purposes as they would have been if said Assessors had been legally chosen.

CHAP. CXL.

Resolve on the Petition of Thomas Walcut and Grant, S104.
23d February, 1813.

Resolved, That one hundred and four dollars be granted and paid out of the public Treasury, to Thomas Walcut, in full for writing done for the Legislature in their recess, according to the account herewith exhibited.

CHAP. CXXI.

Resolve on the Petition of Samson Woods, authorizing the Governor to issue his Warrant, with a Proviso.

23d February, 1813.

On the petition of Samson Woods, praying indemnity by reason of the breaches of the covenants in a Deed made by the Commonwealth's Agents to Henry Woods.

Resolved, on the foregoing petition, for the reasons therein stated, that Samson Woods, aforesaid, he, and hereby is authorized to draw and receive from the Treasury of this Commonwealth, the sum of two thousand two hundred and thirty two dollars and seventy four cents, for the value of the lands mentioned in said petition, without the betterments made thereon; and also such sum as shall be taxed in said several suits for the demandants' costs by the Clerk of the Circuit Court of Common Pleas, in the County of Middlesex, whose certificate of the amount of said costs, shall be evidence to authorize his Excellency the Governor of this Commonwealth, to issue his warrant therefor; and also the sum of three hundred dollars for expences in defending said several suits:

Provided, however, that the said Samson shall, before receiving said several sums, make and execute a release or on an attested copy of the Deed of said Agents to said Henry Woods, of all the covenants contained in said Deed, and shall file said copy, with the release thereon, in the office of the Secretary of State.

CHAP. CXXII.

Resolve on the Petition of John P. Boyd, directing the Treasurer. 23d February, 1813.

On the petition of John P. Boyd, praying for relief against a contract made between him and the Agents for the Sale of Eastern Lands, for the sale and purchase of three townships of Land lying in the District of Maine.

Resolved, That the Treasurer of this Commonwealth be, and hereby is authorized to state an account with the said John P. Boyd, charging him with eleven thousand six hun-

three hundred fifty six dollars, being one third part of the sum due to the Commonwealth, for the sale of said three townships, with interest from the time of making said contract, and crediting said Boyd with all sums that have been paid by him or any other person into the Treasury, on account of any contract made for the sale of said lands, with interest from the respective dates of such payments; and upon the payment of such balance as shall then be found due to the Commonwealth, on or before the tenth day of May, in the year of our Lord one thousand eight hundred and fourteen, by said Boyd or his assigns; and upon their delivering up said contract to be cancelled, the Agents of Eastern Lands, for the time being, are hereby authorized to make a good and sufficient Deed to said Boyd or his assigns, of one of said townships of land, being number two, in the seventh range, lying north of the Waldo Patent, and between the rivers Kennebeck and Penobscot, subject to the restrictions, reservations and conditions expressed in said contract made between said Agents and said Boyd, on the tenth day of May, in the year of our Lord one thousand eight hundred and six, and that upon such payment, the notes made by said Boyd to the Treasurer of the Commonwealth, to secure the payment of the sum mentioned in said contract, be cancelled.

CHAP. CXLIII.

Resolve on the Petition of the Trustees of Saco Academy, authorizing the Agents for Sale of Eastern Lands therein.
23d February, 1813.

On the petition of the Trustees of Saco Academy, praying that the Agents for the Sale of Eastern Lands may be authorized to sell them a tract of land adjoining a half township, located for said Academy, on Moose Head Lake.

Resolved, for reasons set forth in said petition, that the Agents for the Sale of Eastern Lands be, and they hereby are authorized to ascertain the quantity and quality of said tract, and sell the same to the said Trustees, their successors or assigns, or any other person or persons, for such sums, and conditions of payment, as said Agents shall think just and reasonable.

CHAP. CXLIV.

Resolve permitting to be taken Original Papers in the Secretary's Office, belonging to Claimants of certain Lands in the County of Lincoln. 23d February, 1813.

Resolved, That the Claimants of certain Lands, in the County of Lincoln, or their attornies, are permitted to take out of the Secretary's Office, any original papers, or copies of records, belonging to them respectively, which were offered in evidence before the Commissioners appointed by the Governor and Council, to settle and adjust the Claims to the Lands in the towns of Bristol, Nobleborough, and other towns expressed in the Commission :

Provided, said Claimants, or their attornies, shall give their receipt or receipts therefor.

CHAP. CXLV.

Resolve on the Petition of James Carr, of Bangor, a Member of the Court, allowing Pay for travel. 24th February, 1813.

Resolved, That there be paid out of the Treasury of this Commonwealth to James Carr, of Bangor, in the County of Hancock, fifty-six dollars, being the amount of his travel as Representative, to and from the General Court, in June, 1812 ; and his Excellency the Governor, with the advice of Council, is requested to issue his warrant upon the Treasury for the payment of the same.

CHAP. CXLVI.

Resolve authorizing the Selectmen of Machias to erect a Gunhouse. 25th February, 1813.

Resolved, That the Selectmen of the town of Machias be, and they are hereby authorized to erect an additional Gunhouse, for the Artillery Company in said town, at such place as to them may seem best for the convenience of assembling said Company, and that his Excellency the Govern-

or, by and with the advice of Council, be empowered to draw his warrant on the Treasury for the expence of the same, certified by the said Selectmen :

Provided, the same shall not exceed the sum of one hundred dollars.

CHAP. CXLVII.

Resolve on the Petition of Benjamin Lee, granting him
S119 25. 25th February, 1813.

On the petition of Benjamin Lee, of Cambridge, in the County of Middlesex, praying to be indemnified for the damages, costs and charges incurred and paid by him in a suit prosecuted against him by Esther Sewall, for her dower, in certain lands and tenements, situate in said Cambridge, which were conveyed by certain Agents of this Commonwealth, thereto duly authorized, by their deed with warranty to the person under whom the said Benjamin Lee now claims and holds the said estate.

Resolved, That there be allowed and paid to the said Benjamin Lee, out of the Treasury of this Commonwealth, the sum of one hundred and nineteen dollars and twenty five cents in full for all the said damages, costs and charges, incurred, and paid by him, in the suit aforesaid.

CHAP. CXLVIII.

Resolve on the Petition of Mary Bridge, of Lexington,
Widow. 25th February, 1813.

On the petition of Mary Bridge, of Lexington, in the County of Middlesex, widow, Administratrix of the estate of John Bridge, late of Billerica, in said County, trader, deceased, testate, stating that she took upon herself that trust by giving bond as the law requires the twelfth day of May, 1812, and on the twentieth day of July, A. D. 1812, posted notifications thereof in public places in said Billerica, and printed a like notification, three weeks successively beginning on the eleventh day of said July, as directed by the

Judge of Probate of said County, and on the eighteenth day of February, A. D. 1813, caused her affidavit of her proceedings with a true copy of one of said notifications to be recorded in the Probate office in said County, but was unavoidably prevented from causing such affidavit, with such copy of such notification, to be recorded in said office, within seven months, as the law in such cases requires.

Resolved, for said reasons, that an attested copy of the said Mary's affidavit, recorded as aforesaid, taken from the records of the said Probate office, shall be admitted in evidence in any Court, and shall be valid in law, to all intents and purposes, as fully as if said affidavit had been recorded in said Probate office, within seven months from the time the said Mary took upon herself the said trust, any law to the contrary notwithstanding.

CHAP. CXLIX.

Resolve directing the Agents for the Sale of Eastern Lands, to cause a Survey of Land lying in Berwick and Sanford.
25th February, 1813.

Resolved, That the Agents for the Sale of Eastern Lands, be directed to cause to be surveyed, a certain tract of land lying in Berwick and Sanford, containing about forty acres, part of which is in possession of William Johnson, or any other gores or tracts of land in the County of York, belonging to the Commonwealth, and a plan and survey thereof to be returned into the Land office in Boston, and to sell and dispose of any such lands to any person or persons, on such terms as they shall judge just and reasonable.

CHAP. CL.

Resolve granting a Tax to the County of Hampshire.
25th February, 1813.

Whereas, the Clerk of the Court of Sessions for the County of Hampshire, has exhibited an estimate made by said Court of the necessary charges which may arise in said

County for the year ensuing, and of the sums necessary to defray the same.

Resolved, That the sum of six thousand four hundred and fifty dollars be, and the same hereby is granted as a Tax for the said County of Hampshire, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

CHAP. CLI.

Resolve allowing Pay to Sylvanus Lapham, an Assistant Messenger to the General Court. 26th February, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto Sylvanus Lapham, Assistant to the Messenger of the General Court, one dollar per day during the present session of the Legislature, over and above the usual allowance to him, which was two dollars per day.

CHAP. CLII.

Resolve on Petition of Joseph Barrett, granting him \$174. 26th February, 1813.

On the petition of Joseph Barrett, praying to be reimbursed for the expences by him incurred and time expended in detecting one Cyrus Fay, charged with forgery, who was bound over to Court in the sum of one thousand dollars, and afterwards forfeited and paid over to the use of the Commonwealth, the amount of his recognizance.

Resolved, for reasons set forth in said petition, that there be granted and paid out of the Treasury of this Commonwealth, to the said Joseph Barrett, the sum of one hundred and seventy four dollars; and that his Excellency the Governor, by and with the advice of the Council, is hereby authorized to issue his warrant for the same accordingly.

CHAP. CLIII.

Resolve on the Petition of Samuel and Jonathan Hunt, Administrators on the Estate of Elisha Hunt, Esq. authorizing them to convey Land. 26th February, 1815.

On the petition of Samuel Hunt and Jonathan Hunt, Administrators on the estate of Elisha Hunt, late of Northfield, in the County of Franklin, Esquire, representing that the said Elisha Hunt, deceased, in the life time of the said Hunt, bargained for and sold to Parmenas Temple, Thomas Champlain, Edward Nettleton, Artemas Morse, and Moses Dickenson, all of said Northfield, certain lands in said Northfield, the quiet and peaceable possession of which they have severally had and enjoyed from the date of their several contracts, and have severally paid the full amount of the same, and by reason of the sudden death of said Hunt, the said Temple, Champlain, Nettleton, Morse, and Dickenson, have not been able to procure a legal title to the following described lands. To Parmenas Temple, twenty-five acres of land, lying on the West side of Connecticut river, with the buildings standing on the same, being on the West side of the County road leading to Vernon, in the State of Vermont, and bounded North and West on land of the heirs of said Hunt deceased, East on the aforesaid County road, South on land of Otis French. To Thomas Champlain, the following described lands, lying East of the street in said Northfield, and on the South side of the turnpike road leading to Warwick, bounded North on said turnpike, East and South on land of the heirs of said Hunt deceased, West on a town highway, containing two acres with the buildings standing on the same. To Edward Nettleton, the following tract of land, containing four acres and one half, lying on the West side of the County road leading to Wendell, bounded North on land of said Nettleton, South on land of Timothy B. Dutton, West on Shammah Pomeroy, East on the aforesaid County road, and is sixty-three rods in length and eleven rods and an half in width. To Artemas Morse, two acres of land with the buildings on the same, lying in Northfield aforesaid, on the North side of the County road leading to Warwick, and bounded North and West on land of the heirs of said Hunt, South on the aforesaid County road, East on the town line. And to Moses Dickenson,

two acres of land with a small house thereon, on the West side of Connecticut River, and on the East side of the County road leading to Vernon, bounded West on said County road, South on land of Lemuel Preston, East on land of John French, North at a point, being a triangular tract of land. Therefore, for reasons set forth in said petition,

Resolved, That Samuel Hunt and Jonathan Hunt, Administrators on the estate of Elisha Hunt, Esq. deceased, be, and they are hereby authorized, by deed or deeds duly acknowledged and recorded, to convey to said Parmenas Temple, Thomas Champlain, Edward Nettleton, Artemas Morse and Moses Dickinson, the respective tracts of land above said, in fee, and that said deed or deeds so made as aforesaid, shall be as good and valid, to all intents and purposes, as though the same had been made by the said Elisha Hunt, Esq. in his life time.

CHAP. CLIV.

Resolve on the Petition of John Blake, Agent for the Penobscot Indians, and Grant, \$300. 26th February, 1813.

On the petition of John Blake, Agent for and in behalf of the Penobscot tribe of Indians, praying that the Government of this Commonwealth would grant said tribe some further aid towards their support.

Resolved, for reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth to said John Blake, Agent as aforesaid, the sum of three hundred dollars, to be by him appropriated and applied towards the support and maintenance of said Indian tribe, he to be accountable to the Legislature of said Commonwealth for the same; and that his Excellency the Governor is hereby authorized to draw his warrant accordingly.

CHAP. CLV.

Resolve on the Petition of Joseph Treat, authorizing Agents on Eastern Lands to convey Islands in Penobscot River.

26th February, 1813.

On the petition of Joseph Treat, requesting the Legislature to confirm to him and his associates, the title of sundry

Islands in Penobscot River, which they purchased of Salem Towne. Esq. Agent for the sale of Indian Lands.

Resolved, for reasons set forth in said petition, that the Agents for the sale of Eastern Lands be, and they hereby are authorized to convey to the said Joseph Treat and his associates, all the Islands in Penobscot River, purchased by said Treat and his associates of Salem Towne, aforesaid, by two deeds, one dated the 31st day of May, 1804, the other dated the 17th day of June, 1805, excepting Islands No. 5, (called Shad Island) number 4 and 6 :

Provided, said Treat and his associates shall, on or before the first Wednesday of June next, remise, release, and quit claim to the Commonwealth, any and all claim to said Shad Island numbered five, and Islands numbered four and six, as per plan and deeds of said town, and the said conveyance to be made as aforesaid by the Agents for Eastern Lands, shall be considered as a full compensation for all the Islands in said river, purchased of said Towne, excepting the Islands above named, 4, 5 and 6.

Be it further resolved, That in compensation for the relinquishment of said Islands, Nos. 4, 5 and 6, there be paid out of the Treasury of this Commonwealth the sum of one hundred dollars, and also a further sum of one hundred dollars, for damages done the said Treat and his associates, by the Indians, in pulling down a fish store.

CHAP. CLVI.

Resolve on the Petition of Sarah Huff, granting an Appeal in the Probate Court, County of York.

26th February, 1813.

On the petition of Sarah Huff, of Arundel, in the County of York, widow of James Huff, the third, late of said Arundel, deceased, and heir to the estate of Francis Burnham, late of said Arundel, deceased, setting forth that one Ebenezer Huff, who married the widow of said Burnham, administered on his estate, and on the sixteenth day of April, in the year of our Lord eighteen hundred and four, by a decree of Edward Cutts, then Judge of Probate for the County of York, obtained the allowance of his account against said estate, to the amount of seventeen hundred and eighty

two dollars and ninety one cents, which allowance was wrong, and that by accident or mistake, she had neglected to appeal from said decree, and praying for liberty to appeal therefrom, and enter her appeal at the Supreme Court of Probate.

Resolved, That the said Sarah Huff is hereby authorized and empowered to appeal from said decree, and to enter and prosecute her appeal from said decree of said Judge of Probate, in the Supreme Court of Probate, in the County of York, in the same manner as she might have done, within thirty days next after said decree was made.

Provided, said appeal shall be entered in the said Supreme Court of Probate, within twelve months next after the passing this resolve, and that said Sarah Huff give notice to said Ebenezer Huff, in writing, served by an Officer qualified to serve civil process, of her intention to enter her appeal, fourteen days previous thereto.

CHAP. CLVII.

Resolve authorizing the Treasurer to borrow Money of the Boston and Union Banks. 27th February, 1813.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and directed to borrow of the Boston and Union Banks, in addition to the sum now borrowed, any sum not exceeding one hundred thousand dollars, that may at any time within the present year be necessary for the payment of the ordinary demands made on the Treasury, and that he repay any sum he may borrow, as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. CLVIII.

Resolve on the Petition of Oliver Shead, Lieutenant-Colonel of the 3d Regiment, 2d Brigade, 10th Division. 27th February, 1813.

The Committee who had under consideration the petition of Col. Oliver Shead, have attended that duty, and re-

port: That soon after the commencement of hostilities, the third regiment of the second brigade, in the tenth division of the Militia, was ordered out, and stationed at Eastport, for the protection of the lives and property of the citizens until they were relieved by the detached Militia.

Therefore resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the said Oliver Shead, and the officers, non-commissioned officers, musicians, and privates, the pay and rations as established by law, that the pay rolls be referred to the Adjutant for examination, and that his Excellency the Governor be requested to draw his warrant on the Treasury of this Commonwealth, for the sums allowed by the Adjutant-General.

CHAP. CLIX.

Resolve for Paying to John Perry and Warren Chase, \$1 per day each. 27th February, 1813.

Resolved, That there be allowed and paid out of the public Treasury, unto John Perry and Warren Chase, Assistants to the Messenger of the General Court, one dollar per day each during the present session of the General Court, over and above the usual allowance to them, which was two dollars per day.

CHAP. CLX.

Resolve for Paying Ward Lock, Assistant Messenger to the Governor and Council. 27th February, 1813.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Ward Lock, the sum of fifty dollars in full, for his services as Assistant Messenger to the Governor and Council, the present session of the General Court.

CHAP. CLXI.

Resolve allowing Pay to the Clerks of the General Court.
27th February, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Marcus Morton, Clerk of the Senate, and to Benjamin Pollard, Clerk of the House of Representatives, three hundred and fifty dollars each; and also to Robert C. Vose, Assistant Clerk of the Senate, and to Thomas Walcutt, Assistant Clerk of the House of Representatives, two hundred and fifty dollars each, in full for their services in said offices the present year.

CHAP. CLXII.

Resolve allowing Pay to Stephen H. Tower.
27th February, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger, to be by him paid over to Stephen Hall Tower, one dollar and twenty five cents per day, for each day, he, the said Tower, shall have attended as page, the present session of the General Court.

CHAP. CLXIII.

Resolve for Paying the Chaplain of the Senate and the Chaplain of the House of Representatives.
27th February, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Rev. Dr. Thomas Baldwin, Chaplain of the Senate, and to the Rev. Horace Holley, Chaplain of the House of Representatives, sixty dollars each in full for their services in said offices the present year.

CHAP. CLXIV.

Resolve granting \$300 to Theron Metcalf, Esq. Reporter of Decisions on Contested Elections of Representatives.

27th February, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of three hundred dollars to Theron Metcalf, Esq. in full for his services in collating and superintending the printing for the use of the House of Representatives, agreeable to the order of said House, seven hundred and fifty copies of questions, documents and decisions on contested elections; and for his services as Reporter of decisions on contested elections, to the end of the present session of the General Court; and the Governor of this Commonwealth is hereby requested to draw his warrant on the Treasury in favor of said Metcalf, for that sum.

CHAP. CLXV.

Resolve authorizing William Smith, Esq. surviving Agent for the Sale of Eastern Lands, to fulfil Contracts, &c.

27th February, 1813.

Resolved, That William Smith, Esq. surviving Agent for the Sale of Eastern Lands, be, and he hereby is authorized and required until the further order of the General Court to fulfil and perform all the bargains and contracts which John Reed, Esq. lately deceased, and the said William Smith were required and empowered to do, by a resolve of the General Court, passed the 15th day of March, 1805, or that have been, or may be enjoined upon the Agents for the Sale of Eastern Lands, by any subsequent resolve.

CHAP. CLXVI.

Resolve providing for the Defence of Boston and other Places. 27th February, 1813.

Resolved, That the Governor, with advice of Council, be, and he is hereby authorized to adopt such defensive mea-

asures, and to carry the same into immediate execution, as may be deemed necessary to protect the town of Boston, its harbor and vicinity, and the towns, ports and harbors of this Commonwealth, from the invasion of an enemy during the present war.

And for the purpose aforesaid, the Governor is hereby authorized to employ any officer, or officers, person, or persons skilled in the science of engineering and gunnery, also to mount such number of heavy cannon, mortars, and howitzers, on travelling or fort carriages, as may be deemed necessary, to provide munitions of war in sufficient quantities, and all the necessary apparatus for a powerful train of heavy artillery, to ascertain and designate the posts or places where said artillery can act with the greatest effect against the enemy's shipping entering or attempting to enter our ports and harbors, to cause batteries to be constructed, and breast works to be thrown up where it may be deemed necessary, with furnaces to heat shot.

And the Treasurer of this Commonwealth is hereby authorized and empowered to borrow of any Bank or Banks in this Commonwealth, a sum of money not exceeding one hundred thousand dollars, to be applied to the purposes aforesaid, and to be accounted for accordingly.

The aforesaid money to be borrowed in such sums as the Governor, with advice of Council, shall from time to time direct, and the Governor is hereby authorized from time to time to issue his warrants upon the Treasury for such sums as may be deemed necessary for carrying into effect the purposes of this resolve.

And be it farther resolved, That the Governor be requested to apply to the Executive of the United States, and respectfully request such supply of muskets, belonging to the United States, as may be conveniently furnished, and as may be considered the proportion to which this Commonwealth may be entitled, to be apportioned and distributed to the several towns of this Commonwealth, for the use of the Militia thereof, in such manner as the Governor, by and with the advice of Council, may deem most for the public service.

CHAP. CLXVII.

Resolve allowing Pay to Elijah H. Mills, a Member of the Legislature. 27th February, 1813.

Resolved, That there be allowed and paid out of the public Treasury, to Elijah H. Mills, twelve dollars for six days attendance as a Member of the Legislature, at the last June session, which was omitted to be made up by the Committee on the pay roll.

CHAP. CLXVIII.

Resolve allowing Pay to the Committee on Accounts. 27th February, 1813.

Resolved, That there be allowed and paid out of the public Treasury to the Committee to examine and pass on accounts presented against the Commonwealth, for their attendance on that service, during the present and last session, the sums annexed to their names in addition to their pay as Members of the Legislature :

Hon. Nathan Willis, thirty four days, thirty four dollars.

Hon. Silas Holman, thirty eight days, thirty eight dollars.

Hon. Joseph Whiton, thirty eight days, thirty eight dollars.

James Robinson, thirty eight days, thirty eight dollars.

George Crosby, thirty four days, thirty four dollars.

Which sums shall be in full for their services aforesaid respectively.

CHAP. CLXIX.

Resolve granting Benjamin Pollard, Esq. \$300. 27th February, 1813.

Resolved, That there be allowed and paid out of the public Treasury, three hundred dollars to Benjamin Pollard, Esq. for his services during the recess, in examining, arranging and placing in proper order the Files of this House, from the year 1775, to the last year.

CHAP. CLXX.

Resolve allowing to Jacob Kuhn, Messenger to the General Court, \$200, in full for services to 31st May ensuing.

27th February, 1813.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of two hundred dollars, which, with the sum already allowed him, shall be in full for his services the present year, ending the 30th of May next.

CHAP. CLXXI.

Resolve on the Petition of Daniel Hart, of Townsend, and Grant, \$100. 27th February, 1813.

On the petition of Daniel Hart, praying for relief by reason of a wound he received on the seventh day of October, A. D. 1812, while doing his duty as a private in a Company of Infantry, under the command of Captain James Adams, Jun. in the 2d Regiment, 2d Brigade and 3d Division of the Militia of said Commonwealth.

Resolved, for reasons stated in said petition, that there be granted and paid out of the Treasury of this Commonwealth, to the said Daniel Hart, one hundred dollars; and his Excellency the Governor, with the advice of the Council, is hereby requested to issue a warrant on the Treasury for the payment of said sum to the said petitioner.

CHAP. CLXXII.

Resolve directing the Clerks of the Supreme Judicial Court for Suffolk County, to arrange and file the Papers and Records of their Office. 27th February, 1813.

Resolved, That the Clerks of the Supreme Judicial Court in the County of Suffolk, be, and they are hereby authorized and directed to file and arrange the records and papers of said Court, which records and papers belenged to said

Court when the records of all its proceedings in the several Counties in this Commonwealth were deposited in the Clerks' office of said Court in Boston, and that said records and papers be so filed and arranged in such order as to be accessible to persons having lawful occasion to resort thereto.

Be it further resolved, That said Clerks make an account of the expences arising from effecting the purpose of this resolution, which account being examined and certified by one or more of the Justices of the Supreme Judicial Court, the same shall be laid before the Committee on Accounts, for allowance.

CHAP. CLXXIII

Resolve for Paying sundry Accounts for Supplies to the detached Troops at the Eastern Frontiers.

27th February, 1813.

The Committee who had under consideration the petitions of the Selectmen and others, of several towns in the District of Maine, for compensation for supplies for the drafted Militia, have attended that duty, and report the following resolve:—

Whereas, by a General Order of the Commander in Chief, dated the 5th day of August last, a part of the Militia detached in compliance with a law of the United States, passed the 5th day of April last, were drawn out and stationed at Eastport, in the District of Maine, and sundry expences have thereby accrued.

Therefore resolved, That by virtue of the 24th section of a law of this Commonwealth, passed on the 6th day of March, A. D. 1810, there be allowed and paid out of the Treasury of this Commonwealth to the following named towns, plantations and persons, the sums affixed to their names respectively, the items of which have been examined and found duly vouched, viz:—

To the Selectmen of Bangor, the sum of	\$126 09
Brewer and Eddington,	146 32
Blue Hill.	85 89
Samuel Woods' Account,	13 25
Selectmen of Corinth,	17 32
“ Dixmont,	45 87
Plantation of Lee,	56 52

Plantation No. 2, 1st Range,	38 65
Selectmen of Ellsworth,	22 67
“ Exeter,	17 01
“ Frankfort,	180 83
“ Hampden,	100 15
“ Orono,	53 38
Assessors No. 2, 2d Range,	39 03
Town of Calais, certified by Major Ulmer,	309 93
Captain Chamberlain’s Account, Commauder of one of the Companies,	447 94
Trawbridge and Bisco’s Account, certified by Col. Ulmer,	382 32
Whitney and Dorr’s Account, by do.	563 35
Captain Thomas George’s Account,	119 88
Town of Orrington,	116 33

	\$2887 78

And that his Excellency the Governor be requested to draw his warrant on the Treasurer of this Commonwealth for the same sums accordingly.

CHAP. CLXXIV.

Resolve authorising the Governor to draw his Warrants in favor of of the Warden of the State Prison.
27th of February, 1813.

Resolved, That his Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized to draw warrants upon the Treasurer of this Commonwealth in favor of the Warden of the State Prison, for such sums, and at such periods as may be deemed expedient by the Governor and Council, not exceeding three thousand dollars, to enable said Warden to fulfil his contracts, and defray the expences of said Prison, he to be accountable for the same.

CHAP. CLXXV.

Resolve for Compensating Generals Sewall and Blake for services in detaching Militia for the Eastern Frontier.
27th February, 1813.

The Committee who had under consideration the petition

of Major General Sewall and Brigadier General Blake, have attended that duty, and report : That by a General Order of the Commander in Chief, dated the 5th day of August last, said officers were directed to call out and station at Eastport, a part of the Militia of this Commonwealth, in obedience to a law of the United States, that in the execution of that duty, they have been at great expence of money as well as time, and that a sum equivalent to their actual expences ought to be allowed them.

Therefore resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Major General Henry Sewall, the sum of seventy dollars, and also to Brigadier General John Blake, the sum of seventy dollars, as a compensation for their services ; and that his Excellency the Governor be requested to draw a warrant on the Treasury of this Commonwealth for the above sums.

CHAP. CLXXVI.

Resolve granting \$120 to Captains Chamberlain and George for travel to obtain Pay for the troops detached for the Eastern Frontier. 27th February, 1813.

The Committee who had under consideration the petition of Captain Joshua Chamberlain, and Thomas George, report : That in consideration of the expence which they have incurred in travelling from the District of Maine, a distance of about 300 miles, to obtain payment of wages and supplies for the Companies detached and stationed at Eastport, under their command, by order of Major General Sewall, a reasonable compensation ought to be made.

Therefore resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Captain Joshua Chamberlain, the sum of sixty dollars, and to Captain Thomas George, the sum of sixty dollars, as a full compensation for the above mentioned service, and that his Excellency the Governor be requested to draw his warrant on the Treasury for the above sums.

CHAP. CLXXVII.

Resolve appointing Commissioners to collect and arrange the Accounts of Pay to the Militia ordered out to the Frontiers of this State. 27th February, 1813.

Resolved, That the Adjutant General and the Treasurer of the Commonwealth, for the time being, be, and they are hereby appointed Commissioners to collect and arrange the accounts of pay, subsistence and expences of the Militia of this Commonwealth which have been ordered to march to the frontiers of this State, in the years 1812 and 1813, and which have been paid from the Treasury of this Commonwealth, and to request and receive from the General Government of the United States, the reimbursement of all such sums, and to give the proper receipts or discharges therefor; and the same when so received to pay into the Treasury of this Commonwealth.

CHAP. CLXXVIII.

Resolve on the Petition of Shubael Bell, fixing the Rate of Rent he is to Pay for Estate Leased to him. 27th February, 1813.

On the petition of Shubael Bell, of Boston, in the County of Suffolk.

Resolved, for reasons set forth in said petition, that said Bell pay to the Treasurer of this Commonwealth, for the term of two years, five hundred dollars rent for each year, for the premises described in said petition, from the first day of December, eighteen hundred and twelve, should his lease continue so long, otherwise in that proportion during his occupancy, which shall be in full for the rent reserved by said lease.

CHAP. CLXXIX.

Resolve on the Petition of Jacob Welsh, allowing him Pay for Lands with a proviso. 27th February, 1813.

On the petition of Jacob Welsh, praying to be indemni-

fied for the breaches of the covenants, contained in a certain Deed made by the Agents of the Commonwealth to said Welsh, in the year 1781.

Resolved, for the reasons set forth in the foregoing petition, that the said Welsh shall be allowed and paid out of the Treasury of this Commonwealth, the sum of fifteen hundred and twenty six dollars and seventy five cents, being the value of the lands mentioned in said petition, and also such sum as shall be taxed for the demandant's costs in the several suits mentioned in said petition, in the Circuit Court of Common Pleas, in the County of Middlesex, and that the Certificate of the Clerk of said Court of the amount of said costs, shall be evidence to authorize his Excellency the Governor to issue his warrant therefor, and there shall also be allowed to the said Welsh, the further sum of eighty eight dollars to indemnify him for his expences and trouble in defending said suits :

Provided, however, that the said Welsh, before he shall receive any of said sums, shall make and execute upon an attested copy of the deed of said Agents to said Welsh, a release and discharge of all the covenants contained in said deed, and shall file the same release in the office of the Secretary of this Commonwealth.

CHAP. CLXXX.

Resolve for Paying the Selectmen of Eastport, Calais and Robbinston, and Chase and Hills, their Accounts of Supplies to the Troops, &c. 27th February, 1813.

The Committee to whom was recommitted the petitions of the Selectmen of Eastport and others, for supplies for the local Militia, report the following resolve :—

Resolved, That by virtue of the 24th section of a law of this Commonwealth, passed on the 6th day of March, A. D. 1810, that there be allowed and paid out of the Treasury of this Commonwealth, to the towns and persons herein after named, the sums affixed to their names respectively, the items of which have been examined and found duly vouched

To the Selectmen of Eastport,	\$ 1056 50
“ Calais,	350 00
“ Robbinston,	147 00

Chase & Hills, for Storage, as certified } by Quarter Master Jones, }	15 00
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Making the sum of \$ 1568 50
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And that his Excellency the Governor be requested to draw warrants on the Treasury of the Commonwealth accordingly.

CHAP. CLXXXI.

*Resolve for Paying the Rolls of Captains Chamberlain and George, for services of detached Militia at Eastport.
27th February, 1813.*

The Committee appointed to consider the petition of Captains Joshua Chamberlain and Thomas George have attended that duty, and report in part: That in obedience to a General Order of the Commander in Chief, dated the 5th day of August last, one Company of the detached Militia, under the command of Captain Joshua Chamberlain, and one other Company of said detached Militia, under the command of Captain Thomas George, were stationed at Eastport, in the District of Maine, that their term of service commenced on the eleventh day of August, and expired on the last of December, making the term of four months and twenty days. Their services were not accepted by the President of the United States, until the first day of September, from which time they received pay from the United States, but that from the eleventh of August to the first of September, they have received no compensation.

Therefore resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the officers, non-commissioned officers, musicians, and privates, under the command of Capain Joshua Chamberlain, the sum of three hundred and sixty-two dollars, eighty-five cents, on account of wages, from said 11th day of August to said 1st day of September, twenty days, it being after the rate allowed by the United States, which sum shall be distributed agreeably to the pay roll accompanying, also to Captain Chamberlain, for twenty days rations at 3 rations per day, making 60 rations at 20 cents per ration, \$12

Lt. Peter Newcomb,	2 rations per day,	making	40 do.	8
Ensign Freeman,	do.	do.	do.	8

Also to the officers, non-commissioned officers, musicians, and privates of the Company commanded by Captain Thomas George, the sum of \$259 84, for payment of wages during said twenty days, to be distributed in like manner, making the sum of \$650 69 ; and that his Excellency the Governor be requested to draw his warrant on the Treasury of this Commonwealth for the above sums.

CHAP. CLXXXII.

Resolve in favor of the Commissioners, appointed to adjust the Accounts of Ebenezer Bridge, Esq. late Treasurer of the County of Middlesex. 27th February, 1813.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Abiel Heywood, Esq. the sum of thirty-seven dollars and fifty cents ; to John Walker, Esq. fifty-seven dollars ; to Asahel Stearns, Esq. the sum of seventy-six dollars and fifty cents, in full for their services and expences as Commissioners appointed by the Court of Common Pleas, for the County of Middlesex ; pursuant to a resolution of the Legislature of the twenty-eighth of February, A. D. 1811, to audit the accounts of Ebenezer Bridge, Esq. late Treasurer of the County of Middlesex, and of John L. Tuttle, Esq. the present Treasurer of said County, as to all monies received by them for the use of this Commonwealth.

ROLL No. 68.....February, 1813.

THE Committee on Accounts having examined the several accounts they now present,

REPORT, That there are due to the Corporations, and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned, which is respectfully submitted.

NATHAN WILLIS, *per order.*

PAUPER ACCOUNTS.

Town of Ashburnham, for supplies to Sukey Franklin, up to March 1st, 1812,	\$9 00
Adams, for boarding, clothing and doctoring Susannah Camp, Lydia Dailey's two children, Freeman Blakely and Ann Wallen, to the time of her death, including funeral charges, to 9th January, 1813,	145 87
Attleborough, for supplies for Eliza and Peggy Taylor, to 18th January, 1813,	37 33
Andover, for boarding, clothing and doctoring Patrick Callahan, Sukey Hornsby, to 11th February, 1813,	134 52
Amherst, for board, nursing and doctoring Andrew Blackburn, to the time of his death, including funeral charges,	52 48
Abington, for boarding, clothing and doctoring Thomas Seymore, to 21st February, 1813,	49 76
Boston, for boarding and clothing sundry Paupers, to the 1st December, 1812,	6233 46
Bradford, for boarding and doctoring Joshua L. Alsas, to 25th January, 1813,	60 00
Boothbay, for board and clothing Henry Green, a child, to 12th January, 1813,	33 50
Bristol, for board, clothing and doctoring William How, to 1st June, 1812,	62 25
Becket, for board, clothing and doctoring Sally and Hiram Leonard, to 26th January, 1813,	72 00

Bowdoinham, for board and doctoring Richard Clough, to the time of his death, including funeral charges,	20 00
Bridgewater, for board and clothing Frederick Bignor, William Badger and John Stocks, to 1st February, 1813,	90 17
Barnardston, for board and clothing Oliver Stevens, to 25th January, 1813; also Hugh Cary, including doctoring,	416 66
Baldwin, for boarding and clothing Daniel Hickey, to 1st January, 1813,	45 15
Bedford, for board and clothing James Cades, to 10th January, 1813,	44 79
Berwick, for board and clothing Samuel Woodworth, to 18th January, 1813,	43 40
Brimfield, for board, clothing and doctoring John Christian, to 27th January, 1813,	47 24
Biddeford, for boarding, nursing and doctoring Hendrick Johnson, and Cato, a black, to the time of their death, including funeral charges,	24 07
Berlin, for board and clothing John Hannah, to 25th January, 1813,	81 05
Beverly, for boarding and clothing sundry Paupers, to 1st February, 1813,	665 16
Boston Board of Health, for board, doctoring and nursing sundry Paupers, on Rainsford Island, to the 10th February, 1813, including repairs of the buildings, and allowance for wood and keepers' salary,	812 25
Bradford, Samuel, Keeper of the Gaol, in the County of Suffolk, for supporting sundry poor Prisoners, to 1st February, 1813,	604 05
Billerica, for board, clothing and doctoring Thomas Gerry, and supplies to James Ingals, to 9th February, 1813,	49 31
Carlisle, for boarding and clothing Robert Barber, to 23d January, 1813,	46 26
Cambridge, for boarding and clothing sundry Paupers and poor Prisoners, confined in gaol, to 27th January, 1813,	432 55
Cushing, for board and clothing James Walker, to 1st February, 1813,	41 50

Charlton, for board, clothing and doctoring Edward Madden, to 1st January, 1813,	43 39
Colraine, for board, clothing and doctoring Sally Lamonier, Richard Hynes and Rachel Hynes, to 16th January, 1813,	158 72
Cheshire, for doctoring Jane Dott, to the time of her death,	7 75
Cambden, for supplies to the family of Richard Conway, to 30th March, 1812.	20 00
Chester, for board and clothing Benjamin Powers, to 16th October, 1812, George Weden and family, to the time of his death, including funeral charges,	73 22
Concord, for board and clothing Case, a black, and supporting sundry poor Prisoners in gaol, to 15th February, 1813,	111 78
Cargil, Thomas, M. for nursing, bandages and rum, for poor Prisoners in gaol, to January, 1812,	15 00
Charlestown, for boarding and clothing sundry Paupers, to 11th February, 1813,	260 58
Chelmsford, for board and nursing Catharine McClenny, Charles and Eliza, children of Anna Peirce, Priscilla Reed and her Child, to 29th February, 1813,	139 15
Cape Elizabeth, for boarding James Ramsbottom, to 10th January, 1813,	52 50
Dunstable, for board, clothing and doctoring Margaret Lane, to the time of her death, including funeral charges,	67 75
Dogget, Samuel, Gaoler for the County of Norfolk, for the support of poor Prisoners, to 28th January, 1813,	115 94
Dedham, for support of Bristol, a negro, while in prison,	6 42
Dorchester, for boarding and clothing John Harrison, Thomas Wyman, Alexander Theophilus, to 30th January, 1813,	94 50
Dresden, for boarding and clothing John Cullen, to 31st January, 1813,	268 80
Dracut, for supplies to Richard Baker, to 11th February, 1813,	62 00

Danvers, for boarding and clothing sundry Paupers, 9th February, 1813,	729 23
Egremont, for boarding, clothing and doctoring Benjamin Randall, Mary Dailey, Joseph Dailey, and Eleazer Dailey, to 14th January, 1813,	345 34
Edgarton, for board and clothing Anthony Chadwick and John Cole, to 20th January, 1813,	46 50
Elliot, for supplies to Asa Allen, to 8th February, 1813,	14 54
Falmouth, for board, clothing and doctoring Samuel Sheverick, to 19th January, 1813,	33 67
Fayettee, for board and clothing William G. Martin, to 1st January, 1813,	62 37
Framingham, for board and doctoring Hugh McPherson, to 6th February, 1813,	60 20
Falmouth, (Cumberland County) for board, clothing and doctoring Felician Sang, to 14th January, 1813,	164 59
Gardner, for boarding and clothing Thomas Doyle, to 7th January, 1813,	19 87
Greenwich, for board and clothing sundry Paupers, to 14th January, 1813,	285 24
Granville, for board, clothing and doctoring George Taylor, Archibald Stewart, and Lucy Hall, to the time of her death, including funeral charges,	81 67
Groton, for board, clothing and doctoring John C. Wright and Wife, Elisha Hoyt, Eunice Bentrout and Richard Brents, to 10th January, 1813,	273 52
Greenfield, for board, clothing and doctoring Eunice Stone, to 1st January, 1813, and supplies to a transient person,	75 20
Granby, for board and clothing Ebenezer Darwin, to 1st February, 1813,	57 40
Gill, for board, clothing and doctoring Sarah Hamilton and Samuel Lyons and Wife, to 23d January, 1813,	131 57
Great Barrington, for board, clothing and doctoring Isaac Hoose, Catharine Hoose and Mary Hoose, John Whitty, Clarissa Londsey, Amy Rathborn and Lucy Porter, to 13th February, 1813,	396 23

Gorham, for board, clothing and doctoring Jacob Morse and Robert Gilfilling, to 10th February, 1813,	149 49
Gloucester, for board and clothing sundry Paupers, to 10th November, 1812,	775 00
Grafton, for board and clothing Phillis Jenks and her Children, until she left the town,	29 50
Goshen, for board and clothing Sarah Horsford, to 17th February, 1813,	50 00
Hadley, for board and doctoring Friday Allen and Rebecca, his Wife, to 6th January, 1813,	94 27
Hardwick, for board, clothing, doctoring and nursing John Howard, to the time of his death, including funeral charges,	58 08
Hodgkins, Joseph, Keeper of the House of Correction, in the County of Essex, for boarding and clothing Mary Adelaide Hully Hicks, John Squires and Josiah Bennington, to 31st January, 1813,	238 85
Hepe, for board, clothing and doctoring John Sullivan, to 22d November, 1812, when he left the town,	63 22
Hallowell, for boarding, and clothing Rachel Cummings, Judith Davis and her three Children, James Carruth, Samuel Palmer and James Flemming, to 31st December, 1812,	290 02
Huston, John, Keeper of the Gaol in Salem, for support of sundry poor Prisoners, to 31st December, 1812,	104 88
Hancock, for board, clothing and doctoring Rebecca Osborn, to 5th February, 1813, and Robert Hale, until he left the State,	80 74
Hebron, for board, clothing and doctoring John Germain, to 26th December, 1812,	9 92
Haverhill, for board and clothing William Tapley, to 1st January, 1813, and John Wilson, to the time he was sent out of the State,	67 20
Ipswich, for boarding and clothing sundry Paupers, to 1st February, 1813,	340 73
Kittery, for boarding and clothing Sarah Perkins, Deborah Perkins and her Child,	127 40
Lunenburg, for board and nursing Felix Todd, to 25th January, 1813,	62 00

Limington, for board and clothing John Organ, to 1st January, 1813,	67 60
Lincolnton, for board and clothing Alexander White and Timothy Cox, to 21st January, 1813,	121 80
Lanesborough, for board, clothing and doctoring Jerusha Welsh, Clarissa Tracy's Child, and Ichabod Sherlock, to 1st June, 1812,	182 42
Lynn, for board and clothing sundry Paupers, to 8th February, 1813,	576 52
Litchfield, for boarding of Hannah Taylor and her Children, to 1st January, 1813, Daniel Howard and Wife, to the time of her death, including funeral charges,	144 18
Lenox, for boarding, clothing and doctoring Abraham and Augustus H. Palmer, and Tab Lewis, to 25th January, 1813, and Clarissa Dodge, and Jack, a negro, to the time they left the town,	207 25
Leyden, for board, clothing and doctoring Jedediah Fuller's Wife, Elizabeth Wagner and Ruth Abel, to 21st January, 1813, and Jedediah Fuller, to the time of his death, including funeral charges,	141 61
Littleton, for board and clothing John Putnam, to the 1st February, 1813, and Richard Croach, to the time of his death, including funeral charges,	72 63
Lincoln, for board and doctoring Thomas Poccock, to the time of his death, including funeral charges,	12 50
Lee, for board, clothing and doctoring Jonathan Blackman and Wife, Zuba Cain and Lucy Fuller, to 15th January, 1813,	113 38
Minot, for supplies for Philip Weeks, to 25th December, 1812,	25 00
Machias, for board, clothing and doctoring Moses Wheaton, a child, to 20th January, 1813,	27 25
Mendon, for board and doctoring John Williamson, to the time of his death, including funeral charges,	47 33
Manchester, for board, clothing and doctoring Thomas Douglas, to 2d February, 1813,	78 57
Methuen, for board and doctoring Nancy Hale, to 25th January, 1813,	80 00

Mansfield, for board and doctoring Hugh McPherson, to February, 1813,	9 24
Marblehead, for boarding and clothing sundry Paupers, to 6th February, 1813,	479 25
Marshfield, for boarding and clothing and doctoring Lemuel Little, to 12th January, 1813,	129 81
Medford, for boarding, clothing and doctoring John McLeod and Michael Farrell, to 6th May, 1812,	48 55
Middleborough, for boarding, clothing and doctoring John Fitzgerald, to 10th January, 1813,	137 02
Manning, Thomas, for doctoring sundry Criminals in Gaol, in the County of Essex, to 14th April, 1813,	31 00
Mount Vernon, for board, clothing and doctoring David Bresford, to 20th January, 1813,	34 52
Northfield, for board and clothing Richard Kingsbury, to 23d January, 1813,	70 75
Norwich, for board and clothing Daniel Williams, to 17th January, 1813,	48 71
Northampton, for board, clothing and doctoring sundry Paupers and poor Prisoners in Gaol, to 1st February, 1813,	424 47
Northborough, for board and doctoring Richard Grant, to the time of his death, including funeral charges,	45 25
North Yarmouth, for board, clothing and doctoring sundry Paupers, to 26th January, 1813,	109 50
Newburyport, for boarding and clothing sundry Paupers, to 31st December, 1812,	1853 96
Newbury, for boarding and clothing sundry Paupers, to 1st January, 1813,	810 19
Nantucket, for board, clothing and doctoring James Thomas and Michael Anthonio, to 19th January, 1813,	118 05
New Marlborough, for board, clothing and nursing Orke Ugene, to 6th February, 1813,	70 55
New Bedford, for boarding and clothing, doctoring sundry Paupers, to 20th January, 1813, including funeral charges for George Williams,	231 74
New Gloucester, for board and clothing George Gregory and John May, to 28th January, 1813,	129 10
Overseers of the Marshpee Indians, for supporting sundry Paupers, to 1st February, 1813,	456 10

Oxford, for boarding, clothing and doctoring Catharine Jordan and William Stiles, to 1st February, 1813,	84 82
Peru, for board and clothing James Robbins and his two Children Sally and Olive, to 20th January, 1813,	99 00
Palmer, for board, clothing and doctoring William Mendom and Wife, to 5th January, 1813,	126 05
Plymouth, for board and clothing sundry Paupers, to 31st January, 1813, and Joseph Young, until his death, including funeral charges,	281 33
Penobscot, for board and clothing Thomas Slack, to 12th June, 1812, including funeral charges,	41 61
Pittsfield, for board, clothing and doctoring sundry Paupers, to 1st January, 1813,	198 95
Prospect, for board and clothing Ann Hanes, to 1st January, 1813,	113 60
Portland, for board and clothing sundry Paupers, to 1st January, 1813,	1081 50
Quincy, for board, clothing and doctoring William Oliphant, Thomas Bailey, Thomas Johnson, Wife and three Children, to the time of his death, including funeral charges,	174 89
Reading, for boarding, nursing and doctoring Samuel Baneroft, to the time of his death, including funeral charges,	75 15
Rowley, for board, clothing and doctoring Benjamin Dow, Elle Collins and Jesse Kimball, to 1st January, 1813,	107 93
Readfield, for board, clothing and doctoring Edward Burgess, Abigail Richards and Daughter, to 22d January, 1813,	68 10
Rutland, for board and clothing William Henderson and John Cowland, to 1st February, 1813,	78 03
Rehoboth, for board, clothing and doctoring Elizabeth Snow, Lafer Mason and Child, to 1st January, 1813,	149 40
Roxbury, for board and clothing sundry Paupers, to 3d January, 1813, including funeral charges for D. C. French, William Nickerson and Thomas Hammage,	644 43

Rochester, for board, clothing and doctoring George White and Primus Scott, to the time of their death, including funeral charges,	84 09
South Hadley, for boarding and doctoring Peter Pendegrass, to the time of his death, including funeral charges,	73 63
Standish, for board, clothing and doctoring Olive Noble, to 6th January, 1813,	82 08
Shirley, for board and clothing Roderick McKinsey and Wife, Simon Cox, Mary Fare and James Mills, to 24th January, 1813,	161 75
St. George, for board and clothing Robert Hawes, to 1st February, 1813,	57 20
Sharon, for board and doctoring Stephen Flood, to the time of his death, including funeral charges,	8 20
Shelburne, for board, clothing and doctoring Mary Bates, to 14th January, 1813,	59 81
Sandisfield, for boarding, clothing and doctoring Mary Tryon, William Wallace, and supplies to Richard Dixon, to 25th January, 1813,	61 92
Shrewsbury, for board and clothing Leander Taylor, to 23th January, 1813,	39 00
Stockbridge, for board and clothing Mary Doud, John Morrison and Sally Peet, to 3d December, 1812,	219 88
Sherburne, for supporting Benjamin Houghton, to 29th January, 1813,	52 00
Sutton, for board, clothing and doctoring Isabella Santee and four Children, to 9th February, 1813,	81 54
Spencer, for board and clothing John Lander, to 6th January, 1813,	67 00
Swansey, for board and clothing Thomas Connelly, to 5th November, 1812, including funeral charges,	58 75
Sudbury, for board and clothing John Whiting, to 12th February, 1813,	72 70
Southwick, for board and clothing George Reed, to the 1st January, 1813,	75 00
Sterling, for board, clothing and doctoring Mary Pike, to 29th January, 1813,	111 52
Somerset, for board and clothing William Elliot, to 31st December, 1812,	27 37

Sandwich, for board and clothing Richard Crouch, to 3d January, 1813,	35 20
Salem, for board and clothing sundry Paupers, to 3d January, 1813,	1298 38
Topskam, for board, clothing and doctoring Wil- liam Proctor and John Dugan, to 28th January, 1813,	183 38
Tyringham, for board and clothing Ralph Wey, to 1st January, 1813,	60 50
Templeton, for board and clothing Esther Jack, to to the time of her death, including funeral charges,	34 00
Taunton, for board and clothing Edmund Shores, Emanuel Disnous and Hannah Goff, to 27th Janu- ary, 1813,	123 99
Theobald, Philip, for doctoring sundry Criminals in Wiscasset Gaol, to 26th January, 1813,	43 22
Uxbridge, for board and clothing David Mitchell, Phillis Jenks and Benjamin Catteral, to 1st February, 1813,	92 84
Windsor, for board, clothing and doctoring Henry Smith, to 20th January, 1813,	77 07
Worcester, for board and clothing sundry Pau- pers, to 1st January, 1813,	178 53
Warren, for board and clothing William Moor- man, to 4th January, 1813,	52 00
Winthrop, for boarding, clothing and doctoring William Gaskel, Olive Howard, Abigail Rich- ards, Thomas Taylor's Wife and six Children, to 4th January, 1813,	177 04
West Springfield, for board, clothing and doctor- ing James Aldridge, Hannah Shovey and Han- nah Felt, to 20th January, 1813,	92 91
West Stockbridge, for board, clothing and doctor- ing Lucy Lane and James C. Bigg, to the 1st January, 1813,	106 00
Walpole, for board, clothing and doctoring John Webb, to 26th January, 1813,	45 50
West Hampton, for board and clothing John Gay and Wife, to 1st January, 1813,	31 00
Williamston, for board, clothing and doctoring Peter Morrill, Rachael Galusha, John G. Hen- dergrass, Christopher Glover and Mary Blue, to 3d February, 1813,	220 48

Westfield, for board and clothing John Newton and Wife, to 1st January, 1813,	77 96
Wiscasset, for board, clothing and doctoring sundry Paupers, to 20th February, 1813, including funeral charges, for Hector,	72 20
Westford, for boarding and clothing Christopher Shepard, to 1st February, 1813,	67 20
York, for board, clothing and doctoring sundry Paupers, to 8th February, 1813,	553 18

Total Paupers,	32,306 35

MILITARY ACCOUNTS.

Curtis, Jared, for the expence of a Court of Inquiry, held at Great Barrington, 17th December, 1812, Col. Prentiss Williams, President,	20 25
Ashley, M. Robert, for travel and attendance upon a Court of Inquiry held at Lanesborough, August, 1811,	5 29
Brooks, John, Adjutant General, for the expence of a Court of Inquiry, held at Salem, July, 1812, Major General Nathaniel Goodwin, President,	216 73
Brooks, John, Adjutant General, for the expence of a Court Martial, held in Boston, in December, 1812, Major General Joseph Whiton, President,	488 83
Cummings, David, for the expence of a Court of Inquiry, held at Salem, in July, 1812, Major Samuel W. Phelps, President,	51 13
Foot, Alvan, for travel and attendance as a Member of Court of Inquiry to have been holden at Lanesborough, July, 1811,	2 77
Brooks, John, Adjutant General, for the expence of a Court Martial, held at Salem, in October, 1812, Major General Jonathan Davis, President,	518 94
Hubbell, Calvin, for the expence of a Court Martial, held 18th January, 1813, Col. Prentiss Williams, President,	96 88
Osgood, Francis, for the expence of a Court Martial, held at Portland, in October and November, 1811, Col. David Potter, President,	494 75

Punchard, John, for the expence of taking depositions relating to the election of Lt. Col. David Parnum, to be Brigadier General, by order of the Commander in Chief, (including the fees of Justice, officers and witnesses) in April, 1812,	70 01
Tilden, P. B. for the expence of a Court of Inquiry, held 14th December, 1812, Major G. G. Lee, President,	9 82
Sawtell, Richard, for the expence of a Court of Inquiry, held in Winslow, 24th January, 1813, Major Joseph Moore, President,	55 85
Wheeler, Thomas, for the expence of taking depositions relating to the election of Stephen W. Page, in November, 1812,	37 22
Whiting, John, for his travel and attendance upon a Court of Inquiry, held at Lanesborough, in 1811; also for his travel and attendance as a Member of a Court of Inquiry to have been holden at Worthington, in May, 1811,	19 94
Lyman, H. Jonathan, for his travel and attendance at Worthington, March, 1811, as a Member of a Court of Inquiry, General Hildreth, President,	5 90

	2094 31

Brigade Majors and Aid de Camps.

Bates, Elkanah, to 8th January, 1813,	67 55
Bastow, Sumner, to 24th November, 1812,	64 49
Blish, Joseph, to 11th January, 1813,	116 02
Curtis, Jared, to 8th January, 1813,	44 95
Cochran, James, to 24th June, 1812,	28 50
Cummings, David, to 1st February, 1813	53 20
Clap, Ebenezer, to 1st January, 1813,	80 46
Dutch, Ebenezer, to 25th January, 1813,	148 43
Dunbar, William, to 1st February, 1813,	67 50
Fisher, Jacob, to 25th January, 1813,	55 27
Goodwin, Ichabod, to 1st January, 1813,	63 50
Gamwell, Samuel, to 6th January, 1813,	37 35
Gitchell, Ephraim, to 24th June, 1812,	82 95
Greenleaf, Samuel, to 15th October, 1812,	228 35
Goodwin, M. John, to 1st February, 1813,	100 76
Howard, Samuel, to 9th January, 1813,	169 71

Hubbell, Calvin, to 18th January, 1813,	83 90
Hight, William, to 1st January, 1813,	58 00
Hoyt, Epaphras, to 31st December, 1812,	66 63
Howe, Estes, to 3d February, 1813,	36 15
Hayward, Nathan, to 24th January, 1813,	129 50
Hubbard, Russell, to 20th October, 1812,	26 90
Knapp, L. Samuel, to 31st December, 1812,	48 40
Keith, Cyrus, to 1st August, 1812,	26 17
Mattoon, D. Noah, to 26th November, 1812,	88 91
Osgood, Francis, to 22d September, 1812,	85 12
Page, Samuel, to 10th February, 1813,	100 21
Russ, John, to 10th January, 1812,	121 00
Russell, Edward, to 16th October, 1812,	46 92
Sawtell, Richard, to 30th December, 1812,	87 02
Starr, James, jr. to 20th February, 1813,	24 55
Tilden, P. B. to 16th February, 1813,	84 20
Thayer, M. Samuel, to 19th February, 1813,	155 25
Thayer, Minot, to 20th February, 1813,	49 05
Weston, Samuel, to 6th July, 1812,	58 50
Woods, Sampson, to 14th January, 1813,	110 10
Wheeler, Barzillai, to 27th May, 1812,	74 30
Willis, F. Noah, to 25th February, 1813,	22 63
Whiting, Timothy, to 20th February, 1813,	108 11

	3100 51

Brigade Quarter Masters.

Boutell, Timothy, to 1st February, 1813,	31 50
Campbell, Archibald, to 1st February, 1813,	25 32
Garrett, Andrew, to 1st February, 1813,	15 96
How, Thomas, to 1st February, 1813,	29 79
Hobart, Thomas, to 1st February, 1813,	19 30
Morgan Archippas, to 1st February, 1813,	28 54
Peabody, Daniel, to 1st February, 1813,	9 76
Partridge, Samuel, to 1st February, 1813,	35 12
Pollard, Oliver, to 1st February, 1813,	16 73
Rosetter, Samuel, to 1st February, 1813,	17 62
Talmage, Joseph, to 1st February, 1813,	17 50
Thomas, Nathaniel, to 1st February, 1813,	9 16
Winchester, John, to 1st February, 1813,	9 82
Walker, Timothy, to 1st February, 1813,	28 68

	294 80

Expences of Horses to haul Artillery.

Alden, O. Peter, to 8th October, 1812,	5 00
Brewer, Daniel, to 8th October, 1812,	10 00
Bradbury, Jeremiah, to 4th October, 1812,	6 00
Barron, Isaac, to 1st October, 1812,	10 00
Bird, Seth, to 23d September, 1812,	17 50
Carter, Nehemiah, to 9th October, 1812,	5 00
Crosby, Abiel, to 15th January, 1813,	3 00
Clemence, Calvin, to 1st October, 1812,	5 00
Dyer, Ebenezer, to 17th October, 1812,	30 00
Eastman, Philip, to 21st September, 1812,	5 00
Holmes, Bartlett, to 27th September, 1812,	10 00
Harlow, Bradford, to 20th January, 1813,	5 00
Holland, John, to 8th October, 1812,	15 00
Harris, William, to 9th October, 1812,	20 00
Hastings, Samuel, to February, 1813,	30 00
Johnson, Peter, to 12th October, 1812,	10 00
Kendall, Loammi, to 1st October, 1812,	12 50
Lyon, John, to 5th October, 1812,	5 00
Lewis, James, to 1st September, 1812,	10 00
Lyman, D. Josiah, to 28th September, 1812,	5 50
Lincoln, Caleb, to 20th January, 1813,	10 00
Morrill, Jacob, to 21st October, 1812,	6 60
Park, Richard, to 16th October, 1812,	5 00
Prentiss, Caleb, to 12th October, 1812,	5 00
Patterson, David, to 3d September, 1812,	5 00
Pond, Benajah, to 3d October, 1812,	7 50
Prescott, L. John, to 17th September, 1812,	6 50
Ranlett, Samuel, to 14th January, 1813,	5 00
Rice, Joel, to 10th October, 1812,	5 00
Seaver, David, to 6th October, 1812,	6 25
Stebbins, Zenas, to 5th October, 1812,	5 00
Strong, Asahel, to 3d October, 1812,	5 00
Shaw, Joshua, to 23d September, 1812,	27 50
Sanderson, Henry, to 1st October, 1812,	10 00
Tillson, Nehemiah, to December, 1812,	5 00
Talbot, C. John, to 16th September, 1812,	25 00
Whitney, Harlow, to 9th October, 1812,	5 00
Warren, Moses, to 30th September, 1812,	7 50

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371 35

Adjutants.

Adams, Charles, to 18th January, 1813,	26 85
Arm, Plyny, to 17th October, 1812,	37 96
Adams, Moses, to 28th September, 1812,	111 77
Allen, C. Shobal, to 8th January, 1813,	73 25
Bliss, Theodore, to 14th August, 1812,	20 08
Blake, L. John, to 16th October, 1812,	57 05
Bodurtha, Harvey, to 3d September, 1812,	31 68
Brown, Benjamin, to 15th May, 1812,	18 26
Backus, Zenas, to 20th January, 1813,	68 09
Bates, C. Isaac, to 8th October, 1812,	41 62
Bird, Jonathan, to 3d January, 1813,	40 43
Bradley, Enoch, to 28th December, 1812,	17 01
Burnham, Enoch, to 1st January, 1813,	25 02
Burnham, Samuel, to 1st September, 1812,	35 03
Brewer, C. Caleb, to 28th September, 1812,	42 35
Barrell, George, to 10th February, 1813,	85 25
Brown, Abner, to 8th February 1813,	121 75
Beal, John, to 2d April, 1812,	8 74
Bigelow, Tyler, to 30th December, 1812,	104 36
Bartol, Barnabas, to 11th September, 1812,	39 02
Bliss, John, to 1st October, 1812,	6 54
Barry, William, to 1st July, 1812,	134 12
Burnham, Thomas, to 15th February, 1813,	18 73
Batterick, Tilley, to 3d March, 1812,	5 00
Callender, Benjamin, to 16th September, 1812,	28 69
Carter, Willis, to 2d December, 1812,	41 67
Crowell, Michael, to 12th November, 1812,	24 25
Cushing, Niel, to 12th December, 1812,	49 75
Chase, James, to 11th September, 1812,	21 10
Chamberlain, Thomas, to 12th November, 1812,	23 59
Cutts, William, to 5th January, 1813,	9 94
Curtis, Joseph, to 30th January, 1813,	21 49
Clerk, Joseph, to 8th January, 1813,	68 17
Champney John to 1st February, 1813,	97 00
Davis Stephen, to 29th September, 1812,	42 85
Dana Isaac to 7th February, 1813,	40 25
Delano Gideon, to 13th January, 1813,	42 01
Draper, William to 6th February, 1813,	41 43
Eames Theodore, to 1st November, 1812	42 13
Eell Samuel, to 8th November, 1812,	165 14
Edgecomb, Nicholas, to 1st July, 1812.	6 05

Fisk, Ezra, to 20th September, 1812,	57 88
Field, F. Arthur, to 2d September, 1812,	19 32
Fairbanks, Stephen, to 10th February, 1813,	160 63
Fales, David, to 2d July, 1812,	18 95
Foot, Elisha, to 9th February, 1813,	21 10
Gilmore, Rufus, to 1st September, 1812,	20 95
Gates, Isaac, to 29th August, 1812,	23 28
Gray, John, to 13th February, 1813,	38 88
Gitchell, Ephraim, to 7th October, 1812,	108 44
Gillett, Daniel, to August, 1810,	46 38
Hilton, Joshua, to 6th December, 1812,	77 82
Huntoon, G. Jonathan, to 3d December, 1812,	22 51
Hodson, Isaac, to 1st October, 1812,	96 02
Hyde, Zina, to 1st January, 1813,	61 14
Harrington, Joseph, to 2d January, 1813,	85 05
Hamilton, Abiel, to 1st September, 1813,	21 13
Hayden, Charles, to 5th February, 1813,	25 34
Hasly, John, to 17th September, 1812,	20 38
Hinman, Ranson, to 6th February, 1813,	11 22
Jewett, Caleb, to 6th November, 1812,	97 64
Jesse, Jewett, to 10th January, 1813,	75 25
Ives, H. George, to 5th September, 1812,	15 28
Jones, Nathan, to 13th October, 1812,	8 45
Jaques, Henry, to 20th February, 1813,	120 18
Keith, Cyrus, to 27th January, 1813,	30 28
Kingman, Simeon, to 8th February, 1813,	99 66
Kellogg, C. Giles, to 3d February, 1813,	66 65
Libbey, Nathaniel, to 11th October, 1812,	57 58
Lewis, Philo, to 5th January, 1813,	55 29
Lane, Daniel, to 24th January, 1813,	16 01
Larrabee, William, to 8th January, 1813,	43 18
Low, Parley, to 3d September, 1812,	21 97
Lewis, Lyman, to 19th September, 1812,	32 08
Lee, William, jun. to 1st February, 1813,	6 64
Maston, Jonathan, to 20th November, 1812,	161 45
Morgan, Aaron, jun. to 16th October, 1812,	58 81
Munroe, William, to 1st January, 1813,	23 92
Nye, Joseph, to 14th October, 1812,	9 40
Niel, G. John, to 1st September, 1812,	60 64
Needham, Henry, to 1st October, 1812,	74 11
Northam, Eli, to 27th January, 1813,	44 42
Ordway, Nathan, to 12th October, 1812,	32 54
Orr, Hector, to 12th January, 1813,	136 20

MILITARY ACCOUNTS.

175

Pike, T. Joseph, to 10th December, 1812,	7 47
Preston, Warren, to 2d September, 1812,	17 04
Page, Jesse, to 30th January, 1813,	31 66
Parker, Henry, to 21st October, 1812,	44 00
Parker, Joseph, to 5th November, 1812,	22 42
Pengree, Samuel, to 1st February, 1813,	21 58
Payson, Ebenezer, to 18th February, 1813,	5 13
Peck, George, to 6th February, 1813,	58 87
Richardson, Wyman, to 1st December, 1812,	69 75
Rogers, George, to 1st September, 1812,	19 33
Scisbee, Samuel, to 28th August, 1812,	36 50
Sears, Joseph, to 1st February, 1813,	13 37
Senters, Isaac, to 28th May, 1812,	5 30
Spring, Josiah, to 12th December, 1812,	10 34
Salmon, William, to 25th August, 1812,	37 62
Stewart, Jotham, to 1st February, 1813,	33 43
Saylis, Richard, to 28th January, 1813,	40 50
Sawyer, William, to 1st November, 1812,	73 00
Smith, Henry, to 15th February, 1813,	13 24
Shattuck, Daniel, to 14th December, 1812,	42 87
Shaw, Ebenezer, to 14th February, 1813,	30 55
Trufant, Seth, to 12th October, 1812,	32 66
Tucker, Joseph, to 12th August, 1812,	20 47
Trail, Jo, to 6th November, 1812,	13 44
Thomas, B. John, to 22d December, 1812,	136 01
Thompson, Charles, to 13th January, 1813,	48 90
Turner, Thomas, to 1st February, 1813,	61 05
Toby, James, to 2d February, 1813,	32 39
Williams, John, to 20th September, 1812,	41 80
Weston, Samuel, to 27th June, 1812,	55 20
Waterman, George, to 23d October, 1812,	14 77
Winslow, Hezekiah, to 10th January, 1813,	9 11
Ward, William, to 19th September, 1812,	37 45
Williams, Jonathan, to 26th December, 1812,	71 18
Washburn, Cromwell, to 22d October, 1812,	47 05
Ware, Jason, to 15th February, 1813,	18 43
Wilder, David, to 15th November, 1812,	18 80
Wild, Jonathan, to 9th February, 1813, including \$35 41, omitted in his account for services ren- dered in 1810, through mistake,	181 90

	5535 64

Total Military,	\$11396 61

SHERIFFS AND CORONERS' ACCOUNTS.

Adams, Moses, Sheriff of Hancock, for returning votes for electors of President and Vice President and Representatives to Congress, to November, 1812,	102 86
Bridge, Edmund, Sheriff of Lincoln, for returning votes for electors of President and Vice President and Representatives to Congress, to December, 1812,	63 64
Crane, Elijah, Sheriff of Norfolk, for distributing warrants and returning votes for electors of President and Vice President and Representatives to Congress, to February, 1813,	17 29
Cook, Orchard, Sheriff of Lincoln, for returning votes for Governor and Lieutenant Governor, 1812,	13 36
Cooper, John, Sheriff, of Washington, for returning votes for electors of President and Vice President and Representatives to Congress, February, 1813,	132 46
Claffen, Noah, Sheriff of Bristol, for returning votes for Governor and Lieutenant Governor and Senators, May, 1812,	5 91
Crosby, William, Coroner of Barnstable, for inquisition on the bodies of two strangers and funeral charges on the same, January, 1812,	29 70
Folger, Charles, Sheriff of Nantucket, for returning votes for Governor, Lieutenant Governor and Senators, 1812,	10 80
Goodwin, Ichabod, Sheriff of York, for returning votes for Electors of President and Vice President, and Representatives to Congress, February, 1813,	31 45
Howard, Samuel, Sheriff of Kennebeck, for distributing precepts, and returning votes for Representatives to Congress, January, 1813,	47 40
Hunnewell, Richard, Sheriff of Cumberland, for returning votes for electors of President and Vice President and Representatives to Congress, January, 1813,	44 40
Kendall, William, Sheriff of Somerset, for returning votes for Governor and Lieutenant Governor, and serving a citation, 1812,	22 44

Kelley, William, Sheriff of Dukes' County for returning votes of Governour, Lieutenant Governour and Senators, 1812,	6 46
Lyman, Elisha, Sheriff of Franklin, for returning votes for Governour, Lieutenant Governour and Senators, Electors of President and Vice President and Representatives to Congress, January, 1813,	45 00
Lawrence, Jeremiah, Sheriff of Nantucket, for returning votes for Electors of President and Vice President and Representatives to Congress,	49 95
Leonard, Horatio, Sheriff of Bristol, for returning votes of Electors of President and Vice President and Representatives to Congress, February, 1813,	13 32
McMillen, John, Sheriff of Oxford, for returning votes for Electors of President and Vice President and Representatives to Congress, December, 1812,	44 80
Mattoon, Ebenezer, Sheriff of Hampshire, for returning votes of Electors of President and Vice President and Representatives to Congress, November, 1812,	35 15
Smith, Jonathon, Sheriff of Hampden, for returning votes for Electors of President and Vice President and Representatives to Congress, February, 1813,	37 00
Sawtell, Richard, Sheriff of Somerset, for returning votes for Governour, Lieutenant Governor, Electors of President and Vice President and Representatives to Congress, January, 1813,	99 00
Sumner, Joseph, Coroner of Worcester, for inquisition on the body of a stranger and funeral charges, January, 1813,	24 60
Ulmer, George, Sheriff of Hancock, for distributing precepts, returning votes for Representatives to Congress and Electors of President and Vice President, January, 1813,	117 70
White, Moses, Sheriff of Worcester, for returning votes for Governor, Lieutenant Governor and Senators, May, 1812,	4 48

PRINTERS' ACCOUNTS.

Waterman, Samuel, Coroner of Plymouth, for inquisition on the body of a stranger and funeral charges, January, 1813,	17 90

Total Sheriffs and Coroners,	\$1016 74

PRINTERS' ACCOUNTS.

Adams & Rhodes, for printing to 15th October, 1812,	812 27
Allen, E. W. for printing to 1st August, 1812,	16 67
Allen, Phineas, for printing to 25th January, 1813,	16 67
Butler, William, for printing to 1st February, 1813,	16 67
Cheever, Nathaniel, for printing to 1st January, 1813,	16 67
Cushing, Thomas, for printing to June, 1812,	16 67
Edes, Peter, for printing to July, 1812,	9 00
Hiliard & Metcalf, for printing to February, 1813,	130 00
Munroe & Francis, for printing and book binding, to 12th February, 1813,	44 63
Russell & Cutler, for printing to 13th February, 1813,	2594 25
Shirley, Arthur, for printing to 1st January, 1813,	17 67
Watson & Bangs, for printing to 12th February, 1813,	3 00

Total of Printers,	\$3694 17

MISCELLANEOUS ACCOUNTS.

Apthorp, John, T for oil furnished June, 1812,	125 50
Boyle, John, for stationary, to 27th January, 1813,	106 87
Burditt, William & Co. for stationary, to 27th Jan- uary, 1813,	421 14
Bradford & Reed, for stationary, to 17th Febru- ary, 1813,	193 02
Chase, Warren, for services, to 27th February, 1813,	60 00
Durant, William, for glazing State House, to 15th February, 1813,	35 33
Guardians of Dudley Indians, for balance in full due them 25th May, 1812, which sum the Treas- urer of the State is directed to charge said In- dians with,	130 20

Gore, Samuel, for painting and sundries, to 8th February, 1813,	86 97
Harris, Josiah, for painting, to September, 1812,	65 78
Hunnell, Jonathan, chairman of the committee of repairs on the State House, for balance as per account, up to the 10th February, 1813,	412 11
Lapham, Sylvanus, for services to the 27th February, 1813,	64 00
Larkin, Ebenezer, for stationary, to 19th January, 1813,	5 00
Ladd, John, for composition work, to April, 1812,	9 37
Neil, John, for surveying eastern land by order of Court, to 15th February, 1813,	900 00
Perry, John, for services, to 27th February, 1813,	62 00
Wells, John, Thomas Harris, Joseph Head and Benjamin Weld, Committee for examining the late Treasurer's accounts, June, 1812,	70 00
Wheeler, Josiah, for sundry repairs and alterations on the State House, to 10th February, 1813,	267 80
Total Miscellaneous, \$3017 09

Aggregate of Roll No. 68....February, 1813.

Expences of State Paupers,	32306 35
“ Military,	11396 61
“ Sheriffs and Coroners,	1016 74
“ Printers,	3694 17
“ Miscellaneous,	3017 09
Total, 851430 96

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' names respectively, amounting in the whole to

the sum of fifty one thousand four hundred and thirty dollars and ninety-six cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, February, 27th, 1813.

Read and passed, sent down for concurrence.

SAMUEL DANA, *President.*

In the House of Representatives, February 27th, 1813.

Read and concurred.

TIMOTHY BIGELOW, *Speaker.*

February 27th, 1813....:Approved,

CALEB STRONG.

*Award of the Commissioners for determining the Rights of
Claimants to Lands in the County of Lincoln, &c.*

BOSTON, 26th JANUARY, 1815.

SIR—We have the honor to enclose an award on the claims submitted to us under the resolve of the 20th of June, 1811. that it may be laid before the Legislature.

We are aware that a return was expected from us before this time, and till the nature of the claims were opened, we had, ourselves, calculated on fulfilling the expectation of the Legislature in this particular; we however assure you, Sir, that there has been no unnecessary delay; all that portion of our time which was not employed in the discharge of obligations previously contracted has been devoted to the business of our appointment. Though we were certainly unapprized of the difficulties with which we had to contend, in executing the commission with which we have been honored, we are confident we have not mistaken the views of the Legislature in instituting this commission. It was to provide a tribunal which should, on just and equitable principles, decide on all the claims of the non-resident proprietors to an extensive tract of country, and by that means quiet the settlers in their possessions. It was therefore highly important that all the claimants who are many, and live remote from each other, and from the lands in question, should have the fullest opportunity of exhibiting and proving their claims, and that the settlers should be fully prepared to state and prove the nature of their titles, and the length of their possessions; that every record and document which has any bearing on the questions submitted, should be produced, and that the Commissioners should, after all, have time sufficient to weigh the evidence and to decide on the questions which arise on the hearing. To have contented ourselves with a hasty and superficial examination of a case of this magnitude, would neither have comported with the liberal views, and enlightened policy of the Legislature, nor with that justice which we owed to those, whose interests were confided to us. Whatever opinion may be formed of the result, we have spared no pains in our endeavours to do justice to the parties. They had a right to a full and patient hearing on the

merits of their respective titles, and we trust they have had it. We could hardly expect to find credit for a true statement of the difficulties we have had to encounter. The claims were numerous; the deeds and evidences of title in many cases, very ancient, the description of the lands intended to be conveyed, extremely loose, and sometimes in the same instrument contradictory; and though we derived considerable assistance from the surveys and plans, laid before us by the parties, and especially from a very extensive survey made by our order, yet we found it necessary to repair to the lands in dispute, to examine for ourselves, and to give the settlers and claimants an opportunity of availing themselves of all the testimony in their power. In considering the grants and conveyances under which the parties claimed, and the manner of deducing their titles, we have not been disposed to require the most perfect regularity, nor to expect the same exactness as in the case of modern grants. Wherever a Court of Chancery could supply defects or give relief, we have overlooked such defects, and have considered ourselves as vested with power to give the same relief, and we have allowed the claimants the full benefit of their possessions. We are desirous that the Legislature should be apprised of the construction, we have put on the resolution, which is the foundation of our authority. It has been our intention to go as far in favour of titles, as a Court of Chancery could go in the rightful exercise of their peculiar powers. But we have not considered the words "power and authority to determine both in law and equity, whether a claimant under his claim, is entitled to any lands within the boundaries of his claim," &c. as vesting in us any authority, to award in favour of a claimant, whose title could neither prevail at law, nor avail the party with all the aid a Court of Equity could give; though such party might have merits which would entitle him to the favorable notice of the Legislature. We have not considered the authority delegated to us, as by any means so extensive even in relation to the parties in this cause, as that possessed by the supreme power of the State. We shall be understood by stating a case, which in substance has been made out before us, and we presume similar cases must have often occurred. An individual, conceiving that he had a title, or intending to obtain one, to certain lands, shall have expended several sums of money in cultivating and improving the soil,—in endeavors to settle,

and actually settling a frontier country—in defending it against Indian depredations, and in that way shall have afforded protection and security to other parts of the State, and perhaps shall have extinguished the Indian title ; and shall, from some cause, have failed to realize a sufficient indemnification for his labour and expenditure, so beneficial to the public. In the case stated, it is manifest the public have been benefited at the expence of one of its citizens or subjects, but yet no title will be acquired either in law or equity, to any particular tract of land ; the individual, however, has a meritorious claim on the supreme power of the State, for a grant of lands or some other compensation. The records of Massachusetts, it is believed, will furnish many instances from the first settlement of the State to the present day, of grants made on similar considerations, but to order such grants to be made, we believe exceeds our powers. We are to determine in law and equity, on the titles submitted to us ; that is, whether certain persons under their claims are entitled to *certain lands*. If they have no legal or equitable title to these lands, we are bound to decide against them, whatever other claims they may have on the justice or generosity of the Commonwealth. Claims of this description have been urged before us, and it is possible the Legislature may have intended to give us authority to decide on them ; under this impression, we have received and considered the evidence adduced, and have no hesitation in saying that the claimants against whom we have awarded, have (with a single exception) no claim, even on this broad ground. The exception to which we allude, is the claim under the late William Vaughan. We are satisfied that he performed services and expended monies of the nature of those stated, and if we had conceived that the case was within our powers, we should have awarded in favor of his heirs at law, that they should have a grant of half a township of the unappropriated lands belonging to the Commonwealth, in the District of Maine, to be laid out under the direction of the Agents for the sale of Eastern Lands, with the reservations, and on the conditions usual in grants ; if in the opinion of the Legislature, our powers embrace claims of this description, they may then consider this a part of our award ; otherwise, as a mere recommendation, which, whether complied with or not, will no way affect the enclosed award.

It may be useful perhaps to state, that the plans returned

by the settlers, as descriptive of their settlements and actual possessions, appear from the affidavits and other evidence in the case, to be generally correct, and may serve as some guide in case the Legislature should hereafter wish to distinguish between the settlers. These plans and papers are deposited in the Secretary's office.

We have not availed ourselves of the power given us of appointing a Clerk, believing that the benefit would not equal the expence.

Before we conclude, we pray your Excellency to be assured, that if in executing this commission, we shall have had it in our power to remove any of the causes which have hitherto retarded the improvement and prosperity of an important part of the Commonwealth, it will always afford us the most unfeigned satisfaction.

We have the honor to be, with the greatest respect,
your Excellency's most obedient, and very
humble servants,

JEREMIAH SMITH.
WM. H. WOODWARD.
DAVID HOWELL.

His Excellency Governor STRONG.

WE, the Commissioners appointed pursuant to a resolve of the General Court of the Commonwealth of Massachusetts, made and passed the 20th of June, 1811, to determine both in law and equity, whether certain persons claiming lands in the towns of Bristol, Edgecomb, New-Castle, Nobleborough, Waldoborough, Jefferson and Boothbay, or either of them, under their respective claims, are entitled to any part of the lands lying within the boundaries of their respective claims, and what part they may be so entitled to, in opposition to the claims and rights of the possessors and occupants of said lands, and in opposition to the rights and claims of the Commonwealth," a copy of which resolve is hereunto annexed, and pursuant to a submission under the hand and seal of the Attorney General, in behalf of the Commonwealth, and under the hands and seals of the respective parties, whose names are thereto subscribed, dated the eighth day of November, 1811, which is also hereto annexed, accepted the trust, and having notified the Attorney

General, the possessors and occupants of the lands within the towns aforesaid, and the persons claiming to be proprietors thereof, and parties to the submission aforesaid, of the times and places of our meetings, to hear and determine the several matters and things submitted to us as aforesaid. all of whom attended, and having fully heard the Attorney General and the parties aforesaid, their several pleas, arguments and evidence, Do award, order and determine, that the proprietors of the Kennebeck purchase, from the late colony of New Plymouth, otherwise called the Plymouth Company, have both in law and equity a title to certain lands under their claim, and within the boundaries thereof, and situate within the towns aforesaid, in opposition to the claims of all persons and bodies politic whatever; and the said proprietors of the Kennebeck purchase having released and granted to the said Commonwealth all their right, title and claim to all the lands within the towns aforesaid, by a deed duly made and executed to the acceptance of the said Attorney General, and which deed is filed in the office of the Secretary of the Commonwealth—We do upon the principles in the said resolve, and submission mentioned, award, order and determine, that the said proprietors of the Kennebeck purchase, as a just equivalent for the lands to which the said proprietors at the time of said submission, had good title, and which they have released to the said Commonwealth as aforesaid, are entitled to have and receive from the said Commonwealth, a grant and conveyance of a tract of six miles square, of the unlocated lands belonging to said Commonwealth, in the District of Maine, (excepting the townships lately purchased of the Indians, and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on St. Johns and Chaudiere roads, which have been surveyed to defray the expence of opening said roads) to be taken, chosen and laid out by the said grantees in a body, next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformable to the lines run by Messrs. Maynard and Holland, and not interfering with any former location, and a plan and return of the field book to be laid before the agent or agents for the Commonwealth for the sale of eastern lands, reserving four lots of three hundred and twenty acres each for public uses,

viz. : one for the first settled minister ; one for the use of the ministry ; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be laid out near the centre of said tract, and to average in quality with the other lots therein, and on the condition that the grantees or their assigns, shall cause to be settled fifteen settlers on said lands, within fifteen years from the date of the grant.

And we do further award; order and determine, that Catharine Drown, Sarah Drown, Mary Drown, Samuel Flagg and Dorothy, his wife, in right of the said Dorothy, Henry Wilkins and Lucy, his wife, in right of the said Lucy, Nathaniel Kidder and Sarah, his wife, in right of the said Sarah, Samuel Green and Susannah, his wife, in right of said Susannah, Thomas Holler Condy and James Foster Condy, and if any of them be dead, the heirs or assigns of such person deceased, have both in law and equity a title to certain lands under their claim, and within the bounds thereof, and situate within the towns aforesaid, in opposition to the claims of all persons and bodies politic whatever ; and the said Catharine Drown, Sarah Drown, Mary Drown, Samuel Flagg and Dorothy, his wife, in right of said Dorothy, Henry Wilkins and Lucy, his wife, in right of said Lucy, Nathaniel Kidder and Sarah his wife, in right of said Sarah, Samuel Green and Susannah, his wife, in right of said Susannah, Thomas Holler Condy and James Foster Condy, having released and granted to the said Commonwealth all their right, title and claim to all the lands within the towns aforesaid, by a deed duly made and executed to the said Commonwealth to the acceptance of the said attorney general, and which deed is filed in the office of the Secretary of the Commonwealth—We do upon the principle in the said resolve and submission mentioned, award, order and determine, that the said Catharine Drown, Sarah Drown, Mary Drown, Dorothy Flagg, Lucy Wilkins, Sarah Kidder, Susannah Green, Thomas Holler Condy and James Foster Condy, as a just equivalent for the lands to which they at the time of the said submission had a good title, and which they have released to the said Commonwealth as aforesaid, are entitled to have and receive from the said Commonwealth, a grant and conveyance of a tract of eleven thousand five hundred and twenty acres of the unlocated lands belonging to the said Commonwealth in the District of Maine (excepting

the townships lately purchased of the Indians, and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on the St. Johns and Chaudiere roads, which have been surveyed to defray the expence of opening said roads) to be taken, chosen and laid out by the said grantees, in a body next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformably to the lines run by Messrs. Maynard and Holland, and not interfering with any former location, and a plan and return of the field book, to be laid before the agent or agents for the Commonwealth for the sale of eastern lands, reserving four lots of one hundred and sixty acres each for public uses, viz. : one for the first settled minister ; one for the use of the ministry ; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be located near the centre of said tract, and to average in quality with the other lots therein, and on condition that the grantees or their assigns, shall cause to be settled seven settlers on said lands within fifteen years from the date of the grant, to be holden by the said grantees, their heirs and assigns forever, as tenants in common, in the following proportions, to wit—the said Catharine Drown, Sarah Drown, Mary Drown, Lucy Wilkins and Dorothy Flagg, six sixtieth parts each ; the said James Foster Condy, Thomas Holler Condy and Sarah Kidder, five sixtieths each ; and the said Susannah Green, fifteen sixtieths.

And we do further award, order and determine, that as to all the other parties to the said annexed submission (the releases from whom, or some of whom, to the said Commonwealth, made and executed to the acceptance of the said Attorney General, have been filed in the office of the Secretary of the Commonwealth) neither they, nor any of them, nor the person or persons they or either of them represent, had at the time of said submission, or at any time since, have had either in law or equity, any title to any lands under their respective claims, and within the boundaries thereof, and situate within the towns aforesaid, or any of them.

Given under our hands and seals, at Boston, the 26th day of January, 1813.

JEREMIAH SMITH, (Seal)
 WM. H. WOODWARD, (Seal)
 DAVID HOWELL, (Seal)

Commonwealth of Massachusetts.

Whereas, certain non-resident claimants to lands lying within the towns of Bristol, Nobleborough, New-Castle, Edgecomb, Boothbay, Jefferson, and Waldoborough, have, through the Commissioners appointed by virtue of an order of both branches of the Legislature, passed the twenty-seventh day of February eighteen hundred and eleven, by mutual agreement among themselves, for the final adjustment of their respective claims, through the intervention and under the indemnity of the said Commonwealth, made certain propositions to the Legislature for that purpose, as by their agreement under their hands and seals, dated the tenth day of May one thousand eight hundred and eleven, now remaining in the Secretary's Office, reference thereto being had will appear. And whereas in conformity to the recommendation of the said Commissioners, the Legislature of said Commonwealth acceded to the said propositions, and thereupon on the twentieth day of June, in the year of our Lord one thousand eight hundred and eleven, the following proceedings and resolutions were had and passed by both branches of the Legislature, and approved by his Excellency the Governor, viz.

Commonwealth of Massachusetts.

Whereas certain persons claiming lands in the towns of Bristol, Edgecomb, New-castle, Nobleborough, Waldoborough, Jefferson and Boothbay, have offered to submit their respective claims to three Commissioners to be appointed by the Legislature of this Commonwealth, or his Excellency the Governor, under their authority, with the consent of the said claimants, which Commissioners shall have full power and authority to determine both in law and equity, whether said claimants, or either of them, under their respective claims, are entitled to any part of the lands lying within the boundaries of their respective claims, and what

part they may be so entitled to, in opposition to the claims and rights of the possessors and occupants of said lands, and in opposition to the rights and claims of the Commonwealth. And whereas said claimants have further stipulated and agreed to release and grant to the Commonwealth all their rights and claims to the lands they should be found entitled to respectively by the determination of said Commissioners, on condition that the Commonwealth shall grant and convey to said claimants respectively an equivalent in their unlocated lands in the District of Maine, for the lands to which they may be so found to be entitled, to be estimated as in a state of nature unconnected with any improvement made by the settlement of said towns, and the amount of such equivalent to be determined by said Commissioners.

Be it therefore resolved, That the Attorney General be, and he hereby is authorised, on the part of this Commonwealth, to submit with the persons claiming to be proprietors of all or any part of the aforesaid towns, their rights to three Commissioners, to be appointed in the manner hereafter provided, the report of whom, or the major part of them, made to the Legislature as soon as may be, shall be binding on all parties thereto. And the said submission shall be upon the principles and conditions in the preamble of this resolve before mentioned.

Be it further resolved, That his Excellency the Governor, by and with the advice and consent of Council, and with the assent of said claimants, be, and hereby is authorised to appoint three Commissioners for the purposes in said preamble mentioned.

Be it further resolved, That the said Commissioners shall notify the Attorney General, and the possessors or occupants of said lands, the persons claiming to be proprietors thereof, of their time and place of meeting, and they shall have power to appoint a Clerk, and to send for persons and papers, and to issue proper process for this purpose, and shall make a return of their doings to his Excellency the Governor as soon as may be, after their said business is performed.

Be it further resolved, That it shall be the duty of the Attorney General to attend the meetings of said Commissioners in behalf of the claims of the Commonwealth.

And whereas his Excellency the Governor, by and with the advice and consent of Council, and with the assent of said claimants, and in conformity to the authority vested in

him by the resolve aforesaid, hath appointed the Honorable Jeremiah Smith of Exeter, in the county of Rockingham, and State of New Hampshire, William H. Woodward of Hanover, in the county of Grafton, in the State of New Hampshire, and the Honorable David Howell of Providence, in the State of Rhode Island, to be Commissioners for the purposes aforesaid, who have accepted the trust.

Now therefore, to carry into full effect the proposal and agreement of the said non-resident claimants, and the aforesaid proceedings and resolutions of the Legislature aforesaid, it is hereby mutually covenanted and agreed between the subscribers, to wit, Perez Morton in his official capacity as Attorney General of this Commonwealth, by virtue of the power and authority delegated to him by the Legislature aforesaid, in the Resolve aforesaid, doth hereby covenant and agree on the part of the Commonwealth aforesaid, to and with each of the non-resident claimants, subscribers hereto, and with all and each of the persons whom they, or any of them lawfully represent, his and their respective heirs, executors, or administrators. And the said non-resident claimants, subscribers hereto, each for himself and for the persons respectively whom they or any of them legally represent, doth hereby covenant and agree to and with the said Perez Morton in his aforesaid capacity of Attorney General, and his successor in said office, for the use of said Commonwealth, to submit to the final award, report, and determination of the aforesaid named Honorable Jeremiah Smith, William H. Woodward, Esq. and Honorable David Howell, or any two of them, the merits and titles of their respective claims, to wit: the title of the Commonwealth and the possessors and occupants on the one hand, and the respective titles of all and each of the said non-resident claimants on the other hand, in and to the soil and property of all and any of the lands lying within all or any of the towns of Bristol, Edgecomb, New-Castle, Nobleborough, Waldoborough, Jefferson, and Boothbay. And the said Perez Morton, in his capacity aforesaid, and by virtue of his power and authority aforesaid, in behalf of the Commonwealth aforesaid, hereby covenants and agrees to and with each of the non-resident claimants aforesaid, subscribers hereto, and to and with each of the persons whom they or any of them lawfully represent, his and their heirs, executors, or administrators, that the said last named Commissioners, or any two of them, after a full hearing of the parties by

all three, shall have full power and authority to determine, both in law and equity, whether said non-resident claimants, subscribers hereto, or those whom they lawfully represent, or any or either of them, under their respective claims are, or is entitled to any part of the lands lying within any of the towns aforesaid, and what part they, or any, or either of them are, or is, so entitled to, in opposition to the rights, titles, and claims of the possessors and occupants of said lands, and in opposition to the rights, titles, and claims of the Commonwealth; and that the said Commissioners, or the major part of them, provided they shall determine that the said Claimants, or any or either of them, or any or either of those whom they lawfully represent, are or is entitled to any part of said lands, shall have full power and authority to estimate the value of the lands to which they may be so found to be entitled, as in a state of nature, unconnected with any improvement made by the settlement of said towns, and shall award an equivalent for the same in the unlocated lands belonging to the said Commonwealth, in the District of Maine, and shall determine the amount of such equivalent: and that the Commonwealth aforesaid will abide by and fulfil the determination of the said Commissioners, or a major part of them, after a hearing by all three, and will grant and convey to such non-resident claimants, subscribers hereto, and to those whom they lawfully represent, or their heirs, the amount of such equivalent so awarded as aforesaid, in the unlocated lands of the said Commonwealth in the District of Maine, whenever there shall be lodged in the office of the Secretary of the Commonwealth, the grants and conveyances of all the rights, titles, and claims of any such non-resident claimants to the lands lying within their respective claims in the towns aforesaid, duly and legally executed. And in consideration of the aforesaid covenants of the said Perez Morton, in his capacity of Attorney General as aforesaid, in behalf of the Commonwealth aforesaid, the said non-resident claimants, subscribers hereto, each for himself, his heirs, executors or administrators, and for the persons they represent; and their heirs, executors or administrators, do hereby covenant to and with the said Perez Morton in his capacity of Attorney General aforesaid, and his successor in said office, for the use of the Commonwealth aforesaid, that the said Commissioners, or any two of them, after a full hearing of the parties by all three, shall have full power and authority to determine, both in law and equity, whether they the said claimants, subscribers

hereto, or any or either of them, or any or either of the persons whom they legally represent, under their respective claims, are entitled to any part of the lands lying within the boundaries of their respective claims, and what part they, or any, or either of them are or is so entitled to, in opposition to the rights, titles, and claims of the possessors and occupants of said lands, and in opposition to the rights, titles, and claims of the Commonwealth aforesaid; and that the said Commissioners or the major part of them, provided that they shall determine that the said claimants, or any or either of them, or any or either of those whom they lawfully represent, are or is entitled to any part of said lands, shall have full power to estimate the value of the lands to which they may be so found to be entitled, as in a state of nature, unconnected with any improvement made by the settlement of said towns, and shall and may award an equivalent for the same in the unlocated lands belonging to the said Commonwealth in the District of Maine, and shall determine the amount of such equivalent. And that they, the said non-resident claimants, shall and will, each for himself, abide by, fulfil, and perform the award and determination of the said Commissioners, or a major part of them, after a hearing of the parties by all three, and that they and each of them, and all and each of the persons whom they represent, shall and will, on the day of the first meeting of the said Commissioners, and before the hearing and discussion of the merits of their claims shall be had before said Commissioners, lodge in the hands of said Commissioners their several and respective deeds of grant and release of all their estate, right, title, interest, and claim, in and to all the lands lying within any of the towns aforesaid, and within their respective claims, to the Commonwealth of Massachusetts, and to the acceptance of the said Perez Morton, Attorney General aforesaid, or his successor in said office, to the end that the same may remain in the hands of said Commissioners until they shall make their final award and determination, and be returned and filed in the office of the Secretary of the Commonwealth, by the said Commissioners, with their report.

IN witness whereof, the parties to these presents have hereto mutually set their hands and seals, in their respective capacities aforesaid, this eighth day of November, in the year of our Lord one thousand eight hundred and eleven.

SUBMISSION OF CLAIMANTS OF E. LANDS. 193

Signed, sealed and delivered,
in the presence of

- | | |
|--|---|
| Benjamin Homans,
Edward M·Lane, | { Perez Morton, Attorney General of the
Commonwealth of Massachusetts,
in behalf of said Commonwealth, be-
ing hereto authorized. (Seal) |
| Benjamin Homans,
Edward M·Lane, | { Daniel W. Lincoln, Attorney to heirs
of Samuel Waldo. (Seal)
{ Daniel W. Lincoln, Attorney to heirs
of Thomas Livingsworth. (Seal) |
| Benjamin Homans,
Edward M·Lane, | { Thomas Follensbe, (Seal)
{ Thomas Follensbe, Attorney for the
Tappan heirs (Seal) |
| Benjamin Homans,
Edward M·Lane, | { Samuel Flagg, Jun. Attorney for the
Drowne claim. (Seal) |
| Thomas B. Adams,
Benjamin Homans, | { James Noble, for himself & the heirs. (Seal) |
| Jeremiah Smith
William H. Woodward, | { Thomas L. Winthrop, Reuel Williams,
in behalf of the proprietors of the
Kennebeck purchase from the late
Colony of New Plymouth. (Seal) |
| Elliot G. Vaughan
James Noble, | { For Estwick Evans, William Evans,
Benjamin Evans, Eliza Passmore,
Samuel Peirce, Elizabeth Thomp-
son, Katharine Evans, and Elihu
Dearing :—
Estwick Evans, their Attorney. (Seal) |
| Benjamin Homans,
Edward M·Lane, | { Elliot G. Vaughan, Attorney to the heirs
at law of Elliot Vaughan, deceased. (Seal)
{ Elliot G. Vaughan, Attorney to Hon.
William Gray, Esq. (Seal) |
| Benjamin Homans,
Edward M·Lane, | { Samuel Flagg, Jun. (Seal) |
| Benjamin Homans,
Edward E. Powars, | { Daniel W. Lincoln, Attorney to heirs
of Josiah Stone. (Seal)
{ Barker Curtis, Attorney to the heirs
of William Hilton (Seal) |
| Robert McLintock, | { Simeon Miller, Attorney to heirs of
William Hilton and wife. (Seal) |
| Benjamin Homans,
Edward E. Powars, | { Elliot G. Vaughan, Attorney to Thurs-
ton Whiting (Seal)
{ Elliot G. Vaughan, Attorney to Ste-
phen Calef. (Seal) |
| Benjamin Homans,
Edward E. Powars, | { Daniel W. Lincoln, Attorney to the
heirs of John Peirce & Geo. Peirce. (Seal)
{ Daniel W. Lincoln, Attorney to heirs
of Joseph Hendley. (Seal) |

194 SUBMISSION OF CLAIMANTS OF E. LANDS.

Benjamin Homans, Edward M ^c Lane.	{	Thomas Capen.	(Seal)
Benjamin Homans, Edward M ^c Lane,	{	George Sullivan, Attorney to the heirs of Benjamin and John Hathorne.	(Seal)
Edward M ^c Lane, Joseph Balch,	{	George Choate, by Daniel W. Lincoln his Attorney.	(Seal)
	{	Jonathan Cogswell, by Daniel W. Lin- coln his Attorney.	(Seal)
Joseph Peirce, Elliot G. Vaughan,	{	William Frazer, by William A. Fales his Attorney.	(Seal)
Edward M ^c Lane, Richard B. Hewes,	{	Robert Howard, by Samuel Cony his Attorney.	(Seal)
	{	Arthur Lithgow, by Samuel Cony his Attorney.	(Seal)
James Noble, Estwick Evans,	{	Elliot G. Vaughan, Attorney to Wm. Wentworth and Samuel Whitney.	(Seal)
Perez Morton, Benjamin Homans,	{	William Gray.	(Seal)
Samuel Flagg, Jun. George W. Coffin,	{	Daniel W. Lincoln, Attorney to heirs Margaret Stilton.	(Seal)
	{	Joseph Peirce.	(Seal)
	{	Benjamin Lynde Oliver, by his Attor- ney Joseph Peirce.	(Seal)
	{	Benjamin Lynde Oliver, as he is Guardian to Andrew Oliver, a per- son non compos mentis, by his At- torney Joseph Peirce.	(Seal)
	{	Daniel Oliver, by his Attorney Joseph Peirce.	(Seal)
	{	Thomas Fitch Oliver, by Daniel Oli- ver, by his Attorney Joseph Peirce.	(Seal)
Benjamin Homans, Edward M ^c Lane,	{	Sarah Oliver, as she is Guardian of Sarah Pyncheon Oliver, and Eliza Digly Belcher Oliver, by her At- torney Joseph Peirce.	(Seal)
	{	Ezekiel Savage, as he is Guardian of Peter Oliver, a person non compos mentis, by his Attorney Joseph Peirce.	(Seal)
	{	Benjamin Lynde Oliver of Boston, by his Attorney Joseph Peirce.	(Seal)
	{	Francis Brinley, by Nathaniel Brinley, by his Attorney Joseph Peirce.	(Seal)
	{	Nathaniel Brinley, by his Attorney Joseph Peirce.	(Seal)
Arnold Wells, Thomas English,	{	Henderson Inches, Attorney to Han- nah and Abigail Waterhouse.	(Seal)

The following is a list of the persons, who, on the second day of July, A. D. 1812, by their Attorney, signed a sepa-

rate and special instrument of submission, of their claims, to the decision of the aforementioned Commissioners, which instrument is recorded in a book kept in the Secretary's Office, entitled, "Treaties, Contracts, &c." at page 175.

Daniel W. Lincoln, and seal. Signed, and sealed in presence of us. Benjamin F. Robb.	For and behalf of the heirs and claimants whose names are hereto annexed, by virtue of their special letter of Attorney for that purpose.	Thomas Johnson, and Sarah Johnson his wife. Samuel Jordan, and Lydia Jordan his wife. Jonathan Somes, Agnes Jones, William Grover, Jacob Davis.	Heirs of Jn. Brown under Agnes Doliver.
		George Denning, Alexander Campbell, and Mary his wife, Reuben Chandler, and Hannah his wife, Simeon Dennen, Thomas Moor, and Sarah his wife, Abigail Harlow.	Heirs of John Brown, under Emma Demming.
		John Cousins, Levi Bartlett, Nathan Woodbury, Stephen Phelps, William Clark Whitney, Samuel Brown, Davis Woodward, Bial L. Rollins, Zebedee Cushman.	Grantees of Heirs of Emma Demming.

Whereas some of the lines and boundaries of the claims exhibited under the foregoing covenant of submission extend into other towns than those mentioned in the said submission, but contiguous thereto, and other claims extend to islands, islets, and other places, not included within the bounds of any of the said towns: now therefore it is further covenanted by the said Attorney General, on behalf of the said Commonwealth, and the subscribers to this additional covenant, for themselves, and all those whom they lawfully represent, that the power and authority of the aforesaid Commissioners shall extend to extinguish in favor of the Commonwealth, in the manner mentioned in said covenant, the whole extent of the claims of the subscribers, non-resident claimants, within the boundaries of their respective claims.

196 SUBMISSION OF CLAIMANTS OF E. LANDS.

Witnesses.
 Jeremiah Smith,
 William H. Woodward,

William H. Woodward,
 David Howell.
 Edward M'Lane,
 F. H. Wright.

Alden Bradford,
 D. W. Lincoln.

Joseph Peirce,
 Elliot G. Vaughan.
 Samuel Flagg, Jun.
 Joseph Peirce.
 Estwick Evans,
 Samuel Flagg, Jun.
 Arnold Wells,
 Thomas English.

Perez Morton Attorney General for the Commonwealth. (Seal)
 Daniel W. Lincoln, Attorney to the heirs of Samuel Waldo. (Seal)
 Daniel W. Lincoln, Attorney to the heirs of Thomas Levensworth. (Seal)
 Daniel W. Lincoln, Attorney to the heirs of Josiah Stone. (Seal)
 Daniel W. Lincoln, Attorney to the heirs of George Peirce. (Seal)
 George Choate, by his Attorney Daniel W. Lincoln. (Seal)
 Jonathan Cogswell, by his Attorney Daniel W. Lincoln. (Seal)
 Daniel W. Lincoln, Attorney to the heirs of Emma Denning. (Seal)
 Daniel W. Lincoln, Attorney to the heirs of Margaret Stilton. (Seal)
 Samuel Flagg, Jun. Attorney for the Drowne Claim. (Seal)
 Samuel Flagg, Jun. (Seal)
 Elliot G. Vaughan, Attorney to the heirs of E. Vaughan. (Seal)
 Elliot G. Vaughan, Attorney to Wm. Gray, Esq. (Seal)
 Elliot G. Vaughan, Attorney to Thurston Whiting. (Seal)
 Elliot G. Vaughan, Attorney to Stephen Calc. (Seal)
 James Noble, for himself and the heirs of Arthur Noble. (Seal)
 Daniel W. Lincoln, Attorney to the heirs of John Atwood. (Seal)
 Benjamin Homans, for the heirs of Thomas Homans late of Pownalboro'. (Seal)
 Bachelder Bennett, by his Attorney William Jones. (Seal)
 Mary Bennett, by her attorney William Jones. (Seal)
 William Frazer, by William A. Fales his Attorney. (Seal)
 Estwick Evans Attorney as before. (Seal)
 Elliot G. Vaughan, Attorney to Wm. Wentworth and Samuel Whitney. (Seal)
 Henderson Inches, Attorney to Hannah and Abigail Waterhouse. (Seal)

The additional submission contained in the two preceding pages, we have not regarded in making our award of this date, the same not being authorised by the Legislature.

JEREMIAH SMITH,
 WM. H. WOODWARD,
 DAVID HOWELL.

Commonwealth of Massachusetts.

Secretary's Office, January 22d, 1813.

A list of Deeds of release of lands in Nobleborough, Waldoborough, New-Castle, Edgcomb, Boothbay, Bristol, and Jefferson, to the Commonwealth, in conformity to a resolve of the Legislature, passed June 20th, 1811, with the names of the Releasors and of their Attornies, together with a statement of the names of the Claimants whose rights and titles are released and granted to the Commonwealth by said Deeds deposited in the Secretary's Office of said Commonwealth.

<i>Names of the Grantors and of their Attornies.</i>	<i>Names of Claimants whose rights or claims are released.</i>
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Deed from James Noble, dated January 21st. 1812	} Brown Right, his claim to which, and all others is released.
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James N. Lithgow, Mary Davidson, and Charlotte Lithgow, by their Attorney, Arthur Lithgow, June 20th, 1812.	} Brown Right, his claim to which, and all others is released.
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Arthur Lithgow, January 17th, 1812.	} Releases and quit claims all his own right and title.
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Charlotte Harrison, George Noble, Thomas and Jane Capen, Francis Noble, David Weatheren and Mary his wife, By James Noble their Attorney, January 1st, 1812.	} They release their right and title under Brown claim, and all others.
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William Vaughn, Sarah Rindge, Ammi R. Wise, Jane Wise, James Bail, Sally R. Bail, by Elliot G. Vaughn their Attorney, January 21st, 1812.	} Whose title is founded on the Brown claim, and which is released.
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Elizabeth J. Vaughan, a minor, by her Guardian Elliot G. Vaughan.	} Whose title is founded on the Brown claim, and which is released.
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William Gray, by Elliot G. Vaughn Attorney. January 21st, 1812.	} Whose title is founded on the Brown claim, and which is released.
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Thurston Whiting, by Elliot G. Vaughn, Attorney. January 21st, 1812.	} Whose title is founded on the Brown claim, and which is released.
--	---

Samuel Hilton, by D. W. Lincoln Attorney. January 20th, 1812.	} Whose title is founded on the Brown claim, and which is released.
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Elizabeth Fitzgerald by D. W. Lincoln Attorney. January 20th, 1812.	} Whose title is founded on the Brown claim, and which is released.
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198 RELEASES BY CLAIMANTS OF E. LANDS.

Names of the Grantors and of their Attornies. *Names of Claimants whose right or claims are released.*

- Alexander and Lucy Wolcot, by D. W. Lincoln, Attorney, March 11th, 1812. { Releases all right to Brown's claim and all others.
- Lucy Knox, March 24th, 1812. { Releases all right to Brown's claim and all others.
- Samuel Whitney, by E. G. Vaughn Attorney. June 29th, 1812. { Release all right to Brown's claim and all others.
- Abial (or Bial) Rollins, Stephen Benson, January 13th, 1812. { Release all right to Brown's claim and all others.
- Samuel and Lydia Jordon, Agnes Jones, January 8th, 1812. { Release all right to Brown's claim and all others.
- Samuel and Judith Morgan, February 22d, 1812. { Release all right to Brown's claim and all others.
- John Dewy, March 18, 1812. { Releases all right to Brown's claim and all others.
- Johnathan Cogswell, jr. January 20th, 1812. { Releases all right to Brown's claim and all others.
- George Choate, January 20th, 1812. { Release all right to Brown's claim and all others.
- John Cousins, Stephen Phelps, Henry Jackson, Zebedee Cushman, William C. Whitney, Levi Bartlett, January 13, 1812. { Release all right to Brown's claim and all others.
- Nathaniel Brown, June 26th, 1812. { His right to lands in said towns and on Muscongus Island.
- Robert Howard, January 17th, 1812. { His right.
- William Frazer, for himself and as Attorney to Alexander Frazer. November 24th, 1812. { Brown claim, and Pierce claim.
- Thomas Hilton, by D. W. Lincoln, Attorney. January 20th, 1812. { Brown claim, and Hathorne claim.
- Timothy Davis, William Preston, by D. W. Lincoln Attorney. February 25th, 1812. { Brown claim.
- Samuel Storer for Mary Lear, Sally Porter, and heirs of Hannah Mead, Zebulon Durgin, Hannah Leathers, and Polly Longly, by Zebulon Durgin. William Jones. Samuel Jones, by William Jones and Hannah Clark's thirds. { Brown claim.

RELEASES BY CLAIMANTS OF E. LANDS. 199

Names of the Grantors and of their Attornies. *Names of Claimants whose right or claims are released.*

Benjamin Jones, Robert Neal.
 John Bodge.
 Margaret Shortridge by Robert Niel, jun.
 William Stilson.
 William Stilson for John and Lettice Stilson.
 Samuel Balsh for Mary Smith and William Seavey and wife.
 Mary Furnald, Abigail Trefethen, Guardians of Abram Trefethen
 William Furnald.
 Joseph Clark for James Trefethen, James Treadwell.
 William Trefethen, Polly and Lucretia Stuart, and heirs of Abram Trefethen, by William Trefethen.
 Thomas M. Shaw for Lucretia Shaw
 Samuel Batson for Anna Batson.
 Abram Trefethen, Joseph Ela.
 May 11th, 1812.

Brown claim.

Thomas Tewksbury, Thomas Woodbury, Joseph Peale, by Simon Millar, Attorney. March 20th, 1812.

Brown claim.

Mary Lufkin, Guardian to William and Louisa Lufkin, by Simon Millar, Attorney, Mary Peale by said Millar, Attorney. March 20th, 1812.

Brown claim.

Proprietors of Kennebeck Purchase by their Committee, Thomas L. Winthrop, Robert G. Shaw, and Robert Hallowell. December 1st, 1812.

Their own right and claim in said towns.

Joseph Peirce in his own right, and for Benjamin L. Oliver and for said Oliver, as Guardian to Andrew Oliver, for Daniel Oliver, Thomas F. Oliver, Sarah Oliver, as Guardian to Sarah P. Oliver, and Eliza D. Oliver, Ezekiel Savage Guardian to Peter Oliver. March 10th, 1812.

Brown and Peirce claim.

Joseph Peirce, Francis Brinley by Nathaniel Brinley, and Nathaniel Brinley—by their Attorney, Joseph Peirce. March 18th, 1812.

Drown claim by deed from Shem Drown.

Hannah Waterhouse, Abigail Waterhouse, by their Attorney, Hen-
 person Inches. March 21st. 1812.

Their title to lands at or near Bristol or Pemaquid and in said towns

200 RELEASES BY CLAIMANTS OF E. LANDS.

<i>Names of the Grantors and of their Attornies.</i>	<i>Names of Claimants whose right of claims are released.</i>
Thomas Capen, March 17th, 1812.	} Their title to lands at or near Bristol or Pemaquid and in said towns, and all title derived from Pemaquid Proprietors.
Samuel Flagg, jun. January 22d, 1812.	
Samuel Flagg, Dolly Flagg, Thomas H. Condy, Nathaniel Kidder, Sarah Kidder, James F. Condy, Catharine Drown, Mary Drown, Samuel and Susanna Green, Henry and Lucy Wilkins, Sarah Drown, by their Attorney, Samuel Flagg, jun. January 27th, 1812.	} Their title to lands at or near Bristol or Pemaquid and in said towns, and all titles derived from Pemaquid Proprietors, and power Shem Drown.
Thomas O. Selfridge and Susan G. Selfridge, Maria Condy, by their Attorney Samuel Flagg, jun. April 13, 1812.	
Thomas Follensby, Joshua Follensby, Ebenezer Felton. January 1st, 1812.	} Tappan claim, derived from William Philips and through him from Sachem Josle and Son, from Erle Douglas, and Witenose, said land lying in said towns.
Benjamin Follensby, Joshua Follensby. July 1st, 1812.	
Sam'l Thompson, Guardian of Eliza Thompson, a minor. June 24, 1812.	} Brown claim, and also all other claims.
Katharine Evans, Estwick Evans, William Evans, and Benjamin Evans. June 20th, 1812.	
Batchelor Bennet, and Mary Bennet, November 2d, 1812.	} Brown claim.
Elihu Deering, June 20th, 1812.	
Thomas Lee, by his Attorney, D. W. Lincoln. April 20th, 1812.	} Hathorne claim.
John McCutcheon, Ebenezer McCutcheon, John A. McCutcheon, Elizabeth McCutcheon, William H. McCutcheon, Mary H. Taylor, Michael O. Brine, Hitable O. Hathorne,	

Names of the Grantors and of their Attornies. *Names of Claimants whose right or claims are released.*

Jonathan Symonds,
Lucy S. Hathorne,
Hannah H. Wyer,
Mary Taylor,
Hannah Parker,
Betsey Townshend,
William Hill,
Lucy Symonds,
Hitty Giles,
by D. W. Lincoln, Attorney.
March 18, 1812. } Hathorne claim:

Stephen Calef, by his Attorney,
January 25th, 1812. } Allen claim and all others.

Hannah Smith, Samuel M. Thayer,
Hannah Thayer, Rebecca T. Calef,
by E. G. Vaughan, their Attorney. July 6th, 1812. } Allen claim and all others.

Thomas Johnson and Sarah Johnson,
his wife, Samuel and Lydia Jordan,
Jonathan Somes, Agnes Jones,
William Grover, Jacob Davis,
George Dennen, John Cousins,
William C. Whitney, Nathan Woodbury,
Stephen Phelps, Samuel Brown,
Levi Bartlett, Davis Woodward,
Bial L. Rollins, Zebede Cushman,
Abigail Harlow, Reuben and Hannah Chandler,
Thomas and Sarah Moor, Alex and Mary Campbell,
Simeon Denner, by their Attorney, D. W. Lincoln.
July 2d, 1812. } All right and title to lands in said towns,
derived from a deed given by two Indian Sachems,
Somerset and Unongoit, to John Brown, in 1625.

William Raymond in his own right,
and as Guardian to William Raymond,
Elizabeth Raymond and Benjamin Raymond,
by D. W. Lincoln, Attorney. November 23d, 1812. } Brown claim or by any other person.

Thomas and Elizabeth Passmore. }
June 25th, 1812. } Brown or Peirce claim.

Hannah Dow, Joseph and Elizabeth Horsham,
Isaac and Rebecca Allen, Anne Leach,
Hannah Leach, Jacob Tewksbury and Hannah,
his wife, Merian Leach, Benjamin and Hannah Hill,
Benjamin Hill, Margaret Hill, Benjamin Hilton,
Nabby Hilton, Amos Hilton, Charles Adams,
Apphia Adams, Wm. and Peggy Girdler,
Anna Storey, Anna Jones, Molly Neal, John Emerson. } Brown claim.

Names of the Grantors and of their Attornies. *Names of Claimants whose right or claims are released.*

Molly Carrico, Sally Hill, Mary Cross, Joseph Hilton, William Hilton, Joseph Hilton, Jonathan and Molly Merritt, Israel and Sally Woodberry, John and Nancy Lynn, Richard Hilton, John and Anna McCurdy, Thomas and Elizabeth McCurdy, Jonathan and Jenny Peaslee, Benjamin and Lydia Hilton, Joseph and Susannah Linscott, Abraham and Peggy Hilton, Samuel and Ruth Waters, Samuel Hilton, Kenney Stanley and Elizabeth, his wife, Stilson Hilton and Louisa, his wife, Stilson Hilton, 3d.

John and Anna Lendall,
Thomas and Hannah Leach,
Thomas Leach, Andrew Masters,
and Susanna his wife.

Benjamin Leach, Amos Hilton,
George Cross, John Cross,
Nathaniel Hilton, Josiah Hartshorne
Benjamin and Sarah Jones,
Amos Hill, William and Rebecca
Tuck.

John and Sarah Woodberry,
Isaac and Annis Gallup, by their
Attorney, Simeon Millar.

March 20, 1812.

Brown claim.

BOSTON, JAN. 25th, 1813.

I hereby Certify, that the Deeds of which the foregoing is a correct List, have been severally examined by me, and are found to be satisfactory, and they have been by my direction, recorded in the office of the Secretary of the Commonwealth, in a book appropriated for that purpose.

PEREZ MORTON,

Attorney General.

Secretary's Office, January 25th, 1813.

Examined, ALDEN BRADFORD,

Secretary of Commonwealth.

Resolve for quieting Settlers on Lands in Bristol, Edgecomb, &c. in the County of Lincoln. February 25th, 1813.

Whereas, certain persons claiming lands in the towns of Bristol, Edgecomb, New-Castle, Nobleborough, Waldoborough, Jefferson and Boothbay, have, pursuant to a resolve passed the eighteenth day of June, in the year eighteen hundred and eleven, submitted their claims to certain Commissioners, and released to the Commonwealth their respective rights and titles to the lands within said towns, and it is expedient that measures be adopted for quieting certain actual settlers upon said lands from the claims of this Commonwealth, on principles applicable to such actual settlers, but which are not to be considered as furnishing a precedent for any other cases.

Therefore resolved, That all persons, and their heirs and assigns, who, before the first day of January, in the year of our Lord one thousand seven hundred eighty-nine, went on any tract or lot of land within said towns for the purpose of clearing and cultivating the same, and making it the place of his settled abode, and actually resided on such lot by himself, or some person under him, before the said time, and cleared fit for mowing and tillage at least one acre of land, and built a dwelling house thereon, and still continues to reside on the same, and who shall produce satisfactory evidence thereof, in manner hereafter provided, to the persons appointed to receive the same, shall be quieted in the possession of such tract or lot, not exceeding two hundred acres to each settler, so as best to include his separate improvements, and not interfere with the actual possessions of others. Provided, that such actual settlers, their heirs or assigns, shall pay at the time and in manner hereafter described, at and after the rate of five dollars for each hundred acres of land to them respectively conveyed, with interest thereon, from the first day of June, in the year one thousand seven hundred and eighty-nine, and shall also comply with the other provisions of this resolve.

Resolved further, That all other persons, and their heirs and assigns, being actual settlers conformably to the foregoing description, shall be quieted in possession of the lots or tracts by them respectively claimed and possessed, not exceeding two hundred acres to each settler, so as best to include his separate improvements, and not interfere with the

actual possessions of others. Provided, that such actual settlers, their heirs or assigns, shall pay, at the time and in the manner hereafter described, at and after the rate of thirty cents for each acre to them respectively conveyed, and shall also comply with the other provisions of this resolve.

Resolved further, That his Excellency the Governor, with the advice of Council, be authorised to appoint two disinterested persons residing within a convenient distance from said towns, to be Agents in behalf of the Commonwealth, to make, execute and deliver to the persons respectively entitled to receive the same, deeds of release of the right and title of the Commonwealth to the lots or tracts to which such persons may be entitled, pursuant to the true intent of this resolve. And it shall be the duty of said Commissioners to appoint such times and places of meeting, within some one of said towns, as they may see fit ; the last of which appointments shall be within one year from the time of passing this resolve, of which notice shall be given by public advertisement, to be posted up in each of said towns, at least thirty days before the time of each meeting ; and at any of said meetings, the said Agents may proceed to examine the claims of said settlers, and in the name and behalf of the Commonwealth, to make, execute and deliver to them, severally, deeds of the lots or tracts to which they shall be found to be entitled, according to the true intent and meaning of this resolve, upon receiving from such settler the sums of money which shall be due and payable, in conformity with this resolve, and upon paying the further sum of seventy-five cents, which shall be in full for the making and taking the acknowledgment of each deed.

Resolved further, That the said Agents may make, execute and deliver any deed or deeds to such settlers, at any time when they may be ready to receive and pay for the same, and at any place which said Agents and said settlers may agree upon to receive the same.

Resolved further, That before any settler in either of said towns shall be entitled to receive his deed, a survey of such town, and of the lots and tracts claimed by such settlers, respectively, made by some sworn surveyor, and certified by the selectmen of such town, shall be produced and exhibited to the said Agents ; and in case of any controversy or dispute among said settlers, or any of them, respecting bounds or possession, the said Agents shall omit to make deeds of the

lots or tracts which shall be the subject of such controversy, and make a statement and report thereof to the Legislature.

Resolved further, That each of said Agents shall give bonds, with one or more sufficient sureties, to the Treasurer of this Commonwealth, to be approved of by the Governor, with condition to pay over from time to time, and without delay, into the Treasury, all monies by them respectively received in pursuance of this resolve, deducting therefrom two and one half per cent for receiving and paying the same.

Resolved further, That no deed to be made and executed pursuant to this resolve, shall effect the rights or claims of any actual settlers, claiming lands under any title not derived from the Commonwealth, or by possession merely, against each other; but all such claimants may pursue their legal remedies, as if no such conveyance had been made; and no such deed shall contain any covenant of warranty except against the claims of the Commonwealth.

Resolved further, That the said Agents shall make return of their doings, from time to time, to the Legislature; and in their final return, shall distinguish all those settlers, who, within one year from the passing of this resolve, shall not have paid for their lands, and received their deeds, so that legal process may be instituted against them for revesting in the Commonwealth its title to the same.

Resolved further, That the Agents aforesaid shall ascertain, and make return to the Legislature, of the quantity of land in said towns, belonging to the Commonwealth, to which no persons, being actual settlers, shall be entitled, conformably to this resolve.

Resolve authorizing the Agents for the sale of Eastern Lands, to execute a Deed to the Proprietors of the Kennebeck purchase. February, 27th, 1813.

The Committee to whom was referred the report of the Commissioners appointed pursuant to a resolve of June 20th, 1811, to determine both in law and equity upon the claims of certain persons "claiming lands in the towns of Bristol and other towns," respectfully report the following resolves:

Resolved, That the Agents for the sale of Eastern Lands

be, and hereby are authorized to make, execute and deliver a good and sufficient deed, conveying to the Proprietors of the Kennebeck purchase (as a just equivalent for the lands, the title to which they have released to the Commonwealth) a tract of land, six miles square, of the unlocated lands belonging to the Commonwealth, in the District of Maine (excepting the townships lately purchased of the Indians, and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on St. Johns and Chaudiere roads, which have been surveyed to defray the expense of opening said roads) to be taken, chosen and laid out by the said grantees, in a body next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformably to the lines run by Messrs. Maynard and Holland, and not interfering with any location, which shall have been made prior to the location, which said Proprietors may make, and that a plan and return of the field book shall be laid before the Agent or Agents for the Commonwealth, for the sale of Eastern Lands, reserving four lots of three hundred and twenty acres each for public uses, viz. : one for the first settled minister ; one for the use of the ministry ; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be laid out near the centre of said tract, and to average in quality with the other lots thereon, and on the condition that the grantees or their assigns, shall cause to be settled fifteen settlers on said lands, within fifteen years from the date of the grant. Provided, however, that the said Proprietors of the Kennebeck purchase, shall, before the execution of the said deed, make and execute a good and ample letter of attorney under their seal, to be approved of by Governor and Council, with covenants not to revoke the same, constituting the Attorney and Solicitor Generals, jointly and severally, and their successors in office, their Attornies, in the name of said Proprietors, but for the use of the Commonwealth, to recover any of the lands which have been released as aforesaid, from all persons occupying the same, in as full and ample a manner as the said Proprietors themselves might have done before the execution of their said deeds of release. Provided, also, that the said Kennebeck Proprietors shall, within three years

from the passing of this resolve, locate said tract and cause the same to be surveyed into lots.

Resolve authorizing the Agents for the sale of Eastern Lands, to execute a Deed to Catharine Drown and others.
February 27th, 1813.

Resolved, That the Agents for the sale of Eastern Lands, be, and hereby are authorized to make, execute and deliver a good and sufficient deed, conveying to Catharine Drown, Sarah Drown, Mary Drown, Dorothy Flagg, Lucy Wilkins, Sarah Kidder, Susannah Green, Thomas Hollis Condy and James Foster Condy, (or if any of them be dead, the share of such deceased person to his or her heirs, as a just equivalent for the lands the title to which has been released to the Commonwealth) a tract of eleven thousand five hundred and twenty acres of the unlocated lands belonging to the Commonwealth in the District of Maine (excepting the townships lately purchased of the Indians, and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on the St. Johns and Chaudiere roads, which have been surveyed to defray the expence of opening said roads) to be taken, chosen and laid out by the said grantees, in a body next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformably to the lines run by Messrs. Maynard and Holland, and not interfering with any former location, and a plan or return of the field book to be laid before the Agents for the sale of Eastern Lands, reserving four lots of one hundred and sixty acres each, for public uses, viz. : one for the first settled minister ; one for the use of the ministry ; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be located near the centre of said tract, and to average in quality with the other lots therein, and on condition that the grantees or their assigns, shall cause to be settled seven settlers on said lands, within fifteen years from the date of the grant, to be holden by the said grantees, their heirs and assigns forever, as tenants in common, in the following proportions :—
The said Catharine Drown, Sarah Drown, Mary Drown,

Lucy Wilkins and Dorothy Flagg, six sixtieth parts each, the said James Foster Condy, Thomas Hollis Condy and Sarah Kidder, five sixtieths each, and the said Susannah Green, fifteen sixtieths. Provided, however, that the said grantees shall before the execution of the said deed, make and execute a good and ample letter of attorney, to be approved of by the Governor and Council, with covenants not to revoke the same, constituting the Attorney and Solicitor Generals, and their successors in office, jointly and severally to be their Attornies in their names, but for the use of the Commonwealth to recover any of said lands, which have been released as aforesaid, from all persons occupying the same. Provided, also that the said Proprietors shall, within three years from the passing of this resolve, locate said tract, and cause the same to be surveyed into lots.

Resolve authorizing the Agents for the sale of Eastern Lands, to execute a deed to the heirs of the late William Vaughan.
February 27th, 1813.

Resolved, That the Agents for the sale of Eastern Lands, be, and they hereby are authorized, to make, execute and deliver to the heirs of the late William Vaughan, (as an equivalent for services performed) one half of a township, six miles square, of the unlocated land belonging to the Commonwealth, in the District of Maine, excepting the lands excepted in the resolve, authorizing the grant to the proprietors of the Kennebeck purchase, herewith reported, to be laid out in the same manner, and subject to all the reservations, restrictions and conditions, provided in the said resolve, authorizing the said grant to the proprietors of the Kennebeck purchase, in the same manner as if the same were herein specially recited.

Resolve for Paying the Commissioners on Eastern Land Claims. February 27th, 1813.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jeremiah Smith, Esq. one of the Commissioners appointed by a resolve of the General Court of the 20th June, A. D. 1811, to settle the claims of certain persons to lands in the District of Maine, the sum of twenty dollars,

due to him for the balance of his expences, and the sum of eleven hundred dollars, in full for his services. Also, to David Howell, Esq. another of said Commissioners, the sum of eight hundred eighty-four dollars, which, with the sum of sixteen dollars due from him, shall be in full for his services. Also, to William H. Woodward, another of said Commissioners, the sum of eighty-two dollars, seventy-two cents, due to him for the balance of his expences, and nine hundred dollars in full for his services. Also, to Perez Morton, Esq. Attorney General, for his services upon the said Commission, the sum of two hundred dollars, and one hundred thirty-nine dollars, twelve cents, balance due of his expences; and the Governor, with advice of Council, is hereby authorized to draw his warrants on the Treasury, in favor of those persons, respectively, for the several sums to them hereby granted.

COMMONWEALTH OF MASSACHUSETTS.

.....

Secretary's Office, May 24th, 1813.

By this, I certify, that the printed copies of the Resolves, (contained in this Pamphlet) passed by the General Court, at their Sessions in October, 1812, and January, 1813, have been examined, and compared, in the Office, with the Originals, and appear to be correct.

ALDEN BRADFORD,

Secretary of the Commonwealth.

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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION IN

JUNE, 1813.

Published agreeably to a Resolve of January 11, 1812.



BOSTON :

PRINTED BY RUSSELL AND CUTLER.

.....

1813.



CIVIL LIST.

OF THE
COMMONWEALTH OF MASSACHUSETTS,
FOR THE POLITICAL YEAR 1813—14.

HIS EXCELLENCY
CALEB STRONG, Esq. *Governor.*

HIS HONOR
WILLIAM PHILLIPS, Esq. *Lieut. Governor.*

COUNCIL.

Hon. Benjamin Pickman, jr.	Hon. David Cobb,
William Prescott,	Oliver Fiske,
Samuel Fales,	John Brooks,
John Lord,	William Davis,
	George Bliss.

SENATE.

Hon. JOHN PHILLIPS, Esq. *President.*

Suffolk—Hon. John Phillips, Thomas H. Perkins, John Welles, Israel Thorndike, Josiah Quincy.

Middlesex—Hon. Samuel Hoar, Edmund Foster, Timothy Fuller.

Worcester—Hon. Silas Holman, Solomon Strong, Bezael Taft, Francis Blake.

Hampshire—Hon. Eli P. Ashmun.

Hampden—Hon. Thomas Dwight.

Franklin—Hon. Samuel C. Allen.

Berkshire—Hon. Joseph Whiton, Welcott Hubbell.

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Plymouth—Hon. Nahum Mitchell, Wilkes Wood.

Barnstable—Hon. Wendell Davis.

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Essex—Hon. Samuel Putnam, Nathaniel Hooper, John Varnum, Daniel A. White, Thomas Stephens.

York—Hon. John Holmes, William Moody.

Cumberland and Oxford—Hon. Lothrop Lewis, Jacob Abbot, Daniel Stowell.

Kennebeck and Somerset—Hon. William Read, Joshua Gage.

Lincoln, Hancock and Washington—Hon. Benjamin J. Porter, William Webber, James Campbell.

Samuel F. M'Cleary, *Clerk.*

Robert C. Vose, *Assistant Clerk.*

Rev. Dr. John Lathrop, *Chaplain.*

HOUSE OF REPRESENTATIVES.

Hon. TIMOTHY BIGELOW, *Speaker*.

COUNTY OF SUFFOLK.

Boston, Harrison G. Otis,
 William Smith,
 James Robinson,
 Jonathan Hunnewell,
 William Sullivan,
 Stephen Codman,
 Benjamin Russell,
 Daniel Sargent,
 James Lloyd,
 Benjamin Whitman,
 Charles Davis,
 William Hammatt,
 William H. Sumner,
 Ephraim Thayer,
 Benjamin Weld,
 Oliver Keating,
 Nathan Webb,
 Daniel Messenger,
 George G. Lee,
 William Porter,

Samuel M. Thayer,
 George Blanchard,
 Nathaniel Curtis,
 Richard Faxon,
 Samuel Dunn,
 John D. Howard,
 Thatcher Goddard,
 Lynde Walter,
 Jonathan Loring,
 Jonathan Whitney,
 Samuel J. Prescott,
 Lemuel Shaw,
 James Savage,
 Joseph Pierce,
 Andrew Sigourney,
 Thomas Barry,
 William Harris,
 Joseph Tilden,
 Richard Sullivan.

Chelsea.

ESSEX.

Salem, Dudley L. Pickman,
 Benjamin Pierce,
 William Orne,
 Edward Brown,
 Amos Hovey,
 Ezekiel Savage,
 Samuel G. Derby,
 Robert Emery,
 Benjamin H. Hathorne,
 John Pickering,
 Ebenezer Secomb,
 Leverett Saltonstal.
Marblehead, John Bailey,
 Joshua Prentiss, jr.

William Story,
 James Smith,
 Richard Prince,
 Jacob Willard,
 Samuel W. Phelps.
Lynn and Lynnfield,
 Thompson Burrill,
 Asa T. Newhall,
 Parker Mudge,
 Eleazer C. Richardson,
 Richard Breed,
 James Hawkes.
Danvers, Samuel Page,
 Nathan Felton,

- Dennison Wallis,
James Foster.
- Beverly*, Thomas Davis,
Abner Chapman,
Isaac Ray,
Robert Rantoul,
Nathaniel Goodwin.
- Wenham*, John Dodge.
- Hamilton*, Robert Dodge.
- Manchester*.
- Gloucester*, John Tucker,
John Manning,
Benjamin Webber,
Jonathan Kimball,
Daniel Rogers,
James Appleton.
- Ipswich*, Nathaniel Wade,
Jonathan Cogswell,
Joseph Farley,
Joseph Hodgkins.
- Rowley*, Thomas Gage, jr.
Jonathan Lambert.
- Newbury*, Josiah Little,
Silas Little,
John Osgood,
Daniel Emery,
- Oliver Pilsbury,
Ebenezer Hale.
- Newburyport*, Jonathan Gage,
Stephen Howard,
William B. Banaister,
Isaac Adams,
Isaac Stone,
William Chase,
Samuel L. Knapp,
Samuel Newman.
- Bradford*, Jesse Kimball,
Thomas Savory.
- Boxford*, Parker Spofford.
- Andover*, Timothy Osgood,
George Osgood,
Benjamin Jenkins.
- Middletown*.
- Topsfield*,
Nathaniel Hammond.
- Methuen*, Benjamin Osgood.
- Haverhill*, David Howe.
- Amesbury*, Orlando Sargent,
Nathan Long.
- Salisbury*, Jonathan Smith,
Samuel March.

MIDDLESEX.

- Charlestown*, Joseph Miller.
- Cambridge*, William Hilliard,
Royal Makepeace.
- West-Cambridge*,
Thomas Russell.
- Brighton*,
Samuel Willys Pomeroy.
- Malden*, Jonas Green,
Ebenezer Harnden.
- Medford*, Timothy Bigelow,
Dudley Hall.
- Newton*, Samuel Murdock,
Ebenezer Cheney.
- Watertown*, Jonas White,
- Thomas Clark.
- Waltham*, David Townsend.
- Weston*, Isaac Fiske.
- Lincoln*, Leonard Hoar.
- Lexington*, James Brown.
- Sudbury*, William Hunt.
- East Sudbury*, Jacob Reeves.
- Natick*, Samuel Morse.
- Sherburne*, Tapley Wyeth.
- Holliston*,
Timothy Rockwood.
- Hopkinton*, Joseph Valentine,
Moses Chamberlain.
- Framingham*, John Fisk,

John Trowbridge.
Marlborough, John Loring,
 Daniel Brigham.
Stow and Boxborough,
 Augustus Tower.
Concord, Tilly Merrick.
Bedford, John Meriam.
Burlington.
Woburn, John Wade,
 Jonathan Tidd.
Stonham.
Reading, Timothy Wakefield,
 Daniel Flint.
South Reading, John Hart.
Wilmington.
Billerica, Josiah Crosby.
Tecksbury, Jesse Trull.

Chelmsford, Amos Whitney.
Carlisle.
Westford, Jesse Minot.
Acton, Joseph Noyes.
Littleton, Simon Hartwell.
Groton, Joseph Moors,
 Luther Lawrence.
Dracut, Solomon Aiken.
Dunstable.
Tynngsborough,
 Robert Brinley.
Shirley, John Egerton.
Pepperell,
 Nehemiah Jewett, jr.
Townsend, Samuel Brooks.
Ashby, John Locke.

NORFOLK.

Roxbury.
Dorchester,
 James Humphreys,
 John Capen,
 William Pope.
Brookline, Isaac S. Gardner,
Milton, Jacob Gill.
Quincy, Thomas Greenleaf.
Braintree, Jonathan Wild.
Weymouth,
 Christopher Webb.
Cohasset, Thomas Lothrop.
Neddham, Daniel Ware.
Bedham, John Endicott,
 Samuel H. Dean,
 Jonathan Richards.

Medfield and Dover,
 Daniel Adams.
Medway, Nathaniel Lovell.
Bellingham, John Bates.
Franklin, Joseph Bacon,
 Phineas Ware.
Wrentham, Jairus Ware,
 William Blackington.
Walpole, Daniel Kingsbury.
Foxborough.
Sharon, Benjamin Reynolds.
Stoughton,
 Benjamin Richards.
Randolph, Micah White.
Canton, Joseph Bemis,
 Lemuel Whiting.

PLYMOUTH:

Plymouth,
 Nathaniel Spooner,
 Barnabas Hedge, Jun.

Abner Bartlett,
 Joseph Bartlett, 3d.
 Benjamin Bramhall.

<i>Kingston</i> , John Thomas.	<i>Carver</i> .
<i>Duxbury</i> , Judah Alden, Samuel Frazier.	<i>Plimpton</i> , Elijah Bisbe.
<i>Marshfield</i> , Jotham Tilden.	<i>Halifax</i> .
<i>Pembroke</i> , Kilborn Whitman.	<i>Abington</i> , Nathan Gurney, jr.
<i>Bridgewater</i> , Daniel Howard,	<i>Hanover</i> , Turner Stetson.
Nathan Mitchel,	<i>Scituate</i> , Elijah Turner,
Gideon Howard,	Hayward Pierce,
Daniel Crane,	Cushing Otis.
Abiezer Alger.	<i>Hingham</i> , Jonathan Cushing.
<i>Middleboro'</i> , Joseph Barker.	Thomas Fearing.
<i>Rochester</i> .	Jotham Lincoln, jr.
<i>Wareham</i> .	<i>Hull</i> , Samuel Loring.

BRISTOL.

<i>Taunton</i> ,	<i>Somerset</i> , Thomas Danforth.
Nicholas Tillinghast,	<i>Berkley</i> , Apollos Toby.
Josiah King,	<i>Freetown</i> ,
John Reed,	William Rounsevelle.
John Godfrey.	<i>Troy</i> , Robert Miller.
<i>Raynham</i> , John Gilmore.	<i>Westport</i> , Abner Brownell.
<i>Easton</i> , Calvin Brett,	Abner B. Gifford,
John Tinkham.	Isaac Cory, Jun.
<i>Norton</i> , Brian Hall,	<i>Dartmouth</i> , Ephraim Tripp.
Samuel Morey.	Henry Tucker,
<i>Mansfield</i> , Solomon Pratt.	David Thatcher.
<i>Attleboro'</i> , Joel Reed,	Thomas Almy.
John Richardson.	<i>New Bedford</i> ,
<i>Rehoboth</i> , Hezekiah Martin,	Gamaliel Bryant.
Joseph Wheaton,	Jireh Swift, Jun.
Samuel Bliss, 2d.	John M. Williams.
<i>Seekonk</i> , Peter Hunt,	William Hathaway.
Oliver Starkwether.	<i>Fairhaven</i> , John Hawes,
<i>Dighton</i> , John Hathaway,	Nicholas Davis, Jun.
Leonard Hathaway.	Joseph Tripp.
<i>Swansea</i> , Daniel Hale.	

BARNSTABLE.

<i>Barnstable</i> , William Lewis.	James Crowell.
<i>Sandwich</i> .	<i>Dennis</i> , Judah Paddock,
<i>Falmouth</i> , Thomas Fish, Jun.	Samuel Chase.
<i>Yarmouth</i> , John Eldredge,	<i>Harwich</i> , Isaiah Chase.

Nathan Nickerson.	<i>Eastham</i> , Heman Smith, Jun.
<i>Brewster</i> , Isaac Clark.	<i>Wellfleet</i> , Beriah Higgins.
<i>Chatham</i> , Richard Sears.	<i>Truro</i> .
<i>Orleans</i> , Jonathan Bascom.	<i>Provincetown</i> , Daniel Pease.

DUKES' COUNTY.

Edgartown, Timothy Dagget. *Tisbury*.
Chilmark.

NANTUCKET.

Nantucket, Gilbert Coffin.

WORCESTER.

<i>Worcester</i> , Abraham Lincoln,	<i>Petersham</i> , Joseph Gallond.
William Eaton,	<i>Ward</i> .
Nathan White.	<i>Shrewsbury</i> ,
<i>Leicester</i> , Austin Flint.	Vashni Hemenway.
<i>Spencer</i> , James Draper, jr.	<i>Westboro'</i> , Moses Grout.
<i>Brookfield</i> , Oliver Crosby,	<i>Southboro'</i> , Willard Newton.
Samuel B. Rice.	<i>Northboro'</i> , James Keyes.
<i>N. Brookfield</i> , Thomas Hale.	<i>Boylston</i> , Jonathan Bond.
<i>Western</i> , Samuel Blair, Jun.	<i>W. Boylston</i> , Barnabas Davis.
<i>Sturbridge</i> , David Wight, jr.	<i>Lancaster</i> , Jacob Fisher,
<i>Charlton</i> , John Spurr,	William Cleveland.
Isaiah Rider.	<i>Harvard</i> , Reuben Whitcomb,
<i>Dudley</i> , Aaron Tufts,	Jonathan Sawyer.
Moses Healy.	<i>Bolton</i> , Stephen P. Gardner.
<i>Douglas</i> , Benjamin Dudley.	<i>Berlin</i> , Henry Powers.
<i>Uxbridge</i> , Benjamin Adams,	<i>Sterling</i> , Samuel Sawyer,
Samuel Reed.	Thomas Howard Blood.
<i>Northbridge</i> ,	<i>Princeton</i> , David Rice.
Adolphus Spring.	<i>Holden</i> , William Drury.
<i>Mendon</i> , Joseph Adams,	<i>Rutland</i> , Jonas Howe, Jun.
Elijah Thayer.	<i>Oakham</i> ,
<i>Milford</i> , Pearley Hunt.	William Crawford, Jun.
<i>Upton</i> , Ezra Wood, jr.	<i>Paxton</i> , David Davis, Jun.
<i>Grafton</i> .	<i>N. Braintree</i> ,
<i>Sutton</i> , Jonas Sibley,	Joseph Bowman, Jun.
Darius Russell,	<i>Hardwick</i> , Timothy Paige,
Abijah Burnap.	Jeduthun Spooner.
<i>Oxford</i> , Abijah Davis.	<i>Burre</i> , Nathaniel Jones,
<i>Hubbardston</i> , Ephraim Allen.	Archibald Black.

<i>Leominster</i> , David Wilder, jr	<i>Ashburnham</i> , Joseph Jewett.
Bezaleel Lawrence.	<i>Winchendon</i> , Samuel Prentiss.
<i>Lunenburg</i> .	<i>Royalston</i> , John Norton.
<i>Fitchburgh</i> .	<i>Templeton</i> , John W. Stiles.
<i>Westminster</i> , Jonas Whitney,	<i>Athol</i> , James Humphries.
Abel Wood.	<i>Gerry</i> , Elijah Gould.
<i>Gardner</i> , Aaron Wood.	<i>Dana</i> , Stephen Johnson.

HAMPDEN.

<i>Springfield</i> , Moses Chapin,	John Porter,
Oliver B. Morris,	Luke Parsons.
Edmund Dwight.	<i>Westfield</i> ,
<i>Longmeadow</i> , Calvin Burt.	Benjamin Hastings,
<i>Wilbraham</i> , Joseph Lathrop,	Frederick Fowler,
William Clark.	Azariah Moseley.
<i>Monson</i> , Abner Brown,	<i>Southwick</i> , Enos Foote,
Jesse Ives.	Shubael Stiles.
<i>Brimfield</i> , Stephen Pynchon,	<i>Granville</i> , David Curtis,
Alexander Sessions.	Israel Parsons.
<i>Holland and S. Brimfield</i> ,	<i>Tolland</i> , Thomas Hamilton.
Royal Wales.	<i>Blanford</i> , Alanson Knox,
<i>Ludlow</i> , Ely Fuller.	Andrew Wilson.
<i>Palmer</i> , Alpheus Converse.	<i>Chester</i> , Silvester Emmons.
<i>West-Springfield</i> ,	<i>Russell</i> .
Elias Leonard,	<i>Montgomery</i> .
James Kent,	

HAMPSHIRE.

<i>Northampton</i> , Isaac C. Bates,	<i>Plainfield</i> , John Hamlin.
Elijah H. Mills,	<i>Cunington</i> , Peter Bryant.
Asahel Strong.	<i>Worthington</i> .
<i>East-Hampton</i> ,	<i>Chesterfield</i> , Joseph S. Bailey.
Pearson Nichols.	<i>Norwich</i> , Jesse Joy.
<i>South-Hampton</i> ,	<i>Middlefield</i> , John Dickson.
Luther Edwards.	<i>Hadley</i> , Samuel Porter.
<i>West-Hampton</i> ,	<i>South Hadley</i> , Peter Allen.
Silvester Judd.	<i>Granby</i> , Eli Dickinson.
<i>Hatfield</i> ,	<i>Belchertown</i> , Eliakim Phelps,
Samuel Partridge, 2d.	Wright Bridgman,
<i>Williamsburgh</i> ,	Justus Forward, jr.
Thomas Mayhew.	<i>Ware</i> , Enos Davis.
<i>Goshen</i> , Nehemiah May.	<i>Greenwich</i> , Abijah Powers.

Amherst,
Samuel F. Dickinson,

Simeon Strong.
Pelham, Moses Gray.

FRANKLIN.

Northfield, Medad Alexander. *Coltraine*, David Smith,
Warwick, Caleb Mayo. Jonathan Mc Gee.
Orange, Amos Woodward. *Heath*, Roger Leavitt.
Montague, Nathan Chenery. *Rowe*, William Taylor.
Sunderland, Nathaniel Smith. *Charlemont*,
Leveret. Sylvester Maxwell.
Wendell, Joshua Green. *Hawley*, Thomas Longley.
Shutesbury, Josiah Beaman. *Buckland*, Enos Pomeroy.
New-Salem, Varney Pearce, *Ashfield*, Bethuel Lilly,
Benjamin Stacy. Enos Smith.
Greenfield, Eliel Gilbert. *Conway*, Elisha Billings,
Gill, Moses Bascom. David Childs.
Bernardston, *Deerfield*, Elihu Hoyt,
George Alexander. Asa Stebbins.
Leyden. *Whately*,
Shelburn, William Wells. Thomas Saunderson.

BERKSHIRE.

Sheffield, Joseph Goodrich, *Washington*,
Azariah Root. Absalom Deming.
New-Marlborough, *Lee*, Jared Bradley.
Elihu Ward, *Lenox*, Daniel Williams, jr.
Ebenezer Hyde. *Richmond*, Russell Griffin.
Sandisfield and Southfield, *Hancock*, Willet Gardner.
Eliakim Hull, *Pittsfield*, John B. Root,
Uriel Smith, jr. Caleb Wadhams,
Otis, Roderick Norton. John Dickenson,
Tyringham, Simeon Brown.
Solomon Garfield. *Dalton*, Zenas Crane.
Great Barrington, *Hinsdale*, Artemas Thomson.
Samuel Rossetter, *Peru*, John Leland, jr.
David Leavenworth. *Windsor*.
Egremont, John Tullar. *Lanesboro' and N. Ashford*.
Alford, Aaron Kinne. *Cheshire*, John Leland, jr.
Stockbridge, John Hunt. *Adams*, Daniel Read,
West Stockbridge, John Waterman.
Lemuel Moffitt, jr. *Williamstown*,
Becket, George Conant. Samuel Kellogg,

Ambrose Hall.
Savoy.

Clarksburgh.
Florida.

YORK.

York, Elihu Bragdon,
Joseph Bradbury,
Josiah Bragdon.
Kittery, Mark Adams,
Joshua T. Chase.
Elliot, Samuel Leighton,
John Hammond.
Wells, John Storer,
Nahum Morrill,
John Bourn,
John Low, jr.
George W. Wallingford.
Arundel, Eliphalet Perkins,
Seth Burnham.
Biddeford, Jeremiah Hill,
Reuben H. Green.
Berwick, Richard F. Cutts,
Joseph Prime,
William Hobbs,
Benjamin Green,

Jedediah Goodwin, Jr.
Lebanon, David Legro.
Sandford, Elisha Allen.
Alfred, Abiel Hall.
Lyman, John Low.
Hollis, Timothy Hodsdon.
Waterboro', Henry Hobbs.
Shapleigh, Jeremiah Emery,
John Bodwell.
Newfield.
Parsonsfeld, David Marston,
Simon Marston.
Cornish.
Limerick, Abijah Felch.
Limington, David Boyd.
Walter Hagens.
Saco, Benjamin Pike.
John Boothby,
Aaron Scaman.
Buxton, Benjamin Leavitt.

CUMBERLAND.

Portland,
Joseph H. Ingraham,
Isaac Adams,
Enoch Preble,
James Neale,
Stephen Longfellow,
Seward Porter,
William Francis.
Falmouth, John Jones,
John Porterfield,
Joseph York.
Cape Elizabeth,
Silvanus Higgens.
Scarboro' Gideon Rice,
Benjamin Larrabee, jr.
Gorham, David Harding,

James Codman,
Toppam Robie.
Standish, Theodore Mussey.
Windham, Stephen Hall.
Gray, Eliab Latham.
N. Yarmouth,
Ammi R. Mitchel,
Thomas Chase,
Alford Richardson,
James Prince, jr.
Pownal, Edward Thompson.
Free-Port, Samuel Porter,
Barnabas Bartol.
Brunswick, David Dunlap,
Phillip Owen,
Henry Putnam.

<i>Durham</i> , Josiah Burnham.	<i>Minot</i> , Jacob Hill.
<i>Harpswell</i> ,	<i>Raymond</i> , George Small.
Stephen Purrinton.	<i>Baldwin</i> .
<i>N. Gloucester</i> , David Nelson,	<i>Bridgton</i> , Jonathan Barnard.
Samuel Fessenden.	<i>Harrison</i> .
<i>Pegypscot</i> .	<i>Otisfield</i> .
<i>Poland</i> , Thomas Barns.	

LINCOLN.

<i>Wiscasset</i> , Jeremiah Bailey.	Samuel Baker.
John Merrill, jr.	<i>Warren</i> , Samuel Thatcher,
<i>Woolwich</i> , Richard Harnden.	Cyrus Eaton.
<i>Dresden</i> , George Houdlette.	<i>Camden</i> , Moses Trussel.
<i>Alna</i> , Jeremiah Pearson.	<i>Hope</i> , Fergus McClain.
<i>Whitefield</i> , Joseph Bailey.	<i>Union</i> .
<i>Jefferson</i> , Joseph Jackson.	<i>Putnam</i> .
<i>New Castle</i> , Charles Nickels.	<i>Palermo</i> .
<i>Edgecombe</i> ,	<i>Montrville</i> , Joseph Chandler.
Thomas Cuninghame.	<i>Georgetown</i> , Mark L. Hill,
<i>Boothbay</i> , Jacob Auld,	Benjamin Riggs.
John McKown.	<i>Bath</i> . Andrew Greenwood,
<i>Bristol</i> , Samuel Tucker.	Abraham Hammat,
<i>Nobleboro'</i> , Ephraim Rollins.	John M. Moody.
<i>Waldoboro'</i> , Jacob Ludwig,	<i>Topsham</i> , Actor Patten, 3d.
Isaac G. Reed,	<i>Bowdoin</i> , Moses Dennet.
Henry Flagg.	<i>Bowdoinham</i> .
<i>Friendship</i> , Melzar Thomas.	<i>Lewistown</i> , Joel Thompson.
<i>Cushing</i> .	<i>Lisbon</i> , Nathaniel Eames.
<i>St. George</i> , Elijah Hall.	<i>Litchfield</i> , John Neal.
<i>Thomaston</i> ,	
Ezekiel G. Dodge,	

KENNEBECK.

<i>Augusta</i> , George Crosby,	Issachar Snell.
Seth Williams.	<i>Reedfield</i> .
<i>Hallowell</i> , Samuel Moody,	<i>Wayne</i> , Joseph Lamson.
Thomas Bond, jr.	<i>Fayette</i> ,
<i>Gardiner</i> .	Joseph H. Underwood.
<i>Monmouth</i> , Abraham Morrill.	<i>Mount Vernon</i> , John Hovey.
<i>Greene</i> , Luther Robbins.	<i>Belgrade</i> , Sherebiah Clark.
<i>Leeds</i> , Daniel Lothrop.	<i>Sydney</i> , Ichabod Thomas.
<i>Winthrop</i> , Samuel Wood,	<i>Waterville</i> ,

Elnathan Sherwin.
Dearborn.
Rome.
Vienna.
New Sharon, Abel Baker.
Chesterville.
Farmington, Asahel Gross.
Temple.
Wilton, Samuel Butterfield.
Pittston, David Young.

Vassalboro',
 Samuel Redington.
Winslow, Thomas Rice.
Harlem, Josiah Ward.
Malta.
Fairfax,
 Japhet Coombs Washburn.
Clinton.
Unity, Rufus Burnham.

OXFORD.

Paris, Seth Morse.
 Albion K. Parris.
Hebron,
 Alexander Greenwood.
Buckfield,
 Benjamin Spalding.
Turner, Joseph Bonney.
Livermore,
 William H. Brettun,
 Samuel Livermore.
Hartford.
Sumner.
Porter.
Hiram and Brownfield,
 James Steele.

Fryeburgh,
 Samuel A. Bradley.
Lovell.
Sweden.
Denmark.
Norway, Levi Whitman.
Waterford, Calvin Farrar.
Albany.
Bethel, Moses Mason.
Jay, James Starr, jr.
Dixfield.
Rumford.
Gilead.
Newry.
East-Andover.

SOMERSET.

Norridgewock,
 William Sylvester.
Canaan, Eleazer Coburn.
Fairfield.
Anson, John Moor.
Starks, James Waugh, jr.
Mercer.
Industry.
New-Vineyard.
Strong.
Avon.
Emlden.

New-Portland.
Freeman.
Madison,
 Nathaniel Blackwell.
Cornville.
Solon.
Athens.
Harmony.
Palmyra.
Bingham.
Phillips.

HANCOCK.

<i>Castine</i> , David Howe.	<i>Vinalhaven</i> , Cyril Brown.
<i>Penobscot</i> , William Freeman.	<i>Isleborough</i> .
<i>Orland</i> , John Lee.	<i>Lincolnville</i> , Samuel Miller.
<i>Buckstown</i> , Jonathan Buck.	<i>Northport</i> .
Joseph Lee.	<i>Belfast</i> , George Watson.
<i>Orrington</i> , John Wilkins.	<i>Prospect</i> , Joseph P. Martin.
<i>Brewer</i> , John Blake.	<i>Frankfort</i> ,
<i>Eddington</i> .	Philo H. Washburn,
<i>Ellsworth</i> , George Herbert.	William R. Ware.
<i>Surry</i> .	<i>Hampden</i> , Jonathan Knowles.
<i>Blue-Hill</i> , Elias Upton.	<i>Bangor</i> , Charles Hammond.
<i>Sedgwick</i> , Daniel Merrill.	<i>Orono</i> .
<i>Trenton</i> .	<i>Dixmont</i> .
<i>Sullivan</i> , Paul D. Sargent.	<i>Carmel</i> .
<i>Gouldsboro'</i> , Samuel Davis.	<i>Corinth</i> .
<i>Eden</i> .	<i>Exeter</i> .
<i>Mount Desert</i> ,	<i>Garland</i> .
Davis Wasgatt.	<i>New-Charlestown</i> .
<i>Deer-Isle</i> , Pearl Spafford,	<i>Foxcroft</i> .
Prescott Powers.	<i>Sebeck</i> .

WASHINGTON.

<i>Machias</i> , Peter Talbot,	<i>Robbinston</i> .
Jacob Longfellow.	<i>Jonesborough</i> .
<i>Eastport</i> ,	<i>Addison</i> .
Jonathan D. Weston.	<i>Harrington</i> .
<i>Lubeck</i> .	<i>Steuben</i> , Philo Lewis.
<i>Calais</i> .	<i>Columbia</i> .

Benjamin Pollard, *Clerk*.
 Rev. Joshua Huntington, *Chaplain*.

RESOLVES

OF THE

General Court of Massachusetts,

PASSED AT THEIR SESSION,

COMMENCED ON THE TWENTY SIXTH DAY OF MAY, AND ENDED

ON THE SIXTEENTH DAY OF JUNE, A. D, 1813.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, MAY 28, 1813.

At 11 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment, when His Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH :

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

THE situation in which I am again placed, imposes a duty upon me, by every exertion in my power, to promote the interest and safety of my fellow citizens; their approbation of my conduct the last year, is peculiarly grateful, as it leads me to hope that my services in the year to come will be considered with the same indulgence; without it, I feel my

incompetence, at this difficult season, to discharge, in a satisfactory manner, the duties of the office which I have undertaken.

In pursuance of the authority given by the Resolve passed at the last session of the General Court, empowering the Governor, with advice of Council, to adopt certain defensive measures for the protection of the towns and harbors in the Commonwealth, three judicious persons, skilled in military affairs, were commissioned to carry into effect the intentions of the Legislature, expressed in the Resolve. The Secretary will deliver you a report of their proceedings under that commission.

By a Law of the United States, passed in April, 1808, the annual sum of two hundred thousand dollars was appropriated for the purpose of providing arms for the militia of the United States, to be transmitted to the several States, in proportion to the number of the effective militia in each State, and to be distributed under such regulations as should be prescribed by the State Legislatures. In compliance with the request of the late General Court, in their Resolve above-mentioned, I applied to the Executive of the United States, and requested such supply of muskets as might be conveniently furnished, and as might be considered the proportion to which this Commonwealth was entitled. A copy of the answer to this application, which I have received from the Secretary of War, will also be laid before you.

As we are engaged in War with a nation of great maritime strength, your attention will be directed, in a particular manner, to those parts of our extensive sea-coast where the people are most exposed to depredations; and being deprived of their usual means of support, have already suffered severely, and are in danger of still greater evils. I have no doubt you will be disposed to afford them every assistance they may stand in need of, within the power of the State Government. It belongs to the National Government to protect each of the States in the Union, and provide for the common defence; but if an invasion should be made or attempted on any part of our coast, I am confident that our militia would promptly, and with cheerfulness, exert their utmost endeavors to repel it.

We are bound to obey the Laws made in conformity with our Constitutions; but those Constitutions ensure to us the freedom of speech; and at this momentous period it is our

right and duty to inquire into the grounds and origin of the present War ; to reflect on the state of public affairs, and express our sentiments concerning them with decency and frankness ; and to endeavor, as far as our limited influence extends, to promote, by temperate and constitutional means, an honorable reconciliation. By an unnecessary war, the deepest guilt is incurred ; and therefore every belligerent nation should inquire which of the contending parties is chargeable with this guilt.

When war was declared against Great Britain, our complaints were chiefly founded upon her Orders in Council ; and though they were revoked within four days after the Declaration was published, it will be useful to attend to them when we are considering the necessity of that measure. In November, 1806, the French Emperor issued his Berlin Decree, declaring the British Islands in a state of blockade, and forbidding any commerce or correspondence with them. To this succeeded the British Orders in Council, and other French Decrees, some of which were of a still more exceptionable character.

Although the Decrees of Berlin and Milan, and the Orders in Council, were injurious to neutral rights, it would be uncandid to suppose that the direct object of either nation was to injure the commerce of neutrals. The French decrees might be thought necessary by that government to effect the subjugation of Great Britain ; and the Orders in Council were declared, by the latter, to be retaliatory measures, adopted in consequence of the aggressions of her enemy, and to be revoked when those aggressions ceased. In their arduous struggles they seem to have thought only of themselves ; and while those struggles continued we must have known that our commercial intercourse with them would be exposed to numerous embarrassments ; but we were consoled with the reflection that these would be counterbalanced by the advantages we derived from the war in Europe. Indeed it is probable, if our Government had maintained a system of impartial neutrality, and had imposed no restrictions on trade, that notwithstanding those Decrees and Orders, we might, by reason of our neutral character, have enjoyed a commerce more lucrative for the last seven years, than would have fallen to our share had the whole world been at peace.

In May 1810, the Congress directed that the Non-Inter-

course Act should cease as to that belligerent which should first so revoke its edicts as that they should cease to violate our neutral commerce, and that it should operate on the other which should neglect so to do within three months after the President's Proclamation, declaring the fact that such revocation had taken place. On the 10th of August following, the Duke of Cadore in a letter to our Minister in France, stated that the Berlin and Milan Decrees were revoked, and that after the first of November then next, they would cease to have effect ; it being understood that the English should revoke their Orders in Council, and renounce their new principles of blockade ; or that the United States should cause their rights to be respected. This letter was considered by the President as an absolute repeal of the French Decrees, though it appeared to many persons, at that time, to have been only a provisional repeal, upon conditions that might never happen, and was not confirmed by any instrument of which the courts or people of France were obliged to take notice. The President, however, on the 2d of November, 1810, announced, by Proclamation, that the Decrees of Berlin and Milan were revoked ; and in March following the Congress passed a Law confirming that Proclamation, and the revival of the Non-Intercourse against Great Britain.

When our Government was thus committed, it was the policy of the French Emperor to convince the British nation that his decrees were not revoked, and he took effectual measures for that purpose. His public ships, by his authority and under his instructions, committed depredations on our commerce and burnt our vessels ; the French cruizers and privateers captured them and they were condemned in the French Courts ; nor has France made the least reparation for the plunder. On the 31st of March, 1811, the Emperor declared to his Council of Commerce, that the decrees of Berlin and Milan were the fundamental laws of his Empire. Many other declarations of this kind were made by the French Government, and though our Ministers remonstrated against them as containing no exception in favor of the United States, and requested some authentic act of the French Government to justify our national measures, no satisfaction could be obtained. If the President had then revoked his Proclamation, the numerous evils that have followed from that unfortunate measure, might have been prevented. But, as if the French Emperor was determined to

put our Government in the wrong, the Duke of Bassano, in May, 1812, when it might be presumed that war between this country and Great Britain would take place, produced to Mr. Barlow, a Decree which bore date the 28th of April, 1811, repealing the Decrees of Berlin and Milan, and assigning as the cause of the repeal, the Act of Congress of March, 1811. To suppose, therefore, that the French decrees were repealed on the 2d of November, 1810, involves the absurdity, that the effect took place long before the cause.

At the same time that the above decree was produced by the French Minister, he informed Mr. Barlow that the decree had not been published; but declared it had been communicated to our former Minister in France, and likewise sent to the French minister here, with orders to communicate it to Mr. Monroe. On the correctness of this statement it may be improper to form an opinion until our Government explain the transaction. But of this we may be certain, that if that decree was made in April, 1811, according to its date, it was concealed for the purpose of producing a war between this country and Great Britain; for the party who concealed it well knew, that if that decree was known in England, the Orders in Council would be revoked. If the decree bore a false date, and had not been communicated to our Ministers, no man, either in the Administration or among the people, can hereafter doubt concerning the character of the French Government, or the impositions practised upon us.

The principal remaining alledged cause of hostility, is the impressment of seamen from our merchant vessels.

The war in Europe opened to these States such an extensive field for commercial enterprize, that it might have been difficult to procure, immediately, such numbers of American seamen as could profitably be employed. Our wealth and navigation increased with a rapidity which has never been exceeded; many thousands therefore of British seamen deserted that service for a more safe and lucrative employment in ours; and greater numbers might have resorted to us, if they had not been apprehensive that the British navy would reclaim them. But if there had been no competitors from abroad, as men will always employ their industry in the manner they find most advantageous, the high price for that species of labour would soon have induced a sufficient number of Americans to become seamen; in that case the danger of impressment, by British ships, would have been prevented.

It appears therefore, that British seamen have been patronized at the expense of our own; and should Great Britain now consent to relinquish the right of taking her own subjects, it would be of no advantage to our native seamen; it would only tend to reduce their wages, by increasing the number of that class of men.

The British Government has never claimed a right to take our native American seamen; had such claim been made, we should all have united to resist it. Great Britain only claims the right of taking her own subjects from neutral merchant vessels. In doing this, from a similarity in language, our citizens have sometimes been subjected to impressment; but, so far as I have heard, they have been discharged, when application was made in their behalf, and evidence furnished of their citizenship. In some instances there may have been a wanton exercise of power by the impressing officers; but it is impossible for the best regulated state wholly to control the actions of its subjects, or restrain all its military and naval officers in their distant operations, from insolence and oppression; it is therefore, a rule of national law, that the faults of individuals shall not be imputed to the nation, unless they are approved and ratified by the government.

Some abuses must undoubtedly happen from the difficulty of distinguishing Americans from Englishmen. But it appears from the examinations already made, that these abuses have been greatly exaggerated, and that only a small number of native Americans are in the British service, who have not voluntarily engaged; and of these the British Minister, before the war, requested our government to furnish a list, that measures might be taken for their discharge. It is probable that more than one third of the native American seamen, belong to this State, and three fourths are supposed to be from the States of New-York and New-England; if the number detained in British ships had been great, the complaints would have been loudest from this part of the Union; but the fact has been quite otherwise. You, gentlemen, represent every town in the Commonwealth, and will be able to ascertain how many of your neighbours are held, without their voluntary consent, in the navy of Great Britain.

All the European nations agree in founding allegiance upon the circumstance of nativity; they claim and treat as subjects, all those who are born within the confines of their dominions; although removed to another country in their

youth. This doctrine of allegiance is also the common law of our own country, and as such, it often has been, and probably always will be, recognized by our courts.

The sovereigns of Europe have also universally assumed the right of prohibiting, whenever they please, the departure of their subjects out of the realm ; and we are told by the most approved writers on the law of nations, that a state has just cause of complaint against another which entices away, and employs its useful subjects. That every government has a just claim to the service of its subjects in time of war, and that all those who abandon their country, when in danger, are deserters, which she has a right to punish. It was upon this principle that our laws for the confiscation of absentees' estates were passed, and if the principle is unsound those laws were unjust.

Great Britain complains, that we have allured her seamen into our employment, by holding up superior inducements to them to quit her service and engage in ours ; and this too at a time when she was contending for all that was dear to her against the most formidable and efficient force, that in any age of the world has been united under one head. She asserts, that her seamen are essential to her safety ; that though they are not liable to be taken from our national ships, and we have a right to protect them while they remain within our territories ; yet, if they pass into her dominions, or if in transacting their own affairs on the high way of nations, they come within her power, she has a right to take them in virtue of her prior claim ; that the nations of Europe have for ages claimed and exercised this right, and that she can never relinquish it so long as we employ her seamen, without endangering the existence of her navy. What hope of peace then can reasonably be entertained while such a sacrifice is required of her ? A nation ought first to do justice to others before it demands justice of them ; when war was declared we knew that Great Britain had suffered greatly by the desertion of her seamen into our service ; but had we done any thing to prevent or discourage it ? though she alleged that they were necessary for her defence ; and to us they were only useful as the means of acquiring wealth.

In the war between France and England we professed to be a neutral nation. This amounted to an engagement on our part, that we would, in all things, shew an exact impartiality between the contending parties ; and policy as well as

justice demanded of us an equal attention to both. But have we maintained this exact impartiality towards the belligerents? Have not the restrictions upon our own commerce been so calculated, as deeply to wound the interests of Great Britain, without impairing the resources, or disturbing the continental system of her enemy? We have expressed a just sympathy for our seamen who are detained in British ships; but, have we shown a like sensibility for those who are confined in French prisons, until discharged by enlisting on board their cruizers? When the war commenced, had we not received as many and greivous insults from the French government as from the British; and in what manner have we resented them? Although, in proportion to her maritime means of annoyance, we had suffered much greater losses from France than from England, has not our language to the former been mild and conciliating, and have we not to the latter indulged in offensive reproaches and undeserved asperity? Men who sincerely desire peace, will not employ themselves to multiply the causes of dispute, and excite jealousy and irritation between the people of the two countries: they will rather allay the passions than inflame them, and will think it no diminution of our dignity, if in doubtful cases we recede from a supposed right, rather than support it by artifice and violence.

It has been often asserted that our national honor compelled us to engage in a war with Great Britain. The honor of a nation consists in the display of its wisdom, justice, moderation and magnanimity; it requires the government to regulate its conduct for the greatest advantage of the state, and to pursue that series of measures which most effectually promotes the welfare of the people. But that species of honor which would prompt us to wage war for every supposed instance of abuse or disrespect, is not the honor of a wise and moral people. A proud or passionate individual will sometimes claim a right to sport with his own life by putting it in hazard against the life of another; But, few men will avow that government has a right to expose the safety of the state, and the lives and fortunes of the citizens, merely to indulge its passions or gratify its ambition.

So far as conquest may be considered as the object of the present war, its policy, to say nothing of the justice of it, must be extremely doubtful. A few individuals may gain by an offensive war, but the great body of the people have

nothing to gain or hope for. In republics, the increase of power and wealth has often occasioned severe calamities, by increasing their pride and arrogance, and inspiring rash councils and extravagant measures. But when they have been successful in foreign war and acquired the title of conquerors, I think they have invariably and speedily lost their form of government. A man who has a large army at his control, must have the virtue of a Washington, not to make use of it for his own aggrandizement. The National Constitution was formed and adopted for our own defence ; there is not a clause in it, in which an extension of our territorial limits was contemplated. The Congress indeed were authorized to admit new states into the union ; but every man knew, that under the confederation it had been proposed to form a number of states in the western territory, and Vermont was even then a candidate for admission. I presume that no one thought of giving Congress the power to obtain by purchase or conquest the territories of other nations, and annex them to the United States, and form them, or subdivisions of them, into constituent parts of the union.

A suspicion has been intimated, that the hostility of the Indian tribes was excited by British influence : as no proof has been offered to us on this subject, it might be sufficient to say that a regard to vague and uncertain suspicions exposes a nation to become an unjust aggressor. But has not our conduct towards those tribes been often oppressive and unjust ; and have we not indulged an eager desire to obtain possession of their lands, when we had already millions of acres which we could neither cultivate nor dispose of ? Perhaps the late unfriendly dispositions of the Indians may be accounted for by the march of a hostile army into their country, and the battle which ensued, many months before war was declared against England.

In the present moral state of the world, it would seem that our political friendships should be formed with some regard to that state. But are we encouraged by the moral qualities of the French government to take part in its wars ? Or will any one say that the cause of France is more just than that of Spain, Portugal, or Russia, or that her success would be more conducive to the happiness of mankind ? Or should we cultivate the friendship of France because she can do us more injury than England, or because her manners, religion or policy are more congenial to ours ? In our embar-

raised and alarming situation, it is indeed a very favorable circumstance, that the people have so generally expressed their utter aversion to a French alliance ;—such an alliance would be the greatest calamity, and must produce the most fatal effects.

It is my wish, Gentlemen, in making these observations, that they may lead to a dispassionate review of our conduct towards England and France, and of theirs in relation to us. While we attend to what is due to ourselves, we are not to forget what we owe to others ; and in cases liable to the least doubt, the claims even of an enemy should be impartially examined. If upon such examination we are convinced the war is necessary, we shall be justified in affording our voluntary aid to support it. But if we discover that our opinions or measures have been erroneous, we have the strongest motives, both from interest and duty, to relinquish them. We may indeed deceive ourselves and even resolve to cherish the deception ; but the Supreme Arbiter, to whose retributive justice the most solemn appeal has been made, cannot be deceived, and will not, with impunity, be mocked.

In times of party zeal and public commotion it may be difficult on some occasions to discern what is right. But I hope, that with a fixed attention to the duties imposed on us by our National and State Constitutions, and with a humble reliance on the Divine direction, the Members of this Government will, in this perplexing period, preserve consistency of conduct, and adhere, with undeviating constancy, to the principles of justice and truth.

CALEB STRONG.

Council Chamber, May 28, 1813.

ANSWER
OF THE
HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE House of Representatives receive with peculiar satisfaction your Excellency's communication to both Houses, and sincerely rejoice in the unequivocal testimony of the increased confidence and approbation of your fellow citizens, manifested in your recent election.

When your Excellency, in compliance with the anxious wishes of the people, consented, the last year, to leave the pleasures and tranquility of your favorite residence, and resume your high office, you rendered to your country a service never to be forgotten. A new order of things had arisen in this Commonwealth, inauspicious to personal security and the public peace. The most alarming innovations upon our ancient laws and usages, were introduced under the sanction of the highest authorities. Freedom of speech, and the right of the people to discuss, in their assemblies, the measures of Government, were denounced. The Law Officers of the Commonwealth were instructed to ransack files of newspapers in search of libels. To perpetuate the usurpation of party power, and effectually to prevent the reaction of public sentiment, under any change of times or of affairs, the valuation, which constitutes the basis of taxation, and of representation in one branch of the Legislature, was framed on principles grossly erroneous; and the State was divided, without regard to the provisions of the constitution, the dictates of justice, or the principles of equality, into districts of the most preposterous and inconvenient forms, for the purpose of securing political majorities. A monied institution was created, founded on the determination to abolish those already existing, and its capital was apportioned to counties and towns, upon a digested scheme of premiums for political corruption. The courts of justice were new modelled, and

a general removal from office, of those who were suspected of deviation from the creed of the ruling party, was commenced and defended as a measure of political justice.

At this alarming juncture, the eyes of the people were turned towards your Excellency, as to a tried and faithful friend, whose moderation and firmness were calculated to check the progress of these abuses, and contribute to their reformation. These expectations have been fulfilled, and the good sense of the people, with the benefit of your influence and example, has rescued the state from oppression, and probably saved it from the horrors of a civil commotion.

We advert with great interest to your Excellency's observations upon the exposure of our sea coast to danger, and are deeply affected by information of the privations and sufferings to which the inhabitants are doomed, in many places, by the wanton and cruel war in which we are engaged. As the General Government has wholly abandoned this important and extensive coast, and the trade so essential to their interest; as no portion of the immense revenue drawn from this state is applied to effective defence; and, as we learn from the War Department, that even the arms to which we are entitled by law, have been sent to prosecute a war of foreign conquest against our unoffending neighbours; the dictates of self preservation demand, that we should adopt measures for our own protection. And although a system of direct and internal taxation has been recommended by the President of the United States, which will add enormous burthens upon our constituents, yet we confidently hope, that the patriotism of our citizens will still be able to furnish some means of defence for our native state, should the General Government still continue to withhold that protection which is guaranteed by the constitution. It is, in these circumstances, a great consolation, that our brave and disciplined Militia, by your provident care, have been reserved at home to repel invasion, instead of being sent on expeditions, worse than fruitless, in which we might have been compelled to mourn over their defeats, when conscience would have forbidden us to rejoice in their successes.

The right and duty of a free inquiry into "*the grounds and origin*" of the present war, will never be relinquished by our constituents without a struggle. The doctrine, that silent acquiescence in ruinous measures must be enforced, because they are stamped with the forms of the constitution, is

not adapted to their character or comprehension : They imbibed different theories, in those times, when their petitions and remonstrances were despised and rejected by a British Parliament, deaf to their complaints and alien to their feelings. Such a doctrine is an incentive to tyranny, to stifle opposition, by doing its work with despatch.

Your Excellency's illustration of the causes of the unjust war in which we are engaged, is so lucid and satisfactory, and your view of the controversy respecting the British orders in council, and their claims to their own seamen from our merchant service, so conformable to the law and usages of nations, that we can only respond your sentiments upon these subjects.

By the correspondence between the French and American Ministers, lately submitted to Congress, it is most evident that the nation has been drawn into a war, either by a disgusting imposition practised upon our Government by the French Emperor, which it comports not with their policy to represent in its true colors ; or by the concealment of a most important fact by our Government, which it was their duty to disclose to the American people.

While many of the most upright and intelligent men have uniformly believed and maintained that the British orders in council afforded to our country no just cause of war, the doubts of others have probably arisen from divesting them of their declared character of measures of retaliation upon the conduct of her enemy : All dispassionate persons will admit that this was a question of international law, which it was not *incumbent* upon Government to decide, whatever were the sentiments of its individual members. It should have sufficed for the practical statesmen to inquire, whether, under existing circumstances, the interest or honor of the country rendered war inevitable ; and whether, on supposition of the affirmative, justice or expediency demanded the selection of Great Britain for an enemy.

But the authors of the war appear to have confined their attention to the first of these questions. They admit, that as the injuries inflicted upon our commerce were professedly incidental to their state of hostility with each other, and were not justified as acts of direct aggression upon the flag of the United States, it was at least optional with this government to continue to treat them as of this character, and to oppose them by remonstrance, until the national honor demanded a

more decided and vigorous course of proceeding. But is it not true that the unexampled fury and peculiar character and extent of the European contest—the power of the principal parties in the war—the complaints of administration against both—the remoteness of our situation, and our incapacity of bringing into operation against them any effective means of annoyance ;—our destitution of competent fleets and armies, the state of our finances, and the example of other nations ;—is it not true, that these and other circumstances, combined to furnish the most fastidious honor with a dispensation from ordinary rules and obligations, and a fair apology for avoiding, altogether, or at least for postponing until fully prepared, this last and terrible resort of nations ? No precedent to the disadvantage of the country, and no abandonment of just rights, could have been inferred from this forbearance.

Besides, in whose estimation was the national honor endangered ? Were we bound to dishonor ourselves in the opinion of France, that we might preserve the good graces of Britain ; or to embroil ourselves with the latter, that our chivalrous spirit might be respected by the former ? Or were the unresisting vassals of French power, among the nations of Europe, to be the arbiters of our honor ? Or was it desirable to secure the applause of other neutrals, who would willingly bestow upon us their admiration, in exchange for the profit to be derived from avoiding our example ? Certainly when the passions of these evil times shall have subsided, the American nation will be convinced, as the people of Massachusetts are convinced, that this is not a war for honor, interest, or independence ; but the miserable catastrophe of a plan of policy founded on the pride of system, and in hatred of one nation and partiality to another—passions which in their march towards the great objects of local aggrandizement and party power, have trampled upon the interests of the union, and threaten those of New-England with final destruction.

While the friends of a commercial policy, in our country, have reason to lament the jealousy and precipitancy which have precluded us from reaping the advantage of a state of affairs which can never be expected to recur ; the advocates for republican governments, throughout the world, will deplore the failure of this last experiment of the capacity of such governments to shun the faults and vices incident to other forms. No essay was ever made under circumstances

equally favorable. Aloof and distant from the storms which ravaged Europe, the attention of mankind was directed towards these states, as the sanctuary of the oppressed, and the chosen residence of liberty and peace. The harrassed subjects of other governments, whose lives and fortunes are devoted to war at the nod of a master, regarded with envy the condition of a great people, who, holding the sword in their own hand, would not permit it to be wielded for the purposes of ambition or conquest, of vanity or revenge. But this delusion has vanished; and unless better councils prevail, we shall henceforth be distinguished from other republics, only by the increased facility with which the people have surrendered their interests and understanding, to their plausible and presumptuous leaders.

Admitting however, that our controversies with other nations had arrived to a crisis, which left no alternative but war, we still most fully assent to your Excellency's intimation, that the selection of Great Britain for an enemy, in preference to her adversary, cannot be justified. That nation, by her superiority on the ocean, had effectually banished from it every hostile flag. The achievements of our naval heroes, on that element, exhibits atisfactory demonstration of their native prowess and skill; and excite vain regret for the neglect to foster this natural and precious safeguard and ornament of the nation. Still it was not to be concealed, that in war, with our disparity of force, our commerce must become a prey to our enemy. Canada, far from offering inducements to conquest, would prove a fatal present if it should be ceded by grant. The aggressions of Britain were last in order, least in degree, and accompanied by the benefit arising from the convoy of our ships, and the protection every where afforded against French depredations. Her interests, in many particulars, coincide with those of our own country. Her land was the birthplace of our ancestors; her religion, her language, her laws, are ours; and her downfall would draw after it the destruction of civil liberty throughout the world. If then a preference was due, in entering the lists for honor, to any nation, it was due to her. At peace with Great Britain, we should now have shared largely in the commerce of the world, and continued to be a prosperous and united people. In short, all the motives of prudence, justice and patriotism, which are characteristic of sound policy, forbade this unhappy controversy, in a tone so

loud, that we are compelled to look to other causes. These may be comprised in the fixed determination of those who displaced the friends and undermined the policy of Washington, to retain power, and as subservient to this object, to cherish prejudices which grew out of the revolutionary war, as a convenient and ready means of popular excitement. Hence, too probably, the uniformly cold, captious, and ungracious deportment towards one nation, and the tame, tolerant and submissive attitude towards another.

We are duly impressed by your Excellency's suggestion, that the extension of territorial limits was never contemplated by the framers of the constitution. If the President and Senate may purchase land, and Congress may plant States in Louisiana, they may, with equal right, establish them on the North West Coast, or in South America. It may be questioned, hereafter, whether after this formation of New States, the adherence of the old ones, which dissented from the measure, to the Union, is the result of obligation or expediency: And it is evident that this multiplication of new States, not parties to the original compact, must soon be regarded as fatal to the rights and liberties of some of the present members of the confederacy, and consequently as an insupportable grievance. This extension of territory has already excited a spirit of cupidity and speculation, which is among the causes of our present troubles. By means of power thus acquired, and the operation of the constitutional provision, whereby three freemen, in certain parts of the union, enjoy the same privileges in the choice of Representatives, which in other States is divided among five, the influence of Massachusetts and of the Eastern States, in the National Councils is lost; and systems of commercial restriction, of war and conquest, fatal to their interests, and outrageous to their feelings, are founded on its ruins.

We are aware that the expression of these truths, which are wrung from us by the tortures of an unfeeling and unmerited policy, will be imputed (by those who are interested in such a construction) to disaffection to the union. When the public Treasury has been lavished by administration, as the price of fixing upon Massachusetts the suspicion and odium of her sister States; calumny acquires an importance, which a House of Representatives may notice without a culpable condescension. It is not true, as your Excellency is aware, that the good people of this Commonwealth, or of

the metropolis, cherish views inimical to the continuance of the union. Massachusetts was alert and decided in promoting the old and new confederations. We remember also that under a wise administration, the present constitution was prolifick in every species of prosperity: we know that the affinities of interest which ought to unite us are natural, and predominate over the artificial collisions which tend to detach from each other the members of the great family. Nor are our intelligent citizens unmindful of the dangers, dissensions and final insignificance of the component parts, which too often attend the dissolution of confederated States. But on the other hand, we regard the union as only *one of the objects* of the constitution. The others, as expressed in the instrument, are to establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and posterity. So long as the union can be made the instrument of these other constitutional objects, it will deserve the support of all the friends of their country. But it is for these only that it possesses a value in our esteem. Without them it would prove a name and not a charm; and, like other constitutional provisions, a fair subject of amendment. It was not betraying an indifference to the union, to protest against measures as weak and mischievous which their authors afterwards abandoned as mischievous and weak. We have asked for an efficient protection to commerce, or that commerce should be permitted to take care of itself: Neither has been granted. The portion of the union which lives by commerce, is plunged into war by those who exult in their means of living without it, claiming however to be its best friends, and most competent to its regulation. Thousands deprived of the means of happiness, which endear either government or country, remonstrate and complain, and are branded as Malcontents by those who dispense seizures, forfeitures, penalties and prisons, as bounties for the encouragement and protection of commerce.

The imputation of undue partiality to the British nation, against the people of our state, is equally unfounded. The men of Massachusetts were the first to resist the pretensions of Great Britain—the blood of Massachusetts was the first that moistened the soil of Independence. Whence then this idle calumny? If the measures of Great Britain have been injurious to commerce, have we less interest than others in its

welfare ? If American seamen have been impressed, does not the number of our seafaring citizens exceed that of any other state ? If Great Britain could be proved to be jealous of the prosperity of the United States, is not ours a country whose merchants and carriers must be the immediate objects of competition ? It was, among other reasons, to preserve the importance of our country and commerce, in the view of Great Britain, and to prevent the exposure of weak and vulnerable points—it was to cover the folly and self-conceit of visionary statesmen, that we opposed the measures which led to war, and that we are now anxious for peace. We foresaw that a commercial warfare with Great Britain would be unequal, and that the system of restrictions would recoil upon ourselves ; and most sincere would have been our joy, to have discovered and acknowledged the fallacy of our predictions.

We shrink from an anticipation of the probable consequences of a protracted warfare, to the welfare of our country, and we rejoice in every glimpse, however feeble, of returning peace. A negotiation is announced as intended to be attempted in Russia. The scene is distant, and the delay apparently needless. We have however no disposition to impede its progress—or, by any measure, to incur the charge of weakening the hands of those who have gone so far to effect what we believe might be done with greater ease and promptness nearer home ; and whatever may be our fears, we devoutly pray that the event may be peace. We are better reconciled to wait the issue in patience, as events have diminished the present danger of a French alliance—a measure so pregnant with every evil, and so utterly revolting to the sentiments of our people, that we trust no administration will persist in projects tending to such an issue.

To all the subjects recommended by your Excellency, we shall pay a prompt attention, and endeavor to terminate the session with all possible regard to the exigencies of the season.

ANSWER OF THE SENATE.

May it please your Excellency,

THE Senate of Massachusetts have met your Excellency, at the opening of the present political year, with the most lively emotions of respect and affection, and with devout thankfulness, to the Author of all good, for your reelection to the office of Chief Magistrate. In this event, so propitious to the best interests of our country, we discern a satisfactory evidence of the virtue and intelligence of our fellow-citizens—and we can assure your Excellency, that the enlightened people of this Commonwealth have witnessed your administration, during the past year, not only with entire approbation, but with the warmest sentiments of veneration and gratitude. The cheerfulness with which your Excellency has again accepted this high and responsible office, doubly arduous at this perilous crisis of our affairs, is a renewed proof of the pure and exalted patriotism for which your Excellency has ever been distinguished.

The Senate consider the view which your Excellency, in your communication to the Legislature, has taken of the causes which have produced the present calamitous situation of the country, to be so clear and comprehensive, that it would be difficult to make any observations, in their answer, which your Excellency has not anticipated.

A frequent recurrence to the principles of our constitutions, is necessary to a proper understanding and support of our rights and privileges.

That the freedom of speech and of the press, is essential to the preservation of our free governments ;—that all political power is derived from the people ;—that they may resume the trust which was delegated for their welfare, whenever it shall be exercised to their ruin ; and that allegiance and protection are reciprocal ; are positions in which all agree.

These rights are indeed liable to abuse. The freedom of speech may degenerate into licentiousness ; and the inherent right of the people to alter and amend their systems of government, may be perverted to the purposes of ambition.— But notwithstanding the difficulties and dangers which must be encountered for the attainment and support of civil liberty, yet its blessings are a full reward for all the care and exertion necessary to its preservation.

The constitution of the United States was the result of mutual forbearance and liberal compromise. There were however certain great interests, which were understood to claim its peculiar regard.

Among the most prominent of these were the encouragement and protection of commerce. This was justly considered by the New-England and navigating States, as an indispensable condition of the compact. It was commerce which gave value to their enterprize and agriculture ; and so careful were they to guard this sinew of their strength, that a provision was introduced into the constitution itself, exempting all exports from duty. This regard to commerce was not novel ; for in the Declaration of Independence, it forms a conspicuous allegation against Great Britain, that she had cut off our trade with all parts of the world.

It is not to be supposed that the navigating states would have adopted the constitution if they had foreseen that the effect of it would be the destruction of their commerce.

Soon after the constitution went into operation, the war in Europe broke out, and the citizens of the United States were necessarily affected by its consequences.

It was then that the patriotism and firmness of Washington were again tried. Moved by considerations of justice as well as of policy, notwithstanding the embarrassments of a powerful opposition, and with means and resources inconsiderable, compared with those which were in the power of the present administration—he took and maintained the ground of an impartial neutrality.

The state of prosperity which followed this magnanimous course, was unexampled in the history of the world.

It was emphatically the golden age. Our commerce was extended through the world ; richly rewarding the labour and enterprize of the farmer and the merchant, and furnishing abundant revenues for the support of government. With such an example before them, was it to have been expected

that any administration, under circumstances nearly similar, would pursue an opposite policy? Could it have been believed that the original ground and bond of the union would be abandoned? that measures would be adopted and pursued, with undeviating perseverance, destructive of our commercial advantages? that a naval defence should not only be neglected, but represented as an extravagant and useless expenditure!

It was naturally to be supposed, that both Great Britain and France would be desirous of the aid of the United States, in their sanguinary contest; but it was obviously the duty and for the interest of this country to remain perfectly neutral. Why then has our country been involved in war, especially with that power, whose means of annoyance so greatly exceed those possessed by the other? Was Great Britain selected for our enemy because she has paid less regard to her treaties than France?—In utter contempt of her engagement, that free ships should make free goods, France has plundered and confiscated American property, wherever it could be found. While one of these rival powers has, according to her agreement, compensated, in damages with interest, for injuries of which we complained, the other has avoided her compacts by the shameless avowal, that she finds a real inconvenience in their performance. While one of them has conveyed, the other has burnt our ships in every sea.

The principal alleged cause of the war, was the Orders in Council;—and although they have ceased, it is still necessary to consider the circumstances under which they were issued, rightly to understand the grounds and origin of that disastrous measure.

Our Ministers, in London, had concluded a treaty upon all the points in dispute between the two countries, just at the time when the Berlin Decree was published, prohibiting to neutrals all intercourse with Great Britain. Aware of the injuries which she must sustain from that flagrant violation of the law of nations, she frankly informed our government, that, if (contrary to all expectation) the United States submitted to that outrage, she should be obliged to retaliate upon France, by prohibiting, to neutrals, all trade with her.—The Berlin Decree was immediately enforced upon all American property, within the reach of French rapacity, as well in neutral territories as on the high seas. This was known

to our government :—for it appears, that as early as May, 1807, they informed our Minister in France, that “there were proofs, that the West India privateers had, under color of that edict, committed depredations, which would constitute just claims for redress.”

The treaty was rejected by the President, as unworthy the consideration of the Senate ; notwithstanding the duty to preserve an exact impartiality. No efficient measures were taken against France, for her violation of her treaty as well as the law of nations : and after waiting nearly a year, Great Britain issued her Orders in Council, of 11th November, 1807, retaliating the aggressions of France, in pursuance to the notice before given.

These, as your Excellency observes, were declared to be retaliatory measures, adopted in consequence of the aggressions of her enemy, and to be revoked, when these aggressions ceased.

Our government contend, that France has been the first to do justice to the United States : That she repealed her decrees, and ceased to violate our neutral rights, in November, 1810 ;—and therefore, that Great Britain ought to have revoked her orders : That, in consequence of her refusal, the Act of Congress, of March, 1811, was rightfully passed, prohibiting all intercourse with Great Britain—a measure, which the Emperor has graciously condescended to consider as “an act of resistance to the British orders.”

The question is thus brought to a single point. Did France repeal her decrees, and cease to violate our neutral rights, in November, 1810 ?

If she did, Great Britain was bound, upon her own principles, to repeal her orders. If she did not, it necessarily follows, that France has added insult to her original aggression.

The pretended repeal of the decrees, was upon condition, in effect, that Great Britain should abandon the ancient rights and usages of war, sanctioned by the public law, touching blockades : “a condition, which, (as your Excellency observes) many persons supposed would never happen.”

Nevertheless, our government conducted itself, in relation to Great Britain, as if the repeal had been absolute.

The ground taken by the American Cabinet, was, that France had ceased to violate the neutral rights of the United States ; and they insisted that Great Britain ought to believe it,

But the continued burning of American vessels, by order of the commanders of the Emperor's ships—the indiscriminate plunder and confiscation of American property on shore—on the seas—in France—in Denmark—Naples, and other subjugated States : These outrages, connected with the repeated declaration of the Emperor, that the decrees were the fundamental law of his empire, still operated upon the incredulity of Great Britain.

At length, when it suited the purposes of the Emperor, but not till April, 1814, he made his repealing decree, and as we are informed, communicated it to our cabinet, although it was not made public for more than a year after its date ; and this puts the question, now under consideration, forever at rest. The Emperor declares, that he repealed his decrees, in consequence of our act of resistance to the British orders :—but our government declares, that this act was in consequence of his repeal of the decrees.

“To suppose, therefore, (as your Excellency remarks) that the French decrees were repealed on the 2d November, 1810 ; involves the absurdity, that the effect took place long before the cause.”

During all this period, the negotiation was pending with Great Britain. She making overtures to revoke her orders, upon receiving evidence of the repeal of the decrees :—the actual repeal was carefully concealed—and the American cabinet employed itself, in laboured essays, to persuade Great Britain, that the pretended repeal was real and absolute—until they terminated the discussions by a declaration of war.

It is now sufficiently apparent, that if the decrees had been effectually resisted, the orders in council would not have been issued—for as soon as the real repeal was produced, Great Britain annulled her orders, according to her uniform engagement. Unfortunately, however, the country was plunged into the war, before the revocation could be known here.

The declaration of the French Minister, that the decree of April, 1814, was communicated to our cabinet, was true, or it was not. If it was not true, why have not the administration indignantly denied the fact, and taken such a position, in relation to that perfidious power, as the occasion required ? If it was true, and the war has been produced by the concealment, will not all the blood that has been or may be shed, in carrying it on, be required at the hands of its authors ?

If, upon the discovery of the perfidy of the French government, the President had revoked his Proclamation, we agree with your Excellency, "that the numerous evils that have followed from that unfortunate measure, might have been prevented."

And considering the restrictions which the European powers, in time of peace, usually impose on trade with their colonies—we perfectly agree with your Excellency, "that it is probable, that if our government had maintained a system of impartial neutrality, and had imposed no restrictions on trade, that notwithstanding those decrees and orders, we might, by reason of our neutral character, have enjoyed a commerce more lucrative, for the last seven years, than would have fallen to our share had the whole world been at peace."

The orders in council having been thus removed, the only remaining alleged cause of war, was the right which Great Britain claimed to take her own seamen from our merchant ships.

That cause alone, was not considered as a sufficient objection to the arrangement which was made with Mr. Erskine, and little doubt can be entertained, that another arrangement, equally advantageous to the United States, might have been made, and the war instantly brought to a close. As impressments had been continually diminishing, it is not easy to perceive why the necessity of war for that cause should have increased.

Besides, the people had expressed great satisfaction with that arrangement, and would undoubtedly have rejoiced had a similar course been pursued.

By this, we do not mean that the manner should have been exactly followed; for we should exceedingly regret that any offensive terms should have been again introduced, having a direct tendency to defeat the negotiation.

The people, fortunately, understand the subject of impressment much better than formerly, and it will be difficult to persuade them, that they are to be benefitted by the employment and protection of foreign seamen.

The result of the late investigation, upon this subject, in this Commonwealth, abundantly proves, that the risque of impressment of native American seamen is so small, that it scarcely excites their attention or regard. Indeed, it must be considered as a singular circumstance, that our western

brethren should express and seem to feel so much more sympathy for the wrongs suffered by the seamen, than the seamen do for themselves.

It ought to be recollected, that the evidence on that examination, was taken, under oath, from merchants of this state, who had employed the greatest number of seamen, in voyages to all parts of the world : and it is much to be desired, that such further investigation will be had in other commercial states, as will present the whole truth upon this very interesting subject.

We concur with your Excellency in the belief, "that British seamen have been patronised at the expense of our own, and that if Great Britain should consent to relinquish the right of taking her own subjects, it would be of no advantage to our native seamen, it would tend only to reduce their wages, by increasing the number of that class of men."

We believe there never was a subject more grossly misrepresented, both as to the cause and effect, than this of impressment.

Give our gallant seamen ships and employment, and they will not call upon the landsmen for protection or for bread.

Your Excellency very justly observes that "the national constitution was formed and adopted for our own defence, and that there is not "a clause in it in which an extension of our territorial limits was contemplated." Attached as we are to the union of the states upon the principles of the constitution, we are alarmed that Congress should ever have pursued a policy, in the admission of new states, so entirely contrary to these principles, and so fatal to the safety of the union.

The duty imposed by the Constitution upon the General Government to provide for the common defence, was undoubtedly a principal reason for its adoption. But in what manner has this duty been performed?

Although Massachusetts and other great navigating States have contributed immense sums for the support of the General Government, yet, when they are plunged into the war by States whose contributions have often fallen short of the expence of the collection, they are left to take care of themselves.

What measures have been adopted for the protection of our immense property on the ocean? where are the troops raised and paid by the United States? They have been

most improvidently drawn from the seaboard, the most exposed part of our country, for the purpose of invading the territory, and attacking the inhabitants of a neighboring and unoffending province, which was sincerely desirous of continuing upon the most friendly terms with us: a province too, the conquest of which, if made, can be of no advantage, but may produce incalculable evils to our country.

The refusal of the President to furnish this State with its proportion of arms, for which the State has already paid, we hope is not a correct indication of the temper and disposition entertained, by the General Government, in relation to the aid which they propose to afford in this war, which has been so wantonly waged. Considering that the distribution was peremptorily required by law, to be made according to the effective militia of each state, we know not from whence the President derived his power to dispense with its obligations.

The accumulated evils which have fallen upon the people in consequence of the departure from the principles and policy of Washington, have in a great measure silenced the rage and lessened the asperity of party animosity.

Involved in one common distress, they look upon each other with astonishment and sympathy, and are anxious only for the public safety.

Depending upon the blessings of Heaven, our fathers braved and resisted oppression, and founded this free state upon the principles of civil and religious liberty.

We trust that their sons have not degenerated—and that they will duly appreciate and defend their precious heritage.

We cordially unite with your Excellency in the “hope that with a fixed attention to the duties imposed by our national and state constitutions, and with a humble reliance on the divine protection, the members of this government will, at this perplexing period, preserve consistency of conduct, and adhere, with undeviating constancy, to the principles of justice and truth.

RESOLVES.

June, 1813.

CHAP. I.

*Resolve granting Rev. William Allen, \$50.
27th May, 1813.*

Resolved, That there be allowed and paid out of the public Treasury, fifty dollars to the Rev. William Allen, of Pittsfield, who was the Preacher of the Election Sermon, for the present year ; and that his Excellency the Governor, be requested to issue his warrant on the Treasury accordingly.

CHAP. II.

Resolve establishing the Number of Notaries Public in the town of Salem, County of Essex. 29th May, 1813.

Whereas, it is represented to be inexpedient, that there should be four Notaries Public in the town of Salem, in the County of Essex.

Therefore resolved, That there shall be three persons annually elected, to that office, in the town of Salem, and no more, any law or resolve to the contrary notwithstanding.

CHAP. III.

Resolve establishing the Pay of the Council and General Court. 1st June, 1813.

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 of two dollars, for every ten miles travel, 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, two dollars per day, for each and every day's attendance, over and above their pay as members.

CHAP. IV.

Resolve confirming the Doings of the third Congregational Parish, in Portland. 1st June, 1813.

On the petition of Thomas Forsaith and others, a Committee in behalf of the third Congregational Parish, in the town of Portland, in the County of Cumberland, praying that the records and assessments of said parish may be confirmed and rendered valid in law.

Resolved, For reasons set forth in said petition, that the records and assessments of the said third Parish shall be confirmed, and made valid in law, notwithstanding the omission or neglect of the officers thereof, in not taking the official oaths required by law, in like cases.

Provided, That nothing in this resolution shall be construed to affect any suit at law, now pending.

CHAP. V.

Resolve authorizing the Assessors of Dorchester, to assess a Tax to discharge a Judgment. 1st June, 1813.

On the petition of James Humphreys and others, Repre-

representatives of the town of Dorchester, setting forth that the inhabitants of said town, at a legal meeting, on the 10th day of May, instant, unanimously voted to petition the General Court, for an act, authorizing the town to assess a tax upon said inhabitants, for the purpose of paying off and discharging a judgment, recovered before the Supreme Judicial Court in March last, by Benjamin Glover, against Samuel Clap and Ebenezer Wales, jr. and others, late town officers in said town.

Resolved, For reasons set forth in said petition, that the Assessors of the town of Dorchester, are hereby authorized and directed to assess upon the polls and estates, subject to taxation in said town, the sum of eight hundred dollars, and a sum in addition thereto, sufficient to pay all costs of said suit and levying of execution; which sum of eight hundred dollars and costs, are the amount of a judgment recovered by said Benjamin Glover against said Clap and others, town officers as aforesaid, and to issue their warrants to collect the same, in due form of law, and to proceed therein, in all respects, as in the assessment and collection of other town taxes; and the Treasurer of said town is hereby authorized to pay off the said judgment and execution from the proceeds of said assessment, on a warrant to be drawn upon him by the Selectmen of said town.

CHAP. VI.

Resolve confirming the Records and Doings of the town of Paris. 1st June, 1813.

On the petition of the Inhabitants of the town of Paris, in the County of Oxford, representing, that from the incorporation of said town, the certificates of the oaths of their town officers have not been recorded at length, as by law they ought to have been; that the clerks, in some instances, have neglected to add their signature or attestation to the records; that some of the records have been entered in the town books as copies, when in fact they were the original entries; and that the clerks have omitted to record the impression of seals on the Selectmen's warrant for town meetings, and praying that the doings and proceedings of said

town and its officers, in the premises, may be confirmed and rendered valid.

Resolved, For reasons set forth in said petition, that the records of the said town of Paris, be deemed and taken to be as valid and effectual, to all intents and purposes, as if the same had been entered as the original record, and been properly certified and attested by the town clerk ; and that the proceedings of said town and the doings of its officers, be ratified and confirmed, and the same shall be deemed and taken to be as valid and effectual, in all respects, and in the same manner as they would have been, if the evidence of the qualification of such officers had been duly preserved or recorded, and the impression of the seals on the Selectmen's warrants for town meetings, had been regularly entered on the records of said town.

CHAP. VII.

Resolve discharging John Frost, of Elliot, from the residue of an Execution. 2d June, 1813.

On the petition of John Frost, of Elliot, in the County of York, husbandman, setting forth, that a judgment has been rendered against him, by default and through the mistake of the Clerk, at the last October term of the Supreme Judicial Court, holden at Alfred, for and within said County, on a scire facias, as the surety of one James Chick, and it appearing that the cost of said suit having been paid by said Frost.

Therefore resolved, That for the reasons set forth in said petition, the said Frost be wholly released and discharged from the payment of the residue of said judgment and execution.

CHAP. VIII.

Resolve authorizing the Assessors of Portland, to assess a Tax for the support of a Watch. 2d June, 1813.

On the petition of the town of Portland, praying for authority from the General Court, to assess and levy the sum of two thousand dollars, on the polls and estates in said

town, for the purpose of establishing and supporting a watch in that place.

Be it resolved, That the Assessors of the town of Portland, in the County of Cumberland, be, and they are hereby authorized to apportion and assess the sum of two thousand dollars, on the polls and estates in said town, for the purpose of supporting a watch for the present year, and that the said tax shall be apportioned, assessed and collected in the same manner that the town, county and state taxes now are.

CHAP. IX.

Resolve on the petition of Ezra Ripley, of Concord, making valid his Doings as Executor of Abigail Dudley.
2d June, 1813.

On the petition of Ezra Ripley, of Concord, in the County of Middlesex, clerk, executor of the last will and testament of Abigail Dudley, late of said Concord, single woman, deceased, testate, stating, that he took upon himself that trust, by giving bond as the law requires, on the twenty-fifth day of August, 1812; that said Ezra made known his said appointment and acceptance, by posting notifications thereof in said Concord, and by publishing the same in a newspaper, within three months from the time of his said appointment, pursuant to the order of the Judge of Probate, for the county aforesaid, but by accident, omitted to make and file in said Probate Court, his affidavit thereof, within seven months from the time of his giving said bond, and accepting said trust, agreeably to the provisions of law.

Resolved, For the relief of said Ezra, that he may, at any time within three months of the date of this resolve, make and file an affidavit of his doings, as executor of the last will of said Abigail, in the Probate Office for the County of Middlesex aforesaid, which affidavit shall be admitted in evidence in any court, and shall be valid in law, to all intents and purposes, as fully as if said affidavit had been made, filed and recorded in said Probate Office, within seven months from the time said Ezra took upon himself said trust, any law to the contrary notwithstanding.

CHAP. X.

Resolve directing the Treasurer to obtain from the files of the Supreme Judicial Court, a certain Note given by the State of Georgia, and sell the same. 3d June, 1813.

*Whereas, there is a certain State Note of the State of Georgia, which is the property of this Commonwealth, now remaining upon the files of the Supreme Judicial Court, for the County of Suffolk, bearing date the 22d day of March, A. D. 1785, and given for the sum of 500*l* sterling :*

And whereas, The interest of the Commonwealth requires, that the said Note should be disposed of, and the proceeds thereof placed in the Treasury of the Commonwealth.

Resolved, That the Treasurer of the Commonwealth be, and he is hereby authorized and directed to obtain from the files of the said Supreme Judicial Court, the aforesaid State Note of the State of Georgia, and when the same shall be delivered to him, the said Treasurer, that he sell and dispose of the said State Note, in such manner as shall be most for the interest of the Commonwealth, and place the proceeds thereof in the Treasury.

Resolved, That when the proceeds of the said State Note shall be received by the said Treasurer, and placed in the Treasury as aforesaid, that the said Treasurer be, and he is hereby further authorized and directed to discharge, as far as may be, the amount of the net proceeds, by him received, upon the sale of said Note, a certain judgment in favor of the Commonwealth, against John Peck, rendered in the Supreme Judicial Court, for the County of Suffolk, November term, 1806, for the sum of \$5255 56, and costs, which judgment was founded upon a certain covenant of the said John Peck, wherein he guaranteed to the Government, the validity of the aforesaid State Note.

CHAP. XI.

Resolve appointing Benjamin Russell, Esq. Printer for the State. 3d June, 1813.

On the petition of Benjamin Russell, of Boston, in the

County of Suffolk, praying to be appointed and employed as Printer to the General Court, the ensuing year.

Resolved, That the said Benjamin Russell, for reasons set forth in his said petition, be, and he hereby is appointed the Printer of this Commonwealth, for one year from the fourth day of June, instant, to be fully completed and ended, and until another State Printer shall be appointed in his stead.

Provided. He, the said Russell, shall do and perform, or cause to be done and performed, the printing, in a faithful and workmanlike manner, on good and suitable paper, and with all reasonable despatch, and to the acceptance of the officers for whom the work may be done.

Be it further resolved, That the compensation which shall and may be allowed and made to the said Benjamin Russell, for printing and materials furnished as aforesaid, shall be such as the Committee on Accounts may deem to be just and reasonable : they, the said Committee on Accounts, taking into consideration and comparison, the pay and allowance heretofore made, for similar and like services rendered, and articles furnished, by the printers to the General Court, for several years last past.

CHAP. XII.

Resolve for Paying the town of Buckstown, for Supplies furnished the Militia at Eastport. 3d June, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Jonathan Buck and Joseph Lee, Esquires, Agents for the town of Buckstown, the sum of ninety-six dollars, seventy-seven cents, for supplies furnished by said town, to the militia detached and marched to Eastport, under the command of Captain Joshua Chamberlain, by order of the Commander in Chief : and that his Excellency the Governor, be requested to draw his warrant on the Treasury for the amount.

CHAP. XIII.

Resolve granting a Tax to the County of Dukes' County.
3d June, 1813.

Whereas, The Treasurer of the County of Dukes' Coun-

ty, has laid his account before the Legislature, which account has been examined and allowed :

And whereas, The Clerk of the Court of Sessions, for said County, has exhibited an estimate, made by the said Court, of the sums necessary to discharge the debts of said County, and the charges which may arise within the said County, the year ensuing.

Resolved, That the sum of three hundred dollars be, and the same is hereby granted, as a tax on the said County of Dukes' County, the present year ; to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid, according to law.

CHAP. XIV.

Resolve granting a Tax to the County of Oxford, for the building a Court House, &c. 3d June, 1813.

Whereas, The Treasurer of the County of Oxford, has laid his account before the Legislature, which account has been examined and allowed :

And whereas, The Clerk of the Court of Sessions, for said County, has exhibited an estimate, made by the said Court, of the sum necessary to be raised the current year, for the purpose of erecting a Court House and fire proof offices in said County.

Resolved, That the sum of one thousand five hundred dollars be, and the same is hereby granted, as a tax on the said County of Oxford, the present year ; to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid, according to law.

CHAP. XV.

Resolve allowing the town of Pittston, further time to complete a Bridge. 3d June, 1813.

On the petition of the Selectmen of Pittston, in the County of Kennebeck, in behalf of the inhabitants of said town, praying for longer time to erect and complete a Bridge across Warromontogus Stream, in said town, than is allowed by a resolve passed February 22d. 1812.

Resolved, For the reasons set forth in said petition, that there be, and hereby is allowed, to said inhabitants of Pittston, a further time of two years, from the first day of January next, to finish and complete the said bridge, any thing in the resolve passed the twenty-second day of February, in the year of our Lord one thousand eight hundred and twelve, to the contrary notwithstanding.

Provided, However, that the said inhabitants, shall first give bonds to the Treasurer of said Commonwealth, in the manner pointed out in said resolve.

CHAP. XVI.

Resolve on the Petition of Samuel Leighton and others, Assessors of Eliot. 4th June, 1813.

On the petition of Samuel Leighton and others, Assessors of the town of Eliot, for the year eighteen hundred and twelve, praying, that their doings in committing certain lists of taxes to Elisha Goodwin, then one of the Constables of said town, for collection, may be made valid in law, and that the said Goodwin may be authorized to collect the same.

Resolved, That for reasons set forth in their said petition, the prayer of the petitioners be granted, and that the said Elisha Goodwin be authorized to collect all such taxes as may have been committed to him by said Assessors, in the same way and manner as he legally might have done, and that all monies already collected, and all acts done by said Elisha Goodwin, as collector as aforesaid, shall be as legal and valid, as if no other collector of said town had been chosen or appointed.

CHAP. XVII.

Resolve empowering the first Parish in Roxbury, to hold a meeting for the choice of Assessors. 4th June, 1813.

On the petition of Jonathan Dorr, Benjamin Weld and Charles Davis, Committee of the first Parish in Roxbury.

Resolved, That the inhabitants of said Parish be, and they hereby are authorized and empowered to hold a meet-

ing for the choice of Assessors, for the current year, and that the said Jonathan Dorr, Benjamin Weld and Charles Davis be, and they hereby are authorized and directed to issue their warrant in form of law, for calling a meeting of the inhabitants of said Parish, for the purpose aforesaid, and that the Assessors who may be chosen at said meeting, shall have all the powers, and be held to perform all the duties of Assessors of Parishes regularly chosen in the month of March or April, any law, usage or custom to the contrary notwithstanding.

CHAP. XVIII.

Resolve authorizing Paul Adams and others, to make application for a Jury to estimate damages occasioned by a road laid out through their land. 4th June, 1813.

On the petition of Paul Adams and others, praying that they may be authorized to make application to the Court of Sessions to estimate the damages sustained by the laying out of a road.

Resolved, That Paul Adams, David Dole, jr. John Longfellow, Moses Adams, John Knight, jr. Eunice Knight, Moses Ralf, John Plumer, and Friend Banforth, be, and they are hereby authorized to make application to the Court of Sessions, next to be holden at Ipswich, in and for the County of Essex, for a Jury to estimate the damages they have sustained, by the laying out of a road through their land, in the town of Newbury, in said County of Essex, beginning near the northwest end of the Downfall road, and running westerly, being the same road which was granted by the said Court of Sessions, and by the said Court accepted at the October term, in the year 1811; and the said Court of Sessions are hereby authorized to sustain the said application and grant the same in the same manner the said Court of Sessions should or might have done, had the application been made in due season.

CHAP. XIX.

Resolve authorizing Joseph S. Cooke to sell Estate of John Cooke. 4th June, 1813.

On the petition of Joseph S. Cooke, of Providence, in the County of Providence, and State of Rhode Island, Guar-

dian of the person and estate of John Cooke, of said Providence, an idiot, praying that said Joseph S. Cooke may have liberty to sell the estate of the said idiot, and that the proceeds thereof, after the payment of the said John's just debts, may be invested in such manner as that the income of the same may be sufficient for the future support of him, the said John Cooke.

Resolved, For reasons set forth in said petition, that the prayer thereof be granted, and the said Joseph S. Cooke be, and he is hereby authorized to sell the said estate, and to make and execute a good and sufficient deed or deeds of the same.

Provided, The said Joseph S. Cooke shall first give bond with sufficient sureties, living within this Commonwealth, to the Judge of Probate, for the County of Bristol, in this Commonwealth, in such sum as the Judge aforesaid shall deem sufficient, conditioned for the faithful discharge of his, the said Joseph's duty in the premises, and the said Judge of Probate is hereby authorized to receive said bond, when executed in manner aforesaid, and cause the same to be filed in the Probate Office, in said County, for the benefit of the said John.

CHAP. XX.

Resolve granting William Donnison, Esq. \$250, for services, &c. as Adjutant General, to 4th March last.
5th June, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to William Donnison, Esq. the sum of two hundred and fifty dollars, in full compensation for all his services as Adjutant General, and for office rent, clerk hire, fuel and incidental charges in said office.

CHAP. XXI.

Resolve allowing Captain Samuel G. Ladd, \$71 15, for expenses paid for purchasing land and building a Gun House in Hallowell. 5th June, 1813.

On the petition of Samuel G. Ladd, praying to be reim-

bursed for expences paid by him for the use of the Commonwealth.

Resolved, For the reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth, to Samnel G. Ladd, seventy-one dollars and fifteen cents, in full compensation for the expences paid by him for purchasing land and building a Gun-House thereon.

CHAP. XXII.

Resolve authorizing any one Justice of the Supreme Judicial Court to hold the next term of said Court at Castine.

7th June, 1813.

Resolved, That the Supreme Judicial Court next to be holden at Castine, for the Counties of Hancock and Washington, on the third Tuesday of this present June, may be held by any one Justice of said Court, and such Justice shall be, and hereby is authorized to hear, try and determine all such matters as may come before the said Court, and which by force of the act passed on the fifteenth day of March, in the year one thousand eight hundred and five, entitled "an act making further provision in the Judicial department," may be heard, tried and determined by the Supreme Judicial Court, when holden pursuant to the third section of the aforesaid act, and such Justice shall be, and hereby is also authorized to hear, try and determine all questions of divorce and alimony which may lawfully come before the said Court, to be holden as aforesaid; and all actions, suits and processes, which may be pending in the said Court, and which may be there continued for the advisement of the Court upon any question of law, may be heard and determined at any term of said Court, to be holden in any other County, pursuant to the second section of the act aforesaid, and judgment therein may be rendered as of the said term of said Court, to be holden at Castine by virtue of this resolve.

CHAP. XXIII.

Resolve authorizing the Overseers of the Marshpee Indians to reconvey to Nathan Bourne, certain Rights, &c.

8th June, 1813.

On the petition of Ephraim Spooner and Joshua Thomas, Overseers of the plantation of Indians at Marshpee, in the County of Barnstable.

Resolved, That for reasons set forth in said petition, the said Ephraim Spooner and Joshua Thomas, Overseers as aforesaid, be, and they are hereby authorized to reconvey to Nathan Bourne, of Sandwich, in the County of Barnstable, by deed, all the rights, easements and privileges which the said Nathan conveyed by his deed, to the said Overseers of Marshpee, and for a consideration which has failed, as set forth in their petition; and that the said deed, when executed, shall be legal and valid; and the said Overseers are hereby authorized, if they think proper, to enter into a rule of reference touching the premises as aforesaid, for the final adjustment of the claims of the said Nathan. and the proceedings under said submission shall be binding on the parties, and have full legal effect.

CHAP. XXIV.

Resolve authorizing Charles Barber to sell Real Estate of Minors, Children of Samuel Smith. 8th June, 1813.

On the petition of Charles Barber, Guardian to the Children of Samuel Smith, late of Gray, now of Portland, in the County of Cumberland, viz. to Samuel Smith, jr. Eliza Smith, William Smith, Polly Smith, David Smith, Edward Smith and John Smith, minors, praying for leave to sell certain real estate in Portland, conveyed by George Wheelright to John Stone, in trust for Susanna Smith, wife of said Samuel Smith, and said Children.

Resolved, For reasons set forth in said petition, that the said Charles Barber, Guardian as aforesaid, be, and hereby is authorized and empowered, to sell and convey, by deed, in fee simple, the said real estate as described and bounded in the aforesaid deed of George Wheelwright to John Stone,

which deed is dated the twenty second day of August, in the year of our Lord one thousand eight hundred and eleven, to any person or persons who may offer the most therefor, at public auction or private sale, on such terms and conditions as he may think most consistent with the interest of said Susanna and said Children, and the money arising therefrom to vest in neat stock and real estate in the town of Gray, aforesaid, or in good securities, as may best promote the interest of said Susanna and Children.

Provided, That the said Charles Barber first give bond, with sufficient sureties, to the Judge of Probate of the County of Cumberland, to account for the proceeds of the sale thereof: Conditioned, that he will well and truly observe all the rules and regulations, relative to the sale aforesaid, in the same way and manner as is provided by the laws of this Commonwealth, in cases where Guardians shall have been empowered by the Supreme Judicial Court or Circuit Court of Common Pleas, to make sale of the real estate of their wards for the payment of debts or for their support.

Be it further resolved, That the said Charles Barber be and hereby is authorized and empowered to deliver up to the widow of the said John Stone, deceased, a certain bond, dated the twenty second day of August, A. D. one thousand eight hundred and eleven, given by the said John Stone to the said Susanna and Children, for the sum of one thousand dollars, conditioned for the faithful discharge of his duty as trustee of said real estate; and also to cancel a certain mortgage of certain real estate in said Gray, dated on the aforesaid twenty second day of August, given by the said John Stone to the said Susanna and Children, conditioned for the faithful discharge of his trust aforesaid.

CHAP. XXV.

Resolve establishing the Salaries of the Lieutenant Governor, Secretary and Treasurer. 8th June, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to his Honor the Lieutenant Governor thereof, the sum of five hundred and thirty three dollars and thirty three cents, in full of his salary for one year from the thirty first day of May last past.

Also to Alden Bradford, Esq. Secretary of this Commonwealth, the sum of two thousand dollars, as and for his salary for one year from the sixth day of June instant, he, the said Secretary, to be accountable, at the end of said year, for all fees of offices he shall have received.

And likewise to John T. Apthorp, Esq. Treasurer and Receiver General of the said Commonwealth, the sum of two thousand dollars, as and for his salary for one year from the sixth day of June current, and that all the aforesaid salaries be paid quarterly as they shall become due.

CHAP. XXVI.

*Resolve granting \$53 32, to the town of Castine.
8th June, 1813.*

On the petition of David Howe, in behalf of the inhabitants of Castine.

Whereas, A resolve passed on the 5th day of February, 1803, directing the Treasurer of this Commonwealth to deduct from the state tax for the town of Castine, four cents on a thousand dollars, for the valuation of the year 1802, during the term of said valuation, and it appears by the Treasurer's books, that the resolve has not been complied with.

Therefore resolved, That the Treasurer of this Commonwealth be directed to pay the town of Castine, or any person authorized by them to receive the same, the sum of fifty three dollars and thirty two cents, being the amount due said town of Castine.

CHAP. XXVII.

Resolve directing the Solicitor General relative to the real estates of Treasurer Skinner's Bondsmen, and granting \$100 for paying the expense of eight informations against Civil Officers in Hampden. 8th June, 1813.

On the Communication of Daniel Davis, Esq. Solicitor General, relative to certain public prosecutions.

Resolved. That the Solicitor General be, and he hereby

is authorized to give such credit to any purchaser or purchasers of any real estate or estates of the sureties of the late Treasurer Skinner, which may be taken in execution for the satisfaction of any judgment or judgments in favour of the Commonwealth, and take such security for the payment of the purchase money, as he, or any agent, duly appointed by him for that purpose, shall deem expedient.

Resolved, That the household furniture and such of the farming utensils and cattle of the said sureties, and such of their horses and carriages, as in the opinion of the Solicitor General may be necessary for the reasonable accommodation and comfort of their respective families, shall be exempt from being taken in execution upon any or either of the said judgments aforesaid.

Resolved, That the sum of one hundred dollars, be allowed and paid out of the Treasury of this Commonwealth, to the Solicitor General, for the purpose of defraying the expences of eight informations, in the nature of a Quo warranto, against certain civil officers of the County of Hampden, specified in his communication to this Legislature, dated 27th May last.

CHAP. XXVIII.

Resolve compensating Abiel Hall for taking depositions, and Andrew Roberts, as a witness in the case of Thomas Keeler, Esq. 8th June, 1813.

Resolved, That there be granted and paid out of the Treasury of this Commonwealth, twenty-five dollars to Abiel Hall, Esq. for his services in taking and certifying depositions in the case of Thomas Keeler, Esq. of Alfred, in the County of York, for mal practice in his office as a Justice of the Peace, on the complaint of James Bean and Edmund Pitts, against the said Thomas Keeler, Esq. in the year 1809, and also twenty two dollars to Andrew Roberts, as a witness in said cause for his travel and attendance, in full for their services; and his Excellency the Governor, with advice of Council, is requested to issue his warrant on the Treasury, for the payment of the sums aforesaid, to the said Abiel Hall, Esq. and Andrew Roberts.

CHAP. XXIX.

Resolve establishing the Pay of the Clerks in Secretary's and Treasurer's Offices. 8th June, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the first Clerk in the Secretary's Office, the sum of fourteen hundred dollars, in full compensation for his services, for one year from the first day of this present month of June : and also to each of the other Clerks in said Secretary's Office, the sum of three dollars and forty-nine cents per day, for each and every day they are respectively employed therein, for one year commencing the said first day of June instant.

And be it further resolved, That there be allowed and paid out of the Treasury aforesaid, to the first Clerk in the Treasurer's Office, the sum of fourteen hundred dollars in full compensation for his services for one year from the first day of this current month of June ; and likewise to each of the other Clerks in said Treasurer's Office, three dollars and eighty four cents per day for each and every day they are respectively employed therein for one year, commencing the said first day of June current.

CHAP. XXX.

Resolve on the Petition of Jonathan Burgess, a Soldier in the late revolutionary army, granting him \$215 84. 9th June, 1813.

On the petition of Jonathan Burgess, praying compensation for services as a soldier in the fourth Massachusetts Regiment, during the revolutionary war.

Resolved, For reasons set forth in said petition, that there be granted and paid out of the Treasury of the Commonwealth, to said Jonathan Burgess, the sum of two hundred and fifteen dollars and eighty four cents, in full for his services aforesaid ; and his Excellency the Governor, with advice of Council, is hereby authorized and requested to draw his warrant on the Treasury accordingly.

CHAP. XXXI.

Resolve on the Petition of Ruthy Barrett and others, authorizing Timothy L. Jennison to execute a Deed to Catharine Smith. 9th June, 1813.

On the petition of Ruthy Barrett and others, heirs at law to the estate of Thomas Barrett, late of Cambridge, in the County of Middlesex.

Resolved, For reasons set forth in said petition, that Timothy L. Jennison, of Cambridge, Executor of the last will and testament of said Barrett, be, and he is hereby authorized and empowered to make, execute and release to Catharine Smith, of said Cambridge, widow, a deed of conveyance of all the right and title, which the said Barrett had in and to the estate of Mary Richardson, late of Cambridge, widow, deceased, being one fifth part of the said widow's dower, and that the said Jennison, in his capacity as Executor of the last will and testament of said Barrett, be held to account for the proceeds of the same, in the same manner as though it were personal estate.

CHAP. XXXII.

Resolve on the Petition of Wiggins Hill, authorizing the Administrator on Estate of Josiah Hills, to convey to him a lot of Land. 9th June, 1813.

On the petition and representation of Wiggins Hill, of a place called Kenduskeag, in the County of Hancock, yeoman, praying that the Administrator on the estate of Josiah Hills, may be authorized to convey to him a certain lot of land, the same having been set off, on execution, on a judgment in favor of said Josiah Hills, which judgment was obtained in a suit against Eleazer Spaulding, jr. John Spaulding and Seth Spaulding, in favor of said Josiah Hills, by mistake, instead of said Wiggins Hill.

Resolved, For reasons set forth in said petition, that the Administrator on the said Josiah Hills' estate be, and he is hereby authorized to convey, by deed, to said Wiggins Hill, all the right, title and interest which the said Josiah Hills had, by virtue of the levy of said execution, in and unto a

certain piece or parcel of land, situated in township numbered five, in the seventh range of townships, north of the Waldo Patent, beginning at the north-east corner of lot number two, in the first range of lots in said township; thence north, seventy rods to a stake; thence east, sixty four rods to a birch tree; thence south, seventy rods to a hemlock, standing in the town line; thence west, sixty four rods to the first bounds; which said deed shall, to all purposes, have the same force and effect as though the judgment aforesaid had been obtained and execution levied in the name of the said Wiggins Hill.

CHAP. XXXIII.

Resolve on the Petition of Daniel Lunt.
10th June, 1813.

On the petition of Daniel Lunt,

Resolved, That the Commonwealth's Agent upon the subject of Eastern Lands, be, and he hereby is authorized and empowered to sell and convey to the said Daniel Lunt, all the right, title and interest which the Commonwealth has of, in or to two small Islands, lying in Androsoggin River, opposite to and nearly adjoining the land which said Lunt purchased of the Committee for the Sale of Eastern Lands, by deed, dated the twenty ninth day of January, in the year of our Lord one thousand seven hundred and ninety, upon such terms and conditions, as said Agent may deem just and reasonable, under all the circumstances of the case.

Provided, The same still remain the property of this Commonwealth.

CHAP. XXXIV.

Resolve on the Petition of William Sullivan, Esq.
10th June, 1813.

On the petition of William Sullivan, of Boston, Esquire, praying that a resolve may be passed, to empower Daniel Sargent, of said Boston, Esquire, to convey certain lands which the late John Turner Sargent, of Boston, Esquire,

held in trust, and whereof he died seized : For reasons set forth in said petition,

Resolved, That Daniel Sargent, of Boston, in the County of Suffolk, Esquire, be, and he is hereby authorized and empowered to execute, acknowledge and deliver, in due form of law, unto William Sullivan, of Boston, aforesaid, Esquire, and to his heirs and assigns in trust, a deed of conveyance, of all the right, title, interest and estate which John Turner Sargent, late of said Boston, Esquire, deceased, had in and to certain land, and the privileges and appurtenances thereof, situate in Boston, aforesaid, and bounded and described as follows, viz. :—Beginning at the corner of Beach-street and Rainsford's lane, bounding on Beach-street, eighty five feet ; on Rainsford's lane, one hundred and fourteen feet ; on the rear or northerly line, one hundred and one feet ; westerly seventy four feet ; then running eastwardly and bounded southwardly twenty feet ; then running southerly and bounded westerly forty four feet to Beach-street, be the said lines or boundaries more or less, with the wharf, flats, and the privileges and appurtenances laying before the Distill-house, on said estate, at the southerly side of Beach street, as it formerly was, about seventy feet, beginning on Rainsford's lane (the new street called Front-street, being laid out over part of said wharf) and extending southwardly from the southwardly boundary of Beach-street, aforesaid, as far as the flats or the rights appertaining to said estate, extend. Reference being had to the deeds of conveyance heretofore executed. See Book 123, folio 153 ; Book 114, folio 264 ; Book 210, folio 60, where deeds are recorded, touching the premises.

And be it further resolved, That the said Daniel Sargent be, and he hereby is authorized and empowered to convey to Jonathan Earle, of Leicester, in the County of Worcester, in like manner, all the right, title, interest and estate which the said John Turner Sargent had in and to the land and appurtenances described as follows, viz. :—Beginning on the great post road, leading through the town of Leicester, at a point on the south westwardly side of the said road, where the land, herein described, adjoins to land now or late of Mr. Hearsey ; and from said point, running south four degrees east, one hundred and forty rods to the Mower Farm, so called ; then running east two and one half degrees north, fifty rods by the Mower Farm ; thence running

north four degrees west, seventy one rods ; thence running north forty five degrees east, twenty four rods and ten links to the aforesaid post road ; and thence running north-westwardly, by the post road, to the place of beginning : this land being fifty two acres, and part of the Nathan Harsey Farm, so called :—And that the deeds, by said Daniel Sargent lawfully executed in virtue hereof, shall be good and valid, to pass and convey all the estate and title, which the said John T. Sargent had, at the time of his decease, in said lands, as though such deed or deeds had been executed by the said John Turner Sargent in his life time.

CHAP. XXXV.

Resolve on the Petition of William Atkinson and Partners.
10th June, 1813.

On the petition of William Atkinson, in behalf of himself and Partners, praying an allowance of a certain sum of money paid by them to the Treasury of this Commonwealth.

Resolved, That for reasons set forth in the petition, there be allowed and paid out of the Treasury of this Commonwealth, to the said William Atkinson, for himself and Partners, the sum of forty four dollars and seven cents ; and his Excellency the Governor, with the consent of the Council, is hereby requested to draw his warrant on the Treasurer for the same.

CHAP. XXXVI.

Resolve on the Petition of William Trowbridge, making valid an Affidavit. 10th June, 1813.

On the petition of William Trowbridge, of Newton, in the County of Middlesex, gentleman, Executor on the estate of Edmund Trowbridge, late of Newton, in said County, gentleman, deceased, intestate, praying that his affidavit of his having given notice of his appointment as Executor of said will, and having taken upon himself that trust, made in the Probate Court, in said County, on the eleventh day of May, one thousand eight hundred and thirteen, and recorded in the

Probate Office, in said County, together with a true copy of one of the notifications of said appointment, in the Registry of Probate in said County, may be made valid in law, although not made within seven months after the day of said appointment, as the law requires.

Resolved, That the prayer of the petition be granted, and the said affidavit, and copy of one of said original notifications, recorded as above mentioned, shall be valid, and have the same force and effect in law, as if the same had been done within seven months after the day of said appointment, any law, usage or custom to the contrary notwithstanding.

CHAP. XXXVII.

Resolve on the Petition of John Richards and others.
10th June, 1813.

On the petition of John Richards, for himself and others, praying, that the time for performing the settling duties upon certain lands in the District of Maine, may be extended.

Resolved, For the reasons set forth in said petition, that the Agents for the Sale of Eastern Lands be, and they are hereby authorized to renew the bonds given to the Commonwealth by John Richards and others, bearing date June 1st, in the year of our Lord 1807, conditioned for performing the settling duties on the lands formerly sold by the Commonwealth to William Bingham, and (after deducting from the penalties of said bonds, the sum of thirty dollars for each settler which has been placed on said lands, conformably to the condition of the existing bonds) to take bonds for the balance of the penalties due after such deduction, with condition for performing the residue of said settling duties in four years.

And resolved further, That if the devisees in trust of the estate of the said William Bingham, or the said Richards, or any person acting under them, or in their behalf, shall advance or expend any sum or sums of money in laying out and making a public road through the tract known by the name of the Kennebeck Million, to meet or continue a road already surveyed and authorized to be laid out from the north line of said tract, to the British Province of Canada, the said Agents shall, from time to time, allow and endorse

upon the bond, to be executed by said Richards, all such sums as shall be truly expended by the said devisees, or said Richards, or any person claiming under them, on producing satisfactory evidence thereof; and the said Agents are hereby authorized to contract with said Richards, or the said devisees, for the laying out, making and completing said road, throughout said tract or any part thereof.

Provided, The same shall be paid for, by discounting the expence thereof, from the penalty of the bond to be given as aforesaid, by said Richards, and not otherwise.

CHAP. XXXVIII.

Resolve to reduce the Poll Tax. 10th June, 1813.

Resolved, That the valuation established by a resolve, passed on the thirtieth day of January, in the year of our Lord one thousand eight hundred and twelve, be so far amended, as that the rateable polls shall be estimated at one ~~mile~~ ^{mil} each, on the sum of one thousand dollars, in all taxes hereafter to be assessed on the several towns, districts and plantations in this Commonwealth; and that said valuation be made to conform to the estimation of the polls as aforesaid.

CHAP. XXXIX.

Resolve on the Petition of Cyrus Hamlin, directing the Treasurer to stay execution against the Bondsmen of David Learned, late Sheriff of Oxford County.

10th June, 1813.

On the petition of Cyrus Hamlin, praying for stay of execution against the bondsmen of David Learned,

Resolved, For reasons set forth in said petition, that the Treasurer of this Commonwealth, be, and he is hereby directed to stay execution against the bondsmen of David Learned, late the Sheriff of the County of Oxford, for the sum of three hundred and twenty-four dollars, and interest thereon, for the term of one full year, from the last day of the present session of this General Court, that said bondsmen

may be enabled to discharge the aforesaid sum without further cost.

CHAP. XI.

Resolve appointing Commissioners to settle Treasurer's Accounts. 4th June, 1813.

Resolved, That the Hon. John Welles, Benjamin Weld, George Blanchard, Joseph Beamis and Ezekiel Savage, Esquires, be, and they are hereby appointed Commissioners to examine, liquidate, adjust and settle the accounts of John T. Apthorp, Esq. Treasurer and Receiver General of this Commonwealth, from the eighth day of June, 1812, the time of his entering on the duties of his office, to the thirtieth day of June instant, inclusively, and the said Commissioners are directed and empowered to deface all notes and due bills, orders, or other obligations issued under the authority of this Commonwealth, by any officer thereof, which have been redeemed by the Treasurer, or his predecessors, and to report their proceedings at the next session of the General Court.

CHAP. XII.

Resolve on the Petition of Joseph D. Bass, for the heirs of the late Edward Tyler, Esq. and others.
4th June, 1813.

On the petition of Joseph D. Bass, for the heirs of the late Edward Tyler and others.

Resolved, For reasons set forth in said petition, that a further time of two years, from the first instant, be, and hereby is allowed to the heirs and assigns of the late Edward Tyler and others, owners of township letter D. in the County of Oxford, to complete the settlement of forty families on said township, and if they, or their heirs or assigns, shall settle within said time, the said number of families on said township, that then the estate and right of said Edward Tyler and others, their heirs and assigns, shall be valid, full and effectual to all intents and purposes, as if the conditions of settlement expressed in the original deed given of said

township, by the Committee appointed by the General Court, to sell and convey the unappropriated land in the District of Maine, had been fully and seasonably complied with.

Provided, Nevertheless, the said Tyler and others, their heirs and assigns, shall, on or before the first day of December next, give bonds to the Commonwealth, with sufficient surety or sureties, to the satisfaction of the Agent for the Sale of Eastern lands: Conditioned, that the number of families required in said original deed, to be settled on said township, shall, within said term of two years, be settled thereon, or for the payment of thirty dollars for each family which shall then be deficient.

CHAP. XLII.

Resolve granting Charles Hammond, \$126 50, expences in laying out a Road through No. 4. 11th June, 1813.

On the petition of Charles Hammond, praying for compensation for services rendered in laying out a road, pursuant to a resolve passed March 2d, A. D. 1810.

Resolved, On the petition aforesaid, for the reasons therein set forth, that the said Charles Hammond be, and hereby is allowed to receive from the Treasury of said Commonwealth, the sum of one hundred and twenty-six dollars and fifty cents, in full for his services, as set forth in said petition; and his Excellency the Governor, is hereby authorized to draw his warrant on the Treasury of said Commonwealth for said sum.

CHAP. XLIII.

Resolve on the Petition of the town of Pownal. 11th June, 1813.

On the petition of the town of Pownal, praying, for reasons set forth in their petition, that they may be authorized and empowered to lay out their State tax, for the year eighteen hundred and twelve and thirteen, on their County roads in said Pownal.

Resolved, That the sum of one hundred dollars (being a sum but a little more than said town's proportion of the State

tax, for one year) be remitted to said town of Pownal, upon condition; that said sum of one hundred dollars, be laid out and expended upon the County roads, leading through said town.

Be it further resolved, That the Selectmen of said town of Pownal, shall, at the next session of the General Court, certify under oath, that the said sum of one hundred dollars, has been laid out and expended on the County roads, leading through said town; and also that the monies which have been levied and assessed in said town, for the repairs of highways, have been worked out upon the roads and bridges in said town.

CHAP. XLIV.

Resolve for distributing a Pamphlet, among the Militia, entitled "The Elements of War." 11th June, 1813.

Whereas, From the nature of our republican government, the Militia of this Commonwealth are the constitutional defence thereof, and it is indispensably necessary for the perfect organization and discipline of the Militia, that some comprehensive and uniform system of tactics in modern use, should be adopted throughout this Commonwealth, as the basis of their discipline.

And whereas, A treatise of this nature, now presents itself, entitled "The Elements of War," which has met the current approbation of the most able and experienced military officers in our country: Therefore, for the more perfect organization and discipline of the Militia, and for the encouragement of both officers and soldiers.

Resolved, That the Adjutant General be, and he hereby is directed, to procure and distribute, as soon as may be, to each General, Field and Commissioned Staff Officer, and to each Company in the Militia of this Commonwealth, one copy of the treatise aforesaid, for the use of such officers and Companies, and to be handed down to their successors in office, for the use aforesaid.

Provided, The same can be purchased for one dollar and fifty cents each, printed on good paper, well bound with leather, and lettered on the back, *Elements of War*, and on one side, *Massachusetts Militia*.

CHAP. XLV.

Resolve granting further time to Nathaniel Ingersoll and John Hodgdon, to settle a Township. 11th June, 1813.

On the petition of Nathaniel Ingersoll, praying further time for the settlement of families, on a half township of land, granted to Westford Academy.

Resolved, For reasons set forth in said petition, that a further time of three years, from this time, be, and hereby is allowed to Nathaniel Ingersoll, of New Gloucester, in the County of Cumberland, and John Hodgdon, of Ware, in the County of Hillsborough, in the State of New-Hampshire, their heirs and assigns, to complete the settlement of ten families on the half township of land granted the Trustees of Westford Academy.

Provided, The said Nathaniel Ingersoll or John Hodgdon, their heirs or assigns, shall, on or before the first day of October next, give bond to the Treasurer of this Commonwealth, in the sum of six hundred dollars, with sufficient surety or sureties, to the satisfaction of the Agents for the Sale of Eastern lands: Conditioned, that there shall be settled on said grant, the number of ten families, within the time extended aforesaid, or for the payment of thirty dollars for each family which shall then be deficient; on payment of which sum, then the estate, right and title of the said Nathaniel Ingersoll and John Hodgdon, their heirs and assigns, shall be valid, full and effectual, to all intents and purposes, as if the condition of settlement, expressed in the original deed given of said half township, by the Agents for the Sale of Eastern lands, had been fully and seasonably complied with.

And be it further resolved, That the Treasurer of the Commonwealth of Massachusetts, is hereby directed upon receiving the bond as above specified, to give up or cancel two bonds, one signed by Nathaniel Ingersoll, Peter Chandler, jr. and Thomas Johnson, dated the 22d day of September, 1809; the other signed by John Hodgdon, Asa Butterfield and Ebenezer Bankcroft, jr. dated the 29th day of August, 1809. which bonds are now lodged in the Treasury Office.

CHAP. XLVI.

Resolve for printing the Charters, Colony and Province Laws. 12th June, 1813.

The Committee appointed to consider what number of copies of the charters and public and general laws of the late colony and province of Massachusetts Bay, ought to be printed at the expense of and for the use of this Commonwealth, have attended that service, and ask leave to

Report, That it is expedient to have one thousand copies of the same, for the use of this Commonwealth, for which purpose they recommended the passage of the following resolve.

Resolved, That Nathan Dane, William Prescott and Joseph Story, Esquires, be authorized to cause one thousand copies of the charters and the public and general laws, of the late colony and province of Massachusetts Bay to be printed, for the use of this Commonwealth, in the same manner, as is provided by a resolve, passed fifteenth of January, 1813, instead of five hundred copies, as by said resolve is directed,

And be it further resolved, That the said copies shall be distributed, by the Secretary, in the manner provided by a resolve for distributing the laws, passed 31st January, 1807, except so far as the same requires a distribution of the laws to the Members of the General Court.

CHAP. XLVII.

Resolve directing the Solicitor General to consent to the continuance of any Indictments against the Proprietors of Canal Bridge, pending in Middlesex. 12th June, 1813.

Resolved, That the Solicitor General of this Commonwealth, be authorized and directed to consent to a continuance of any indictments, pending in the County of Middlesex, against the Proprietors of the Canal Bridge, from the next October term of the Supreme Judicial Court, to the next April term of said Court, if the said Corporation shall request it.

CHAP. XLVIII.

Resolve discharging Secretary Bradford from \$7350 80, and granting balance of his account. 12th June, 1813.

The Committee appointed to examine the accounts of Alden Bradford, Esq. Secretary of this Commonwealth, relative to all monies heretofore by him received, in virtue of certain warrants, drawn by his Excellency the Governor, in favor of said Bradford, by him to be expended on account of the Commonwealth, have attended that service, and ask leave to

Report, That the said Bradford received the sum of seven thousand three hundred and forty-four dollars, eighty cents, in the manner aforesaid, from the twenty-second June, 1812, to twenty-fifth May last inclusive, and that he has expended, on account of the Commonwealth, for the same purposes, for which the said warrants were drawn, the sum of seven thousand three hundred and fifty dollars, eighty cents, and that the following resolve be passed by the Legislature.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of six dollars to Alden Bradford, Esq. Secretary of this Commonwealth, and that the said Alden Bradford be discharged from all monies heretofore by him received, in virtue of the warrants aforesaid.

CHAP. XLIX.

Resolve authorizing Oliver Wendell, Esq. to sell Estate of the heirs of Jacob Wendell. 12th June, 1813.

On the petition of Oliver Wendell, Esq. sole surviving executor of the last will and testament of the Hon. Jacob Wendell, Esq. late of Boston, in the County of Suffolk, deceased.

Resolved, For reasons set forth in said petition, that said Oliver Wendell, Esq. be, and he is hereby authorized and empowered to sell and convey, and for that purpose to make, execute and deliver deeds, to convey all the right, title, interest, claim and demands of the heirs of said Jacob Wendell, to four thousand four hundred and twenty four acres of land, which were assigned by the Proprietors of the Ken-

nebeck purchase from the late colony of New Plymouth, to said heirs of said Jacob Wendell ; and also all the right, title, interest, claim and demand of the heirs of said Jacob Wendell, to the undivided lands and property of said Proprietors of the Kennebeck purchase from the late colony of New Plymouth ; and that said Oliver Wendell shall account for and pay to said heirs, their several proportions of the proceeds arising from such sales, in the same manner as if the same had been personal estate.

CHAP. L.

Resolve making appropriations for discharging all debts due from the State Prison and for its current expences.

12th June, 1813.

Resolved, That there be allowed and paid out of the public Treasury, to the Warden of the State Prison, the sum of two thousand and ninety dollars and seventy four cents, to pay the balance of the debts due from the said institution, which were contracted by Daniel Jackson, Esq. formerly Superintendant thereof ; and the said Warden is hereby directed to discharge said debts as soon as may be, and produce vouchers for the same to the Directors, and that there be allowed and paid out of the public Treasury, the further sum of six thousand dollars, to be drawn from the Treasury by said Warden, in such sums as the Directors shall, from time to time, direct for the use of said institution ; and his Excellency the Governor, with advice of Council, is hereby requested to draw his warrants on the Treasurer for said sums accordingly.

CHAP. LI.

Resolve on the Petition of Robert Thompson and others.

12th June, 1813.

On the petition of Robert Thompson and others, composing one of the Companies of detached Militia of this Commonwealth, under command of Captain Joshua Chamberlain, ordered into service by his Excellency the Governor,

for the defence of the eastern frontier, on the 11th day of August, A. D. 1812, praying for additional compensation.

Resolved, For reasons set forth in said petition, that there be granted and paid out of the Treasury of said Commonwealth, unto said Captain Joshua Chamberlain, to and for the use of the privates, non-commissioned officers and musicians of said company respectively, the sums following, viz. : to each private, the sum of three dollars and thirty three cents per month ; to each serjeant, the sum of four dollars per month ; to each corporal and musician, the sum of three dollars and sixty seven cents per month, during the time of five months, in which they were in said service, agreeably to the roll hereto annexed, which will be a gratuity in addition to the pay allowed by the United States, already by them respectively received.

CHAP. LII.

Resolve authorizing the Treasurer to pay to Shubael Downes, certain sums of Money for the use of the persons therein named. 12th June, 1813.

Resolved, That the Treasurer of the Commonwealth be, and he is hereby authorized to pay to Shubael Downes, the several sums allowed to Elijah G. Wetherly, Noah Whittier, Abiel Townsend, Thomas Belither, Robert Townsend, Noah Allen, Nathaniel Lane, Thomas Thornhill, Joel Knight, Thomas Hodgman, James Boyd, Johnson Williams, Andrew Dunning, Annaniah Bohannon, Timothy Barker and Liba G. Spring, for their services in the local militia in the town of Calais, according as they are made up in the pay roll, by the Adjutant General, during the months of July and August last, on the said Shubael Downes giving sufficient bonds to the said Treasurer, to pay over to the several persons above named, the amount severally due to them.

CHAP. LIII.

Resolve for paying the Charlestown Members of the General Court, whose election was declared void.

14th June, 1813.

Resolved. That David Goodwin. Thomas Harris. Wil-

liam Austin and John Soley, Esquires, who were returned as Members of this House from the town of Charlestown, but whose election has been declared void by said House, be allowed to exhibit to the Committee on Accounts, an account of their attendance, as Members of this House, to the time when their said election was declared void as aforesaid; and that said Committee be directed to allow to each of said persons, two dollars a day for each day he may have attended as a Member of this House, during the present session of this General Court.

CHAP. LIV.

Resolve on the Petition of Robert Treat. 14th June, 1813.

On the petition of Robert Treat, in behalf of Joseph Treat, praying for a further time to make payment of the interest on his bond to this Commonwealth.

Resolved, That the said Joseph Treat be, and he hereby is allowed one year from the nineteenth day of the present month of June, to pay one half of the whole interest that may then be due on his bond to this Commonwealth, dated the nineteenth day of June, one thousand eight hundred and six, and the farther time of two years from the said nineteenth day of the present month of June, to pay the remaining half of said interest; and the Treasurer of this Commonwealth is hereby directed to stay any further proceedings thereon, until the expiration of the period or periods of time above named.

CHAP. LV.

*Resolve granting Jacob Kuhn, Messenger, \$350.
15th June, 1813.*

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, three hundred and fifty dollars for the present year, commencing the thirtieth day of May last, to be in addition to the sum of four hundred dollars allowed him by a resolve of March 25th, 1793, establishing the pay of the Messenger of the General Court.

CHAP. LVI.

Resolve relating to Non-resident Lands.
15th June, 1813.

Resolved, That so much of a resolve of the Legislature, passed on the twenty second day of June, one thousand seven hundred and eighty seven, as requires “advertisements for the sale of non-resident lands for the payment of taxes, to be published in the papers printed at Springfield and Northampton, when the lands to be sold lie in either of the Counties of Hampshire or Berkshire,” be and the same is hereby repealed.

CHAP. LVII.

Resolve granting to Samuel Brown, \$110 80, for his services in the fourth Regiment of the revolutionary army.
15th June, 1813.

On the petition of Samuel Brown, praying for compensation for services as a soldier in the fourth Massachusetts regiment, during the revolutionary war.

Resolved, For reasons set forth in said petition, that there be granted and paid out of the Treasury of this Commonwealth, to said Samuel Brown, the sum of one hundred ten dollars and eighty cents, in full for his services aforesaid.

CHAP. LVIII.

Resolve granting Captain Joshua Chamberlain, \$28, for Expences. 15th June, 1813.

On the petition of Joshua Chamberlain, praying that he may be remunerated for certain expences incurred by him, when on duty, as an officer of the detached militia ordered to the eastern frontier by the Commander in Chief, and which have not before been allowed.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Joshua Chamberlain, the sum of twenty

eight dollars, in full for the doctor's bill, board and attendance of Henry Snow, one of the said detached militia, and for the expences of said detached militia, at the widow Mary Burnham's.

CHAP. LIX.

Resolve granting Elizabeth Churchill, \$174 36, due her husband, Joshua Totman, as Quarter Master second Massachusetts Regiment. 15th June, 1813.

On the petition of Elizabeth Churchill, widow of Joshua Totman, late a Quarter Master in the second Massachusetts regiment, commanded by Col. John Bailey, in the late revolutionary war.

Resolved, That one hundred and seventy four dollars and thirty six cents, be granted and paid out of the public Treasury, to the said Elizabeth Churchill, in full compensation for the services of her late husband, Joshua Totman, as Quarter Master in the said second regiment, being a balance due to the said Totman, on a settlement of the army accounts.

CHAP. LX.

Resolve authorizing Isaac and William Clark, to execute a Deed to Nathan Batchelder, of Hallowell. 15th June, 1813.

Whereas, Nathan Batchelder, of Hallowell, in the County of Kennebeck, by his petition, has prayed that authority may be given to Isaac Clark, of Monmouth, and William Clark, of Hallowell, Administrators on the estate of Isaac Clark, jr. late of said Monmouth, deceased, to make and deliver a deed of a certain lot of land to him, situated in said Hallowell, and bounded thus:—Beginning on the street which runs westerly by the bank lot, at the distance of twelve rods from Second-street, and on a street now laid out, but not yet accepted by the town; thence running westerly on said first mentioned street ten rods; thence southerly four rods to a stake; thence easterly ten rods to a stake on said street, laid out as aforesaid; thence northerly by said last

mentioned street four rods to the point of beginning ; and it appears that said Isaac Clark, jr. in his life time, agreed, by his contract, not under seal, to convey said piece of land to said Batchelder, but the conveyance was prevented by the sudden death of said Isaac Clark, jr. ; therefore, for the reasons set forth in said petition,

Resolved, That the said Isaac and William, as Administrators on said estate, be, and they hereby are authorized and empowered to make, execute and deliver to said Batchelder, a good and sufficient deed of the said lot of land, and such deed duly acknowledged and recorded, shall give as good a title to said lot of land, as if a deed of the same had been duly executed by said Isaac Clark, jr. in his life time, and by him delivered to said Batchelder.

CHAP. LXI.

Resolve allowing Pay to Sylvanus Lapham, Assistant to the Messenger of the General Court. 15th June, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto Sylvanus Lapham, Assistant to the Messenger of the General Court, one dollar per day, during the present session of the Legislature, over and above the usual allowance to him, which is two dollars per day.

CHAP. LXII.

Resolve allowing Pay to John Perry and Warren Chase, Assistants to the Messengers of the General Court.
15th June, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Perry and Warren Chase, Assistants to the Messenger of the General Court, one dollar per day each, during the present session of the said Court, over and above the usual allowance to them, which said usual allowance is two dollars per day.

CHAP. LXIII.

Resolve on Petition of Captain Joshua Chamberlain and others. 15th June, 1813.

The Committee to whom was referred the petition of Joshua Chamberlain and others, have attended that duty and *Report*, That the said Chamberlain and others, were detached and stationed at Eastport, in September last, by order of the Commander in Chief; that they were shortly afterwards taken into the service of the United States, and were discharged and paid by the United States, until the first day of January last, at Eastport, a distance of one hundred and sixty miles from their homes, without any appropriation for their expences of travelling and transportation of baggage.

Therefore resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Captain Joshua Chamberlain, the sum of \$58 89 ;—to Lieutenant Peter Newcomb, the sum of \$45 3 ;—to Ensign Samuel Freeman, the sum of \$42 70, for fourteen days pay, rations and transportation of baggage. Also to Captain Joshua Chamberlain, the sum of \$78 3, for apprehending and securing four deserters, and reward as ordered by Major Ulmer.

CHAP. LXIV.

Resolve permitting the towns of Boston, Dorchester and Brookline, to keep their Powder in the State Magazine. 15th June, 1813.

Resolved, That the towns of Boston, Dorchester and Brookline, be, and they are hereby, severally authorized and permitted to keep the powder required of them, by the 22d section of the act, entitled “an act for regulating, governing and training the militia of this Commonwealth” in the State Powder Magazine, situated in Roxbury, in the County of Norfolk.

CHAP. LXV.

Resolve on the Petition of Seth Spring and others. 16th June, 1813.

On the petition of Seth Spring, Andrew M. Spring and

John Spring, representing that there is a surplus of land belonging to the Commonwealth, in a tract of land, granted to Benjamin Prescott, Esq. by a resolve of the 25th of June, 1773; and also a surplus of land belonging to the Commonwealth, in a township of land, granted by the General Court, to Samuel Whittemore and others, on the 8th day of February, A. D. 1774, and confirmed to them, by a resolve passed the 16th day of June, 1780.

And whereas, It appears that the said Seth, Andrew and John, have purchased of the Agents for the Sale of Eastern lands, all the right of the Commonwealth in and unto the surplus of lands, in both the above mentioned tracts and grants of land, for a valuable consideration expressed in their contracts with the said Agents:—And it appearing to be necessary, that the aid of the Legislature should be afforded to the said petitioners, to enable them to take and hold possession of the said surplus lands, and also to ascertain the quantity and to fix the location thereof.

Resolved, That the Treasurer of this Commonwealth, be, and he is hereby directed to suspend any action or suit, brought or to be brought, against the petitioners for their notes, given for the use of the Commonwealth, for the purchase of said surplus lands, until the further order of the Legislature.

CHAP. LXVI.

Resolve granting Thomas Walcutt, \$125.
16 June, 1813.

Resolved, That there be allowed and paid out of the public Treasury, to Thomas Walcutt, a Clerk in the lobbies, for the assistance of the Members of the Legislature, one hundred and twenty-five dollars, in full for his services during the present session of the General Court.

CHAP. LXVII.

Resolve for paying the Clerks of the two Houses.
16th June, 1813.

Resolved, That there be paid out of the public Treasury,

to Samuel F. McCleary, Clerk of the Senate, and Benjamin Pollard, Clerk of the House of Representatives, two hundred dollars each; and also to Robert C. Vose, assistant Clerk of the Senate, one hundred and twenty-five dollars, in full for their services in said offices the present session of the General Court.

CHAP. LXVIII.

Resolve allowing \$1000, to Jacob Kuhn, Messenger, to purchase Fuel, &c. 16th June, 1813.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles, as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's and Treasurer's Offices, he to be accountable for the expenditure of the same.

CHAP. LXIX.

Resolve granting Pay to the Committee on Accounts. 16th June, 1813.

Resolved, That there be allowed and paid out of the public Treasury, to the Committee appointed to examine and pass on accounts, presented against the Commonwealth, for their attendance on that service, during the present session, the sums hereunder annexed to their names, in addition to their pay as Members of the Legislature:—

Hon. Silas Holman, sixteen days, sixteen dollars.

Hon. Joseph Whiton, sixteen days, sixteen dollars.

Thomas Hale, sixteen days, sixteen dollars.

James Robinson, sixteen days, sixteen dollars.

George Crosby, sixteen days, sixteen dollars.

CHAP. LXX.

Resolve granting to Theron Metcalf, Esq. Reporter of Contested Elections, \$125. 16th June, 1813.

Resolved, That there be allowed and paid out of the pub-

lic Treasury, to Theron Metcalf, Esq. Reporter of Contested Elections, for this House, the sum of one hundred and twenty-five dollars, for his services, during the present session of the General Court.

CHAP. LXXI.

Resolve granting \$190, for completing the publication of Jenkins' Art of Writing. 16th June, 1813.

Resolved, That one hundred and ninety dollars be placed in the hands of the Committee, in the case of John Jenkins, for aiding him in finishing the publication of his books, the said sum being in addition to what was granted by a resolve of twenty sixth of February, one thousand eight hundred and twelve; and his Excellency the Governor, is requested to draw a warrant on the Treasury for that sum, in favor of said Committee, to enable them to complete said work.

Be it further resolved, That said Committee be requested, on the completion of said work, to place in the Secretary's Office, the number of copies this Commonwealth may be entitled to receive, for the future order of the Legislature.

CHAP. LXXII.

Resolve granting Robert Milton, \$50, for expences incurred by a wound received when on military duty. 16th June, 1813.

On the petition of Robert Milton, praying for compensation for a wound received, while doing duty, as a soldier, in Captain Nebemiah Holbrook's company, Colonel Jacob Gill's regiment, at a regimental muster, in Braintree, on the eighth day of June, one thousand seven hundred and eighty nine.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Robert Milton, the sum of fifty dollars. in full compensation for the loss of time and money expended in consequence of said wound.

CHAP. LXXIII.

Resolve directing the Adjutant General to prepare a system of discipline for the Artillery, and the Quarter Master General to contract for Gunners' Quadrants.

16th June, 1813.

Whereas, A resolve passed on the twelfth day of March, in the year of our Lord eighteen hundred and eight, authorizing and requesting the Governor to direct, that twelve Gunner's Quadrants be purchased of Charles Hammond, the inventor; and also empowering the Governor to appoint the inventor as an Instructor in the Art of Gunnery and use of said Quadrants.

And whereas, The provisions of said resolve have never been carried into effect.

Therefore resolved, That the Quarter Master General be, and he hereby is empowered to contract with Charles Hammond, Esq. for the right to make and use the said Gunner's Quadrants within this Commonwealth, at such price as, and on such conditions, as he may, with the advice of the Adjutant General, think for the interest of this Commonwealth.

Resolved, That his Excellency the Governor, be, and he is hereby authorized and requested, to cause to be made and distributed among the artillery companies, batteries and fortifications, within this Commonwealth, so many of said Quadrants as he may deem necessary and useful.

And whereas, There is at present, no established rule of discipline for the artillery of this Commonwealth.

Resolved, That the Adjutant General be requested to prepare a system of discipline for the artillery of this Commonwealth, and report the same to the Legislature at the next session of the General Court.

CHAP. LXXIV.

Resolve granting \$109 75, to the town of Lynn, for supporting Molly Babbitt. 16th June, 1813.

On the petition of Zachariah Atwell and Nathan Mudge, Overseers of the poor of the town of Lynn, praying that said town may be remunerated for supporting Molly Babbitt, a person non compos mentis.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto the said town of Lynn, the sum of one hundred and nine dollars and seventy five cents, in full for supporting Molly Babbitt, from the thirtieth day of October, in the year of our Lord one thousand eight hundred and eleven, until the ninth day of February, one thousand eight hundred and thirteen.

CHAP. LXXV.

Resolve granting the Page of the House, \$1 25 per day, for his attendance and services. 16th June, 1813.

Resolved. That there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger, to be paid by him over to Stephen Hall Tower, one dollar twenty five cents per day, for each day he, the said Tower, shall have attended, as Page, the present session of the General Court.

CHAP. LXXVI.

Resolve granting to John Low, jr. Assistant to the Messenger of the General Court, \$35. 16th June, 1813.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, jr. Assistant Messenger of the House of Representatives, thirty five dollars, in full for his services in that capacity, during the present session of the General Court.

CHAP. LXXVII.

Resolve granting to Ward Lock, Assistant to the Messenger of the Governor and Council, \$50. 16th June, 1813.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Ward Lock, the sum of fifty dollars, in full for his services, as Assistant to the

Messenger of the Governor and Council, the present session of the General Court.

CHAP. LXXVIII.

Resolve on the Accounts of the Agents for the Sale of Eastern Lands, and making grants for their services.

16th June, 1813.

The Committee of both Houses, that were appointed to examine the accounts of the Agents for the Sale of Eastern Lands in the District of Maine, have examined their account of proceedings, from the fourteenth day of February, eighteen hundred and twelve, to the first day of June, eighteen hundred and thirteen, wherein they acknowledge to have received in securities and money, the sum of eight thousand, eight hundred and ten dollars and eighty five cents; and they have paid the Treasurer in securities, together with payments made for clerk hire and other charges, including the amount due the Agents for services, the sum of ten thousand and thirty one dollars and fifty nine cents; and there appears to be a balance due to said Agents, of one thousand two hundred and twenty dollars and seventy four cents, all of which appears to be right cast and well vouched.

THOMAS STEVENS, *Chairman.*

Therefore resolved, That the Agents be, and they are hereby discharged from the sum of eight thousand eight hundred and ten dollars and eighty five cents; and the Governor is requested to draw his warrant in favor of the heirs of John Reed, Esq. for the sum of five hundred and fifty dollars, in full for his services as Agent for Eastern Lands, to the time of his death; and in favor of William Smith, Esq. in full for his services, as Agent aforesaid, to the fourteenth day of May last past, the sum of six hundred and seventy dollars and seventy four cents, and in full discharge of the balance of said account.

Be it further resolved, That William Smith, Agent for the Sale of Eastern Land, be, and he hereby is authorized to contract for opening the road from Kennebeck to Chaudiere rivers, agreeable to the new surveyed route directed to be explored by a resolve passed the 29th February, 1812, and to

carry said resolve fully into effect, any thing in said resolve to the contrary notwithstanding.

Be it further resolved, That all further proceedings respecting the opening the road, from the river Kennebeck to river Chaudiere, and the road from Penobscot river to the river St. Johns, be suspended, until the next session of the General Court.

CHAP. LXXIX.

Resolve on the Petition of John Coffin Jones, authorizing the Judge of Probate, for Suffolk, to allow further time to the Commissioners on Estate of Joseph Russell.

16th June, 1813.

On the petition of John C. Jones, of Boston, in the County of Suffolk, Esquire, stating, that he is a creditor to the estate of Joseph Russell, late of said Boston, Esquire, deceased, which has been duly represented insolvent, and that more than eighteen months has expired since the date of the commission of insolvency, but from the various and complicated accounts between him and the estate of said deceased, and also of the late firm of Jeffry and Russell, it has become necessary, that further time be allowed the Commissioners, to receive and examine his claim, and also, any further claims that may be exhibited against said estate.

Therefore resolved, That for reasons set forth in said petition, the Judge of Probate, for the County of Suffolk, be, and he is hereby authorized and empowered to grant out a new commission on said estate, or to allow such further time to the former Commissioners, on said estate, not exceeding twelve months, as he shall judge expedient, to receive, examine and allow, all such claims, as shall be duly exhibited and proved against the estate of said deceased, under the said Commission.

CHAP. LXXX.

Resolve directing the Treasurer, to recover possession of Lands mortgaged to the State, by Leonard Jarvis, Esq.

16th June, 1813.

Whereas, It appears that certain lauds in the towns of

Penobscot, Surry and Ellsworth, have been mortgaged to the Commonwealth, and by Leonard Jarvis, Esq. for a sum of money due from him to the Commonwealth, and that the debt for which said lands were mortgaged, is yet unpaid, and that the lands mortgaged as aforesaid, for the security of said debt, have never been sued out or taken possession of.

Therefore resolved, That the Treasurer of the Commonwealth be, and he is hereby authorized and directed forthwith, to take all necessary measures, to recover possession of the lands aforesaid, for the use of the Commonwealth, either by entering into and upon the same, for condition broken, or if need be, to put in suit the mortgage deeds of the said lands, and the same to prosecute to final judgment and execution.

Resolved, That the said Treasurer be, and he is hereby further directed to suspend any suit against the said Leonard Jarvis, upon any note or other personal security, by him given to the Commonwealth, for any debt for the collateral security of which the aforesaid lands were mortgaged, until the further order of the General Court.

CHAP. LXXXI

*Report relative to the defenceless state of our Sea-Coast, and
Resolve providing for the Defence of the same.*

16th June, 1813.

The Committee appointed to consider so much of his Excellency's speech as relates to the *defenceless state of our sea coast*, request permission to report,

That they have given the subject all the consideration, which the importance of its nature and the alarm and anxiety of the public required. It can hardly be necessary for your Committee to state, that one of the primary objects of the federal compact, was, to provide for the common defence. In the preamble to the constitution, it is expressly assigned, as one of the great purposes, for which the union was formed.

Accordingly the respective states surrendered to the general government, all the powers, which were deemed necessary for the accomplishment of this object; the right to declare war and make peace; the right to raise and support armies; the right to provide and maintain a navy; and the right to lay and collect taxes, duties, and imposts, as the exigen-

cies of the public might require. At the same time, the states, relying upon the general government for protection, formally divested themselves of the substantial powers of preparing, in time of peace, for their individual defence, in time of war.

But your Committee are compelled to say, that, in their apprehension, this provision of the constitution has not been complied with in relation to this Commonwealth. Massachusetts, possessing a sea coast of nearly six hundred miles, with about one-third of the tonnage of the union lying at her wharves, and a frontier of four hundred miles, bordering upon the hostile provinces of New-Brunswick and Lower Canada, is exposed at every point and open to the depredations and ravages of the enemy, as revenge, rapacity, or caprice, may dictate. It might have been expected, not merely as the result of an express provision of the constitution, but as the dictate of a wise and liberal policy, that the old commercial states, who achieved the revolution, and who have contributed more than their full shares towards the support of the general government, would not be abandoned for the conquest of a territory not worth possessing as a gift. Nevertheless your Committee find, that as dangers have accumulated, the garrisons upon your sea board have been reduced, and the Commonwealth is given over to her fate, when alone a provision for the common defence becomes of any practical importance.

Your Committee can discern nothing, either in the character of the war or circumstances of the country, to justify this conduct. If the union was not for the common defence, it may well be inquired, of what value is it to the people? If that defence may be withheld in time of war, the only time of danger, especially when aggression is provoked, it may well be asked, how far a wise and provident state ought to rely on such a resource for her security?

Most governments, both in ancient and modern times, have availed themselves of the intervals of peace, to prepare for war, as the best way either to avoid or prosecute it with success. But the government of the United States seems to have reversed this decision of all former times, and have subverted in peace, to re-establish in war, the only sure means of defence to a commercial nation. Still it was optional with the administration, either to postpone the war to the preparation, or the preparation to the war. To select the latter and bring a war upon this people, whom they were bound to pre-

fect, without first furnishing that protection, is, in the judgment of your Committee, but one remove from a declaration of war by the government itself against the people of this Commonwealth. It is the same in effect; it is not distinguishable in principle.

A rich and maritime state, without adequate protection, exists only by sufferance. As she is a lure to rapacity, so she will become a victim to power, whenever, according to the calculations of interest, it may be expedient to bind her for the sacrifice. Hence it becomes a subject of deep and interesting consideration to the people of this Commonwealth, how they are to provide for present defence and future security.

The most common and approved means of national defence are,

1st.—By regular and permanent fortifications, garrisoned by regular and well disciplined troops.

2dly.—By an adequate number of vessels of war; and

3dly.—By temporary fortifications and batteries, with the aid to be derived from the militia.

Neither the first nor second method can be carried into effect in season for the emergencies of the present war. They are obviously beyond the reach and means of this state. But, in the opinion of your Committee, it is doubtful whether we have the right to fit out vessels of war by the authority and under the commission of this Commonwealth. If the conduct of the government of the United States be correct, in sending from the coast the public ships of war, and neglecting to provide and substitute smaller vessels in their place, it *ought* at least to be doubtful whether it would be expedient. But if we have the right, your Committee would inquire, whether it be a right which ought to be exercised in the present unjust and destructive war? whether it is not a duty of high import and binding obligation, not to become partners of its guilt by voluntarily embarking in its prosecution? and whether a naval force, fitted out by this Commonwealth, and stationed off our ports and harbours, would not necessarily come in contact with our adversary, and, by frequent collision, create mutual asperity, and ultimately involve us, as voluntary and active partizans, in the war?—Your Committee are of opinion, that such a measure, considering the limited force which the Commonwealth is able to furnish, instead of diminishing would augment, if possible, the ex-

isting evils ; and instead of accomplishing would defeat the object in view—the protection of the coasting trade.

The only remaining method of defence, which seems to be expedient, is by erecting temporary fortifications, and establishing batteries at such important places, as are most exposed to the casualties of war.

Should the President of the United States still refuse to furnish this Commonwealth with the arms to which, by law, we are entitled, it will be necessary for the Commonwealth to furnish itself. According to the last return, there is a deficiency of 5,688, which we ought to be able to supply from the public arsenal.

Your Committee beg leave also to state, that although the militia of this Commonwealth is generally well disciplined, yet it is in vain to expect from it that subordination and skill, which constitute the strength and efficiency of a regular army. In the present state of our country, your Committee deem it necessary, that a portion of the militia should be organized into distinct corps, for the purpose of theoretic and practical instruction in the military art.

For the accomplishment of the foregoing purposes, your Committee recommend the adoption of the following resolutions :—

Resolved, That the Governor, with advice of Council, be, and he is hereby authorized to erect such fortifications and establish such batteries, as may be deemed necessary for the defence and protection of such towns, within this Commonwealth, as are most exposed to the invasion of an enemy and the casualties of war, and to purchase, mount and furnish, for the use of such town or towns, a competent number of pieces of ordnance, with other suitable munitions of war. And to establish upon the head lands, capes and other convenient places, a line of signals, by which to give timely notice to vessels navigating along the coast, of an enemy's approach.

And in case the President of the United States should refuse or neglect to transmit to this Commonwealth the proportion of arms, to which the same is entitled, by a law of Congress, passed April 23d, 1808, then and in that case, the Governor is hereby authorized and empowered to purchase such number of fire arms, for the use of the Commonwealth, as from the returns of the militia thereof shall appear to be necessary.

And in order to carry into effect the purposes aforesaid,

the Governor is hereby authorized to employ one or more discreet and faithful persons, who shall be skilled in the science of engineering and gunnery, and who shall be entitled to a reasonable compensation for their services.

And the Governor is hereby further authorized, to provide a sufficient guard for all arsenals, parks of artillery and military stores, the property of this Commonwealth, as the same may, from time to time, become necessary.

And the Treasurer of this Commonwealth is hereby authorized and empowered, to borrow of any bank or banks in this Commonwealth, a sum of money not exceeding one hundred thousand dollars, to be applied to the purpose aforesaid, and accounted for accordingly.

The aforesaid money to be borrowed in such sums as the Governor with advice of Council shall direct, and the Governor is hereby authorized, from time to time to issue his warrant upon the Treasury for such sums as may be deemed necessary for carrying into effect the purposes aforesaid.

Resolved, That the Adjutant General be requested to consider and report to the General Court, at their next session, what alterations are necessary in the militia system of the Commonwealth, and also, the best method of organizing and disciplining a select corps of troops, bearing a proportion to the whole number of the militia of said Commonwealth as one to five, as also the best method of organizing the exempts.

ROLL No. 69.....June, 1813.

THE Committee on Accounts having examined the several accounts, they now present,

REPORT, That there are due to the Corporations, and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned, which is respectfully submitted.

SILAS HOLMAN, *per order.*

PAUPER ACCOUNTS.

Town of Ashburnham, to supplies to Sukey Franklin, to 1st March, 1813,	8 25
Alfred, for board and clothing William Griffiths, to 31st May, 1813,	67 20
Adams, for board and clothing Freeman Blakely, Lydia Dailey's two children, Susannah Camp and Barna Evens, to the time of his death, including funeral charges, the whole to 22d May, 1813,	89 41
Abington, for board, clothing and doctoring Thomas Seymore, to 7th June, 1813,	46 62
Baldwin, for board and clothing Daniel Hickey, to 1st May, 1813,	21 25
Bellingham, for board and clothing Nathan Freeman and Robert Atkins, to 1st April, 1813,	87 26
Brookfield, for supplies to Jonas Banton, to 2d May, 1813,	44 76
Belgrade, for supplies and doctoring Hannah and Abigail Odlin, to 2d May, 1813,	25 21
Bradford, for board, clothing and doctoring Joshua Letters, to 1st June, 1813,	31 12
Barnardstown, for supplies and doctoring Edward Armes, to the time of his death, May, 1813,	7 20
Blanford, for board and clothing Samuel Walker, to February, 1813,	75 00
Bristol, for board and clothing William Howe, to 1st May, 1813,	67 20

Becket, for board, clothing and doctoring Sally and Hiram Leonard and Mary White, to 18th May, 1813,	43 97
Burlington, for board of James Cade, to 6th April, 1813,	15 00
Bradford, Samuel, keeper of the gaol, in Suffolk County, for supporting sundry poor prisoners confined for debt, to 1st June, 1813,	146 10
Berwick, for board of Lemuel Woodworth, to 24th May, 1813,	19 80
Billerica, for board, clothing and doctoring Thomas Guy, to the time of his death, including funeral charges, 22d May, 1813,	36 67
Bridgewater, for board and clothing Frederick Bignor and John Stocks, to 6th June, 1813,	27 15
Buckston, to board and clothing James Maurice, to 3d May, 1813,	93 50
Boxborough, for board and clothing John M'Koy, to 31st May, 1813,	62 00
Boston, for board, clothing and doctoring sundry paupers to 1st June, 1813,	8332 77
Chester, for board and clothing Benjamin Powers, and supplies to the family of George Weden, to 22d May, 1813,	47 27
Conway, for board of Hannah M'Neil, to 18th May, 1813,	21 60
Cheshire, for board, clothing and doctoring and sundry supplies to sundry persons, to 23d May, 1813,	305 68
Chesterfield, for supplies to Adam Hamilton, to 22d May, 1813.	33 74
Colrairie, for board, clothing and doctoring Sally Lamonier, Richard Hynes and Rachel Hynes, to 24th May, 1813,	79 71
Castine, for board, doctoring and supplies to John Cain, to 13th May, 1813,	68 32
Charlton, for boarding and clothing Edward Madden, to 24th May, 1813,	26 00
Canton, for board and clothing John Cole, to 10th June, 1813,	29 20
Carlisle, for board and clothing Robert Barber, to 22d May, 1813,	23 66

Cushing, for board of James Walkér, to 1st June, 1813,	18 70
Cape Elizabeth, for board and clothing James Ramsbottom, to 23d May, 1813.	33 75
Dartmouth, for board and clothing John Quanna-ville, to 20th May, 1813,	83 00
Durham, for board and clothing Asa Samuel and Jonathan Demerit, children of Jonathan Demerit, to 20th May, 1813,	158 60
Danvers, for board and clothing sundry paupers, to 8th June, 1813,	461 84
Elliot, for supplies to Jacob Brewer and Jack Roberts, to 24th May, 1813,	39 77
Edgarton, for board and clothing Anthoy Chadwick, to 22d May, 1813,	21 25
Framingham, for supplies to Hugh McPherson, to the time of his death, including funeral charges, March, 1813,	34 01
Franklin, for board, clothing and doctoring Thomas Barre, to 5th June, 1813,	94 50
Falmouth, County of Cumberland, for board and Clothing Felician Sang, to 31st May 1813,	41 00
Greenwich, for board, clothing and doctoring John Bailey, William Rice, Eliza Harrington, Jonathan Bailey and Samuel Bailey and Joseph Bailey's families, to 25th May, 1813,	144 65
Granby, for board of Ebenezer Dervin, to 24th May, 1813, including doctoring,	30 56
Gill, for board and clothing Sarah Hamilton and Samuel Lyon and wife, to 22d May, 1813,	56 58
Granville, for board and clothing Archibald Stewart and George Taylor, to 1st June, 1813,	63 84
Gorham, for board of Robert Gilfilling and Jacob Morse, to 9th June, 1813,	43 50
Gloucester, for board, clothing and doctoring sundry paupers, to 10th May, 1813,	973 08
Hancock, for supplies to Ruckamic Farley's family, to 21st May, 1813,	45 43
Hallowell, for board, clothing and doctoring sundry paupers, to 1st June, 1813,	227 72

Hodgkins, Joseph, keeper of the house of correction, in the County of Essex, for board and clothing Mary Adelaide, Hulah Hicks, John Squires and Josiah Bennington, to 6th June, 1813, including an allowance made by the Court of Sessions, to 21st March, 1813,	386 90
Hutson, John keeper of the gaol, in the County of Essex, for supporting sundry poor prisoners confined for debt, to 28th May, 1813,	201 65
Lanesboro', for board, clothing and doctoring Jerusha Welch, a child of Clary Tracy, David Jennings, and supplies to Ichabod Sherlock and Asa Parsons, to the time of his death, including funeral charges. 31st May. 1813.	216 65
Lenox, for boarding and clothing Abram Palmer, Tabitha Lewis and Augustus Palmer, to the time of his death, 24th May, 1813,	58 29
Leeds, for board and clothing Nicholas Tallier, to 20th May, 1813,	38 75
Lee, for board and clothing Azubah Cain, Lucy Fuller, Conrad Flaak, Daniel and Betsy Santer, and supplies to Jonathan and Sarah Blackman, to 19th May, 1813,	134 31
Leyden for board, clothing and doctoring Stacey Fuller, Eleazer Wagner and Ruth Abel, to 19th May, 1813.	59 77
Litchfield, for board and clothing Daniel Howard, and two children of Hannah Taylor, 1st June, 1813.	46 39
Lincolntonville, for board of Alexander White and Timothy Cox, to 20th May, 1813,	51 00
Lancaster, for board and clothing William Shearer, to 3d June, 1813,	61 00
Mount Vernon, for board and clothing David Bassford, to 18th May, 1813,	33 40
Machias, for board, clothing and doctoring Daniel McDonald, Moses Rhoda and Viah Wheaton, to 12th May, 1813,	72 22
Milford, for board and clothing Eliza Gould, to 25th May, 1813,	56 80
Montague, for board, nursing and clothing Joshua Searles, to 17th May, 1813,	88 49

Methuen, for supporting Nancy Hale, to 22d March, 1813,	5 36
Marlborough, for boarding and clothing Joseph Waters, to 28th May, 1813,	62 00
Marblehead, for board, clothing and doctoring sundry paupers, to 6th June, 1813,	273 93
Milton, for board and nursing Alexander Theophilus, and supplies and doctoring William Kimball, to 2d May, 1813,	47 84
Manchester, for board, clothing and doctoring Thomas Douglas, to the time of his death, including funeral charges,	28 15
Northfield, for board, doctoring and nursing Richard Kingsbury, to the time of his death, including funeral charges, March, 1813,	19 34
Norwich, for board, clothing and doctoring Daniel Williams, to 31st May, 1813,	26 48
New Marlboro', for board and clothing Orke Eugene, to 7th June, 1813,	9 56
Newton, for board, clothing and doctoring Richard Clark, to the time of his death, including funeral charges, 30th September, 1813,	23 50
Northampton, for boarding, nursing and doctoring Patrick McGavarray, to the time of his death, including funeral charges,	74 02
Newburyport, for board, clothing and doctoring sundry paupers, to 1st June, 1813,	1865 31
Newbury, for board, clothing and doctoring sundry paupers, to 1st June, 1813,	1127 76
Paris, for board of George Warren, a poor prisoner, confined for debt, to 7th August, 1812,	10 50
Pittsfield, for board, clothing and doctoring sundry paupers, to 1st June, 1813,	365 40
Peru, for supplies and doctoring James Robins and family, to 24th May, 1813,	46 03
Plymouth, for board, clothing and doctoring sundry paupers, to 23d May, 1813,	215 89
Portland, for board, clothing and doctoring sundry paupers, to 1st June, 1813,	1059 02
Russell, for board and clothing John Ward, to the time of his death, May, 1813,	30 89
Rutland, for board and clothing William Henderson and John Cowland, to 1st June, 1813,	41 72

Rowley, for board and clothing Benning Dowe and Elle Collins, to 21st May, 1813,	69 60
Randolph, for board, doctoring and nursing William Kimball, to the time of his death, including funeral charges, 30th April, 1813,	30 34
Rowe; for board and clothing Betsey Carpenter, 15th May, 1813,	34 00
Roxbury, for board, clothing and doctoring sundry paupers, to 3d June, 1813,	377 73
Somerset, for board and clothing William Elliot, to 1st June, 1813,	19 28
Swansey, for board and clothing Garrett Burns and James Garrett, to 22d May, 1813,	84 25
Sandisfield, for board, clothing and doctoring Mary Tryon, Eliza Dando, William Wallace, Richard Dickinson and his family, to 20th May, 1813,	60 80
Sandwich, for board and clothing Richard Crouch, to 23d May, 1813,	22 00
Salem, for board, clothing and doctoring sundry paupers, to 6th June, 1813,	1257 29
Thomastown, for board and clothing John Anderson, to 15th May, 1813, including doctoring,	159 77
Taunton, for board and clothing Mary Magdalen, to 22d May, 1813,	134 50
Uxbridge, for board of David Mitchell, Fillis Jenks, Benjamin Contriff, to 24th May, 1813,	47 68
West Hampton, for board and clothing John Gray and wife, to 4th June, 1813,	49 58
Westfield, for board and clothing John Newton and wife, to 20th May, 1813,	46 50
West Springfield, for board and doctoring James Aldreck, Hannah Shevoy and Hannah Felt, to 20th May, 1813,	45 54
Waterborough, for board of William Jordan, to 9th June, 1813,	5 50
Williamston, for board, clothing and doctoring Robert Merrill, Charlotte M'Carty, Rachel Galushua, Christopher Glover and Mary Blue, to 25th May, 1813,	120 87
Waldoborough, for supporting John and Phillip Handle, to 6th June, 1813,	174 20
Windsor, for board and clothing Henry Smith and wife, to 19th May, 1813,	41 57

Walpole, for board and nursing Nancy Keans, two children and John Webb, a poor prisoner, confined for debt, to 24th May, 1813,	126 76
Wrentham, for board, clothing and doctoring Thomas Jackson, to 1st June, 1813, the time he left the town,	97 22
Worcester, for board and clothing sundry paupers, to 1st June, 1813,	88 00

Total Paupers,	22,696 02

*MILITARY ACCOUNTS.**Courts Martial and Courts of Inquiry, &c.*

To Hayden, Moses, for his services as Judge Advocate, at a Court of Inquiry, held at Great Barrington, December, 1812; also at a Court of Inquiry, held at Egremont, 22d December, 1812; also at a Court Martial, held at Lenox, whereof Prentice Williams was President,	29 08
Hunt, John, for his travel and attendance on a Court of Inquiry, held in Great Barrington, August, 1811, whereof Colonel John Whiting was President,	5 46
Cummings, David, for the expence of a Court Martial, held at Salem, 20th April, 1813, whereof Colonel Benjamin Jenkins was President,	75 36
Maltby, Isaac, for part of his travel in attending a Court of Inquiry, held at Salem, 25th July, 1812, omitted in the pay roll of said Court, by mistake,	44 14
Mansfield, William, for summoning witnesses to attend the Court Martial, for the trial of General Goodale, omitted in the pay roll of said Court,	8 50
Williamson D. William, for taking affidavits to be used before his Excellency the Governor, in the contested election of Daniel Webster and others, officers of the militia in Bangor, 11th September, 1811,	8 05

Richardson, Alford, B. General, for his travel and attendance upon a Board of Officers, held by order of the Commander in Chief, at Brunswick, 13th July, 1812,	21 20

	161 79

Brigade Quarter Masters.

To Fales, C. Samuel, to 1st October, 1812,	19 72
Hildreth, Jonathan, to 1st June, 1813.	22 13

	41 85

Brigade Majors and Aids de Camp.

To Goodnow, John, to 1st May, 1813,	52 37
Hubbel, Calvin, to 26th April, 1813,	25 77
Jaques, Samuel, to 26th May, 1813,	241 25
Maston, Zachariah, to 1st May, 1813,	49 40
Russell, Edward, to 22d May, 1813,	27 20
Tinkham, Seth, to January, 1813,	61 40
Wingate, F. Joseph, to 21st May, 1813,	44 20

	501 79

Adjutants.

To Adams, Thomas, to 3d January, 1813,	147 10
Allen, Elisha, to 18th June, 1812,	21 75
Adams, Moses, to 11th May, 1813, including his services at Eastport, in obedience to General Orders,	78 82
Bosworth, Sherman, to 20th May, 1813,	34 50
Blossom, Alden, to 1st June, 18 2,	13 25
Barrett, George, to 4th June, 1813,	38 50
Bray, Oliver, to 6th June, 1813,	14 30
Boyd, William, to 5th June, 1813,	92 55
Chase, L. Thomas, to 20th February, 1813,	17 89
Curtis, Joseph, to 1st November, 1812,	23 06
Cheney, Amasa, to 1st January, 1813,	30 06
Champney, John, to 1st June, 1813.	55 75
Emery, Moses, to 25th May, 1813,	16 32

Fisk, Ezra, to 3d May, 1813,	37	57
Hodsdon, Isaac, to 20th April, 1813,	31	37
Jewett, Caleb, to 25th March, 1813,	87	76
Keith, Cyrus, to 20th April, 1813,	44	20
Knight, McJames, to 1st May, 1813,	15	01
Munroe, Reuben, to 20th September, 1812,	15	47
Porter, Horace, to 1st January, 1813,	81	31
Richardson, Wyman, to 17th May, 1813,	29	12
Stevens, H. Paul, to 2d June, 1812,	13	75
Silsbee, Samuel, to 23d April, 1813,	21	62
Sayles, Richard, to 4th June, 1813,	13	51
Tainter, Harvey, to 15th May, 1813,	17	01
Taft, Hazeltine, to 3d June, 1813,	42	24
Toby, Elisha, to 1st January, 1813,	40	53
Wood John, to 6th May, 1813,	86	54
Washburn, Cromwell, for his services in 1811,	13	35
Washburn, H. Philo, to 9th May, 1812,	32	95
Wild, Jonathan, to 25th May, 1813,	52	04
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	1266	80

Expences for Horses to Haul Artillery.

To Acock, William, to 4th October, 1812,	5	00
Barnes, Cornelius, to 11th May, 1813,	3	00
Day, David, to 3d October, 1812,	10	00
Gleason, John, to 3d October, 1812,	5	00
Glover, Samuel, to 3d October, 1812,	6	00
Jenkins, Weston, to 6th January, 1813,	15	00
Leavenworth, David, to 7th October, 1812,	6	25
Parkhurst, Amos, to 19th May, 1813,	5	00
Peabody, Jacob, to 17th October, 1812,	6	00
Plumer, Addison, to 17th October, 1812,	12	50
Page, Timothy, to 1st October, 1812,	8	00
Putnam, Jesse, to 17th October, 1812,	6	00
Shaw, Southworth, to 13th October, 1812,	7	50
Stall, Samuel, to 21st October, 1812,	15	00
Stone, Martin, to 1st October, 1812,	10	00
Smith, Edmund, to 7th June, 1813,	6	00
Thayer, Zebediah, to 5th September, 1812,	9	00
Vernum, Phineas, to 11th May, 1813,	3	00
Walker, Abbott, to 23th May, 1813,	7	50
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Total Military Accounts, 83117 93

SHERIFFS AND CORONERS' ACCOUNTS.

Adams, Moses, Sheriff of the County of Hancock, for returning votes, for Governor and Lieutenant Governor, June, 1813,	22 24
Brown, Henry, C. Sheriff of the County of Berkshire, for returning votes of Electors of President, Vice President, and Representatives to Congress, 1812, and Governor and Lieutenant Governor, 1813,	67 50
Bridge, Edmund, Sheriff of the County of Lincoln, for returning votes for Governor and Lieutenant Governor, 1813,	14 56
Crane, Elijah, Sheriff of the County of Norfolk, for returning votes for Governor and Lieutenant Governor, 1813,	1 36
Cooper, John, Sheriff of the County of Washington, for returning votes for Governor and Lieutenant Governor, 1813,	30 40
Delano, William, Coroner of the County of Franklin, for inquisition on the body of a stranger, and funeral charges, May, 1813,	23 36
Freeman, James, Sheriff of the County of Barnstable, for returning votes for Governor and Lieutenant Governor, Representatives to Congress, and Electors of President and Vice President, June, 1813,	35 60
Folsom, John, Coroner, in the County of Suffolk, for inquisition on the bodies of six strangers, 29th May, 1813,	127 35
Hunnewell, Richard, Sheriff of the County of Cumberland, for returning votes for Governor and Lieutenant Governor, June, 1813,	10 40
Howard, Samuel, Sheriff of the County of Kennebeck, for returning votes for Governor and Lieutenant Governor, June, 1813,	14 40
Lawrence, Jeremiah, Sheriff of the County of Nantucket, for returning votes for Governor and Lieutenant Governor, 1813,	10 80
Matcon, Ebenezer, Sheriff of the County of Hampshire, for returning votes for Governor and Lieutenant Governor, 1813,	7 60

PRINTERS' ACCOUNTS.

307

McMellen, John, Sheriff of the County of Oxford, for returning votes for Governor and Lieutenant Governor, 1813,	12 80
Smith, Jonathan, Sheriff of the County of Hampden, for returning votes for Governor and Lieutenant Governor, 18 3,	8 00
Worth, Jethro, Sheriff of Dukes' County, for returning votes for Governor and Lieutenant Governor, and Representatives to Congress, June, 1813,	48 00

Total Sheriffs and Coroners,	\$434 37

PRINTERS' ACCOUNTS.

Allen, W. B. and H. G. for printing Acts and Resolves, to 1st July, 1812,	16 67
Belcher, Joshua, for printing for the Agricultural Society, to March, 1813,	200 00
Cushing, Thomas, for printing the Acts and Resolves to the 26th May, 1813,	16 67
Clapp, William, W. for printing to 23d February, 1813,	15 25
Dickman, Thomas, for printing Acts and Resolves, to 22d May, 1813,	16 67
Dennie and Phelps, for printing Acts and Resolves, to February, 1813,	16 67
Edes, Peter, for printing Acts and Resolves, to 1st May, 1813,	16 67
Foster, Moses, B. for printing to June, 1813,	3 26
Lindsey, Benjamin, for printing Acts and Resolves, to 1st May, 1813,	16 67
Munroe and French, for printing to February, 1813,	55 00
Russell and Cutler, for printing to June 11th, 1813,	3000 00
Thomas, Isaiah, for printing Acts and Resolves, to 13th May, 1813,	33 33
Young and Minns, for printing to 10th June, 1813,	691 95

Total Printers,	\$4099 17

MISCELLANEOUS ACCOUNTS.

Blaney, Henry, for labour on State House, to May, 1813,	33 37
Chase, Warren, for services to 16th June, 1813,	42 00
Durant, William, for labour on the State House, to June, 1813,	42 25
Guardians of the Dudley Indians, for balance in full due them, to 22d May, 1813, which the Treasurer of the State is directed to charge said Indians with,	138 40
Hunter, John, P. for taking up the body of a stranger, by order of the Coroner of Suffolk, May, 1813.	5 00
Howe, John, for sundries for the State House, to January, 1813,	41 64
Kuhn, Jacob, for balance due him on the 12th June, 1813, over and above the several grants made him by the General Court, up to 12th June, 1813,	117 00
Lapham, Sylvanus, for services to 16th June, 1813,	46 00
Marshall, Moses, for taking up the body of a stranger, by order of the Coroner of Suffolk, May, 1813,	6 00
Perry, John, for services to June 16th, 1813,	46 00
Pollard, Benjamin, for services performed by order of the House of Representatives, March 13th, 1813,	20 00
Tudor, William, and Tucker, John, for their services in filing papers of the Supreme Court, for the County of Suffolk, conformable to a resolve of the General Court, February, 1813,	238 08
Weld, Benjamin, William Hammatt, and Thomas Harris, a Committee appointed by the Legislature, to examine and audit the accounts of the State Prison, 1st June, 1813,	150 00
Newton, George, S. for services performed by order of the Committee on Impressments,	20 00
William Mansfield, do.	7 00
E. Mudge, do.	1 00
S. Sumner, do.	4 00
J. Colburn, do.	2 20
S. Twist, do.	12 00

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 Total Miscellaneous, 8971 94

Aggregate of Roll No. 69.

Expences of State Paupers,	\$22,696 02
Do. Militia,	2,117 98
Do. Sheriffs and Coroners,	434 37
Do. Printers,	4,099 17
Do. Miscellaneous,	971 94

	\$30,319 48

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 names respectively, amounting in the whole, to the sum of thirty thousand, three hundred and nineteen dollars and forty-eight cents; the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 16th, 1813.

Read and accepted, sent down for concurrence.

JOHN PHILLIPS, *President.*

In the House of Representatives, June 16th, 1813.

Read and concurred,

TIMOTHY BIGELOW, *Speaker.*

June 16th, 1813....Approved,

CALEB STRONG.

Commonwealth of Massachusetts.

IN THE HOUSE OF REPRESENTATIVES, JUNE 4, 1813.

ORDERED, That Messrs. THATCHER, *Warren*, LLOYD, *Boston*, HALL, *Williamstown*, BATES, *Northampton*, with such as the Honorable Senate may join, be a Committee to consider so much of His Excellency's Speech as relates to "an extension of our territorial limits" and forming new States without the territorial limits of the United States, with leave to report by bill or otherwise. Sent up for concurrence.

TIMOTHY BIGELOW, *Speaker*.

IN SENATE, JUNE 4, 1813.

Read, and concurred, and the Hon. Messrs. QUINCY, ASH-MUN and FULLER are joined.

JOHN PHILLIPS, *President*.

THE Committee appointed to consider "so much of His Excellency's Speech as relates to an extension of our territorial limits " and forming new States without the territorial limits of the United States,"

RESPECTFULLY REPORT,

THAT they have considered the subject, committed to their investigation, with the attention and solicitude, which its nature and importance demand. On the one side, they have been careful to give full weight to all the obligations, which are due from the people of Massachusetts to the people of the United States ; as resulting from the federal compact. On the other, it has been their study not to forget the duties, which a powerful and independent state owes to itself and posterity ; on occasions, when great constitutional principles are deliberately violated. On occasions of this kind, in the opinion of your Committee, the duty of a people is as

plain as it is imperious. The beginnings of manifest usurpations are never to be neglected ; since silence, on the part of the people is, always, taken as acquiescence by the advocates of usurpation. What power seizes, without right, to day, it holds, tomorrow, by precedent ; and the day after, by prescription. A wise people, therefore, will always canvass every new pretension of power at the threshold ; being assured that the liberties of a people have nothing to fear from vigilance, and every thing from apathy. Nor, in the opinion of your Committee, will a wise people refrain from such an examination, because the nature of the usurpation, or the circumstances of the period, may, in the judgment of some, render farther measures untimely. Much is gained to liberty, by a distinct assertion of the constitutional principles, on which it rests. And a people may lose by being ignorant of their rights, but never by understanding them.

In entering upon this investigation, your Committee have not omitted to consider the reasons for present acquiescence, in violations of the Constitution, drawn from the particular embarrassments, resulting from the war, and the encouragements, which the enemy may receive from any evidence of discontent, at the present moment, among the states ; or among the people. They have given this suggestion all the attention it appeared to merit. But, in their opinion, this objection has the less weight, inasmuch as the particular subject of animadversion is independent, altogether, of the principle of the war ; so far as this principle is known. Besides, it would be little else than a bounty, on foreign war, if domestic usurpation should find in it a shield, or a sanction. Your Committee have given this consideration the less importance from the conviction, they entertain, that the American people may have peace, whenever the administration of the general government shall seek it, with a sincere disposition for its attainment.

As your Committee have deemed it their duty not to be restrained, by such temporary considerations, from a deliberate and public examination of the subject submitted to their inquiry, so, also, they have not been disposed to connect this great, constitutional question with the transient calamities of the day, from which it is, in their opinion, very apparently, distinguished, both in its cause and its consequences. In the view, therefore, they are about to present of this great constitutional question, they have confined themselves, strict-

ly, to topics and arguments drawn from the terms of the constitution, and the history of the period, at which it was adopted ; and with a reference to fulfil their duty to their country and posterity, by a distinct avowal of their opinions and the grounds of them, with the hope of limiting the farther progress of the evil, rather than any expectation of immediate relief, during the continuance of the existing influences in the national administration.

The question touching the admission, into the union, of states, created in territories, lying without the ancient limits of the United States, has been considered, by your Committee, in relation to constitutional principles and political consequences. By an Act of the Congress of the United States, passed the 8th day of April, 1812, entitled, " an Act for the admission of the State of Louisiana into the Union and to extend the laws of the United States to the said State," the said State of Louisiana was admitted into the Union on an equal footing with the other States. This act was, in the opinion of your Committee, a manifest usurpation, by the Congress of the United States, of a power not granted to that body by the federal constitution. The State of Louisiana was formed, in *countries situated beyond the limits of the old United States* ; according as those limits were established by the treaty of Paris, commonly called the Treaty of Peace, in the year 1783 ; and as they existed, at the time of the formation and adoption of the federal constitution. And the position which your Committee undertake to maintain is this, that the Constitution of the United States did not invest Congress with the power to admit into the Union, States, *created in territories not included within the limits of the United States* ; as they existed, at the peace of 1783, and at the formation and adoption of the Constitution. Your Committee are thus particular, in stating with precision, the constitutional ground, which they maintain, because the doctrine here asserted, has been confounded, sometimes artfully, sometimes negligently, with the questions which have arisen, concerning the admission of Kentucky, Vermont, Ohio ; or which may arise on the admission of new States, to be created in the Michigan, Indiana or Illinois territories. With none of which has the question, now under consideration, any affinity. These last mentioned States and territories all lie *within the old limits of the United States*, as settled by the Treaty of Peace, and as existing at the time of the formation and adop-

tion of the federal Constitution. Now the State of Louisiana lies *without those limits* ; and on this distinction the whole question of constitutional right depends. The power, assumed by Congress, in passing this act for the admission of Louisiana, if acquiesced in, is plainly a power to admit new States, into this Union, at their discretion, without limit of place, or country. Not only new States may be carved, at will, out of the boundless regions of Louisiana, but the whole extent of South America, indeed of the globe, is a sphere, within which it may operate without check or control, and with no other limit than such as Congress may choose to impose on its own discretion.

Your Committee have, in vain, looked for any clause in the Constitution of the United States, granting such a power. In the first place, the parties, associating, are declared to be "*the people of the United States,*" and the objects of the association are stated to be, "*to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare and secure the blessings of liberty to OURSELVES AND OUR POSTERITY.*" Your Committee deem themselves authorized to assert, without fear of contradiction, that by the terms "*the people of the United States—'ourselves and our posterity,'*" were intended the people inhabiting, and who should inhabit the States and territories lying within the limits of the United States, as they were established by the treaty of 1783, and as they existed at the time of the formation and adoption of the federal Constitution ; and that none of the terms of the Constitution indicate the idea that foreign states, or kingdoms, or new states, created in their territories, could be admitted into a participation of its privileges.

Indeed, it is not pretended, as your Committee understand, by the advocates of this usurpation, that it has any color of justification, in the terms of the Constitution, unless it be in the third Section of its fourth Article. The tenor of which is as follows :—

SECT. 3.—"New States may be admitted by the Congress into this Union ; but no new State shall be formed, or erected within the jurisdiction of any other State ; or any State be formed by the junction of two or more states, or part of states, without the consent of the Legislatures of the States concerned as well as of the Congress.

"The Congress shall have power to dispose of, and make

“ all needful rules and regulations respecting the territory, or other property, belonging to the United States : and nothing, in this Constitution, shall be so construed as to pre-
 “ judice any claims of the United States, or of any particu-
 “ lar State.”

Upon this section, your Committee observe, that, without reference to the known condition of the United States, and the history of the times when the Constitution was adopted, if the terms of this section be, alone, considered and examined by those rigid and approved rules of construction, recognized on similar occasions, and relative to other instruments, the terms do not authorize the power which has been assumed, but, on the contrary, do strongly and almost, necessarily, imply that no power was granted to admit States, created in territories, without the limits of the old United States.

The section contains the grant of an authority, and expresses certain limitations to that grant. The first clause of the section “ New States may be admitted, by the Congress, into this Union,” is, indeed, very broad and comprehensive ; and had there been no objects, within the old boundaries of the United States, sufficient to exhaust the whole force of the terms, some doubt might result upon the subject. Yet, even in such case, it would seem incredible that an association of States, forming a constitution for purposes, exclusively their own, should transfer the power to Congress, of admitting, at will, into a participation of their rights and privileges, any state or kingdom, in any part of the globe, without expressing any limitation to the exercise of a power, in its nature, so great and critical.

Happily, however, we are not reduced to the necessity of supposing such an absurdity. The fact is notorious and undeniable, that the terms relative to the admission of new States had objects, *within the limits of the old United States*; sufficient to exhaust the full force of those terms, so that there is no necessity to resort to the creation of States *without the ancient limits*, in order to give efficacy to them. On the contrary, every limitation of the power contained in this section shows, that no other operation of it was contemplated, except *within the old limits of the United States*. These limitations are relative to States *formed or erected within the jurisdiction of any other State* ;—to States *formed by the junction of two, or more States or parts of States* ;—to the *disposal and regulation of the territory or property of the*

United States ;—to a reservation in favor of any claims of the United States, or any particular State.

Now is it to be believed, that a power to create and admit States, beyond the antient boundaries of the United States, was granted to Congress absolutely, without any limits, while the comparatively unimportant power of creating States, within the antient boundaries, is guarded by so many and so strict limitation? Had the admission of new States, to be formed in countries, then the parts of foreign and distant kingdoms, been contemplated, would not some terms have indicated the conditions, the principles or occasions, on which such annexation of a mass of foreigners with their territories should take place? In the opinion of your Committee, the entire absence of any such restriction is, of itself, conclusive evidence, that such admission of foreign countries, far from being contemplated, was not so much as, even, considered possible, by the framers of the Constitution, or by the people at the time of its adoption.

The situation of the United States and the history of the times, when the Constitution was adopted, strongly, corroborate this idea; indeed, in the opinion of your Committee, render it so absolutely demonstrable, as to amount, in their minds, to certainty.

Such was the situation of the United States, at the time of the adoption of the Constitution, that the admission of new States, in countries beyond the old limits of the United States, does not appear to have been contemplated, as an event probable, or even possible. On the contrary, the writings of that period, and the debates of the various meetings and conventions, assembled for the purpose of considering the Constitution, show, that the extent of the United States, even within its antient limits, was one of the principal objections to the practicability of the proposed Constitution, within those limits. Your Committee have, in vain, sought in the history of the discussions of that period, for the expression of any opinion, either by way of reason in favor or against the Constitution, that, by any possibility, it might be susceptible of that construction of late given to it, and to which they object. The idea does not seem to have entered into the mind of any one that it was possible that such a construction could be given, and for the reason above suggested, that the extent of the country, as at that time existing, was urged, and

admitted on all sides, to be one of the most forcible objections to the practicability of the experiment.

It is well known that to secure the union of the thirteen primitive states, and the advantages thence resulting were the main objects of the federal constitution. To this was added the design of admitting such other states as might arise in their own bosoms, or in territories, included within the general limits of the old United States. By the proceedings of the old Congress, subsequent to the peace of 1783, it appears, that it was in contemplation to create and admit States, within the limits of the old United States, and not included within the particular boundaries of any state. But it appears no where, that, subsequent to the peace of 1783, the admission of States, beyond the limits then established, was ever either proposed, or publicly contemplated.

Now it is very apparent to your Committee, that the power to admit States, created in territories, beyond the limits of the old United States is one of the most critical and important, whether we consider its nature, or its consequences. It is, in truth, nothing less than the power to create in foreign countries, new political sovereignties, and to divest the old United States of a proportion of their political sovereignty, in favor of such foreigner. It is a power, which, in the opinion of your Committee, no wise people ever would have delegated, and which, they are persuaded, the people of the United States, and certainly, the people of Massachusetts, never did delegate. The proportion of the political weight of each foreign State, composing this union, depends upon the number of the States, which have a voice under the compact. This number, the Constitution permits Congress to multiply, at pleasure, within the limits of the original States, observing, only, the expressed limitations, in the Constitution. To pass these limitations and admit States, beyond the ancient boundaries, is, in the opinion of your Committee, an usurpation, as dangerous as it is manifest, inasmuch as these exterior States, after being admitted on an equal footing with the original States, may, and as they multiply, certainly will become, in fact, the arbiters of the destinies of the nation; by availing themselves of the contrariety of interests and views, which in such a confederacy of States, necessarily arise, they hold the balance among the respective parties and govern the States, constitutionally composing the Union, by throw-

ing their weight into whatever scale is most conformable to the ambition or projects of such foreign States.

Your Committee cannot, therefore, but look with extreme regret and reprobation upon the admission of the territory of Louisiana to an equal footing with the original and constitutionally admitted States ; and they cannot but consider the principle, asserted by this admission, as an usurpation of power, portending the most serious consequences to the perpetuation of this Union and the liberties of the American people.

Although the character of this usurpation and its ultimate consequences ought, naturally, to excite an extreme degree of alarm, in this quarter of the country, as it indicates that new and unconstitutional arbiters, remote from our interests and ignorant of them, are admitted into the Union, yet the nature of the remedy is, in the opinion of your Committee, a subject of much more difficulty than the certainty of the mischief. On the one hand, it is the duty of a free and wise people, to meet encroachments upon the principles of their Constitution in their first beginnings, and to give no sanction to the continuance or repetition of such violations, by tameness or acquiescence. On the other hand, they are sensible that the people of Massachusetts, oppressed by the burden of an unjust and unnecessary war, are, at this moment, naturally, more solicitous about instant relief from existing sufferings, than about the distant consequences of political usurpation. Nevertheless, in the opinion of your Committee, the Legislature of Massachusetts owe it to themselves, to the people of this State and to future generations, to make an open and distinct avowal of their sentiments upon this topick, to the end that no sanction may appear to be derived from their silence ; and also that other States may be led to consider this intrusion of a foreign State into our confederacy, under this usurped authority, in a constitutional point of view, as well as in its consequences, and that, thereby, a concurrence of sentiment and a coincidence of councils may result ; whence alone can be hoped a termination of this usurpation, and of the evils, which are, apparently, about to flow from it.

Your Committee, therefore, propose for the adoption of the Legislature, the following resolutions :—

Resolved, As the sense of this Legislature, that the admission into the Union, of States, created in countries, not comprehended within the original limits of the United States, is

not authorized by the letter or the spirit of the federal Constitution.

Resolved, That it is the interest and duty of the people of Massachusetts, to oppose the admission of such States into the Union, as a measure tending to the dissolution of the confederacy.

Resolved, That the Act passed the eighth day of April, 1812, entitled, "An act for the admission of the State of Louisiana into the Union and to extend the laws of the United States to the said State," is, in the opinion of this Legislature, a violation of the Constitution of the United States; and that the Senators of this State, in Congress, be instructed, and the Representatives thereof requested, to use their utmost endeavors to obtain a repeal of the same.

Resolved, That the Secretary of this Commonwealth be directed to transmit a copy of these Resolutions to each of the Senators and Representatives of this Commonwealth, in the Congress of the United States.

By Order,

JOSIAH QUINCY.

IN THE HOUSE OF REPRESENTATIVES, JUNE 15, 1815.

Read and accepted. Sent up for concurrence.

TIMOTHY BIGELOW, *Speaker*.

IN SENATE, JUNE 16, 1815.

Read and concurred.

JOHN PHILLIPS, *President*.

PAPERS,

ON THE

DEFENCE OF BOSTON AND OTHER PLACES.



AN ACT

MAKING PROVISION FOR ARMING AND EQUIPPING THE
WHOLE BODY OF THE MILITIA OF THE
UNITED STATES.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled. That the annual sum of two hundred thousand dollars be, and the same hereby is appropriated, for the purpose of providing arms and military equipments for the whole body of the militia of the United States, either by purchase or manufacture, by and on account of the United States.

SECT. 2.—*And be it further enacted,* That the President of the United States be, and he hereby is authorized to purchase sites for, and erect such additional arsenals and manufactories of arms, as he may deem expedient, under the limitations and restrictions now provided by law : *Provided also,* that so much of any law as restricts the number of workmen in the armories of the United States to one hundred men, be, and the same hereby is repealed.

SECT. 3.—*And be it further enacted,* That all the arms procured in virtue of this act, shall be transmitted to the several States composing this Union and territories thereof, to each State and territory respectively, in proportion to the number of the effective militia in each State and territory, and by each State and territory to be distributed to the militia in such State and territory, under such rules and regula-

tions, as shall be by law prescribed by the Legislature of each State and territory.

J. B. VARNUM,
Speaker of the House of Representatives.

S. SMITH,
President, pro tempore, of the Senate.

April 23, 1808.

APPROVED,

TH : JEFFERSON.

Commonwealth of Massachusetts.

RESOLVE PROVIDING FOR THE DEFENCE OF BOSTON AND
OTHER PLACES....27TH FEBRUARY, 1813.

RESOLVED, That the Governor with advice of Council be, and he is hereby authorized to adopt such defensive measures, and to carry the same into immediate execution, as may be deemed necessary to protect the town of Boston, its harbour and vicinity, and the towns, ports and harbours of this Commonwealth, from the invasion of an enemy during the present war.

And for the purpose aforesaid, the Governor is hereby authorized to employ any officer or officers, person or persons, skilled in the science of engineering and gunnery, also to mount such number of heavy cannon, mortars and howitzers on travelling or fort carriages, as may be deemed necessary, to provide munitions of war, in sufficient quantities, and all the necessary apparatus for a powerful train of heavy artillery, to ascertain and designate the posts or places where said artillery can act with the greatest effect against the enemy's shipping entering or attempting to enter our ports and harbours, to cause batteries to be constructed, and breast works to be thrown up where it may be deemed necessary, with furnaces to heat shot.

And the Treasurer of this Commonwealth is hereby authorized and empowered to borrow of any bank or banks in this Commonwealth, a sum of money not exceeding one hun-

dred thousand dollars, to be applied to the purposes aforesaid, and to be accounted for accordingly.

The aforesaid money to be borrowed in such sums as the Governor, with advice of Council, shall from time to time direct, and the Governor is hereby authorized from time to time to issue his warrants upon the Treasury for such sums as may be deemed necessary for carrying into effect the purposes of this resolve.

And be it further resolved, That the Governor be requested to apply to the Executive of the United States, and respectfully request such supply of muskets, belonging to the United States, as may be conveniently furnished, and as may be considered the proportion to which this Commonwealth may be entitled, to be apportioned and distributed to the several towns of this Commonwealth, for the use of the militia thereof, in such manner as the Governor, by and with the advice of Council, may deem most for the public service.

BOSTON, MARCH 1st, 1813.

SIR,

I HAVE the honor to enclose to your Excellency an extract from a Resolve of the General Court of this Commonwealth, passed on the 27th of February last; and in compliance with the objects of the Legislature expressed in the said Resolve, to request for the use of this State, such supply of muskets, belonging to the United States, as may be conveniently furnished, and as may be considered the proportion to which this Commonwealth may be entitled.

I am, Sir, with great respect,
your most obedient humble servant,
CALEB STRONG.

The President of the United States.

WAR DEPARTMENT.

MARCH 15, 1813.

SIR,

IN answer to your Excellency's Letter of the 1st instant, (enclosing a Resolution of the Legislature of Massachusetts,

of February 27th, 1813, addressed to the President of the United States, and "requesting such supply of muskets as may be conveniently furnished, and as may be considered the proportion to which the Commonwealth may be entitled,") I have the honor to inform your Excellency, that as the arms provided, in virtue of the act of April 23, 1808, for arming and equipping the militia of the United States, have been inconsiderable, in proportion to the militia to be supplied, the President has deemed it most conducive to the general interest, to supply, in the first instance, the frontier States and the militia who have come forward in the service of the country. When the state of the public arsenals will justify the measure, Massachusetts will receive her proportion of arms, agreeably to the provisions of the Law.

Very respectfully, I have the honor to be,

Your Excellency's most obedient servant,

JOHN ARMSTRONG.

His Excellency CALEB STRONG, }
Governor of Massachusetts. }

IN SENATE,

MAY 28, 1813.

READ, and committed to the Hon. John Welles and Edmund Foster, Esq's, with such as the Hon. House may join, to consider and report. Sent down for concurrence.

JOHN PHILLIPS, *President.*

IN THE HOUSE OF REPRESENTATIVES,

MAY 28, 1813.

READ and concurred, and the Hon. Mr. Lloyd and Messrs. Gardner, of Bolton, and Richardson, of North Yarmouth, are joined.

TIMOTHY BIGELOW, *Speaker.*

REPORT.

THE Committee to whom was referred the letter of the Secretary of War of the United States, to his Excellency the Governor, bearing date at Washington, March 15th, 1813, in answer to an application, made by his Excellency in compliance with a resolve of the honorable the General Court of the Commonwealth of Massachusetts, to the Executive of the United States, requesting such supply of muskets as might be considered the proportion to which the Commonwealth was entitled, under a law of the United States, passed in April, 1808; by which law the annual sum of two hundred thousand dollars was appropriated for the purpose of providing arms for the militia of the United States, to be transmitted to the several states, in proportion to the effective militia in each state,—

RESPECTFULLY REPORT,

THAT the law of the United States referred to by his Excellency the Governor, and entitled, “an act making provision for arming and equipping the whole body of the militia of the United States, and appropriating annually two hundred thousand dollars for that purpose,” provides that the arms procured in virtue of that act, *shall be transmitted* to the several States composing the Union, and the territories thereof, to each State and territory respectively, in proportion to the number of effective militia therein, under such rules and regulations as shall be by law prescribed by the Legislature of each State or territory.

In the apprehension of your committee, the terms of the law are simple, precise, and definite, admitting neither of a perversion of purpose nor latitude of construction—of the favouritism of partiality, or an indulgence of caprice.

The people of the United States, for the better defence thereof, by an act of their constituted authorities, set aside from their revenue the annual sum of two hundred thousand dollars, for arming and equipping the whole body of the militia of the United States, and expressly directed that the arms provided in virtue of that act should be transmitted to the seve-

ral States composing the Union and territories thereof; to each State, and territory, respectively, in proportion to the number of its effective militia. Hence it became the duty of the government not to wait for the application of the several States, but on the receipt of such supply of arms, as would admit of a reasonable division, promptly to transmit the same to the respective States and territories.

Whether this has been done, conformably with the provisions of the law, or consistently with those principles of respect, equality and impartiality, which ought to regulate the conduct of the General Government towards each member of the confederacy—the history of the amount of this fund—the distribution of the arms—and the letter of the Secretary of War will determine.

The act having passed in April, 1808, it is evident that at this time one million of dollars must have accrued under it, and ought to have been appropriated towards arming the whole body of the militia of the United States. Of this sum, or the proceeds of it, on the ratio of her contributions to the revenue of the United States, Massachusetts would be entitled to about one fifth part, having paid upwards of forty millions towards the two hundred and fifteen millions of dollars derived by the United States under the operation of the Federal Government—but predicated upon the more unfavourable ratio of the law, which in this case must govern, Massachusetts, although capable of bringing into the field an effective force of one hundred and twenty thousand free white citizens, for the purpose of sustaining her rights, of checking usurpation, or of repelling invasion, would be entitled only to the number of arms procured under the act of April, 1808, in the ratio that 70,530, the number of militia agreeably to the last return to the General Government from Massachusetts, bears to 719,449, the whole return of the militia of the United States as communicated to Congress by the President, on the 13th of February of the present year—thus giving to Massachusetts, an indisputable claim, a vested right, without the power of alienation or diversion, in any department of the General Government, to about one tenth of the said sum of one million of dollars already accumulated, or of about one tenth of the number of arms that have been procured therefrom.

And your Committee further report, that, from the returns made to Congress by the war department in December last,

it appears, that contracts, under the law of the United States of April 23, 1808, have been made for 100,200 stands of arms, of which 24,000 stands were contracted for in Massachusetts, and 9875 stands were actually delivered by the manufacturers within the State, prior to October last, and that, from these contracts, there had been received by the General Government, six months since, 31,640 stands of arms, at which time 53,560 stands of arms in addition were due, and ought to have been delivered into the public arsenals, of which, about one tenth part, from the moment of their receipt by the General Government, became, in the opinion of your Committee, the actual property of the State of Massachusetts, and by the terms of the same law, it also became the duty of the administrators of the General Government, to have caused a proportion of them in that ratio to be transmitted or delivered to this State; that not a single musket of this number has been received, or has been intended to be transmitted or delivered, is too apparent, from the reply of the Secretary of War to the application of his Excellency.

Of the distribution of the stands of arms which had been actually received by the Government of the United States, under the law of April, 1808, it appears from returns made to Congress, by the Department of War, to the month of December last, that

1000 stands had been delivered to New-Hampshire.
 2500 ————— to Vermont.
 1000 ————— to Rhode-Island, to which State
 250 stands had also been loaned.
 1000 ————— to New-Jersey.
 500 ————— to Delaware, to which State 650
 stands had also been loaned.
 2130 ————— to North Carolina.
 2000 ————— to South-Carolina.
 1000 ————— to Georgia.
 1500 ————— to Ohio, to which State 3500 stands
 had also been loaned.
 1500 ————— to Kentucky.
 1500 ————— to Tennessee.
 250 ————— to Louisiana, and
 216 ————— to the Territory of Illinois, and
 that there had been loaned to the District of Co-
 lumbia, 2200.—

What has become of nearly 16,000 stands of arms in ad-

dition, which are acknowledged to have been received, and of 53,560 stands of arms which were contracted to be delivered on or before the 7th October, 1812, and remain unaccounted for; or what number has been received since October, or under what authority the Department of War has assumed a discretion neither given, nor warranted by the law, of loaning an excess beyond the proportion to which it was entitled by the provisions of the law, to any State or territory, or of making any loan whatever, your Committee have not the means of ascertaining; and the short duration of the present session of the Legislature will not admit of a timely reference to the only source, from which perhaps information might be obtained.

Of the causes, or pretences which have induced the Government of the United States to furnish eleven States of the Union, the District of Columbia, and the territory of Illinois, with a proportion of arms, which it has seen proper to withhold from the populous, respectable, and exposed State of Massachusetts, and which had been delivered from its own manufactories—the letter of the honorable John Armstrong, Secretary at War of the United States, of March 15th, communicated by his Excellency, furnishes the evidence.

By that letter, his Excellency is informed, that “the President has deemed it most conducive to the general interest to supply in the first place the frontier States, and the militia who have come forward in the defence of the Country, and that when the state of the public arsenals will justify the measure, Massachusetts will receive her proportion of arms agreeably to the provisions of the law.”

In commenting on these reasons of the Secretary at War, for the omission to transmit or to deliver to the State of Massachusetts, the proportion of arms to which it was entitled, your Committee beg leave to remark, that the state of the public arsenals in December last, as it respects the supply of arms, provided for the respective States and territories, will be manifested by the preceding statement, from which it appears, that of the 85,200 stands of arms which were due to the General Government from the contractors, in October, and of which it is acknowledged 31,640 had, at that time, been delivered, short of 16,100 had been distributed as late as December last; but they confess they are wholly unable to comprehend or perceive, even on the alledged principles of distribution, how the withholding from the State of Massa-

Massachusetts, rashly and unpreparedly plunged, in common with the rest of the Union, into a disastrous war with the most powerful maritime nation the world ever witnessed ;—possessing a defenceless, more extended, and more densely populated seaboard than any other State in the Union, intersected with ports and harbors in every direction, heretofore, by the goodness of God, the blessings of peace, and the industry of their inhabitants, the native havens of one third of the tonnage of the nation, and bordered by a long line of boundary on the east and on the north, by the provinces of the enemy, can be justified or palliated, by a pretence, that it has been deemed most conducive to the general interest, in the first place to supply the frontier States, and in consequence, to omit the transmission or delivery of a single musket, to a State, with a frontier of nearly a thousand miles in circuit.

The additional cause assigned by the Secretary at War, for withholding the proportion of arms allotted to Massachusetts, “ that it was most conducive to the general interest, to supply, in the first place, the militia who have come forward in the service of the country,” alone remains to be considered ; and your Committee with reluctance approach this part of the duty assigned them ; for they are confident that while the State of Massachusetts, among the most ancient and powerful of the sisters of the great family of the States, who compose this confederated empire, will duty guard her own honor, and self respect, and will ever be alive to the maintenance of her just rights at every hazard, that she will never compromise her dignity, nor stoop from her pride of place, to repel unmerited aspersion, if any such were intended, on the motives of the man, whom she is gratified to honor, who has evinced himself to be a wakeful watchman on the citadel, and a faithful guardian of the constitutional rights, and liberties of his fellow-citizens ; nor upon a militia, inferior to none in the Union, and who are at once the ornament, the boast, and the security of the State which has reared, and formed, and which delights to cherish and respect them. And should at any time hereafter any insidious foe seek to sow the seeds of jealousy and discord between the militia of the several parts of the Union, by unfounded imputations on the efficiency or patriotism of the military of Massachusetts—the Legislature will view all such attempts with horror, and reject them with disdain.

Under the influence of these convictions, the Committee forbear to dilate on this part of the letter of the Secretary at War, and limit themselves to reporting, that from the whole view of the subject which they have been enabled to take, they are of opinion, that the proportion of arms provided under the law of the United States of the 23d of April, 1808, to which the State of Massachusetts is entitled, has been unduly withheld from her, and that in the present exposed situation of the country, it is the imperious duty of the Legislature to place that part of it under their protection in an effective state of defence, as speedily as may be practicable; and they therefore recommend the adoption of the following resolutions.

Resolved, As the sense of this Legislature, that by the provisions of the law of April 23d, 1808, it was the duty of the President of the United States, to cause to be transmitted to the State of Massachusetts, in conformity to the request of his Excellency the Governor, of the first of March last, the proportion of the arms prescribed by said law, which, according to the plain and explicit terms thereof, cannot, under any pretence, be justly or lawfully withheld.

Resolved, That the application of his Excellency the Governor for the transmission of said arms, in pursuance of the resolve of the Legislature of the 27th of February last, was, in every respect suitable and proper; and that the refusal to comply with said request was a rejection of an indisputable claim to property legally vested in this Commonwealth, and a neglect to perform a duty enjoined upon the Executive Department of the National Government by the positive provisions of law.

Resolved, That the terms in which this refusal is expressed, in the Answer of the Secretary at War to the letter of his Excellency the Governor, convey an indirect censure against the Government and Militia of Massachusetts, for a neglect to discharge its duty as a constituent part of the Union—which even if it had been just, could have formed no plausible pretext for the refusal—but which, being altogether unfounded, the Legislature, from the perfect respect for their Chief Magistrate, their confidence in the courage and patriotism of the Militia, and their sense of duty to themselves and their constituents, are bound to repel, as an attempt to fix an unmerited stigma upon the character of this Commonwealth.

Resolved, That the Adjutant-General, of this Commonwealth, be directed forthwith to forward to the Secretary at War of the United States, a copy of these resolves; and in case of a further refusal or neglect, beyond a reasonable time, to transmit the arms which rightfully belong to this State, by virtue of the law aforesaid, that his Excellency the Governor be requested to forward similar copies to each of our Senators and Representatives in the Congress of the United States, that they may endeavor to obtain, by the interposition of the legislative authority, our proportion of the means provided from the common revenue "for the common defence," which the Executive department has unjustly withheld, and which our exposed situation, during the present calamitous state of the country, imperiously demands.

IN THE HOUSE OF REPRESENTATIVES, JUNE 14, 1813.

Read and accepted. Sent up for concurrence.

TIMOTHY BIGELOW, *Speaker*.

IN SENATE, JUNE 15, 1813.

Read and concurred,

JOHN PHILLIPS, *President*.

Commonwealth of Massachusetts.

IN THE HOUSE OF REPRESENTATIVES, JUNE 8, 1813.

ORDERED, That **MESSRS. MILLS**, *Northampton*, **SULLIVAN**, *Boston*, **GOODWIN**, *Berwick*, and **DWIGHT**, *Springfield*, be a Committee, with such as the Honorable Senate may join, to consider what measures it is expedient for this Legislature to adopt in relation to the unhappy war in which we are engaged;—the means to induce a speedy restoration of peace;—and to restore this Commonwealth to the blessings of a free and unmolested commerce, and to that influence in the councils of the nation, to which she is so justly entitled—with leave to report. Sent up for concurrence.

TIMOTHY BIGELOW, *Speaker*.

IN SENATE, JUNE 8, 1813.

Read, and concurred, and the Hon. **MESSRS. PERKINS**, **BLAKE** and **HOLMES** are joined.

JOHN PHILLIPS, *President*.

JUNE 12th, 1813.

THE Committee of both Houses appointed “to consider what measures it is expedient for this Legislature to adopt, in relation to the unhappy war in which we are engaged, the means to induce a speedy restoration of peace, and to restore this Commonwealth to the blessings of a free and unmolested Commerce, and to that influence in the councils of the nation, to which she is so justly entitled,” have attended the service assigned them, and ask leave to report a Remonstrance to the Congress of the United States, which is hereto annexed.

All which is respectfully submitted.

T. H. PERKINS, *Per Order*.

REMONSTRANCE.

*To the Honorable the Senate, and the Honorable the House
of Representatives of the United States,
in Congress assembled.*

THE Legislature of Massachusetts, deeply impressed with the sufferings of their constituents, and excited by the apprehension of still greater evils in prospect, feel impelled, by a solemn sense of duty, to lay before the National Government, their view of the public interests, and to express with the plainness of freemen, the sentiments of the people of this ancient and extensive Commonwealth.

Although the precise limits of the powers reserved to the several state sovereignties have not been defined by the Constitution, yet we fully coincide in the correctness of the opinions advanced by our venerable Chief Magistrate, that "our Constitutions ensure to us the freedom of speech, and that, at this momentous period, it is our right and duty to inquire into the grounds and origin of the present war, to reflect on the state of public affairs, and to express our sentiments concerning them, with decency and frankness, and to endeavor, as far as our limited influence extends, to promote, by temperate and constitutional means, an honorable reconciliation."

If then, such are the rights and duties of the people, surely those, who, at this solemn crisis, are selected by them and who are specially honored with their confidence, may venture, respectfully, but frankly, to express the sentiments and feelings of those whom they have the honor to represent.

The States, as well as the individuals composing them, are parties to the national compact, and it is their peculiar duty, especially in times of peril, to watch over the rights, and guard the privileges solemnly guaranteed, by that instrument. Certainly then this expression, from the Legislature of the free and independent Commonwealth of Massachusetts, will not be disregarded, by the present Congress of the United States. For although the numerous petitions and remonstrances of the people of this State, in relation to such mea-

sures as they deemed dangerous to their rights, and ruinous to their interests, have heretofore been received, in a manner little calculated to produce that harmony, and to cement that Union, which ought to be the permanent aim of the General Government : yet we cannot but indulge the hope, that new councils and a more conciliatory spirit will distinguish the several branches of the present national Legislature—That they will endeavor, by the exercise of justice and impartiality, to allay the apprehensions, and restore the confidence of the eastern and commercial States—to remove their actual sufferings—and to replace them in the happy and prosperous condition from which they have been driven, by a succession of measures, hostile to the rights of commerce, and destructive to the peace of the Union.

It is not to be expected, that a hardy and industrious people, instructed in the nature of their rights, and tenacious of their exercise, whose enterprize was a source of individual wealth and national prosperity, should find themselves obliged to abandon their accustomed employments, and relinquish the means of subsistence, without complaint ; or that a moral and christian people should contribute their aid, in the prosecution of an offensive war, without the fullest evidence of its justice and necessity.

The United States, from the form of their Government, from the principles of their institutions, from the sacred professions which, in all periods of their history, they have made, from the maxims transmitted to them, by patriots and sages, whose loss they can never sufficiently deplore, as well as from a regard to their best and dearest interests, ought to be the last nation to engage in a war of ambition, or conquest.

The recent establishment of their institutions, the pacific, moral and industrious character of their citizens, the certainty that time and prudent application of their resources, would bring a seasonable remedy for any transient wrongs, would have induced a wise and provident, an impartial and temperate administration, to overlook, if it had been necessary, any temporary evils, which either the ambition, the interest, the cupidity, or the injustice of foreign powers might, occasionally, and without any deep and lasting injury, have inflicted.

With these maxims and these views, we cannot discern any thing, in the policy of foreign nations, towards us, which in point of expediency, required the sacrifice of so many and

so certain blessings, as might have been our portion, for such dreadful and inevitable evils, as all wars, and especially in a Republic, entail upon the people.

But, when we review the alledged causes of the war against Great Britain, and more particularly, the pretences for its continuance, after the principal one was removed, we are constrained to say, that it fills the minds of the good people of this Commonwealth, with infinite anxiety and alarm. We cannot but recollect, whatever the pretences of the Emperor of France may have been, pretences which have uniformly preceded and accompanied the most violent acts of injustice, that he was the sole author of a system, calculated and intended to break down neutral commerce, with a view to destroy the opulence, and cripple the power of a rival, whose best interest, and whose real policy were, to uphold that commerce, so essential to her own prosperity.

It is not for us to decide, whether the enemy of France did, or did not, adopt the most natural and efficacious means of repelling her injustice. It is sufficient, that we are persuaded, the United States might, by a firm and dignified, yet pacific resistance to the French decrees, have prevented the recurrence of any retaliatory measures on the part of Great Britain—measures not intended to injure us, but to operate on the author of this unjust and iniquitous system. And, however honorable men may differ, as to the justice of the British retaliatory Orders in Council, we do not hesitate to say, that France merited, from our Government, a much higher tone of remonstrance, and a more decided opposition.

In reviewing the avowed causes of the present war, we would, if it were possible, pass over a series of transactions, imperfectly explained, and calculated to excite our alarm and regret, at the hasty manner, in which it was declared. But the history of the pretended repeal of the French Decrees, which, if our government was sincere, we are bound to believe, was the immediate cause of the war, is so well attested, and has been so often discussed, and is, besides, so important in this enquiry, that mere motives of delicacy cannot induce us to pass it over without notice.

If war could be justified against Great Britain exclusively, it must have been, on the ground, assumed by our government, that the French Decrees were actually repealed, on the 1st of November, 1810. The indiscriminate plunder and destruction of our commerce—the capture of our ships, by the

cruizers of France, and their condemnation, by her courts, and by the Emperor, in person—his repeated and solemn declaration, that those Decrees were still in force, and constituted the fundamental laws of his Empire, at a period, long subsequent to the pretended repeal, seemed to furnish an answer, sufficiently conclusive, to this question ; and we cannot but lament, that evidence, so satisfactory to the rest of the nation, should have had so little weight, with that Congress, whose term of service has lately expired.

But this important question is now definitively answered ; and the American people have learned, with astonishment, the depth of their degradation. The French Emperor, as if, for the perfect and absolute humiliation of our government, and for the annunciation to the world, that he held us in utter contempt, reserved, till May, 1812, the official declaration of the fact, that these decrees were not repealed, until April, 1814 ; and then, not in consequence of his sense of their injustice, but because we had complied with the condition he had prescribed, in the letter of the Duke of Cadore, in causing “our rights to be respected,” by a resistance to the British Orders ; and he has since added, that this Decree of repeal was communicated, to our Minister at Paris, as well as to his own at Washington, to be made known to our Cabinet. As the previous pledge of Great Britain gave the fullest assurance, that she would repeal her Orders, as soon as the Decrees, on which they were founded, should cease to exist ; and as her subsequent conduct leaves no doubt that she would have been faithful to her promise, we can never too much deplore the neglect to make known this repeal, whether it be attributable to the French Government, or our own.

If to the former belong the guilt of this duplicity and falsehood, every motive of interest, and every incitement of duty call loudly upon our administration, to proclaim this disgraceful imposition to the American people ; not only, as it would serve to develop the true character and policy of France, but, to acquit our own officers of a suppression, too serious to be overlooked or forgiven.

But whatever may be the true state of this mysterious transaction, the promptness with which Great Britain hastened to repeal her Orders, before the declaration of war, by the United States, was known to her, and the restoration of an immense amount of property, then within her power, can leave but little doubt, that the war, on our part, was premature, and

still less, that the perseverance in it, after that repeal was known, was *improper, impolitic* and *unjust*.

It was *improper*; because it manifested, in this instance, a distrust in the good faith and disposition to peace, of a nation, from which we had just received a signal proof of both.

It was *impolitic*; because it gave countenance to the charge, of a subserviency to the views of France, and of an ulterior design of co-operating, with her, in the profligate and enormous project of subjugating the rest of Europe.

It was *impolitic*; as it tended to unite all descriptions of people, in England, in favor of the present war, and to convince them, however erroneously, that moderation and fairness, on her part, only laid the foundation of new claims, and higher pretensions on ours.

It was *unjust*; because the evidence, afforded by the prompt repeal of the Orders in Council, ought to have satisfied us, that Great Britain was sincerely disposed to maintain and preserve pacific relations, with the United States; and all wars are unjust, the objects of which can be attained by negotiation.

It was *unjust*; because the whole history of our diplomatic intercourse with Great Britain shows, that we never induced her to believe, that we considered the impressment of her own seamen, on board our merchant ships, as a reasonable ground of war; and we had never offered her the alternative of war, or a relinquishment of this practice.

It was *unjust*; because the pretensions and claims, on the one side and the other, although attended with difficulties, were not irreconcilable. Great Britain did not claim the right to impress our native seamen. She disavowed the practice, in all cases, when the fact was made known to her—she restored, on legal evidence—she had recently offered to return all who were of that description, of whom a list should be furnished, by our government—and she had many years before, made such offers of fair and amicable arrangement of this whole subject, as, to two distinguished members of our present Cabinet, appeared “both honorable and advantageous.”

It was *unjust*; because we had not previously taken all the reasonable steps, on our part, to remove her complaints of the seduction and employment of her seamen. This is made manifest, by the conduct of the same Congress which declared the War: they having admitted the propriety of ob-

viating those complaints, by an act passed subsequent to the commencement of hostilities.

No State in the Union can have a greater interest, or feel a stronger desire, to protect commerce, and maintain the legitimate rights of seamen, than this Commonwealth. Owners of one third of all the navigation, and probably, furnishing nearly one half of all the native seamen, of the United States, we are better enabled to appreciate the extent of their sufferings, and must also be presumed, to sympathise with them, more sincerely, than the citizens of States, destitute of commerce, and whose sons are not engaged, in its prosecution; unless it be admitted, that the sufferers, their parents, relatives and friends, are less interested in their welfare and protection, than those who are united to them, only, by the feeble ties of political connexion.

With all the means of information, furnished by every motive of duty, and every inducement of interest, we are constrained to say, that this evil of impressment has been grossly exaggerated; that we have reason to believe, an honest and fair proposal, as honestly and fairly executed, to exclude the subjects of Great Britain from our service, would have much more effectually relieved our own seamen, and more essentially advanced their interest, than a resort to war; that the true interests of the United States coincide with the policy, adopted by all other countries; and that we should be more independent, our seamen would be better protected, and our country eventually more prosperous, by renouncing altogether, the pretension of screening, and employing British seamen.

The doctrine of natural allegiance is too well founded, has been too long established, and is too consonant with the permanent interest, the peace and independence of all nations, to be disturbed, for the purpose of substituting in its place, certain visionary notions to which the French Revolution gave birth, and which, though long since exploded there, seem still to have an unhappy influence in our country.

Having thus found the avowed causes of the war, and especially the motives for a perseverance in it, so wholly inadequate, to justify the adoption of that policy, we have been obliged to resort to other, and more concealed motives. We cannot however, without the most conclusive evidence, believe, although the measures and language of some high pub-

lic functionaries indicate the fact, that ambition, and not justice, a lust of conquest, and not a defence of endangered rights, are among the real causes of perseverance, in our present hostilities.

Must we then add another example to the catalogue of Republics, which have been ruined, by a spirit of foreign conquest? Have we no regard to the solemn professions we have so often repeated, none to the example, none to the precepts of Washington? Is it possible, either to acquire, or to maintain, extensive foreign conquests, without powerful standing armies? And did such armies ever long permit the people, who were so imprudent, as to raise and maintain them, to enjoy their liberties?

Instances of military oppression have already occurred, among us; and a watchful people, jealous of their rights, must have observed some attempts to controul their elections, and to prostrate the civil, before the military authority. If the language of some men, high in office—if the establishment of a chain of military posts, in the interior of our country—if the extensive preparations which are made in quarters, where invasion cannot be feared, and the total abandonment and neglect of that part of our country, where alone it can be apprehended, have excited our anxiety and alarm, as to the real projects of our rulers, these emotions have not been diminished, by the recent invasion, seizure and occupation of the territory of a peaceable, and unoffending neighbour.

If war must have been the portion of these United States—if they were destined by Providence, to march the downward road to slavery, through foreign conquest and military usurpation, your Remonstrants regret, that such a moment, and such an occasion should have been chosen, for the experiment—that while the oppressed nations of Europe are making a magnanimous and glorious effort, against the common enemy of free States, we alone—the descendants of the Pilgrims—sworn foes to civil and religious slavery, should voluntarily co-operate with the oppressor, to bind other nations in his chains; that, while diverting the forces of one of his enemies, from the mighty conflict, we should endanger the defenceless territories of another, in whose ports the flag of our independence was first permitted to wave, now struggling for existence, beneath his iron grasp.

REMONSTRANCE.

Permit the Legislature of this Commonwealth, whose citizens have been ever zealous, in the cause of freedom, and who contributed their utmost efforts, for the adoption of that constitution, under which, in former times, we enjoyed so much prosperity, most respectfully, but earnestly, to entreat and conjure, the constituted authorities of the nation, by the regard due to our liberties, to our union, to our civil compact, already infringed—to pause before it be too late. Let the sober, considerate, and honorable Representatives of our sister States, in which different councils prevail, ask themselves—

Were not the territories of the United States sufficiently extensive, before the annexation of Louisiana, the projected reduction of Canada, and seizure of West Florida?

Had we not millions upon millions of acres of uncultivated wilderness, scarcely explored by civilized man?

Could these acquisitions be held, as conquered provinces, without powerful standing armies? and would they not, like other infant colonies, serve as perpetual drains of the blood and treasure of these United States? Or is it seriously intended, to adopt the dangerous project of forming them into new States, and admitting them into the Union, without the express consent of every member of the original confederacy? Would not such a measure have a direct tendency to destroy the obligations of that compact, by which alone our union is maintained?

Already have we witnessed the formation and admission of one State, beyond the territorial limits of the United States, and this too, in opposition to the wishes and efforts, as well as in violation of the rights and interests of some of the parties to that compact—and the determination to continue that practice, and thereby, to extend our republic, to regions, hitherto unexplored, or peopled by inhabitants, whose habits, language, religion and laws, are repugnant to the genius of our government, is openly avowed.

Against a practice, so hostile to the rights, the interests, the safety of this State, and so destructive to her political power; so subversive of the spirit of the Constitution, and the very principles upon which it is founded; your Remonstrants, in the name and behalf of the Commonwealth of Massachusetts, feel it their duty to enter their most deliberate and solemn protest.

If an extensive, confederated republic is to be main-

tained, and we most fervently pray that it may, it can only be, by a free communication of the grievances felt, and the evils apprehended, by any of its members : and by a prompt and liberal remedy. The same spirit of concession which dictated the formation and adoption of the Constitution, should be kept in permanent and perpetual exercise.

The blessings of government, its vigilance, its protection, its rewards, should be equally, and impartially distributed, and its burdens as equally, and fairly imposed. No portion of the Union ought to be sacrificed, to the local interest, passions, or aggrandizement of others. It cannot, however, be denied, that causes have occurred, to disturb the balance, which, when adjusted, was intended to form the principal security of our present compact. But the remedy is in the power of Congress, and we look to their wisdom, for its efficacious and speedy application.

The chief motive which influenced the Eastern States to abolish the old confederation, and to surrender a great share of their own sovereign power, as appears by the recent history of those times, was the expectation, that their commerce would be better protected by the national government.

The hardy people of the North, stood in no need of the aid of the South, to protect them, in their liberties. For this, they could safely rely, as they always had done, on their own valor. But it was an important object with them, that every aid, facility and encouragement should be given to that commerce, upon which their prosperity, almost exclusively depended.

To ensure this great object, a very unequal proportion of political power was conceded to the Southern States. The representation of Slaves, was the price paid by the Northern States, for the stipulated protection and encouragement of their trade, and for an agreement of the southern members of the Union, that the public burdens should be apportioned according to representation. Experience however, has proved, that, although the contract, on our part, has been faithfully fulfilled, both these considerations have utterly failed.

Indications of a spirit hostile to commerce were early visible, among some of those who now control the destinies of our Republic. But the father of his country then presided in our councils, and this spirit was vanquished. Under the influence of the wise, and liberal, and magnanimous system, adopted and pursued, by his administration, commerce was

indeed cherished, extended, and protected; and the stipulations of the Constitution were fulfilled, in sincerity and good faith.

Since that period however, the same spirit has arisen, and has exhibited an unrelenting severity, in the exercise of its sway—until, at length, by series of restrictions, utterly destructive of the calculations of the merchant—by prohibitions and double duties—by embargoes and non intercourse—and lastly, by war, the poor remains of that commerce, which once covered the ocean with its sails, have been nearly annihilated.

Nor has the other part of the consideration been better fulfilled—Taxation has never, except in a single instance, and that to one hundredth part only of the revenue raised under the Constitution, been apportioned according to representation; and with what reluctance it was then submitted to by the Southern States, and with what tardiness it was even partially collected, public records will determine.

Of the two hundred and fifteen millions of dollars, derived by the United States, under the operation of the Federal Government, Massachusetts has paid upwards of forty millions—an amount beyond all proportion to her political weight in the Union.

If therefore, the revenues derived from this Commonwealth, and paid into the national treasury, had been preserved in her own, she would have been fully competent to her own defence, and would not have been obliged to solicit, nor experience the injustice of a refusal of the arms, for which she has long since paid, and which were her due from the General Government. What good cause can be assigned for this refusal, your Remonstrants are wholly unable to determine. No discretion is, by law, vested in any officer of the government, in relation to this subject. Its provisions are simple, plain and peremptory. Your Remonstrants therefore, cannot but express their astonishment, that the State of Massachusetts, possessing a sea coast, more extensive and populous than that of any other State in the Union, and a defenceless frontier by land, should not only be entirely abandoned, by the government whose duty it is to protect her, but should also be refused the arms, for her own defence, to which she is, by law, entitled. They cannot however, permit themselves to doubt, that Congress will forthwith adopt such measures, as will render, to this Com-

monwealth, that justice which the executive department has refused.

If the war, in which we have been rashly plunged, was undertaken to appease the resentment, or secure the favor of France, deep and humiliating must be our disappointment. For although the Emperor is lavish in his professions of "love for the American people," applauds our ready self devotion, and declares "that our commerce and our prosperity are within the scope of his policy," yet no reparation has been made, or offered, for the many outrages, indignities and insults he has inflicted on our government, nor for the unnumbered millions of which he has plundered our citizens. And when we consider the course of policy pursued by our rulers, in their external relations, and commercial restrictions, from the prohibition of our trade to St. Domingo, to the declaration of war against Great Britain—that this course often received his open approbation, and was not unfrequently, conformable to the system which he himself had adopted—when we consider also, the mysterious secrecy which has veiled the correspondence of the two governments, from our view—and above all, when we consider, that in many instances, the most important measures of our government have been anticipated, in Paris, long before they were known to the American people, we cannot conceal our anxiety and alarm, for the honor and independence of our country. And we most fervently pray, that the sacrifices we have already made, like the early concessions of Spain, and Portugal, of Prussia, and Sweden, may not be the preludes to new demands and new concessions; and that we may be preserved from all political connexion with the common enemy of civil liberty.

To the constituted authorities of our country, we have now stated our opinions, and made known our complaints. Opinions, the result of deliberate reflection, and complaints "wrung from us, by the tortures of that cruel policy" which has brought the good people of this Commonwealth, to the verge of ruin. A policy which has annihilated that commerce, so essential to their prosperity—increased their burdens, while it has diminished their means of support—provided for the establishment of an immense standing army, dangerous to their liberties, and irreconcilable with the genius of their Constitution—destroyed their just and constitutional weight, in the General Government—and, by in-

volving them in a disastrous war, has placed in the power of the enemy, the control of the fisheries ; a treasure of mere value to the country, than all the territories, for which we are contending, and which furnished the only means of subsistence, to thousands of our citizens—the great nursery of our seamen—and the right to which can never be abandoned, by New-England.

Under such circumstances, silence towards the government would be treachery to the people. In making this solemn representation of our sufferings, and our dangers, we have been influenced, only, by the duty which we owe to our constituents, and our country, to our consciences, and the memory of our fathers. And to the Searcher of all hearts we appeal, for the purity of our motives, and the sincerity of our declarations.

Far from wishing to embarrass the administration, in any of their negotiations for peace, we cannot but express our regret, that they should not have evinced a sincere desire, for this great object, by accepting some of the repeated overtures, made by the enemy, for the suspension of hostilities. —And permit us, in conclusion, most earnestly to request, that measures may immediately be adopted, to stay the sword of the destroyer, and to prevent the further effusion of human blood ; that our invading armies may be forthwith recalled within our own territories ; and that every effort of our rulers may be speedily directed to the attainment of a just and honorable peace ; that mutual confidence and commercial prosperity may again be restored to our distracted and suffering country ; and that by an upright, and faithful administration of our government, in the true spirit of the constitution, its blessings may be equally diffused, to every portion of the Union.

IN THE HOUSE OF REPRESENTATIVES, JUNE 14, 1813.

Read and accepted. Sent up for concurrence.

TIMOTHY BIGELOW, *Speaker*.

IN SENATE, JUNE 15, 1813.

Read and concurred,

JOHN PHILLIPS, *President*.

Commonwealth of Massachusetts.

IN THE HOUSE OF REPRESENTATIVES, JUNE 16, 1813.

Ordered, That the Hon. the President of the Senate and the Hon. the Speaker of the House of Representatives, be, and they hereby are requested forthwith to transmit to the Senators of this Commonwealth, one copy of the Remonstrance of this Legislature, to the Congress of the United States, and one copy thereof to the Representatives of this Commonwealth in Congress, duly authenticated, that the same may be presented to the respective houses to which they belong. Sent up for concurrence.

TIMOTHY BIGELOW, *Speaker.*

IN SENATE, JUNE 16, 1813.

Read, and concurred.

JOHN PHILLIPS, *President.*

COMMONWEALTH OF MASSACHUSETTS.

.....

Secretary's Office, October 6th, 1813

By this I certify, that the printed copies of the Resolves (contained in this Pamphlet) passed by the General Court, at their Session in June, 1813, have been examined and compared, in this Office, with the originals, and appear to be correct.

ALDEN BRADFORD,

Secretary of the Commonwealth



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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts.

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, JANUARY 12TH, AND ENDED

FEBRUARY 28TH, 1814.

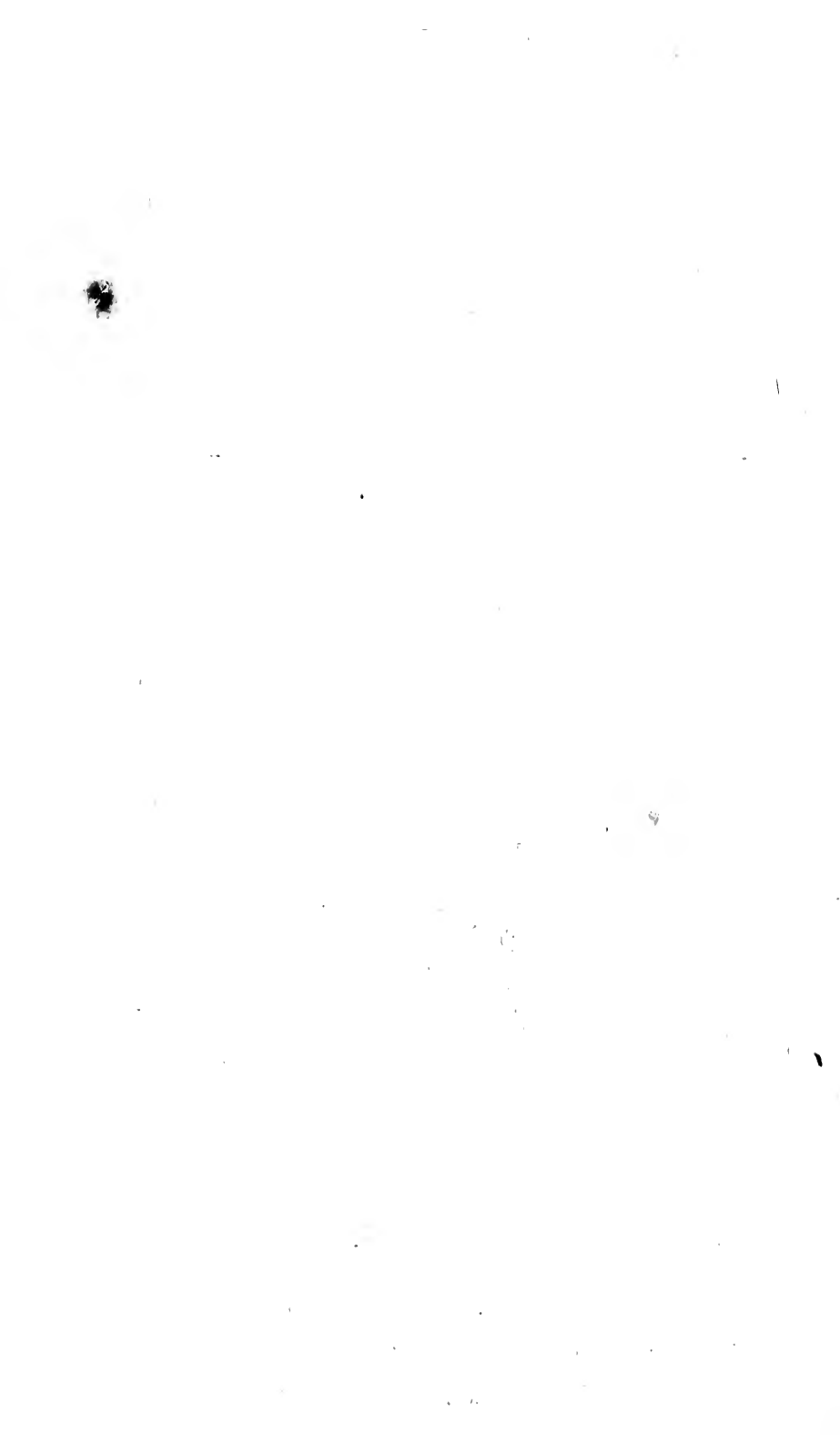
— — — — —
PUBLISHED AGREEABLY TO A RESOLVE OF JANUARY 16TH, 1812.
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BOSTON :

PRINTED BY RUSSELL, CUTLER AND CO.

.....
1814.



RESOLVES

OF THE

General Court of Massachusetts,

PASSED AT THEIR SESSION,

COMMENCING ON THE TWELFTH OF JANUARY, AND ENDING

ON THE 23TH DAY OF FEBRUARY, A. D. 1814.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JAN. 12, 1814.

At 12 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment, when His Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH :

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

OUR meeting at this time will excite the mournful reflection, that we have lost a most able and useful magistrate by the death of the late Chief Justice. His pre-eminent talents as a lawyer, and his inflexible uprightness as a Judge, were acknowledged by all that knew him. But to

you, gentlemen, the enumeration of his attainments and services will be unnecessary—the regret of the public, and the unfeigned grief of his friends and acquaintance accompanied him to the grave. May the members of that profession, to which he was so illustrious an ornament, do honor to his example and memory by imitating his virtues.

Since your former session, I have received fifteen hundred stands of arms, which were delivered by order of the Secretary of War, conformably to the Act of Congress, making provision for arming the militia of the United States. The arms have been deposited in the public arsenal at Cambridge, and are ready for distribution, under such regulations as shall be prescribed by the Legislature. Pieces of ordnance and other suitable munitions of war have been sent to those towns on the coast, which were thought most exposed; and a number of small arms have also been distributed, which had been purchased by virtue of the resolve of the 27th of February last. An account of the measures taken by the Executive under the resolve of the 16th of June, and the annual return, by the Adjutant-General of the militia of this state, will be laid before you.

The Court of Common Pleas for the middle Circuit has made a representation to the Governor and Council, that the security, which the law requires of Coroners, was, in some instances, given a long time since—that their sureties may be dead, or have become insolvent; and that in actions of replevin against Sheriffs for large quantities of goods, and in many other cases, the public are not secure: And that the Courts of Common Pleas have no authority by law, to require Coroners to give new security, when the former has become insufficient. As the Legislature can provide the most convenient and effectual remedy in this case, the Council advised me to transmit the above representation to the two Houses.

The right of fully investigating political subjects and of freely expressing our sentiments in relation to them, is secured to us by our Constitutions, and is essential to the public safety and the preservation of a free government: Without the exercise of this right, the most oppressive laws would not be repealed, nor the most grievous abuses reformed; and whoever attempts to invalidate this privilege, whatever name he assumes, is not a friend to republican liberty.

When the government of a nation engages in a war that is unjust or unnecessary, the people are bound, notwithstanding

ing, to submit to the laws which are enacted agreeably to the Constitution ; and are justified in defending themselves against hostile invasion. If they do nothing more, the government alone is answerable for all the sufferings endured or inflicted. But though, at the first view, almost every man is shocked with the idea of war, as a violation of the obvious principles of humanity ; yet there is danger, that from the continuance of it, or from selfish considerations, a sense of justice and the influence of moral principles will be lost among the people. In the tumult of arms, the passions of men are easily inflamed by artful misrepresentations—they are apt to lose sight of the origin of a contest ; and to forget, either in the triumph of victory or the mortification of defeat, that the whole weight of guilt and wretchedness occasioned by war, is chargeable upon that government which unreasonably begins the conflict, and upon those of its subjects, who voluntarily, and without legal obligation, encourage and support it.

If the British orders in council were a principal cause of the present war, we had the utmost reason to expect, that when those orders were revoked, and an armistice was proposed with a view of opening the way to an accommodation, that proposal would have been readily agreed to. But the revocation of the orders seemed to produce no effect on the measures of our administration. And though the British government had often declared, that those orders should be revoked when the French decrees were repealed—though they were revoked as soon after the repeal was notified as the then deranged state of the British ministry would permit, and though in the act of revocation the repeal of the French decrees was assigned as the cause of it ; yet an attempt has been made to convince the people of this country, that the British orders were not revoked in consequence of the repeal of the French decrees, but from the pressure of our restrictive system. This attempt seems to exhibit a want of fairness, and a disposition unfriendly to peace with Great Britain.

Nor can we readily believe that the war was declared, or is carried on for the protection of our *native* seamen. The states which produce them well know, that the number impressed by British ships has been grossly exaggerated—that the British government has uniformly disclaimed any right to impress them—that when impressed they have been discharged, when their citizenship was ascertained ; and that

the number of British seamen employed by us, has at all times been far greater than those of all nations who have been impressed from our vessels—No class of men has suffered more by the war than our gallant native seamen; they have been more injured in one year of hostility than they ever were, or probably would have been by British impressment. They are eminently distinguished for bravery and naval skill, and whenever their services can be useful to their country, they will do all that men can do. But their number is diminishing, and during the war must continue to diminish, from the annihilation of their ordinary business, as well as from the immense superiority of force employed against them.

If we are contending for the support of a claim to exempt British seamen from their allegiance to their own country, is it not time to inquire whether our claim is just? And if the justice of it was apparent, whether the course we are pursuing has any tendency to establish it, and to change the opinions and laws of the states of Europe? So far as the war is carried on for this purpose, or to protect neutral merchant ships from search by belligerents, it seems to be equally opposed to our own principles and practice, and the established rules and usages of other nations.

The late act of the national government, interdicting the trade coastwise between different parts of the same state, as well as between the states respectively, and with all foreign nations, contains provisions of such a character, as makes it worthy of an inquiry, whether any measures can be properly adopted by this government, which would be likely to induce Congress to repeal them, or to amend them in such manner as to render their constitutionality less questionable.

The friends of peace are accused of being under British influence; but their accusers ought to reflect whether partialities of an opposite kind have not produced the evils we suffer; and whether, if our conduct towards both belligerents had been impartial, a war with either would have been thought necessary. We had assumed the character of a neutral nation: but had we not violated the duties imposed by that character? had not every subject of complaint against one belligerent been amply displayed, and those against the other concealed or palliated? and had we not in the former case been remarkably sagacious in discovering insults, and equally solicitous in the latter to keep them out of sight? It has indeed been suggested, that we have no connexion with

France in regard to the present war : But when England and France were engaged in a most arduous struggle, and we interfered and assaulted one of them, will any man doubt our intention to assist the other ? Some connexion seems also to be implied in the proposal, which was made by the French Emperor, that the Congress of Prague should be composed of Plenipotentiaries from France, the United States, Denmark, and the other allied Princes on the one hand ; and the Plenipotentiaries of England, Russia, Prussia, and their allies on the other.

Previously to the French revolution, there was seldom an instance in the history of civilized nations, in which a Prince or Government engaged in war without alledging reasons to justify the measure ; and though in some cases the motives to the war were unjust, the reasons assigned were specious, and in pretence at least were founded in necessity. But the French Emperor has thought fit to dispense with these forms, and to wage war without even a pretence of injury. The glory of the Prince or the convenience of the great nation, have been deemed sufficient grounds for subjugating, one after another, the states of Europe ; and so far as the influence of that government extends, a species of political morality has been introduced, which annuls the distinction between power and right, and authorises a government and its subjects, whenever they are able, to subdue or destroy the neighbouring states. How extensively this system of morals has been adopted, it is impossible to say : But we have seen the rapacious and desolating progress of the French government approved by Americans, and have been often told it would be *convenient* for us to expel the Indian tribes to a still greater distance, and to conquer the adjoining provinces of Great Britain and Spain, and annex them to the United States. There was some ground to hope that the events of the Russian campaign might incline the French rulers to call in question the policy, if not the justice of their predatory system, and induce them to renounce those false and fatal principles, which have been injurious to their own nation, and destructive to the peace and happiness of the world : Had such been the case, the disasters they met with might eventually have proved beneficial even to themselves : for no people are less to be envied than they who prosper in a course of deceit and violence, and whose retribution is deferred till repentance can afford no relief.

As we are unable to ascertain the motives, by which the government is actuated in prosecuting the war, we can form no opinion concerning its probable duration. Peace, however, must be ardently desired by the people of this Commonwealth, as the present state of things is unfavorable to their morals and ruinous to their prosperity ; and besides, a large national debt has been already incurred, and is continually increasing, which will probably have the same continuance as the union of the states ; and must entail upon the present generation and their posterity the burdens of direct and oppressive taxes.

But though our fellow citizens have suffered greatly in consequence of the war, by the loss of property on the ocean, and by an almost total interruption in their fisheries and other maritime pursuits, and the difficulties they have met with in conveying necessary supplies from one part of the coast to another ; yet we have abundant cause of gratitude for the internal order and tranquility which have prevailed through the state, and the plentiful harvest with which the Almighty has been pleased to favor us, the past year. May we be solicitous not to abuse the gifts of his bounty by a pernicious or prodigal use of them.

CALEB STRONG.

Council Chamber, January 12, 1814.

- ANSWER
OF THE
HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE House of Representatives sincerely condole with your Excellency in the loss which the Commonwealth has sustained by the death of the late Chief Justice, whose private character was adorned by all the virtues of domestic life, and whose genius and erudition, displayed in the performance of his official duties, form a distinguished æra in the jurisprudence of Massachusetts.

The people of this Commonwealth, by the seasonable assertion of their right to investigate political measures, have checked a disposition manifested in some portions of our country, to stifle fair inquiry, to suppress the freedom of speech and of the press, and thus to protract the evils of misgovernment, and screen the errors or vices of a ruling party from exposure.

We are glad to be informed that a portion of the arms, which this state is entitled to receive from the general government, has at length been supplied; and shall inquire into the causes of the neglect which has prevented the state from receiving the whole number intended for it by law.

While the privations and burdens of a war, deemed by the great portion of our fellow citizens to be both wicked and unjust, and by a still more numerous class, wanton and inexpedient, have been sustained with a patient respect for constitutional principles, its origin ought not to be forgotten.— It should, on the contrary, be held in perpetual remembrance, as a warning to a once deluded people, against yielding to the dominion of passions, of which a weak or wicked administration may take advantage to involve them in the deepest national calamity.

The British orders in council, and the casual abuses arising from the practice of impressment, have ceased to be considered by impartial men as the causes of the present war.

—These were probably mere pretences for precipitating the nation into the gulph of a fatal policy, to the verge of which its authors had been impelled by their own passions. The real causes of the war must be traced to the first systematic abandonment of the policy of Washington, and the friends and framers of the Constitution; to implacable animosity against those men, and their universal exclusion from all concern in the government of the country—To the influence of worthless foreigners over the press and the deliberations of the national government in all its branches—To a jealousy of commercial states, envy of their prosperity, fear of their power, contempt for their pursuits, and ignorance of their true character and importance—To the cupidity of certain states for the wilderness reserved for the miserable aborigines—To a violent passion for conquest, and an infatuated persuasion that neighbouring provinces were enamoured of our institutions, and would become an easy prey to the arts and arms of raw and boastful adventurers: and above all, to delusive estimates of the relative power and resources of France and Great Britain, and a determined hostility towards the latter, as the firmest basis of party power. These will yet be viewed by the present generation and by posterity as the sources of our evils; and the pretence of aiming to secure the freedom of commerce and of seamen, by regulations which compel both merchant and sailor to renounce the ocean and their professions, will be regarded as the boldest delusion ever attempted, by a ruling party, upon the credulity of an intelligent people.

The recent act of the national government, interdicting commerce, under the name of an embargo, has filled our minds with great solicitude for the fate of our country and its liberty. The authority possessed by that government, in relation to this subject, must be derived either from the general power “to make war,” or from the clause in the constitution, which gives power to Congress “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.” Under color of an authority, defined in these intelligible terms, a right is claimed and exercised by Congress, of prohibiting not only all foreign commerce in American vessels, but the coasting trade; and (so far as Massachusetts is concerned) all intercourse by water, between different parts of the same state. Such a construction is a violation of the constitution, which renders it an in-

strument of slavery rather than of mutual defence and security. An embargo of this character, and intended for at least one year's duration, is not a regulation, but an extinction of commerce; and it is worse than useless for the objects of war, as it destroys the resources which are indispensable for its success. It absolves from the obligations of citizens, all those who are disqualified by its arbitrary provisions from enjoying their rights, or fulfilling the duties of citizens.

In reviewing the instructions given to the officers entrusted with the execution of this act, we avow with pain and alarm, our persuasion that they are at open variance with the first principles of constitutional and civil liberty.—The inhabitants of distant parts of this Commonwealth are debarred from all communication with each other by water—the fisherman, whose humble and arduous employment is generally encouraged by the public enemy, can no longer pursue his calling. The ship owner cannot sell his ship without restraints equivalent to a prohibition, however urgent the claims of his family or his creditor.—The paltry traffick which is still permitted, is left to the mercy and caprice of custom-house officers and their substitutes—a power of seizing money and effects, upon vexatious pretexts, or vague suspicion and under the most innocent circumstances, is vested in men dependent on executive favour, and too often destitute of discretion and principle—a system of perfidy, and breach of trust is explicitly recommended to the practice and adoption of the officers of banking institutions towards those who deal with them upon terms of implicit honor and confidence. And to enforce these outrageous provisions and others of the same stamp, and involving great danger to personal liberty in various instances, the military and naval force of the United States is placed at the disposal of petty officers, and the lives and property of the citizens subjected to the controul of bayonets and cannon.—With these impressions, we are under a solemn conviction that the time has arrived, in which it is incumbent on the people of this state, to decide whether these burdens are not too grievous to be borne; and to prepare themselves, for the great duty of protecting, by their own vigour, their unalienable rights, and of securing for themselves at least, the poor privilege of mutual intercourse by water as well as by land.

Amidst the gloom which surrounds our once happy country, we cannot forbear to congratulate your excellency, upon

the probable emancipation of the continent of Europe from the tyranny which has so lately overwhelmed that fair portion of the globe—a tyranny which has proved fertile in trouble to our own country, and whose influence, had become the subject of the most distressing apprehension to our best citizens and statesmen. We trust that this influence which had beguiled the affections of the deluded people of so many nations, and enervated the courage and corrupted the hearts of their rulers, will soon cease to be formidable; and that its declension will be universally followed by the ascendancy of ancient maxims, and the adjustment of that balance of power, in which it is now apparent that this nation cannot be entirely uninterested.

It is indeed a subject of humbling and bitter reflection, that the United States have lost a fair occasion of demonstrating to the old world their capacity of keeping aloof from its conflicts, and of commanding the respect instead of incurring the censures of nations engaged in a struggle for the rights of mankind. While liberty and peace, and the interchange of the comforts and conveniences of life are restored to those desolated nations, and their hearts overflow with gratitude and joy for their deliverance from oppression, we are excluded from this happy community, and must appear in their eyes as a self-imprisoned nation, willing to receive the chains which they have broken, and to impose upon ourselves from choice, miseries, which have driven them to exert the energy of despair.

By the astonishing reverse of fortune, which has befallen the Emperor of France, Great Britain is raised to an elevation of power, which no event within the reach of any probable calculation can endanger or impair. It should afford satisfaction to those, whose hostility has been influenced by the belief, that moderation in her councils could be expected only from misfortune and defeat, to perceive that this commanding attitude has not impaired her disposition to an accommodation with our country; that in the day of her most splendid triumph, her magnanimity keeps pace with her power, and that she offers to give us that peace, which she conquers from all other enemies. We sincerely rejoice to be informed, that her pacific overtures have been embraced by our government, and that a negotiation for peace will soon be commenced.

This pacific measure would afford us encouragement, if the circuitous course and needless delay attending the Russian mission, and the present warlike preparations of immense loans and bounties, and new levies of troops, did not compel us to fear that the desirable event of peace is yet at a distance.

For a successful issue, however, we do not conceal our most ardent wishes, nor can we doubt of the event, if conducted in a spirit of sincerity and good faith; and it is only after the failure of an attempt to negotiate, prosecuted with evidence of these dispositions on the part of our administration, that any voluntary support of this unhappy war can be expected from our constituents.

The various local subjects, referred to our consideration by your excellency, shall receive the attention which their importance requires. And we most cordially unite in our sentiments of reverence and gratitude to the Supreme author of all good, under whose smiles, the labour of the husbandman has prospered, and the internal tranquility of the state has been preserved.

ANSWER OF THE SENATE.



May it please your Excellency,

THE Senate of Massachusetts are impressed, not less than your Excellency, with the loss, which learning, virtue and patriotism have sustained, by the death of the late Chief Justice of the Commonwealth. Such an event, at all times to be lamented, is, in an especial manner, to be deplored at a period like the present, when the embarrassment of public affairs and the unexampled exigencies of the state, require all those transcendant talents and that extraordinary firmness and zeal, in the cause of constitutional liberty, for which that great man was distinguished.

It is a source of satisfaction to the Senate, to be informed that a proportion of the arms, of right belonging to this Commonwealth, under the provisions of a law of Congress, have been received ; and to find that the resolution of the 16th of June last, asserting the right of the Commonwealth, and taking measures to correct the delays in executing that law, which had occurred in the department of war, has been thus far effectual. Whatever legislative provision may be required, either in relation to these arms, to the militia, or to the new securities to be demanded of Coroners, shall receive from the Senate, all that consideration which is due to the importance of those subjects respectively, and to the recommendation of your Excellency.

The Senate of Massachusetts, justly appreciate the wisdom and seasonableness of these principles, touching the right of fully investigating political subjects, and freely expressing our sentiments, in relation to them, to which your Excellency has been pleased to recur. Under every form of civil liberty, this right, as being a part of its essence, must be very dear to a free people. But peculiarly precious must it be to that people, whose political liberty is dependent upon the observance of articles of compact, among independent states and sovereignties. In associations of this kind, the people of each associated state have two chief se-

curities for their independence ; the right of discussing public measures, inherent in the individual ; and, under specified exceptions, the right of directing the force of the militia, inherent in the state. Neither of these securities can exist long, without the other. Freedom, under such a political compact, cannot exist at all, without both. It is to be expected, therefore, that all unwarrantable designs upon the constitution of such a country, will be preceded, or accompanied, by attempts to deprive the individual of the one right and the states of the other. When such designs are suspected, much more when they are avowed and apparent, it is the duty of the constituted guardians of the safety of a people to call them to a frequent and vivid contemplation of those principles, which are essential to the existence of their liberties.

And, may it please your Excellency, in the apprehension of the Senate, this duty is as incumbent and imperious in a state of war, as in any other ;—the common place doctrine, that, in a state of war, union among the people is essential to the success of a government, being, necessarily, subordinate to the fundamental doctrine, that, in every state of things, in a free country, the right of discussing public measures is essential to the liberties of a people. Nor does that incompatibility exist between the duties, which, in such cases, a people owe to a government, and those, which they owe to their own liberties, as the advocates of an unconditional surrender of private opinion to the will of an administration are apt to suggest.

Divine Providence has established no such incongruity among different moral duties. It can never be necessary that men should become hypocrites, in order to be patriots ; nor that they should forget what they owe to God, in order, rightly, to fulfil what they owe to their country.

If a war be just, and the conduct of it be wise, the tendency of discussion can be nothing else than to strengthen a government, by opening occasions for a frequent and distinct elucidation of its virtue and capacity. But if the character of a war be the reverse of this ; if mischievous ends be pursued with disproportionate means ; if schemes of personal ambition or local aggrandizement be concealed under pretences of a mere popular and colorable aspect, then, indeed, it is to be expected, that such an administration will shrink from investigation ; will, as often as possible, shut out the

people from its deliberations, and will teach its instruments to represent a state of things, in which it dare not have the light, as one in which the light ought not to be endured.— There can be no surer criterion, that the projects of rulers are incompatible with the safety of a people, than an attempt to seize powers inconsistent with the very nature of a free constitution.

The sentiments your Excellency has been pleased to express, touching the causes of the present war and its character, are entirely coincident with those entertained by the Senate of Massachusetts. But in a peculiar manner, is the Senate impressed with the importance of those suggestions, in relation to the duty of a people, involved, as are the people of Massachusetts, at this day, in an unjust and unnecessary war. Beyond that submission, which laws enacted agreeably to the constitution make necessary, and that self-defence, which the obligation to repel hostile invasion justifies, a people can give no encouragement to a war, of such a character, without becoming partakers of its guilt, and rendering themselves obnoxious to those just retributions of divine vengeance, by which, sooner or later, the authors and abettors of such a war will be, assuredly, overtaken. It becomes, therefore, all true lovers of their country to consider, lest by any act, having relation to such a war, or to those engaged in it, they incur the crime of those, “who voluntarily and without legal obligation, encourage and support it.”

If any of the good citizens of this Commonwealth have been so far misled by specious professions, as to believe that the protection of seamen and the maintenance of the rights of commerce were the real objects of this war, the events which have occurred, and the manner in which it has been conducted, must have, long since, undeceived them. As your Excellency has observed, “no class of men has suffered more by the war than our gallant native seamen. They have been more injured, in one year of hostility, than they ever were, or probably would have been by British impressments. Their number is diminishing, and during the war, must continue to diminish.” From the relative state of our naval power, compared with that of Great Britain, a result of this kind was foreseen and foretold, and, therefore it is reasonable to conclude was such as its authors intended. A war, ostensibly for seamen’s rights, has, in a manner, swept that whole class of men from the ocean. A war, avowedly, for

the rights of commerce, has been so managed as to reduce it to a state, in which it has no rights; or which is equivalent to having none. For it has eventuated in a doctrine, that, under the power to regulate commerce, Congress have a right to annihilate it; and in a practice conformable to that doctrine. This doctrine and practice, if admitted to become a precedent and to be received as a principle, in the proportion of political power, at present existing among the associated states, and the preponderating influences of the interests, hostile to commerce, will reduce the commercial states to a condition, little short of an Egyptian bondage; inasmuch as, thereby, the interests, vital to their prosperity, are left under the entire control of states, ignorant of their natures, and which will often find an advantage of their own in embarrassing them; and at times, in destroying them altogether.

If the war, in its original principle, was of a nature to render it doubtful, whether the avowed were the real motives of its authors, the manner in which it has been conducted must also have put an end to all questions of that nature. Instead of concentrating the forces of the United States, at the many important and exposed points on the seaboard, and thus rendering the settled parts of the country, in some measure, secure from the predatory incursions of an enemy having the undisputed superiority on the ocean, these ports have been abandoned, in a manner, to his mercy, and schemes of conquest have been prosecuted in the interior, with a wasteful and headlong activity; the chief result of which has been to invite and form an apology for any retaliations the enemy may see fit to visit upon our defenceless cities. If the conflagration of Newark be not retaliated on some of the cities, on the long line of our seaboard, it is because the enemy has already glutted his revenge in the mournful desolation inflicted on Fort Niagara, Buffalo and Lewiston; and not because the foresight of government has afforded any sufficient protection to the exposed and populous points of our seacoast.

From the inadequacy of our means to effect the avowed objects of the war, and from the obvious want of connection between the conquest of Canada, even could it have been effected, and the establishment of our commercial rights, it is impossible not to conclude, were other evidence wanting, which it is not, that seamen's rights and commercial privileges were but the pretences, the popular garb, under which schemes of a different character were to be prosecuted;

schemes of conquest, of unconstitutional power, of driving out the aborigines from their inheritance, of enlarging our dominions, by the occupation of Florida, and generally of augmenting party power, by the nerves a state of war was supposed to create, and by the additional strength which fresh levies of placemen, of pensioners, of new subscription stockholders, of officers of the army, of the excise, of the carriage tax, of the shop tax, of the land tax, and of the stamp tax, were expected to afford.

To all these impositions, a wise people, it was to be anticipated, would submit; as for the most part, they were but abuses of powers, acknowledged to exist in the general government; looking for relief to the ordinary processes of election, and to that sense of truth, of justice, and interest, to which a people, after realizing the effects of oppression, never fail to return. But the late act of the national government, interdicting the trade, coastwise, between different parts of the same state, as well as between the states respectively, and with all foreign nations, contains provisions, as your Excellency is pleased to suggest, of a different character; and seems to call for a distinct animadversion; and will demand legislative interposition, in behalf of our injured citizens, unless efforts of a milder character should, for the present, be deemed expedient and prove effectual. A resort to the provisions, to which your Excellency has alluded, in the present circumstances of the United States, seems to be as irreconcilable to any regard for consistency in our administration, as these provisions are, in appearance, unwarranted by any authority in the constitution.

Ever since influences, hostile to commerce, have become predominant in the councils of the United States, a studied solicitude to make the right of regulating commerce to extend, by construction, to every species of power which could render the controul of the general government despotic over it, has been apparent. But these encroachments have heretofore, for the most part, been carefully concealed, under plausible pretences of advancing commercial prosperity.

Thus the first specific non-importation was passed, for the avowed purpose of effecting "equitable and satisfactory arrangements" of our commercial injuries. The first embargo was also declared to be destined to keep in safety our vessels, our seamen, and merchandize, those essential resources.—During the continuance of that measure, and afterwards of the non-intercourse, both were presented "as the alternatives to

which the people were to submit rather than incur the evils of war."

Even in the message of the President of the United States of the first of June, 1812, recommending a declaration of war against Great Britain, these restrictions upon our commerce are expressly stated to be "an experiment, short of the last resort of injured nations." It is also known that among the reasons, urged by some of the most intelligent supporters of that measure on the floor of Congress, this was one, and undoubtedly the most patriotic, that it put an end to the restrictive system. Yet, but little more than twelve months have elapsed, before the evils of Embargo are visited, with a tenfold rigor, on a people, already labouring under the evils of war. Instead of relief from the oppression of the one system, which was promised as the boon for incurring the dangers of the other, the miseries of both are heaped upon the people, under circumstances, threatening a still more aggravated measure of suffering.

As the "friends of peace" are deeply conscious, that, in all measures they have adopted, in relation to that object, and in opposition to the oppressive measures of the general government, they have been actuated, by a single view to the honor, the safety and prosperity of their country, they have little reason to regard the accusation of their being "under British influence." Their chief opposition has been made to a system of measures, directed, only nominally, against Great-Britain, but, really, levelled at the vital interests of New-England and of all the commercial states. A system, of a character such as the globe never witnessed; such as no nation ever before endured. A system, beginning with specific nonimportation and terminating in war, after a six years continuance of Embargo, restrictions, non intercourse, general nonimportation, land carriage prohibition, and every form of maritime and mercantile embarrassment and oppression.

As was anticipated, the effect of this system has been to deprive the United States of that strong hold upon the interests of Great-Britain, which an opinion entertained, even in that country, of her dependence, or that of her West-India Islands, upon our commerce and our supplies, had created; and which the results of these attempts made under auspices most favorable to their success, has, it is to be feared, completely changed; a circumstance which cannot fail to be felt to the disadvantage of our country in every future negotiation with that power.

At the same time, all the land operations towards Canada, have been conducted on a scale to excite the sympathy and indignation of the parent State, for the sufferings of her colonies, rather than her apprehension for their fate. If these views of the relative state of the affairs of this country are just, the "friends of peace" have nothing to regret or to fear. They stand acquitted, in the sight of Heaven and the world, of all the manifold evils, under which this country labors, and of all the greater, it has reason to anticipate, from perseverance in a course of measures, at once so justly odious to a free people, and so palpably ruinous to their best interests.

On the other hand, it is, in a national point of view, a cause of deep regret and alarm, that so many circumstances exist, indicative, if not of a formal alliance, at least of a virtual understanding, between the Administration of the United States and the French Emperor. Not only the non-importation and embargo acts, passed under circumstances precisely calculated to co-operate with his continental system, but in a letter to Mr. Armstrong, our American minister, dated the 22d of August 1809, the French Emperor caused to be expressed "his applause at this generous determination, of renouncing all commerce," which the United States had adopted.

So long ago as the 15th of Jan. 1808, the French Emperor formally announced to the same American minister, that "war exists, in fact, between England and the United States:" The form of declaration, subsequently adopted, when the state declared by the French Emperor was, conformably to his will, acknowledged by the act of the United States. When to these are added the facts alluded to by your Excellency, and above all, the adoption towards the Spanish possessions, in the Floridas, of that "species of political morality," introduced under his auspices, "which annuls the distinction between power and right, and authorizes a government and its subjects, whenever they are able, to subdue and destroy the neighboring State," it seems impossible not to see the hand and realize the morals of Bonaparte marking our destinies, and moulding them to the purposes of his own ambition, and to those of his partizans.

The general belief of a connexion, subsisting between the American administration and the French Emperor, more than any other circumstance, seems to have encouraged that

expectation of peace which has recently spread through the United States. The overthrow of that champion, the continental system, being, now, to human sight, so complete and unquestionable, that it is scarcely deemed possible, his friends, on this side of the Atlantic, should any longer attach their fates to the principles of that system. Like your Excellency, however, the Senate "can form no opinion concerning the probable duration" of hostilities. The desire of peace is so ardent and universal among all the good citizens of this Commonwealth, and man is ever so prone to believe, readily, what he desires, strongly, that the "friends of peace" ought to exercise great caution and set a guard upon their judgments, in estimating the result of the anticipated negotiation. The refusal of the American administration to relax, in any measure of hostility, after the repeal of the British Orders in Council, the rejection of offers of an Armistice, proposed by the officers of that government, the schemes of conquest, avowedly, connected with this war, which are yet in no one instance accomplished, and the general temper, in which hostilities have been conducted, all indicate great stubbornness of resolution, in regard to the continuance of the present state of things.

The selection by our administration, among the places proposed by Great-Britain as the scene of negotiation, the most distant, evidences no very anxious desire or rapid movement towards peace. They, therefore, are probably the wisest, in relation to these shews of peace, who put in them the least confidence. Whatever hopes of this nature exist must depend solely on the impoverished state of our national treasury; on the increasing discontent at the war; on the sentiment almost universal, of the wastefulness and imbecility of its conductors; but, above all, on the fate of the French Emperor.

Amid the many miseries and bereavements inflicted upon us by our administration, the Senate, like your Excellency, recognize, with gratitude, the multiplied mercies of the Almighty, and fervently unite their supplications with your's, that neither his unmerited favors should make us indolently maintain, nor their undeserved oppression, cause us tamely to abandon the rights, liberties and privileges, on which depend, under God, the safety and prosperity of the people of the Commonwealth of Massachusetts.

RESOLVES.

January, 1814.

CHAP. LXXXII.

Resolve on the Petition of James Purrington, allowing him pay as a Member of the General Court. Jan. 17, 1814.

On the petition of James Purrington, a Member of this House from the town of Gardiner, praying to be allowed for his travel as such, at the last session of the General Court, although he was not present, having been called away from this town, after travelling to attend his duty at said session, by information on the day preceding the last Wednesday of May last, that his wife and children were sick, and having been prevented from attendance by the continuance of the same sickness during the said session :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to the said James Purrington, the sum of thirty-five dollars, in full compensation for his claim in the premises.

CHAP. LXXXIII.

Resolve on the petition of Oshea Walker, of Belchertown, granting compensation—\$90. Jan. 18, 1814.

On the petition of Oshea Walker, of Belchertown, praying relief in consequence of expences incurred by him from

a wound received while doing military duty as a soldier in the Artillery Company :

Resolved, For reasons set forth in the petition, that there be allowed and paid out of the Public Treasury, to Oshea Walker, of Belchertown, the sum of ninety dollars, in full for the loss of time and expence occasioned by a wound he received on the sixteenth day of September last, while doing military duty.

CHAP. LXXXIV.

Resolve making valid the proceedings of Plantation No. 5, in Oxford County. Jan. 19, 1814.

On the petition of Freeman Ellis and others, a committee for the plantation numbered five, in the county of Oxford, stating that said plantation had neglected legally to notify their first meeting, and that they did not, at their first meeting, agree upon the manner in which their subsequent meetings should be notified, and praying that the proceedings of said plantation may be made and considered as valid and effectual, as if said meetings had been legally notified :

Resolved, That for the reasons stated in said petition, the proceedings of said plantation, at their meetings aforesaid, shall be considered as valid and effectual to all intents and purposes, as if their meetings had been legally notified.

CHAP. LXXXV.

Resolve on the petition of William Tozer, and compensation allowed him, for a wound he received on military duty—\$90. Jan. 20, 1814.

The Committee appointed to take into consideration the petition of William Tozer, praying for compensation for a wound received in the service of this State—beg leave to report the following Resolve :

Resolved, For reasons set forth in said petition, that there be granted and paid out of the Treasury of this Commonwealth, to William Tozer, ninety dollars, as a compensation

for a wound received in his shoulder while on duty, 20th September, 1812.—And His Excellency the Governor is hereby authorized to issue his warrant accordingly.

CHAP. LXXXVI.

Resolve on the petition of William Muzzy and others, directing the Solicitor therein. Jan. 20, 1814.

On the petition of William Muzzy, of Hubbardston, in the county of Worcester, praying that he may be discharged from the payment of the balance due on a certain note of hand, dated Feb. 25, 1796, for the sum of six hundred and fifty-two dollars and fifty cents, payable to Thomas Davis, Treasurer of the Commonwealth, or to his successor in said office ; which said note of hand is signed by said William Muzzy, together with John Clark, John Clark, jun. Isaac Clark, and Moses Clark :

Resolved, For reasons set forth in said petition, that the said William Muzzy, Isaac Clark, and Moses Clark, (who were sureties for the said John Clark and John Clark, jun.) and their respective estates, be, and they hereby are discharged from the payment of the balance now due on said note of hand, on the payment of all such costs and charges as have accrued or may accrue, on the suit now pending on said note ; and that the Solicitor General of the Commonwealth, on the payment of such costs, be, and he hereby is directed and empowered to deliver up the said note of hand to be cancelled.

CHAP. LXXXVII.

Resolve making a gratuity to the non-commissioned officers and privates in Capt. George's Company, for services on the Eastern Frontier. Jan. 20, 1814.

The committee appointed to take into consideration the petition of James Webster and others, composing one of the companies of detached militia of this Commonwealth, under command of Capt. Thomas George, ordered into service by His Excellency the Governor, for the defence of the

Eastern Frontier, on the 11th day of August, A. D. 1812—praying for additional compensation—ask leave to report the following Resolve :

Resolved, For reasons set forth in said petition, that there be granted and paid out of the Treasury of said Commonwealth, unto said Captain Thomas George, to and for the use of the privates, non-commissioned officers and musicians of said company respectively, the sums following, viz.—To each private, the sum of three dollars and thirty-three cents per month ; to each serjeant, the sum of four dollars per month ; to each corporal and musician, the sum of three dollars and sixty-seven cents per month, during the time of five months, in which they were in said service, agreeably to the roll of said company, which will be a gratuity in addition to the pay allowed by the United States, already by them respectively received.

CHAP. LXXXVIII.*

Resolve authorising the Secretary to purchase one hundred sets of the general Laws, and directing the distribution of them, and surplus Term Reports. Jan. 20, 1814.

On the representation of the Secretary of the Commonwealth, stating that but few copies of the general laws remain in his office, and that a greater number will be necessary to furnish such places and persons as are or may be entitled to them—And also that a surplus of Massachusetts term reports remains in his office, subject to the disposition of the Legislature :

Resolved, That the Secretary of this Commonwealth be, and he is hereby authorized and directed to purchase, if to be obtained, one hundred sets of the general laws of this State, from the adoption of the Constitution, to the 28th Feb. 1807—contained in three volumes bound ; provided, the price shall not exceed that contracted to be given for those, with which the State have been supplied ; and when received into his office to distribute them to such corporations, officers and persons, as are designated in a Resolve of 31st Jan. 1807, but have not received them—to such plantations as heretofore have not been, but may be taxed towards the support of Government, and to such places as

may be incorporated as towns, and have not received them as taxed plantations : And His Excellency the Governor, with the advice of the Council, is requested to issue his warrant on the Treasurer for the sum necessary to enable the Secretary to pay therefor.

And be it further resolved, That the Secretary deliver to each Clerk of the Judicial Courts of Record in this Commonwealth, who are not already supplied, for the use of said Courts, one set of the Massachusetts Term Reports, if after conforming to the directions already given for the distribution of them, there shall remain in his office a number sufficient for this purpose.

And be it further resolved, That upon the death, resignation, or removal from office, of either of the Clerks of the aforesaid towns, or districts, or plantations, or courts of law, each of them respectively, his executors and administrators shall be held and obliged to deliver over the same sets, which shall have been received, as afore-provided, to his and their successor or successors in office, for the use of their respective *offices*.

CHAP. LXXXIX.

Resolve on the petition of the Selectmen of Lewiston, making valid their doings. Jan. 21, 1814.

On the petition of the inhabitants of the town of Lewiston, in the county of Lincoln, stating, that by the records of said town, it does not appear, that from the year 1796, to the year 1800, inclusive, any of the town officers were legally sworn, nor that the constable of said town was sworn in the year 1807, and doubts have arisen, whether the doings of said town at their town meetings are legal, and praying that their several town meetings in said town, and the proceedings by virtue of them, held since the year 1796, may be rendered valid, the omission in the records aforesaid notwithstanding :—Therefore

Resolved, That the several town meetings, held in said town as aforesaid, and the doings of said constable, be, and hereby are rendered good and valid, any omission in the aforesaid records notwithstanding—And all proceedings, otherwise legal had by virtue of said town meetings, be,

and hereby are fully ratified, confirmed, and made legal, as though said officers, and said constable had been duly sworn, and the same now appeared on the records of said town.

CHAP. XC.

Resolve on petition of Josiah Ward, one of the Selectmen of Harlem, confirming the doings of said town.
 January 26, 1814.

On the petition of Josiah Ward, one of the Selectmen of the town of Harlem, praying that the proceedings of said town at their annual meeting on the first Monday in April, 1813, may be made valid in law :

Resolved, For reasons set forth in said petition, that the doings and proceedings of the town of Harlem, at their annual meeting on the first Monday of April, in the year of our Lord eighteen hundred and thirteen, be confirmed and made valid in law, any defect in the warning of said meeting to the contrary notwithstanding.

CHAP. XCI.

Resolve on the petition of Richard Meagher, permitting him to locate 500 acres of land, in the District of Maine.
 January 26, 1814.

On the petition of Richard Meagher, setting forth that the Legislature of this Commonwealth, by a resolve of the 41th Feb. A. D. 1812, granted him, his heirs and assigns, five hundred acres of land, of the unappropriated lands of the Commonwealth in the District of Maine, to be laid out under the direction of the Agents for the sale of Eastern Lands, excepting the ten townships lately purchased of the Penobscot Indians, and praying that he may be permitted to take the said five hundred acres out of said ten townships, or upon Iron Bound Island, or Porcupine Islands, in Frenchman's Bay :

Resolved, That said Richard Meagher, be permitted to take and locate his said five hundred acres of land on either

of the Islands aforesaid, to be laid out under the direction of the Agents for the sale of *Eastern Lands*;—Provided, the same be taken and laid out on the lands of this Commonwealth, on said Island or Islands not heretofore laid out by order or authority of said Commonwealth, nor in the possession and improvement of any person or persons claiming the same.

CHAP. XCII.

Resolve allowing one quarter's salary which would have become due to the late Chief Justice Parsons, to his widow.
 January 26, 1814.

Whereas the sum of eight hundred and seventy-five dollars would have been due to the late Chief Justice of this Commonwealth, on the last day of December now last past, for a quarter's salary, had he lived to that time; but it having pleased the Almighty, to remove him by death, after the commencement and before the end of said quarter: Therefore

Resolved, That there be paid out of the Treasury of this Commonwealth, to Elizabeth Parsons, widow of said deceased, such a sum, as together with the arrear due to him at the time of his death will amount to one quarter's salary, and that the Governor be authorized to draw his warrant for such sum accordingly.

CHAP. XCIII.

Resolve granting Benjamin Garland, of Bangor, \$50.
 January 26, 1814.

On the petition of Benjamin Garland, praying for compensation for loss of time and expences, in consequence of several wounds received, while rendering assistance to a constable of the town of Bangor, in securing one John Emery, charged with a criminal offence, on the 10th day of April last:

Resolved, For reasons set forth in said petition, that there

be allowed and paid out of the Treasury of this Commonwealth to the said Benjamin Garland, the sum of fifty dollars, in full compensation for the loss of time, and money expended, in consequence of said wounds.

CHAP. XCIV.

Report of the Committee on the Memorial of the Directors of the New-England Bank. Jan. 27th, 1814.

The committee to whom was referred the memorial and petition of the President and Directors of the New-England Bank, established in the town of Boston, complaining of an arbitrary, illegal and unwarrantable seizure and detention of their property by the Collector of the Customs of the United States for the district of New-York, and praying for the interposition of the Legislature in their behalf—*respectfully report :*

That the said Bank was duly incorporated under the authority of the State, is owned by a large number of its citizens, and is entitled, in the lawful prosecution of its concerns, to the protection and support of the State.

That the President and Directors of said Bank, in the course of their business, and for the accommodation of the citizens of this Commonwealth, who had received large sums of the bills of the Banks incorporated within the state of New-York, did receive a great amount of said Bills, to wit, the sum of one hundred and thirty-eight thousand, eight hundred and seventy-four dollars—That, in the common and ordinary course of mercantile procedures, they sent on an agent to receive payment for the said New-York Bank Bills, with directions, that the specie, which should be taken in payment of the same, should be transported for their account, by land, to Boston ; there to be deposited in the said New-England Bank.

These facts were proved to your committee by the most satisfactory evidence. It further appeared to your committee, by a great number of letters, that the demand upon the Bank of New-York was made in an open, frank and undisguised manner, and that the real destination of said specie was openly avowed and publicly known in the said city. The specie consisted altogether of silver, was put into three

waggons in open day, and was transported out of the city of New-York in a manner which could leave no doubt on the minds of any honest person, that its destination was perfectly lawful and honorable. That the collector of the city of New-York caused the said waggons to be watched and seized at Chester, about fourteen miles from New-York, on the usual route to Boston, whither, with or without complaint on oath, your committee are unadvised.

It further appeared to your committee, that the said collector was a director of one of the Banks of New-York, from which the said specie, in part, was taken, and a strong presumption arises in their minds from that fact, that he could not have been ignorant of the object of the transportation of the specie and its destination, which it appears were made known by letters carried on by the agent from the Cashier of the New-England Bank, and by letters from several gentlemen in the town of Boston to their friends at N. York.

That, even if the said Collector had been originally misinformed, most ample time and evidence were afforded to him to correct his misapprehension. That a protest was made by the agent of the New-England Bank, and the facts made known to the Collector, which only terminated in an obstinate adherence to his first act of oppression. That the money was carried back by force to the city of New-York, and there deposited under the authority of the Collector, in the vaults of the Manhattan Bank, of which this same Collector is a Director. Under this well authenticated state of facts, as well supported as any facts can be, (considering the time allowed to the parties) a question arose with your committee, whether the case did not merit, and, indeed, demand the interference of this Legislature.

It occurred to your Committee, that while this Legislature were pronouncing the act, under the oppressive exercise of the powers of which this seizure was made, a violation of the constitution, it would seem to be a departure from our own principles to refuse to the injured citizens of this Commonwealth the interference and authority of this State, so far as that authority and interference may avail. It further appeared to your committee, that a Bank instituted under the authority of the State, and whose rights and interests were so intimately connected with those of all the good people of this Commonwealth, the State was bound to exert whatever little influence it might have with the national government,

to procure a more speedy redress of an unexampled wrong than could be procured by the ordinary course of law. It appeared further to your committee, that there would be an apparent contradiction, after an appeal was made to this body to procure their protecting aid, to turn the petitioners over to a remedy, which we, ourselves, declare to be unconstitutional; a remedy under an act, whose provisions, in many respects, and in none more than the one under which this seizure is made, we have solemnly pronounced to be infractions of the Constitution of the United States.

Independent of this constitutional embarrassment, your committee thought that this resembled many of those extreme cases in which a sovereign state would feel itself bound to interfere from the urgency as well as magnitude of the wrong. To drive your citizens to find sureties for their own property, at a distance of more than two hundred miles from their residence, or to wait the sittings and delays of Judicial Courts, at a still greater distance, when it cannot be doubted (unless the national government mean to abandon the citizens of the United States, to the oppression of their remote officers) that a speedy remedy will be given by the President, appeared to your committee to be extremely unjust. A hope too has been entertained by your committee, that the National Government will see in this gross abuse of very dangerous and alarming power, motives for a repeal of their unconstitutional acts, which neither a correct view of the Constitution, the certain and dreadful sufferings of the people, nor the repeated expression of the Legislatures of the oppressed and injured States, have been hitherto adequate to produce.

Your committee therefore recommend the adoption of the following resolutions.

THO'S. H. PERKINS,

Per Order.

Resolved, That the seizure of one hundred and thirty-eight thousand eight hundred and seventy-four dollars, belonging to the President and Directors of the New-England Bank, by the Collector of the port of New-York, was a flagrant breach of duty, and a violation of the rights of the said corporation.

Resolved, That His Excellency the Governor of this

Commonwealth, be requested to transmit the foregoing Resolution, together with the evidence in support of the complaint of the Memorialists, and of the abuse that has been committed, to the President of the United States, with a letter expressive of the sensibility the Legislature of Massachusetts feels as to this outrage on the rights of one of its corporations, and its reliance that the collector of the district of New-York will be compelled immediately to restore to the Memorialists or their agent or representative, the monies so unjustly seized and detained without colour of right, or shadow of proof of its unlawful employment or illicit destination ; and that the President will moreover be pleased, as a small atonement to the injured citizens of this Commonwealth, to remove the said Collector from an office which he fills with so little advantage to his fellow-citizens, or honor to his country.

CHAP. XCV.

Resolve allowing Ephraim Herrick to exhibit his account to the committee on accounts. Jan. 29, 1814.

On the petition of Ephraim Herrick, praying that he may be remunerated the expence of supporting Lemuel Culver and others, State Paupers, as set forth in his petition :

Resolved, That the said Ephraim Herrick be allowed to exhibit to the committee on accounts, his account of said expence, and that said committee be directed to allow such sum as they may deem just and reasonable, under all circumstances, as though the same had been upon the application and certificate of the Overseers of the Poor.

CHAP. XCVI.

Resolve allowing pay to Major Joseph Whitney, in the 10th Division of the Militia. Jan. 29, 1814.

On the petition of Joseph Whitney, Major in the third Regiment, second brigade and tenth division of the militia of this Commonwealth, setting forth that in the pay-roll of said

regiment when ordered out for the protection of the Eastern Frontier, during the months of July and August, in the year one thousand eight hundred and twelve, the sum due to him for his services was omitted by mistake :—Therefore

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Joseph Whitney, the sum of one hundred and thirty-one dollars and sixty-one cents, in full for his pay and rations while on said service.

CHAP. XCVII.

Resolve allowing \$12 to Jonathan Brewster, Esq. for travel as Representative from Worthington. Jan. 29, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth the sum of twelve dollars to Jonathan Brewster, Esq. Representative from Worthington, in full for his travel to the General Court in May last; and the Governor is hereby authorized to draw his warrant on the Treasurer of this Commonwealth in favor of said Brewster, for that sum.

CHAP. XCVIII.

Resolve allowing Absolom Deming, Esq. \$28 for travel at the last session of the General Court. Jan. 29, 1814.

On the petition of Absolom Deming, a member of this house from Washington, praying to be allowed for his travel at the last session of the Legislature :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the publick treasury to Absolom Deming of Washington, in the county of Berkshire, twenty-eight dollars, being the amount of his travel as representative to and from the General Court; and His Excellency the Governor be requested to issue his warrant on the Treasury accordingly.

CHAP. XCIX.

Resolve directing the Solicitor General to institute a suit against James Thomas, late Clerk of the Courts in the county of Hancock. Jan. 29, 1814.

On the representation of the Hon. Daniel Davis, Esq. Solicitor General of this Commonwealth, that James Thomas, Esq. late Clerk of the Courts for the county of Hancock, has not paid into the Treasury of the said county of Hancock, certain sums of money, which he, as Clerk of said county, was bound to do, by a law passed the eighteenth day of June, eighteen hundred and eleven:—Therefore

Resolved, That the said Solicitor General be, and he is hereby authorized to institute a suit on the bonds of said Thomas, and prosecute the same to final judgment and execution for the benefit of all concerned.

CHAP. C.

Resolve granting Ebenezer Cahoon compensation for a wound he received while on military duty. January 29, 1814.

On the petition of Ebenezer Lathrop and others on behalf of Ebenezer Cahoon, of Hardwick, praying for a compensation to said Cahoon for wounds which he received while on military duty on the eighteenth day of October last, in said town:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to the said Ebenezer Cahoon, in consequence of his having lost a hand and been otherwise wounded, while on duty as above mentioned, the sum of ninety-three dollars, to reimburse the expenses of his cure.

And it is further resolved, That there be, and hereby is granted to the said Cahoon, an annuity or pension of five dollars per month during his life, or until the further order of the Legislature, to commence from and after the thirteenth day of January instant.

CHAP. CI.

Resolve authorizing Asaph Rice, administrator of the estate of Daniel Barnard, to take a deed, and make sale of land. Jan. 29, 1814.

On the petition of Asaph Rice of Northborough, in the county of Worcester, administrator of the estate of Daniel Barnard late of the same Northborough, yeoman, deceased, intestate, setting forth, that one Ephraim Whitney of Boston, in the county of Suffolk, trader, made and executed a bond to the said Barnard, dated the ninth day of March, A. D. 1812, in the penalty of two thousand dollars, conditioned to convey to him a certain tract of land situated in said Boston, but which was not done in the life time of the said Barnard ; and that the estate of said Barnard is duly represented insolvent and insufficient to pay his just debts, and praying that he may be authorized to take a deed of said land from said Whitney, and make sale thereof for the benefit of the creditors and heirs at law of said estate :

Resolved, For reasons set forth in said petition, that the said Asaph Rice, administrator as aforesaid, be, and is hereby authorized and empowered to take a deed from the said Whitney of the tract of land described in said bond, situate in Boston, and bounded southeasterly on Ivers'-street, there measuring twenty-four feet ; northeasterly on land of the Mill Pond Corporation, there measuring eighty-three feet ; northwesterly on other land of said Corporation, there measuring twenty-four feet ; and southwesterly on land of James Ivers, there measuring eighty-three feet, containing about two thousand square feet : and that he the said Rice be, and is hereby authorized and empowered to make sale of the same at public vendue to the highest bidder therefor, and to execute, acknowledge and deliver a deed thereof ;— Provided he first give notice of the time and place of sale, by publishing a notification thereof in some public newspaper, printed in Boston, three weeks successively, the first publication to be thirty days at least before the time appointed for said sale ; which deeds so taken and given by the said Rice, administrator, shall be deemed and taken as valid to all intents and purposes, as if the said Barnard in his life time had taken and given the same ; and the proceeds

of said sale shall be considered as personal estate in the hands of said Rice, administrator ; and he be liable and held to account therefor in his settlement of said estate.

CHAP. CII.

Resolve directing the Quarter-Master-General to defray the expense of ammunition used at the interment of Major-General Heath. Jan. 31, 1814.

Resolved, That the Quarter-Master-General be, and he hereby is empowered and directed, to defray the expenses of ammunition used in firing minute guns, on Friday the 28th of January instant, during the interment of the late Hon. Major-General Heath.

CHAP. CIII.

Resolve fixing the pay of the Council and General Court. January 31, 1814.

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 of two dollars, for every ten miles travel, 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, two dollars per day each, for each and every day's attendance, over and above their pay as Members.

CHAP. CIV.

Resolve for paying several towns for rations and camp utensils furnished the detachment of militia stationed at Portland, in September, October and November, 1813. February 1, 1814.

The Committee of both Houses, to whom were referred

the petitions of Joseph H. Ingraham, and Enoch Preble, Selectmen of Portland—of Simon Moulton, and William Hasty, jun. Selectmen of Standish—of Gideon Rice and Benjamin Larabee, jun. Selectmen of Scarborough—of Lothrop Lewis and David Harding, Jun. Selectmen of Gorham—of John Jones and John Porterfield, members of the House of Representatives from Falmouth—and Sylvanus Higgins, member of the House of Representatives from Cape Elizabeth, praying to be compensated for rations and camp utensils furnished for a detachment of militia stationed at Portland in September, October and November last, by order of General James Irish, jun. commanding the 2d brigade of the 12th division—ask leave to report the following resolve—which is submitted.

THOMAS DWIGHT,

Per Order.

Resolved, That by virtue of the 24th section of a law of this Commonwealth, passed on the 6th day of March, A. D. 1810, there be allowed and paid out of the Treasury of this Commonwealth to the following named towns, the sums hereafter affixed to their names respectively, the items of which have been examined and found duly vouched, viz :

To the town of Gorham,	- - - - -	\$ 344 99
Portland,	- - - - -	558 53
Falmouth,	- - - - -	520
Scarborough,	- - - - -	220 63
Standish,	- - - - -	263 37
Cape Elizabeth,	- - - - -	187 37

CHAP. CV.

Resolve for paying the detachment of militia stationed at Portland by order of the Major-General of 12th division, dated 1st September, 1813—sundry persons for supplies, and Captain Atherton, \$ 150. February 1, 1814.

The Committee of both Houses to whom was referred the petition of Captain Abel W. Atherton and Captain James Farmer, and other officers and soldiers, with the documents accompanying the same, have attended to the duty assigned them, and report :

That by an order of the Brigadier-General of the second brigade and twelfth division of the militia of this Commonwealth, dated the first day of September last, a detachment of two full companies of militia was made from the brigade aforesaid, and stationed at Jordan's Point, (now Fort Burrows) in the town of Portland, there to perform military duty for the term of two months, which time of service expired on the 28th day of November now last past—That said officers and soldiers are justly entitled to the same compensation for their services as the troops of the United States are, when in actual service.

Your Committee therefore ask leave to report the following resolution :

LOTHROP LEWIS,

Per Order.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of four thousand and ninety-six dollars and seven cents, for the sole use and benefit of the several officers, non-commissioned officers, musicians and privates, under the command of Captain Abel W. Atherton, and Captain James Farmer, on account of wages from the sixteenth day of September to the twenty-eighth day of November last—the same being after the rate allowed by the United States for similar services, including pay for extra fatigue duty, and for clothing—which sum shall be distributed agreeably to the pay-roll accompanying, marked A number one—And that His Excellency the Governor be requested to draw his warrant on the Treasurer of this Commonwealth for the foregoing sum, in favor of Captain Abel W. Atherton, who is hereby authorized to receive the same and pay it over to the several persons named in the aforesaid pay-roll.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to the following persons, for supplies furnishd, and for services performed in aid of the detachment aforesaid, the sums affixed to each of their names respectively, the items of which as they are charged on the pay-roll, marked A number one, have been examined and found duly vouched, viz :

To Samuel Baker, the sum of	- - - - -	\$ 45 14
William Pelleys,	- - - - -	5 50
John Aimes,	- - - - -	6 50

Timothy Chadbourn, - - - - -	26 41
Samuel Snowden, - - - - -	7 50
Anna Lambert, - - - - -	6
Isaac Adams, - - - - -	24 57
B. D. Ross, - - - - -	2 49
A. W. Atherton, - - - - -	7 25
Mason and Moody, - - - - -	6 02
Doctor John Merrill, Surgeon, - - - - -	97
Baker and Bartell, - - - - -	23 95
John Hobart, - - - - -	72 78
William Capen, - - - - -	17 34
William Wood, - - - - -	5 25
Arthur Shirley, - - - - -	4

\$357, 70

And that His Excellency the Governor be requested to draw his warrant on the Treasurer for three hundred and fifty-seven dollars and seventy cents, being the amount of the foregoing accounts, in favor of Captain Abel W. Atherton, who is hereby authorized to receive the same, and pay it over to the several persons named in the foregoing account :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Captain Abel W. Atherton, the sum of one hundred and fifty dollars as a full compensation for the expense he has incurred in travelling from the District of Maine, to obtain payment of wages and supplies for the companies of militia detached and stationed at Portland, under his command, making up the accounts and pay-roll, and paying over the money to the officers and soldiers in the aforesaid detachment.

CHAP. CVI.

Resolve directing the Quarter-Master-General to purchase land and erect a Gun-house at Saco. February 1, 1814.

On the petition of Thomas Warren and others, praying that two hundred and fifty dollars may be appropriated for purchasing a lot of land and erecting a Gun-house thereon :

Resolved, That the Quarter-Master-General is hereby au-

thorized to erect or cause to be erected, a Gun-house in the town of Saco, and to purchase land whereon to erect the same : And His Excellency the Governor, with advice of Council, is requested to issue a warrant on the Treasurer for the payment of the money actually applied to the sole purpose of purchasing said land, and erecting a Gun-house thereon : Provided the same shall not exceed two hundred and fifty dollars.

CHAP. CVII.

Resolve discharging Barnabas Flagg from recognizance and prison. February 1, 1814.

On the petition of Barnabas Flagg of Barre, in the county of Worcester, shewing that the said Barnabas Flagg recognized, in the month of May in the year of our Lord eighteen hundred and thirteen, in the sum of two hundred dollars, to appear at the then next Circuit Court of Common Pleas to be holden at Worcester in and for said county ; to answer unto a charge which was made against him for larceny, that he did not appear at said Court ; whereby his recognizance was forfeited, and a Scire Facias issued, and judgment was rendered thereon, and that, at the next term after, he was tried at the same Court for said larceny, and that execution was issued from the same Court on the judgment rendered against him upon the Scire Facias aforesaid, for the sum of two hundred dollars, with the legal costs of the same ; and that he is now in prison by virtue of the same execution.

Resolved. For reasons stated in said petition, that the said Barnabas Flagg be, and he is hereby discharged from said recognizance, and the process or Scire Facias issued thereon, and that he be liberated from prison, as respects the aforesaid execution whereon he is confined.

CHAP. CVIII.

Resolve authorizing the executors of the will of Isaac Gere to execute a deed to Justice Pomroy. February 1, 1814.

On the petition of Justice Pomroy of Easthampton, in the

county of Hampshire, praying that the executors of the last will and testament of Isaac Gere, late of Northampton, deceased, may be empowered to execute a deed of part of lot No. 41, containing forty acres, and lying in Northampton, long division so called, which the said Gere in his life time covenanted to do, but was prevented by death :

Resolved, That the Hon. Joseph Lyman, Esq. and Solomon Stoddard, jun. Esq. executors of the last will and testament of Isaac Gere, be, and they are hereby empowered to execute a good and sufficient deed unto the above named Justice Pomroy, of a part of lot No. 41, in Northampton, long division so called, and bounded easterly on land formerly owned by one Southwell ; northerly on Cook's lot, so called ; westerly on the remaining part of said lot No. 41 ; southerly on land belonging to the heirs of Ebenezer Clark, deceased, and to contain forty acres. _

CHAP. CIX.

Resolve making valid the doings of the town of Fairfield.
February 2d, 1814.

On the petition of the Selectmen of the town of Fairfield, in the county of Somerset, representing, that, for twenty years past, there have been no records made, nor copies filed in the Town Clerk's office of said town, of rates or assessments of taxes, for any one year, and that there had not been any Assessor's office in said town for said time, nor any invoice or valuation from whence such assessment is made, nor copy thereof filed in the Office of the Clerk of said town for the term aforesaid, as by law is prescribed ; and praying that the doings and proceedings of the said town, and the officers thereof, may be confirmed, and rendered valid :

Resolved, For reasons set forth in the said petition, that the records of the said town of Fairfield be deemed and taken to be as valid, and effectual, to all intents and purposes, as if the said town and the officers thereof had proceeded according to the laws regulating their proceedings in these particulars ; and that the proceedings of the said town and the doings of the officers thereof be ratified and confirmed ; and the same shall be deemed and taken to be as valid and

effectual in all respects, and in the same manner as they would have been, if the aforesaid proceedings of the said town and the officers thereof had, in the first instance, been conformable to law—Provided, that the foregoing resolve shall in no manner apply to or affect the title of any real estate lying in said town of Fairfield, which was sold to Moses Appleton by John Jones, or any other Collector for the non-payment of taxes on non-resident proprietors' lands.

CHAP. CX.

Resolve discharging Dearborn Emerson from the penalty of recognizance. February 2d, 1814.

On the petition of Dearborn Emerson, praying for the remission of the forfeiture of a recognizance to this Commonwealth, entered into by him as surety for and with Moses J. Chase before Samuel Lawrence, Esq. a Justice of the Peace for the county of Middlesex, on the 10th day of April last, conditioned for the appearance of the said Chase, at the then next Supreme Judicial Court for that county :

Resolved, For the reasons set forth in said petition, that the penalty of said recognizance be, and the same is hereby remitted to the said Emerson, and that he be wholly discharged therefrom.

CHAP. CXI.

Resolve on the petition of Samuel Partridge, 2d, in behalf of the town of Hatfield. February 7th, 1814.

On the petition of Samuel Partridge, 2d, in behalf of the town of Hatfield, praying that some person may be authorized to sell a certain real estate in said town, containing about one hundred acres, of which Elisha Cole died seized, in the room of the Hon. John Hastings, deceased :

Resolved, That Doctor John Hastings, of said Hatfield, be, and he is hereby authorized and empowered to renew the covenant entered into by his predecessor, the aforesaid John Hastings, deceased, with Josiah Gillet, and in default

of payment by said Gillet, to sell and convey the same to any other person or persons desiring to purchase the same, observing the directions of the law for the sale of real estates by executors and administrators in the aforesaid sale.

CHAP. CXII.

Resolve on petition of Benjamin Walton and Alfred Swift, Attorney-General to discharge from judgments and execution. February 7th, 1814.

On the petition of Benjamin Walton of Livermore, in the county of Oxford, and Alfred Swift, of Fayette, in the county of Kennebeck, stating, that they, on the twenty-sixth day of April, A. D. 1813, became bound by recognizance to the Commonwealth, before Isaac Livermore, Esq. for the personal appearance of one Charles Swift, at the Supreme Judicial Court, to be holden at Portland, in the county of Cumberland, for the counties of Cumberland and Oxford, on the fourth Tuesday of May, A. D. 1813 ;—that said Charles had absconded, and notwithstanding every exertion on their part, they had been unable to surrender him—and that judgement had been recovered against them respectively in favor of the Commonwealth, at the Supreme Judicial Court at Portland, on the third Tuesday of October, A. D. 1813, for the amount of said recognizances and costs, viz. —against Walton, for the sum of \$100, debt or damage, and \$19 66 costs—and against the said Alfred Swift for \$100, debt or damage, and \$19 46 costs :

Resolved, For the reasons set forth in said petition, that the Attorney-General be, and he is hereby authorized and directed to discharge the said Walton and Swift respectively from said judgments and the executions that may have issued thereon, on their paying the amount of costs that have accrued thereon.

CHAP. CXIII.

Resolve on petition of Zephaniah Buffinton, authorizing Elisha and Charles Wells to convey estate to John Wells upon condition. February 7th, 1814.

On the petition of Zephaniah Buffinton and Joanna, his

wife, Elisha Wells, John Wells and Charles Wells, praying for liberty to exchange certain real estate given by John Wells late of Cheshire, in the county of Berkshire, deceased, to the said Elisha, John and Charles. in trust for the said Joanna and her heirs, for a certain farm owned by said John Wells :

Resolved, For reasons set forth in said petition, that Elisha Wells and Charles Wells, two of the Trustees aforesaid, be, and they hereby are authorized and empowered, to convey to the said John Wells, his heirs and assigns, in fee simple, by good and sufficient deed, all the real estate given by said John Wells deceased, in his last will and testament to the said Elisha, John and Charles, in trust for the said Joanna and her heirs—Provided however, that the said John Wells shall, in consideration of the said conveyance to him, by good and sufficient deed, or other legal instrument for that purpose, convey to the said Elisha and Charles in trust, and to hold in the same manner as the lands given to them in the last will and testament of said John deceased, in trust for the said Joanna and her heirs, are intended to be held, a certain farm owned by him in Cheshire aforesaid, and known by the name of the Allen farm, and also a certain piece of land at the west end of said farm, bought by said John of Elisha Wells, the whole being about one hundred and forty acres—And the conveyance so made by the said Elisha and Charles, shall operate as a full conveyance of all the right and interests the said Joanna and her heirs have in and to the lands, so given as aforesaid, in the last will of said John deceased, to the said Elisha, John and Charles Wells, in trust as aforesaid.

CHAP. CXIV.

Resolve granting taxes to several counties.

February 8th, 1814.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed ; and whereas the Clerks of the Courts of Sessions for said counties, have exhibited estimates made by the said Courts, of the necessary charges which may arise within the said several counties for the year

ensuing, and of the sums necessary to discharge the debts of the said counties :

Resolved, That the sums annexed to the several counties, contained in the following schedule be, and the same are hereby granted as a tax for each county, respectively ; to be apportioned, assessed, paid, collected and applied for the purpose aforesaid, according to law :—

Oxford, two thousand five hundred dollars	- - -	\$ 2,500
Cumberland, six thousand dollars	- - - -	6,000
York, five thousand five hundred dollars	- - -	5,500
Hampshire, three thousand five hundred dollars	-	3,500
Berkshire, four thousand dollars	- - - -	4,000
Worcester, three thousand dollars	- - - -	3,000
Middlesex, six thousand six hundred dollars	-	6,600
Somerset, two thousand dollars	- - - -	2,000
Kennebeck, six thousand dollars	- - - -	6,000
Norfolk, one thousand eight hundred and eighty		
dollars	- - - -	1,880
Hampden, four thousand dollars	- - - -	4,000
Lincoln, five thousand seven hundred and fifty-		
two dollars	- - - -	5,752

CHAP. CXV.

Resolve for paying John Seley, a soldier in the 4th Massachusetts regiment during the revolutionary war. February 9th, 1814.

On the petition of John Seley, praying compensation for services as a soldier in the 4th Massachusetts regiment, during the revolutionary war :

Resolved, For reasons set forth in said petition, that there be granted and paid out of the Treasury of the Commonwealth, to said John Seley, the sum of seventy-four dollars in full for his services aforesaid :—And His Excellency the Governor with the advice of Council, is hereby authorized and requested to draw his warrant on the Treasury accordingly.

CHAP. CXVI.

Resolve on the petitions of the towns of Garland and Exeter, and the petition of Joseph Brigham. February 9th, 1814.

The Committee to whom was referred the petitions of the Selectmen of the town of Garland, and of E. Hammond, in behalf of the town of Exeter, praying to be compensated for provisions furnished to a detachment of militia under command of Captain Thomas George, stationed at Eastport, in August, 1812—And the petition of Joseph Brigham, ensign in said detachment, praying to be remunerated for expences which he was under a process of law compelled to pay for damage done to a boat employed in the service of said detachment—ask leave to report the following Resolve,

THOMAS DWIGHT,

Per Order.

Resolved, That by virtue of the 24th section of a law of this Commonwealth, passed on the 6th day of March, A. D. 1810—there be allowed and paid out of the Treasury of said Commonwealth, to the following towns and persons hereafter named, the sums affixed to their names respectively—the items of said sums having been examined and found duly vouched—viz.—

To the Selectmen of the town of Garland,	- -	\$ 29 75
- - - - - Exeter,	- -	17 48
and to Joseph Brigham,	- - - -	20

CHAP. CXVII.

Resolve for paying troops detached in July last, for protection of the Gaol in Castine, and for rations supplied by the town of Ellsworth. February 11th, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Colonel John Black, the sum of three hundred and fifty-one dollars and fifty cents; and that the same be by him paid to the detachment of troops ordered out in July last, on the application of Moses Adams, Esq. Sheriff of the county of Hancock, for the

protection of the Commonwealth's Gaol at Castine, against a threatened attack ;—and that each officer, non commissioned officer and private, be paid the sum set against his name on the pay roll, which shall be in full for said service at Castine.

Resolved, That a further sum of one hundred and twenty nine dollars and four cents, be allowed and paid to the Selectmen of the town of Ellsworth, for rations supplied by them for the aforementioned detachment ; and that his Excellency the Governor be requested to draw his warrant on the Treasury accordingly.

CHAP. CXVIII.

Resolve for paying troops detached for the defence of Mount Desert, and the town of Ellsworth for rations furnished them. February 11th, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Colonel John Black, the sum of three hundred ninety eight dollars and sixty three cents, and to be by him paid to the detachment of troops ordered out in March last, for the defence of Mount Desert ; and that each officer, non-commissioned officer and private be paid the sum set against his name on the pay-roll, which shall be in full for performing said duty at Mount Desert.

Resolved, That a further sum of one hundred thirteen dollars and sixteen cents, be allowed and paid out of the Treasury, to the Selectmen of the town of Ellsworth, to reimburse them for rations supplied the aforementioned detachment ; and that his Excellency the Governor be requested to draw his warrant on the Treasury accordingly.

CHAP. CXIX.

Resolve on Ebenezer March's petition, granting and confirming 700 acres of land to legatees of Benjamin Greenleaf. February 11th, 1814.

On the memorial of Ebenezer March, executor of the last will and testament of Benjamin Greenleaf, late of Newbury.

port, in the county of Essex, and Commonwealth aforesaid, Esquire, deceased, setting forth, that in November, 1785, the then General Court, by a resolve of that date, granted unto said Benjamin Greenleaf, seven hundred acres of land, to be laid out in the then county of Cumberland or Lincoln, under the direction of the agents of the Commonwealth for the sale of eastern lands; that Alexander Greenwood, Esq. commissioned by the agents aforesaid, and at the request of said memorialist, in January, 1812, did return a plan of seven hundred acres of land in the county of Hancock, into the office of the agents aforesaid, to satisfy the grant aforesaid: That by the will of the aforesaid Benjamin Greenleaf, the said grant of land is the property of Elizabeth Parsons, widow of the Hon. Theophilus Parsons, late of Boston, Esq. deceased—Sarah Greenleaf, of Newburyport, aforesaid, single woman—Hannah Boyd, wife of Robert Boyd, of Portland, merchant—Mary Greenleaf, of Newburyport aforesaid, single woman, and Jane Cross, wife of Ralph Cross, of the aforesaid Portland, merchant, residuary legatees of said Benjamin Greenleaf, and praying that the said land may be conveyed to the said legatees and their heirs and assigns:

Resolved, That the aforesaid seven hundred acres of land, bounded as follows, viz.—beginning at a maple tree being the north-east corner of Joseph E. Foxcroft's land, marked C with a cross, A. G. R. H. Sept. 18th and 21st, 1811. J. E. F. E. M, thence running east 350 rods to the north-east corner of said tract of land, to a birch marked as follows, viz.—X. R. H. Sept. 21st, 1811, E. M. thence running south 320 rods to the southeast corner of said tract, to a beech marked as follows, C with a cross, A. G. Sept. 21st, 1811, E. M. thence running west 350 rods, to the south-west corner of said tract, to a beech marked G with a cross, A. G. Sept. 21st, 1811, E. M.—thence north 320 rods to the first bounds:—be and hereby is granted, conveyed and confirmed, unto the aforesaid Elizabeth Parsons, Sarah Greenleaf, Hannah Boyd, Mary Greenleaf, and Jane Cross, and thier heirs and assigns forever—in full satisfaction of the said grant of November, 1785.

CHAP. CXX.

Resolve discharging the Wiscasset Bank Corporation from the penalty incurred by not seasonably returning a statement of said Bank. February 11th, 1814.

Whereas the Directors of the Wiscasset Bank neglected to make a return of the situation of their said Bank in due form, within the time limited by law ; and whereas it appears, that said neglect was owing to accident, and not to an intention to evade the requirements of law, or to conceal from the proper authority the situation of their said Bank, and the return has since been duly made, except as to time—Therefore,

Resolved, That the said Corporation be, and they are hereby fully discharged from the penalty annexed to such neglect by a law of this Commonwealth, made and passed the 27th day of February, in the year of our Lord one thousand eight hundred and thirteen, entitled “ An Act directing the mode and time of making returns of the several incorporated Banks in this Commonwealth, to His Excellency the Governor and the Honorable Council.”

CHAP. CXXI.

Resolve extending the time for the Trustees of Sandwich Academy to locate half a township of land granted to them. February 12th, 1814.

On the petition of Jonathan Leonard, President of the Trustees of Sandwich Academy, praying for a further extension of the time of location of a half township of land granted by the Legislature of this Commonwealth, to said institution :—

Resolved, For reasons set forth in said petition, that the time for the location of the lands granted to the Trustees of said Institution is hereby extended five years from the date of this *Resolution*—any *Resolve* to the contrary notwithstanding.

CHAP. CXXII.

Resolve discharging the Quarter-Master-General from monies received, for paying the balance of his account, and making an appropriation for his department. February 14th, 1814.

The Committee of both Houses to whom was referred the Quarter-Master-General's communication, and also his annual return, and his account of money expended in his department the year past, have attended to the duties of their appointment, and report the following Resolutions—which is submitted by

LOTHROP LEWIS, *Chairman.*

Resolved, That Amasa Davis, Esq. Quarter-Master-General, be, and he hereby is discharged from the sum of eighteen thousand one hundred and forty-seven dollars and ninety-four cents, which he expended, including his salary office rent, and clerk hire, amounting to two thousand dollars for one year, ending the seventeenth day of January, in the year of our Lord one thousand eight hundred and fourteen, out of the sum he has received the last year, by warrant on the Treasurer.

Resolved, That the sum of one thousand one hundred forty-seven dollars and ninety-four cents, be paid to the said Amasa Davis, Esq. from the Treasury of this Commonwealth, as the balance of his account.

Resolved, That the sum of fifteen thousand dollars be paid to the said Quarter-Master-General, from the Treasury of this Commonwealth, to meet the expences of his department the ensuing year; for the application of which, he is to be accountable; and that His Excellency the Governor, be requested to issue his warrant on the Treasury for the amount, at such periods and in such sums, as His Excellency with the advice of Council, may deem expedient for the public service.

CHAP. CXXIII.

The Committee of both Houses, who were appointed "to consider the propriety of conforming the valuation estab-

lished on the thirtieth day of January, one thousand eight hundred and twelve, to the Resolve of both Houses, which passed on the tenth day of June, one thousand eight hundred and thirteen, relative to the estimation of rateable polls," have attended to that service, and ask leave to report the following apportionment of the sum of one thousand dollars upon the several towns, districts and taxable plantations in this Commonwealth, as the ratio by which they are to be assessed in future—which is submitted by

LOTHROP LEWIS, *Chairman.*

COUNTY OF SUFFOLK.

Polls	Towns	Aggregate	Pay on \$1000
9,993	Boston,	1,287,417 60	156 46
101	Chelsea,	9,714 58	1 21
<hr/>		<hr/>	<hr/>
10,094		1,297,132 18	157 67

COUNTY OF ESSEX.

3,041	Salem,	327,561 22	40 31
825	Danvers,	46,630 32	6 13
825	Ipswich,	37,136 06	5 05
1,392	Newbury,	78,151 88	10 28
1,980	Newburyport,	127,008 24	16 43
1,500	Marblehead,	82,974 44	10 94
1,147	Lynn,	32,415 85	4 84
128	Lynnfield,	5,715 87	78
684	Andover,	38,544 23	5 07
1,008	Beverly,	49,374 52	6 71
407	Rowley,	20,704 68	2 76
511	Salisbury,	21,349 56	2 94
630	Haverhill,	32,941 16	4 38
1,276	Gloucester,	47,023 72	6 63
199	Topsfield,	11,734 84	1 54
474	Amesbury,	19,461 30	2 68
377	Bradford,	17,183 79	2 33
293	Methuen,	14,020 36	1 89
224	Boxford,	13,704 26	1 78
107	Wenham,	6,514 67	85
259	Manchester,	10,298 84	1 43
197	Hamilton,	10,227 92	1 36
159	Middleton,	7,841 96	1 05
<hr/>		<hr/>	<hr/>
17,723		1058,519 69	138 16

COUNTY OF MIDDLESEX.

Polls	Towns	Aggregate	Pay on \$1000
584	Cambridge,	30,477 35	4 05
393	Watertown,	24,465 07	3 18
1,264	Charlestown,	76,870 39	10 01
299	Woburn,	13,172 63	1 80
383	Concord,	23,931 55	3 11
436	Newton,	22,582 44	3 00
596	Reading,	19,772 13	2 85
419	Marlborough,	21,816 04	2 90
316	Billerica,	14,843 47	2 00
395	Frammingham,	18,509 11	2 50
217	Lexington,	13,813 64	1 84
339	Chelmsford,	12,659 78	1 78
229	Sherburne,	10,698 88	1 45
258	Sudbury,	13,970 02	1 85
391	Malden,	15,858 34	2 20
269	Weston,	16,090 43	2 10
367	Medford,	26,311 19	3 36
325	Hopkinton,	15,017 86	2 03
279	Westford,	12,755 22	1 73
280	Waltham,	18,139 71	2 34
182	Stow,	8,853 30	1 19
99	Boxborough,	4,095 80	0 57
429	Groton,	20,065 04	2 71
164	Shirley,	6,273 53	88
288	Pepperell,	9,453 86	1 37
290	Townsend,	8,799 84	1 29
314	Dracut,	11,734 99	1 65
145	Bedford,	8,354 18	1 10
257	Holliston,	13,020 37	1 74
214	Acton,	7,564 02	1 07
163	Carlisle,	6,613 23	0 98
113	Dunstable,	5,564 02	0 75
210	East-Sudbury,	10,044 38	1 34
141	Lincoln,	9,524 87	1 22
193	Tyngsborough,	6,908 28	0 98
192	Tewksbury,	7,564 18	1 05
180	Wilmington,	6,686 04	0 95
254	Ashby,	9,233 22	1 30
207	Littleton,	9,458 90	1 28
181	Natick,	8,620 93	1 16
117	Stoneham,	4,266 74	0 60
130	Burlington,	5,853 72	0 80
278	West-Cambridge,	10,514 75	1 48
171	Brighton,	12,030 05	1 54
13,002		633,489 77	85 08

COUNTY OF HAMPSHIRE.

Polls	Towns	Aggregate	Pay on \$1000
678	Northampton,	30,286 17	4 12
297	Hadley,	15,806 53	2 03
299	Worthington,	11,700 17	1 63
190	West-Hampton,	8,636 47	1 17
232	Cummington,	8,134 17	1 16
251	Williamsburg,	10,132 15	1 40
290	Chesterfield,	8,876 47	1 30
298	Greenwich,	8,535 21	1 27
158	East-Hampton,	4,398 01	66
600	Belchertown,	15,782 95	2 40
183	Norwich,	6,067 92	87
213	Granby,	6,843 57	99
218	Plainfield,	8,343 19	1 17
269	Southampton,	8,654 47	1 25
183	Middlefield,	7,545 67	1 04
212	South-Hadley,	7,288 68	1 04
239	Ware,	6,746 37	1 01
156	Goshen,	5,584 99	79
217	Hatfield,	12,955 05	1 69
261	Pelham,	6,795 88	1 04
419	Amherst,	14,494 15	2 13
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5863		213,608 24	30 16

COUNTY OF HAMPDEN.

825	Springfield,	28,199 25	4 03
830	West-Springfield,	30,971 93	4 36
498	Westfield,	19,773 50	2 75
375	Southwick,	8,964 02	1 40
281	Long Meadow,	10,447 69	1 47
106	Holland,	3,697 84	53
156	Montgomery,	2,925 54	49
250	Palmer,	6,957 70	1 04
327	Blandford,	13,090 70	1 81
421	Wilbraham,	13,323 96	1 94
153	South-Brimfield,	5,419 50	77
375	Brimfield,	12,639 04	1 81
389	Granville,	12,232 94	1 78
100	Russell,	3,086 42	45
358	Chester,	9,077 10	1 39
375	Monson,	12,625 17	1 81
169	Tolland,	5,805 48	83
165	Ludlow,	4,724 14	70
<hr/>		<hr/>	<hr/>
6,153		203,881 92	29 36

COUNTY OF PLYMOUTH.

Polls	Towns	Aggregate	Pay on \$1000
969	Plymouth,	33,345 80	4 76
709	Scituate,	32,862 48	4 43
552	Duxbury,	18,151 74	2 62
1,239	Bridgewater,	48,902 80	6 85
1,069	Middleborough,	37,533 75	5 33
847	Rochester,	18,415 69	2 93
231	Plympton,	6,496 39	96
451	Pembroke,	18,562 05	2 66
279	Kingston,	12,653 52	1 70
395	Abington,	15,071 58	2 10
270	Hanover,	12,046 93	1 64
172	Halifax,	5,680 29	81
200	Wareham,	5,826 97	85
205	Carver,	6,279 72	91
605	Hingham,	25,658 20	3 51
32	Hull,	2,163 63	27
313	Marshfield,	16,212 33	2 15
<hr/>		<hr/>	<hr/>
8,538		315,864 27	44 48

COUNTY OF BRISTOL.

982	Taunton,	29,598 44	4 36
548	Rehoboth,	15,240 78	2 26
548	Seekonk,	15,240 78	2 26
375	Swanzy,	12,008 49	1 75
631	Dartmouth,	20,636 79	2 99
361	Norton,	14,267 97	1 98
609	Attleborough,	23,236 46	3 25
393	Dighton,	11,882 56	1 77
387	Freetown,	11,705 02	1 71
266	Raynham,	8,897 95	1 27
370	Easton,	11,717 57	1 71
247	Mansfield,	6,974 01	1 04
215	Berkley,	8, 16 96	1 14
388	Fairhaven,	27,199 07	3 33
904	New-Bedford,	66,797 88	8 67
604	Westport,	20,438 75	2 95
208	Somerset,	7,874 03	1 10
242	Troy,	9,002 73	1 27
<hr/>		<hr/>	<hr/>
8,286		321,036 24	44 81

COUNTY OF BARNSTABLE.

Polls	Towns	Aggregate	Pay on \$1000
802	Barnstable,	19 070 96	2 98
573	Sandwich,	18,955 29	2 74
488	Yarmouth,	12,105 85	1 87
178	Eastham,	3,071 66	53
399	Harwich,	7,993 30	1 30
324	Wellfleet,	4,182 17	80
599	Falmouth,	15,800 33	2 39
272	Truro,	4,617 04	80
349	Chatham,	6,503 31	1 08
220	Provincetown,	5,112 84	82
359	Dennis,	5,988 19	1 03
303	Orleans,	4,498 46	81
276	Brewster,	6,921 74	1 06
<hr/> 5,142		<hr/> 114,821 14	<hr/> 18 21

DUKES' COUNTY.

289	Edgartown,	6,312 96	1 01
254	Tisbury,	8,645 21	1 24
176	Chilmark,	10,016 04	1 32
<hr/> 719		<hr/> 24,974 21	<hr/> 3 57

COUNTY OF NANTUCKET.

2,043	Nantucket,	126,268 48	16 41
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COUNTY OF WORCESTER.

292	North-Brookfield,	11,385 83	1 59
600	Worcester,	63,666 40	7 84
405	Lancaster,	16,978 55	2 34
422	Mendon,	17,483 36	2 41
533	Brookfield,	20,814 90	2 90
314	Oxford,	10,783 61	1 54
600	Charlton,	25,112 08	3 45
388	Sutton,	16,130 07	2 22
294	Leicester,	13,797 88	1 86
348	Spencer,	15,476 96	2 11
287	Rutland,	17,089 07	2 23
200	Oakham,	8,070 66	1 12
282	Hubbardston,	11,936 39	1 64
215	New-Braintree,	9,575 53	1 30
204	Southborough,	9,525 22	1 29

Polls	Towns	Aggregate	Pay on \$1000
265	Westborough,	12,740 52	1 71
197	Northborough,	8,519 78	1 17
330	Shrewsbury,	13,140 22	1 82
291	Lunenburg,	12,297 24	1 69
378	Fitchburgh,	11,532 85	1 69
303	Uxbridge,	17,148 39	2 25
150	Northbridge,	5,130 95	0 73
222	Millbury,	9,088 59	1 26
375	Harvard,	13,503 01	1 91
267	Bolton,	10,536 80	1 47
142	Berlin,	6,245 42	0 85
470	Sturbridge,	20,440 30	2 79
384	Hardwick,	14,439 91	2 03
257	Western,	10,717 91	1 48
399	Leominster,	13,536 05	1 94
260	Holden,	12,310 92	1 67
250	Douglas,	7,532 67	1 11
254	Grafton,	12,363 44	1 66
375	Petersham,	17,251 28	2 34
321	Royalston,	10,621 67	1 53
384	Westminster,	15,830 56	2 18
254	Athol,	10,360 65	1 44
284	Templeton,	10,444 95	1 47
254	Princetown,	15,438 30	2 01
259	Ashburnham,	9,950 36	1 39
301	Winchendon,	10,851 42	1 54
224	Upton,	7,608 27	1 09
298	Dudley,	12,276 90	1 69
159	Paxton,	7,162 53	0 98
452	Barre,	24,088 88	3 19
133	Ward,	6,549 28	0 88
208	Milford,	11,245 42	1 49
422	Sterling,	16,771 77	2 33
181	Boylston,	9,204 02	1 23
197	Gardner,	7,017 60	1 00
203	Gerry,	8,423 35	1 17
156	Dana,	3,253 05	0 53
174	West-Boylston,	7,911 01	1 07
15,827		701,312 75	95 62

COUNTY OF BERKSHIRE.

476	Sheffield,	17,821 77	2 50
74	Mount Washington,	2,3008 40	0 30
404	Great-Barrington,	13,119 54	1 90
434	New-Marlborough,	11,377 63	1 77

VALUATION.

399

Polls	Towns	Aggregate	Pay on \$1000
401	Williamstown,	17,342 94	2 37
310	Lanesborough;	13,543 62	1 85
84	New-Ashfield,	2,677 43	0 39
751	Pittsfield,	25,956 91	3 70
300	Lenox,	11,015 26	1 55
346	Stockbridge,	13,615 61	1 90
166	Egremont,	5,486 96	0 79
405	Tyringham,	8,960 50	1 42
375	Sandisfield,	12,382 13	1 78
46	Southfield,	1,479 42	0 21
217	Becket,	8,263 86	1 14
234	Windsor,	7,126 64	1 05
247	Hancock,	7,831 99	1 14
242	Richmond,	10,847 00	1 48
187	Washington,	5,844 90	0 85
258	West-Stockbridge,	7,186 40	1 06
118	Alford,	4,421 28	0 62
453	Adams,	13,791 23	2 03
375	Lee,	9,961 98	1 51
375	Cheshire,	13,583 92	1 92
183	Dalton,	6,631 85	0 94
165	Savoy,	3,728 01	0 58
52	Clarksburgh,	1,667 04	0 24
238	Otis,	5,182 10	0 83
167	Hinsdale,	6,182 94	0 86
85	Florida,	1,396 24	0 24
204	Peru,	6,469 10	0 94
24	Gore of Land, } No. of Florida, }	279 72	0 06
<hr/>			
8,385		277,184 26	39 92

COUNTY OF NORFOLK.

1,050	Roxbury,	62,357 70	8 14
642	Dorchester,	39,014 19	5 08
375	Milton,	17,784 69	2 40
270	Braintree,	14,427 34	1 91
422	Weymouth,	20,466 47	2 75
642	Dedham,	28,795 85	3 92
188	Brookline,	17,593 70	2 19
204	Medfield,	8,994 52	1 23
123	Dover,	7,138 86	0 93
297	Stoughton,	6,535 36	0 98
200	Sharon,	8,932 53	1 22
333	Medway,	13,937 36	1 92
278	Walpole,	12,128 89	1 66
600	Wrentham,	22,835 94	3 20

VALUATION.

Polls	Towns	Aggregate	Pay on \$1000
375	Franklin,	16,453 01	2 25
193	Bellingham,	8,205 57	1 13
291	Needham,	11,839 11	1 64
216	Cohasset,	0,902 22	1 34
193	Foxborough,	7,976 41	1 10
267	Quincy,	17,668 55	2 28
279	Randolph,	10,927 91	1 51
375	Canton,	9,121 67	1 41
<hr/> 7,753		<hr/> 373,037 85	<hr/> 50 19

COUNTY OF FRANKLIN.

268	Greenfield,	12,963 85	1 75
403	Deerfield,	19,360 60	2 62
474	New-Salem,	14,470 22	2 12
280	Northfield,	12,010 77	1 66
224	Wendell,	5,658 89	0 87
135	Sunderland,	4,961 69	0 70
241	Montague,	6,938 32	1 04
216	Shutesbury,	4,744 28	0 75
208	Orange,	6,514 25	0 95
291	Warwick,	10,757 00	1 52
182	Leverett,	4,062 63	0 64
217	Charlemont,	6,188 25	0 92
220	Leyden,	7,047 75	1 02
194	Heath,	4,866 42	0 75
403	Ashfield,	10,931 84	1 66
175	Bernardstown,	7,082 28	0 98
241	Hawley,	5,794 09	0 90
194	Rowe,	4,116 96	0 66
223	Shelburne,	7,892 93	1 12
228	Buckland,	6,303 92	0 95
235	Whately,	8,703 81	1 23
412	Conway,	16,780 77	2 34
158	Gill,	4,996 22	0 73
448	Colerain,	15,061 71	2 17
34	Erving's Gore plant.	1,310 05	0 18
<hr/> 6,304		<hr/> 210,239 55	<hr/> 30 23

COUNTY OF YORK.

687	York,	26,623 36	3 66
410	Kittery,	14,977 42	2 12
372	Elliot,	13,607 04	1 92
1,056	Wells,	35,429 76	5 08

Polls	Towns	Aggregate	Pay on \$1000
473	Arundell,	17,647 91	2 48
378	Biddeford,	13,408 59	1 90
937	Berwick,	33,529 62	4 75
436	Lebanon,	10,727 78	1 65
366	Sandford,	6,913 44	1 15
237	Alfred,	6,559 43	0 98
286	Lyman,	6,798 70	1 06
289	Phillipsburgh,	6,754 14	1 05
308	Waterborough,	6,292 90	1 02
511	Shapleigh,	12,990 53	2 06
180	Newfield,	3,412 98	0 57
385	Parsonsfield,	10,819 79	1 62
401	Limington,	8,573 48	1 38
212	Cornish,	5,774 77	0 87
243	Limerick,	7,212 10	1 06
491	Buxton,	16,467 96	2 36
635	Saco,	24,180 27	3 38
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9,293		288,522 07	42 12

COUNTY OF CUMBERLAND.

1,406	Portland,	91,295 24	11 79
1,050	Falmouth,	29,532 52	4 41
831	North-Yarmouth,	29,481 82	4 19
499	Scarborough,	22,018 74	3 01
601	Gorham,	17,694 06	2 62
350	Cape-Elizabeth,	8,412 93	1 31
472	Brunswick,	15,698 47	2 26
476	Freeport,	15,759 94	2 27
359	New-Gloucester,	15,217 35	2 10
256	Harpswell,	8,982 52	1 28
365	Windham,	10,722 83	1 59
335	Standish,	9,599 65	1 43
276	Gray,	9,500 87	1 36
363	Durham,	11,803 07	1 71
186	Poland,	4,286 35	0 68
480	Minot,	10,463 23	1 68
289	Otisfield,	5,060 63	0 77
193	Bridgetown,	5,795 39	0 86
182	Raymond,	3,603 51	0 59
133	Baldwin,	3,158 24	0 50
168	Pownal,	4,001 93	0 63
165	Pejepscot,	3,273 98	0 54
92	Harrison,	2,317 77	0 36
50	Thompson pond & } Shaker settlement, }	813 88	0 14
<hr/>		<hr/>	<hr/>
9,577		338,495 07	48 08

COUNTY OF LINCOLN.

Poll's	Towns	Aggregate	Pay on \$1000
499	Georgetown,	12,006 87	1 87
275	New-Castle,	9,140 76	1 32
257	Woolwich,	9,286 91	1 31
486	Wiscasset,	21,609 30	2 95
330	Bowdoinham,	7,647 83	1 20
292	Topsham,	8,688 13	1 28
372	Boothbay,	7,401 38	1 21
646	Bristol,	16,932 71	2 57
518	Waldoborough,	13,905 76	2 10
281	Edgcomb,	7,335 15	1 12
547	Warren,	10,388 64	1 53
495	Thomaston,	12,924 09	1 97
634	Bath,	20,099 37	2 92
292	Union,	6,326 86	1 01
358	Bowdoin,	6,451 84	1 09
285	Nobleborough,	6,469 45	1 02
185	Cushing,	3,284 87	0 51
377	Camden,	8,676 27	1 36
256	Dresden,	5,998 70	0 94
188	Alna,	7,281 90	1 02
238	Lewiston,	4,969 05	0 80
419	Litchfield,	6,783 81	1 18
356	Lisbon,	6,602 72	1 11
249	St. George,	3,669 64	0 67
183	Hope,	3,331 53	0 56
178	Palermo,	2,977 19	0 52
235	Montville,	3,557 94	0 64
266	Jefferson,	5,256 42	0 86
109	Friendship,	2,301 22	0 37
217	Whitfield,	4,443 50	0 72
79	Pufnam,	1,662 79	0 27
96	Wales,	1,786 62	0 30
72	Appleton Ridge pl.	1,563 65	0 25
38	Montville platation,	1,053 86	0 16
25	Patricktown plant.	926 85	0 13
10	Collamore Ridge pl.	721 23	0 09
<u>10,093</u>		<u>253,464 81</u>	<u>38 93</u>

COUNTY OF KENNEBECK.

443	Augusta,	10,551 51	1 65
209	Belgrade,	3,447 19	0 60
103	Chester ville,	2,510 21	0 39

Polls	Towns	Aggregate	Pay on \$1000
231	Clinton,	4,757 78	0 77
173	Fayette,	4,302 84	0 62
402	Farmington,	9,741 96	1 52
218	Fairfax,	4,240 57	0 70
237	Gardiner,	8,259 96	1 18
257	Greene,	7,236 04	1 08
202	Harlem,	4,702 73	0 74
484	Hallowell,	14,278 35	2 11
276	Leeds,	5,365 17	0 89
288	Monmouth,	6,410 16	1 02
240	Mount Vernon,	5,565 68	0 87
130	Malta,	1,698 96	0 32
197	New-Sharon,	4,554 43	0 72
213	Pittston,	6,457 34	0 95
131	Rome,	781 01	0 22
326	Readfield,	8,918 12	1 34
370	Sidney,	8,995 13	1 39
114	Temple,	1,551 22	0 29
176	Unity,	2,978 82	0 52
94	Vienna,	2,331 52	0 36
450	Vassalborough,	13,392 17	1 97
321	Winthrop,	10,570 31	1 53
127	West-pond plant.	1,248 82	Dearborn 0 27
191	Wayne,	3,584 89	0 60
153	Wilton,	3,045 05	0 50
166	Winslow,	4,946 09	0 73
293	Waterville,	6,716 16	1 06
46	25 Mile-pond plant.	400 00	0 09
83	Beaverhill plant.	500 00	Freedom, 0 14
54	Bridgeton plant.	500 00	0 11
<hr/>		<hr/>	<hr/>
7,398		174,538 19	27 25

COUNTY OF HANCOCK.

319	Belfast,	7,493 76	1 17
303	Penobscot,	7,186 32	1 12
162	Brewer,	3,981 00	0 61
162	Orrington,	3,368 51	0 55
294	Sedgwick,	7,994 55	1 20
134	Isleborough,	3,114 26	0 49
164	Bluchill,	5,668 52	0 81
106	Trenton,	3,380 82	0 49
175	Sullivan,	3,838 03	0 62
121	Goldsborough,	5,245 86	0 72
228	Vinalhaven,	4,190 82	0 70
360	Frankfort,	8,324 37	1 31
360	Buckstown,	7,661 02	0 23

Polls	Towns	Aggregate	Pay on \$1000
283	Prospect,	5,587 34	0 92
288	Hampden,	7,573 59	1 15
265	Castine,	11,334 56	1 55
165	Northport,	4,270 84	0 65
153	Eden,	3,351 04	0 53
111	Orland,	3,291 30	0 49
163	Ellsworth,	4,055 42	0 65
213	Lincolntonville,	5,552 98	0 84
78	Surry,	2,365 30	0 35
80	Dixmont,	2,551 20	0 37
65	Eddington,	1,547 18	0 24
61	New-Charleston,	1,363 38	0 22
63	Garland,	1,373 32	0 22
55	Exeter,	1,400 12	0 21
64	Plant. No. 8 & 9,	2,045 50	0 30
360	Deer-Isle,	7,792 65	1 25
244	Bangor,	5,660 96	0 89
247	Mount Desert,	4,207 22	0 72
25	Carmel,	948 50	0 13
38	Corinth,	1,032 60	0 16
70	Orono,	1,373 70	0 22
163	Green's plantation,	1,294 72	0 31
95	Knox's Plantation,	865 32	0 19
43	Lincoln Plantation,	672 20	0 12
70	Jackson Plantation,	877 20	0 17
44	Washington Plantation,	744 13	0 13
61	Swan Plantation,	813 60	0 16
46	Lea Gore,	492 65	0 10
51	Plan. No 2, 1st Range,	1,438 60	0 21
33	Plan. No 2, 2d Range,	929 02	0 14
25	Plan. No 1, 3d Range,	543 45	0 09
32	Plan. No 2, 3d Range,	825 94	0 13
32	Plan. No. 3, 3d Range,	690 50	0 11
29	Plan. No. 3, 6th Range,	448 23	0 08
42	Plan. No. 4, 7th Range,	506 32	0 10
36	Plan. No. 4, east of Penobscot river, }	363 32	0 08
71	Moriaville Plan,	728 34	0 15
6,852			
Township No. 8, between Penobscot River and Lottery Townships; also a Gore lying north of and adjoining No. 8,		} 478 80	0 05 4
Township No. 5, 9th range, granted to the town of Boston,			
Townships No. 4 and No. 5, 5th range, granted to Bowdoin College,			
		662 40	0 07 0

VALUATION.

405

Polis	Towns	Aggregate	Pay on \$1000
	Township No. 4, 2d range,	406 56	0 04 5
	Part of Township No. 3, on the east side of Penobscot River, granted to I Southgate,	15 00	0 00 1
	Part of Township No. 3, on the east side of Penobscot River, granted to Benjamin Eppes & Company,		
	Part of Township No. 3, east of Penobscot River, granted to A. Forbes,	12 00	0 00 1
	Twenty-five Townships of Land, east of Penobscot River, granted to William Bingham,	4,500 00	0 50 0
	Township No. 10, adjoining Steuben, granted to William Bingham,	252 00	0 02 8
		<hr/>	<hr/>
		168,973 13	26 08 0

COUNTY OF WASHINGTON.

426	Machias,	11,354 74	1 73
142	Columbia,	4,002 78	0 61
88	Addison,	1,695 40	0 29
111	Harrington,	2,953 81	0 46
143	Jonesborough,	2,390 24	0 43
45	Cherryfield,	1,089 12	0 17
75	Robbinston,	1,555 52	0 26
285	Eastport,	5,054 04	0 88
144	Lubec,	2,655 51	0 45
124	Calais,	2,156 45	0 47
125	Steuben,	2,588 20	0 42
70	Plantation No. 1,	666 34	0 14
95	Plantation No. 2,	864 35	0 19
24	Plantation No. 9,	377 54	0 06
64	Plantation No. 11,	663 82	0 13
23	Plantation No. 12,	340 26	0 06
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1984			
	Township No. 10, on Passamaquoddy Bay, granted to Aaron Hobart,	369 95	0 03 4
	Township No. 14, on Cobbsecook Bay, granted to Oliver Wendell and others,		

Polls	Towns	Aggregate	Pay on \$1000
Township No. 13, on Passamaquoddy Bay, granted to Charles Turner and others,		460 80	0 04 0
Township No. 15, on Cobbsecook Bay, granted to Leonard Jarvis and others,		287 10	0 02 6
Township No. 13, west of Machias, granted to John Peck,		304 64	0 02 8
A Township of Land on the eastern boundary line of the State, adjoining land granted to New Salem Academy ; original grant made to Williams' College,		261 12	0 02 4
Half of a Township on the eastern boundary line of the State, adjoining land granted to Groton Academy ; originally granted to Westford Academy,		132 48	0 01 2
Half of a Township on the eastern boundary line of the State, adjoining land granted to Williams' College ; original grant made to Framingham Academy,		132 48	0 01 2
Twenty-five Townships of Land, east of Penobscot River, granted to William Bingham,		4,000 00	0 36 0
Townships No. 11 and 12, adjoining Harrison and Steuben, granted to William Bingham,		890 04	0 08 1
		47,611 93	7 40 06

COUNTY OF SOMERSET.

190	Norridgewalk,	4,763 80	0 74
294	Canaan,	7,232 23	1 12
296	Fairfield,	6,712 64	1 06
65	Avon,	1,164 55	20
143	Anson,	2,022 45	46
87	Athens,	1,678 70	28
109	Cornville,	2,514 59	39
77	Emden,	1,597 72	26
62	Freeman,	1,109 83	19
76	Harmony,	1,398 73	23
123	Industry,	1,921 10	34
159	Madison,	3,512 90	56

VALUATION.

407

Polls	Towns	Aggregate	Pay on \$1000
116	Mercer,	2,063 65	35
110	New-Vineyard,	2,268 97	37
86	New-Portland,	1,827 20	29
42	Palmyra,	1,213 78	18
189	Starks,	3,741 39	61
108	Strong,	5,050 26	34
66	Solon,	1,750 18	26
29	Plan. No. 4, 6th R.	400 00	07
14	Plan. No. 6, 7th R.	300 00	05
8	Plan. No. 7, 7th R.	300 00	04
31	Sebasticook plantation,	500 00	09
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2,480			
35	Plan. No. 1, 1st range east side Kennebeck river.	500 00	09
15	Plan. No. 1, 2d range east side Kennebeck river.	200 00	04
14	Plan. No. 1, 1st range west side Kennebeck river.	200 00	04
12	Plan. No. 2, 1st range, west side Kennebeck river.	200 00	03
15	Plan. No. 3, 1st range, west side Kennebeck river.	200 00	04
40	Curvo Plantation.	750 00	13
	One million acres of land called the Kennebeck Tract, granted to William Bingham,	13,000 00	1 48
	Township No. 5, 4th range, north of the Waldo patent, granted to John Warren.	640 00	07
	Part of Township No. 5, 2d range north of the Waldo patent, granted to William Shepherd.	20 00	00 2
	Township No. 4, 3d range, north of the Waldo patent, granted to David Greene.	544 00	06
	Part of Township No. 5, 2d range, north of the Waldo patent, granted to John Barrett and others.	282 88	03
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2,611		69,181 55	10 49

COUNTY OF OXFORD.

312	Paris,	7,421 17	1 15
387	Hebron,	6,996 99	1 10

Polls	Towns	Aggregate	Pay on \$1000
279	Turner,	8,104 79	1 22
283	Buckfield,	7,321 40	1 13
257	Norway,	5,720 33	0 92
245	Fryeburgh,	7,330 11	1 09
196	Waterford,	5,173 27	0 80
375	Livermore,	7,549 57	1 25
157	Hartford,	3,789 28	0 59
162	Sumner,	3,590 28	0 56
202	Bethel,	4,072 04	0 66
103	Brownfield,	1,827 69	0 32
255	Jay,	6,790 66	1 04
82	Hiram,	1,561 21	0 25
156	Rumford,	3,482 36	0 56
63	East-Andover,	1,278 29	0 21
102	Lovell,	1,904 94	0 32
64	Porter,	1,244 67	0 21
40	Albany,	859 75	0 14
94	Dixfield,	1,429 43	0 26
90	Denmark,	1,907 67	0 31
47	Newry,	1,042 72	0 17
42	Gilead,	784 67	0 14
46	Plantation No. 3,	485 90	0 11
56	Plantation No. 4,	583 40	0 13
15	Holmanstown plant.	523 86	0 08
72	Webb's pond plant.	1,126 96	0 21
30	Lunt's grant and Thompsonstown pl. }	673 80	0 10
10	Howard's gore pl.	286 20	0 04
<hr/>			
4,130			
A tract of land adjoining Lovell and New-Hampshire line, granted to John Bradley and Jonathan Eastman.		10 40	0 00 1
Township No. 4, between Kennebeck and Androscoggin rivers, granted to Benj. Ames.		549 45	0 05
Township No. 3, between Kennebeck and Androscoggin rivers, granted to Jacob Abbot.		530 25	0 04 8
Part of Township No. 6, between Kennebeck and Androscoggin rivers, granted to Seth Wetmore.		432 30	0 03 9
Part of Township No. 7, between Kennebeck and Androscoggin rivers, granted to John Derby.		567 67	0 05 2

Polls	Towns	Aggregate	Pay on \$1000
Part of Township No. 8, between Kennebeck and Androscoggin rivers, granted to Sarah Waldo.		530 88	0 04 8
A tract of land adjoining Gilead, granted to Fryeburgh Academy.		327 84	0 03
A tract of land adjoining Lovell, granted to Fryeburg Academy.		77 10	0 00 8
Township letter D, between Kennebeck river and New-Hampshire line, granted to Jonathan Gardner.		384 40	0 03 5
Township letter E, between Kennebeck river and New-Hampshire, granted to Jonathan Cummins.		386 40	0 03 5
Township No. 1, 1st range between New-Hampshire line and Bingham's Million acres granted to Moses Abbot.		424 84	0 03 8
Township letter A, No. 1, adjoining New-Hampshire line, granted to Phebe Ketcham.		546 59	0 05 0
Township letter A, No. 2, adjoining New-Hampshire line, granted to John I. Holmes.		544 54	0 04 9
Township No. 2, 1st range, between New-Hampshire line and Bingham's million acres, granted to Thomas Service.		374 40	0 03 4
Township No. 3, 2d range between New-Hampshire line and Bingham's million acres, granted to William Gilberts and others.		471 04	0 04 3
Township No. 3, 1st range between New-Hampshire line and Bingham's million acres, granted to Thomas Service.		506 88	0 08 6
Township No. 4, 3d range between New-Hampshire line and Bingham's million acres, granted to Dunlap & Grant.		236 64	0 02 2
Part of township No. 6, between Kennebeck & Androscoggin rivers, granted to Jacob Abbot.		88 00	0 00 8

Polls	Towns	Aggregate	Pay on \$1000
Township No 3, 3d range between New-Hampshire line and Bingham's million acres, granted to A. Cutter.	}	257 24	0 02 3
		244 12	0 02 2
Surplus of Townships, letter C, adjoining New-Hampshire, granted to John Peck.			
		<hr/> 102,354 42	<hr/> 15 78

AGGREGATES OF COMMONWEALTH.

10,094	Suffolk,	\$1,297,132 18	157 67
17,723	Essex,	1,055,519 69	138 16
13,002	Middlesex,	633,419 77	85 08
5,863	Hampshire,	213,608 24	30 16
6,153	Hampden,	203,881 92	29 36
8,538	Plymouth,	315,864 27	44 48
8,286	Bristol,	321,036 24	44 81
5,142	Barnstable,	114,821 14	18 21
719	Dukes' County,	21,974 21	3 57
2,043	Nantucket,	126,268 48	16 41
15,827	Worcester,	701,312 75	95 62
8,385	Berkshire,	277,181 26	39 92
7,753	Norfolk,	373,037 85	50 19
6,304	Franklin,	210,239 55	30 23
9,293	York,	288,522 07	42 12
9,577	Cumberland,	338,495 07	48 08
10,093	Lincoln,	253,464 81	38 93
7,398	Kennebeck,	174,538 19	27 25
6,852	Hancock,	1,68,973 13	26 08
1,984	Washington,	47,611, 93	7 40
2,480	Somerset,	69,181 55	10 49
4,130	Oxford,	102,354 42	15 78
<hr/>		<hr/>	<hr/>
167,639		7,314,611 72	1000 00

CHAP. CXXIV.

Resolve for paying the balance of \$160 for the publication of Jenkins' art of writing, and for discharging the committee. February 14th, 1814.

On a statement and application of the Committee appointed in the case of John Jenkins,

Resolved, That the sum of \$160 be granted and paid out of the Treasury of this Commonwealth, and placed in the hands of the Committee in the case of John Jenkins, in addition to the sums placed in their hands by the Resolve of the 26th of February, 1812, and that of June last, for aiding him in bringing his improved Art of Writing before the public, and of finishing the publication of his books; to enable them to discharge such outstanding demands for expences as they necessarily incurred in prosecution of the business assigned them, by the aforesaid Resolves, to be in full of all demands, for expences incurred as aforesaid.

Be it further resolved, That the said Committee be requested to cause 400 copies of the volume they have published of said Jenkins' Art of Writing, to be lodged in the Secretary's office, in addition to 800 copies already there deposited, in sheets, amounting in the whole to 1200 copies, to remain subject to the order of the Legislature.

Be it further resolved, That said Committee, on causing the aforesaid number of said copies to be deposited as aforesaid, be, and hereby are discharged from any further services in said business.

CHAP. CXXV.

Resolve, directing the Committee on Accounts to allow certain accounts of the Agricultural Society. February 15th, 1814.

The Committee to whom was referred the Petition of the Trustees of the Massachusetts Agricultural Society, ask leave to Report :

That they have attended to the subject, and after full inquiry, are satisfied that the object and design of said Society is laudable and useful; that it has a tendency to diffuse

knowledge, and a spirit of inquiry and improvement; and your Committee are also convinced that the said Society by its premiums for introducing Merino Sheep, and by encouraging the introduction of new seeds, and trees, has already been productive of great public benefit; and inasmuch as it appeared to your Committee that the agricultural and farming interest should receive some patronage from the Legislature, they have thought proper to report the following resolve.

Resolved, That the Committee on accounts be, and they hereby are authorised and required to examine the accounts and vouchers of the Trustees of the Massachusetts Society for promoting Agriculture, which may from time to time be exhibited to them, and shall allow their accounts, so far as the same shall be well vouched, for any sums paid by them for printing and circulating their publications on agriculture only, for the raising of seeds and plants, or the expence of any experiments made by them, with a view to promote agricultural knowledge. Provided however, that the sum so allowed by the Committee on accounts, shall not in any year exceed the sum of one thousand dollars.

CHAP. CXXVI.

Resolve defining the powers of Edward Mitchell, jun. as Guardian of the Indians, in the town of Plymouth. February 15, 1814.

On the representation of Edward Mitchell, jun. of Bridgewater, in the County of Plymouth, Guardian of the Indians in said town, stating that doubts have arisen whether his power extends so far as to authorise, or require him to take care of the land situated therein, but not owned by Indians actually residing there.

Resolved, That the said Edward Mitchell, jr. be, and he hereby is made and appointed Guardian, and is and shall be considered to have been made and appointed Guardian, by virtue of his former appointment, over all the Indians, residing and owning lands in said town; and also over all the Indian lands situated therein, whether the owner or owners reside there or not; provided such persons have not already other Guardian or Guardians within this Commonwealth. And provided also, that he shall first give bonds

(if he have not already given such bonds) to the Judge of Probate for said County, as required of him in the former resolve, by which he was first appointed Guardian as aforesaid.

CHAP. CXXVII.

Resolve granting John Herrick \$92 19, for assisting the Attorney General, respecting the boundary of Pejepscot claim on Androscoggin river. February 15th, 1814.

On the petition of John Herrick,

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said John Herrick, the sum of ninety-two dollars and nineteen cents, which with the sum of twenty dollars paid him by the said Attorney General, and the sum of eight dollars and ninety-four cents, paid him by Luther Robbins, Esq. both being the sum of \$28 94, (for which he has given credit in his account current annexed to his said petition) shall be in full for said services and of all other services of the said Herrick, rendered in assisting the said Attorney General, in the procuring the establishment of said boundary line, and for his expenses incurred while attending on the aforesaid business.

CHAP. CXXVIII.

Resolve granting \$3000 to secure Rainsford Island, from waste by sea. February 15th, 1814.

On the memorial of the Board of Health, of the town of Boston, praying that a sea wall may be erected upon Rainsford or Hospital Island, in the harbour of Boston, for the purpose of preventing destruction made to the same by the ravages of the sea, so that the interest which the Commonwealth has in said Island, and the necessary and benevolent establishment, relating to the same, may be preserved :

Resolved, That there be paid out of the Treasury of this Commonwealth, the sum of three thousand dollars, to the Board of Health of the town of Boston, for the purpose of

constructing a sea wall upon said Rainsford or Hospital Island, for the purpose of preserving the Commonwealth's interest in the same, and prevent the ravages of the sea from deteriorating the same.

CHAP. CXXIX.

Resolve empowering Friend Seymour to sell real estate of William Boylston. February 15th, 1814.

On the petition of Friend Seymour, guardian of William Boylston, of Boston, in the county of Suffolk, brass-founder, a person of intemperate habits, wasteful of his property, and in danger of becoming a charge upon the town, praying for leave to sell so much of the real estate of said Boylston, as shall be sufficient to pay his just debts, with incidental charges :

Resolved, For reasons set forth in said petition, that the said Friend Seymour, guardian as aforesaid, be and he hereby is authorized and empowered to sell and pass deeds to convey so much of the real estate of said Boylston, as shall amount to and produce the sum of six hundred and six dollars and thirty-three cents, and incidental charges, for the payment of his just debts and charges of sale ; the said guardian to post notifications thirty days before the sale, to give bonds to the Judge of Probate for the county of Suffolk, to be under oath, and observe the rules and regulations relative to said sale, in the same way and manner as is provided for in cases where executors and administrators shall have been empowered by court, to make sale of the real estate of deceased persons, for the payment of their just debts.

CHAP. CXXX.

Resolve allowing further time to William Dodd, to settle forty families on township No. 6, in 8th range north of the Waldo patent, and directing the Treasurer to receive a new bond. February 15th, 1814.

On the petition of William Dodd, proprietor of township

number six, in the eighth range north of the Waldo patent, in the county of Hancock :

Resolved, For reasons set forth in said petition, that a further time of three years from the first day of June next, be, and hereby is allowed to the said William Dodd, to complete the settlement of forty families in said township :— Provided that the said William Dodd, his heirs or assigns, shall, on or before the first of June next, give bond to the Treasurer of this Commonwealth in the sum of two thousand four hundred dollars, with sufficient surety or sureties to the satisfaction of the agent for the sale of eastern lands : conditioned that there shall be settled on said township, the number of forty families within the time extended as aforesaid, or for the payment of thirty dollars for each family which shall then be deficient of the whole number aforesaid ; upon satisfaction of which bond, either by causing the said number of families to be settled in said township, or by paying the said sum of thirty dollars for each family which shall then be deficient of the whole number aforesaid, then the estate, right and title of the said William Dodd, his heirs and assigns, shall be as valid and effectual, to all intents and purposes, as if the conditions of settlement expressed in the original deed of said township to said Dodd had been fully and seasonably complied with.

Resolved, That the Treasurer of this Commonwealth be, and hereby is directed, upon receiving a bond as above specified in this resolve, to give up or cancel the bond now in the Treasury Office, signed by William Dodd, John Wait, and Timothy Dodd, given pursuant to a resolve passed the 4th day of March, A. D. 1809.

CHAP. CXXXI.

Resolve on the Petition of Judah Alden, directing the Treasurer to issue new Notes. February 15th, 1814.

On the Petition of Judah Alden, praying for the renewal of two State Notes, said to have been lost :

Resolved, For reasons set forth in said Petition. that the Treasurer of said Commonwealth be, and he is hereby directed to issue to the said Judah Alden, two State Notes of the same tenor and date as the Notes he has lost ; that is,

one of date of July the sixth, one thousand eight hundred and ten, number one hundred and thirty-eight, for one hundred forty-eight dollars and forty-seven cents; and one other of date July the sixth, one thousand eight hundred and ten, number one hundred and thirty-nine, for one hundred ninety-four dollars and seventy-three cents, first taking bond of the said Alden, with one or more sureties, to secure the Commonwealth against any loss that may happen in consequence of the renewal of said Notes.

CHAP. CXXXII.

Resolve on the Petition of Moses Brown, Esq. directing the Treasurer to cancel a Bond, upon payment of \$ 30.
16th February, 1814.

On the petition of Moses Brown, Esq. and for reasons set forth in said petition,

Resolved, That the title of the said Brown, in and unto lands in township No. 5, in the eighth range north of the Waldo patent, in the county of Hancock, described in the deed of the agents for the sale of eastern lands, to said Brown and Josiah Hills, be, and the same is hereby confirmed and ratified to him, the said Brown, his heirs and assigns, as valid and effectual, to all intents and purposes, as if the conditions of settlement expressed in the original deed, had been fully and seasonably complied with.

Resolved, That a certain bond given by the said Moses Brown, Samuel Brown, Jun. and Charles Hodge, in pursuance of a resolve of this Commonwealth, passed on the sixteenth day of February, in the year of our Lord eighteen hundred and eleven, which Bond is dated on the eleventh day of October, in the same year, be cancelled; and the Treasurer of this Commonwealth is hereby authorised and empowered to cancel the said Bond, and give up the same to the said Moses Brown, whenever the said Brown shall pay to the said Treasurer the sum of thirty dollars, for the deficiency of one settler in said Township.

CHAP. CXXXIII.

Resolve allowing William Frost, Esq. and Jonathan Farnum \$32 each, for travel and attendance as witnesses in the prosecution of Thomas Keeler, Esq.

February 16th, 1814.

On the Petition of William Frost, Esq. of Sandford, and Jonathan Farnum, of Alfred, praying for compensation for their travel and attendance as witnesses, before the House of Representatives, in the prosecution against Thomas Keeler :

Resolved, For reasons set forth in said Petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said William Frost and Jonathan Farnum, the sum of thirty-two dollars each, in full compensation for their travel and attendance, as witnesses, as aforesaid.

CHAP. CXXXIV.

Resolve providing for the calling a Meeting of the Congregational Parish in Lebanon. February 16th, 1814.

Whereas it has been made to appear to this General Court, that there are no Parish Officers in the Congregational Parish, in the town of Lebanon, in the county of York, who are authorised to notify and call any meeting of said Parish :—Therefore

Resolved, That the Hon. Benjamin Green, one of the Justices of the Peace for said County of York, be, and he hereby is authorised to issue his warrant, directed to some principal inhabitant of said Congregational Parish, in said town of Lebanon, requiring him to notify and warn the freeholders and other inhabitants of said Parish, who are qualified by law to vote in parish affairs, to meet at such time and place as he shall name in said warrant, to choose all such Parish Officers, as are, by law required to be chosen in the months of March or April, annually.

CHAP. CXXXV.

Resolve for paying Capt. Thomas George, and other officers, for the time they were returning home from Eastport, and for rations and transportation of baggage. February 17th. 1814.

The Committee to whom was referred the petition of Thomas George, have attended that duty, and report :—

That said Thomas George, Lot Rider, and Joseph Bridgham, jun. were detached and stationed at Eastport, in September, 1812, by order of the Commander in Chief of this Commonwealth, and that they were shortly after taken into the service of the United States, and were discharged and paid by the United States until the first day of January, A. D. 1813, at Eastport, a distance of one hundred and seventy miles from their homes, without any appropriation for their expences of travelling, or transportation of baggage :— Therefore

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Capt. Thomas George, the sum of fifty-six dollars and twenty cents ; to Lieut. Lot Rider the sum of forty dollars and twenty cents ; to Ensign Joseph Bridgham, jun. the sum of forty dollars and ten cents, being in full for fifteen days pay, rations, and transportation of baggage, according to their account hereto annexed ; and that His Excellency the Governor be requested to draw his warrant on the Treasurer, payable to Capt. Thomas George, for the sum of one hundred and thirty-six dollars and fifty cents, in full for the sums and services aforesaid, who is authorised and directed to pay over to each of the persons before named, the sum set to each of their names respectively.

CHAP. CXXXVI.

Resolve for paying Abiezer Alger and Beza Leach, the purchase money, and interest thereon, of certain real estate, from which they have been ejected. February 17th. 1814.

On the petition of Abiezer Alger and Beza Leach, pray-

ing for relief, on account of a certain real estate, consisting of a small piece of land, and a mill seat, with certain furnaces and other works erected thereon, which they purchased of Josiah Dean and Noah Hall, and which the said Dean and Hall had previously purchased of the Commonwealth, the same being sold by Hugh Orr, who was duly authorized by a resolve of this Commonwealth, to sell the same, and out of which the petitioners have since, by due course of law, been ejected; it appearing that said Commonwealth had no estate in the premises which they could legally convey:

Resolved, For reasons set forth in the petition, that there be paid out of the Treasury of this Commonwealth, to the said Alger and Leach, the sum of five hundred and eighty three dollars and eighty-seven cents, being the purchase money by them originally paid for the premises, and also four hundred and fifty-five dollars and seventy-four cents, being the amount of interest on the aforesaid sum, since judgment was rendered against them, as aforesaid, which said sums together amount to the sum of one thousand and forty dollars.

CHAP. CXXXVII.

Resolve allowing pay to Ebenezer Secomb, Esq. as Member of the House of Representatives at the last session.

February 19th, 1814.

Resolved, That there be paid out of the public Treasury, to Ebenezer Secomb, a Member of this House from the town of Salem, twenty dollars, in full for his attendance and travel the last session of the General Court, he being then omitted in the pay-roll.

CHAP. CXXXVIII.

Resolve on the petition of Josiah Batchelder, administrator of the estate of Stephen Barrett, jr. rendering valid his doings therein. February 21st, 1814.

On the petition of Josiah Batchelder, administrator of the estate of Stephen Barrett, jr. late of Billerica, in the county of Middlesex, gentleman, deceased, praying that the sale of

a part of the real estate of said deceased, made by said administrator to Joseph L. Low, on the eighth day of October last past; may be confirmed :

Resolved, For reasons set forth in said petition, that the said sale of said estate, as set forth in said petition, be, and the same hereby is confirmed, and rendered as valid and effectual, to all intents and purposes, as though the said sale had been made on the said thirtieth day of September, without any adjournment having been made.

CHAP. CXXXIX.

Resolve on the petition of Jeremiah Patten, Administrator of the estate of Stephen Barrett, Senior, making valid his doings therein. February 21st, 1814.

On the petition of Jeremiah Patten, administrator de bonis non, of the estate of Stephen Barrett, senior, late of Billerica, in the county of Middlesex, gentleman, deceased, praying that the sales of certain parts of the real estate of said Barrett, made by said administrator, at public vendue, on the thirtieth day of September, in the year one thousand eight hundred and thirteen, to Jeremiah Farmer, Josiah Batchelder, Nathan Mears and David Clark, may be confirmed :

Resolved, For reasons set forth in said petition, that the said sales of said estate, in said petition mentioned, be, and the same are hereby confirmed, and rendered as valid and effectual, to all intents and purposes, as though the same had been made on the said twenty-second day of September, without any adjournment having been made.

CHAP. CLX.

Resolve for paying Captain James Hunnewell and others, a company of militia at Wiscasset. February 21st, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the officers, non-commissioned officers, musicians and privates, under the command of Captain James Hunnewell, the sum of sixty-four dollars and

twenty-six cents, on account of wages for four day's service, in the month of April, one thousand eight hundred and thirteen, for the defence of the town and harbour of Wiscasset.

CHAP. CLXI.

Resolve on the petition of Daniel Fox and others, authorizing Samuel Titcomb to survey a tract of land.

February 21st, 1814.

On the petition of Daniel Fox and others, children and heirs of John Fox, late of Portland, deceased, representing that the said John Fox, on the 13th day of March, A. D. 1792, purchased of the Committee for the sale of eastern lands, a certain tract of land situated on Androscoggin river, adjoining the town of Jay, in the deed whereof, the said Committee, in behalf of the Commonwealth, covenanted to warrant and defend said land to said John Fox, his heirs and assigns forever, and that by the running of the lines of said Jay, about three hundred acres of the most valuable part of said tract have been taken away, for which they pray that compensation may be made :

Resolved, That Samuel Titcomb be, and he is hereby appointed, at the expence of the Commonwealth, to run out the land granted to said Fox, and also the lines of the township granted to Josiah Richardson and others, now called Jay, so as to ascertain how far said grants interfere, and to return a plan thereof into the land office, before the first session of the next General Court ; said Titcomb to appoint his own Chainmen, and all to be under oath, and to give seasonable notice to the petitioners, and also to the Selectmen of Jay.

CHAP. CLXII.

Resolve for paying a detachment from Captain Farnum's Company, for protection of the Gaol at Castine.

February 21st, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of fifty-nine dollars and

ninety-eight cents, to Captain Joseph Farnum of the 1st regiment and tenth division of the Massachusetts militia, and by him to be paid over to the officers and privates detached from his Company in July last, for the protection of the Commonwealth's Gaol at Castine, agreeably to the pay-roll; and that his Excellency the Governor be requested to draw his warrant on the Treasurer accordingly.

CHAP. CLXIII.

Resolve for laying a tax on several Counties.
February 21st, 1814.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature for examination, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Common Pleas, for the said counties, have exhibited estimates made by the said Courts, of the necessary charges which may arise within the said several counties, for the year ensuing, and of sums necessary to discharge the debts of said counties:

Resolved, That the sums annexed to the several counties contained in the following schedule be, and the same are hereby granted as a tax for each county respectively, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid:—

Suffolk, twenty-seven thousand dollars,	27,000
Washington, sixteen hundred thirty-five dollars,	1,635
Hancock, four thousand five hundred dollars,	4,500
Bristol, three thousand five hundred dollars,	3,500
Franklin, three thousand two hundred dollars,	3,200
Barnstable, one thousand eight hundred dollars,	1,800
Plymouth, three thousand three hundred dollars,	3,300

CHAP. CLXIV.

Resolve granting to the Attorney and Solicitor Generals
\$1000 each. February 21st, 1814.

Resolved, for the reasons set forth in the petition of Perez Morton, Esq. Attorney General and of Daniel Davis,

Esq. Solicitor General, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Attorney General, the sum of one thousand dollars, in full compensation for his official services during the year ending on the eighteenth day of February, 1814; and that there be allowed and paid to the said Solicitor General, in like manner, the sum of one thousand dollars, in full compensation for his official services during the year ending on the eighteenth day of February, 1814; and that His Excellency the Governor be, and he hereby is authorised and empowered to draw his warrant accordingly.

CHAP. CXLV.

Resolve empowering Lucy Knox to execute a Deed of Conveyance. February 21st, 1814.

On the petition of Samuel Parkman, of Boston, in the county of Suffolk, Esquire, praying that Lucy Knox, of Thomastown, in the county of Lincoln, Executrix of the last will and testament of Henry Knox, late of said Thomastown, Esquire, deceased, may be authorised to transfer and assign to the said Parkman a mortgage deed, made by one William Walsh, of said Thomastown, to the said Henry Knox, in his life time :

Resolved, For reasons set forth in said petition, that the said Lucy Knox, in her said capacity of executrix, be, and she is hereby authorised to transfer, make over, and assign to the said Samuel Parkman, his heirs and assigns, all the right and interest which the said Henry died possessed of, in and to a certain lot of land in said Thomastown, which was mortgaged by the said William Walsh to the said Henry Knox, by his deed of mortgage, bearing date on the twenty-second day of September, in the year of our Lord one thousand eight hundred and two, and containing sixty-four acres, which lot of land is particularly described in said deed.

CHAP. CXLVI.

Resolve on the petition of William Wetmore, Esq. directing the Attorney and Solicitor General to discontinue a suit against him. February 22d, 1814.

Upon the petition of William Wetmore, Esq. praying that an action of the Commonwealth, against him, now pending, upon certain promissory notes, described in said petition, may be discontinued :—

Resolved, For reasons set forth in said petition, that the said suit shall be discontinued ; and the Attorney General and Solicitor General are hereby respectively directed to discontinue the same. And that the said William Wetmore, Esq. be, and he hereby is, forever released and discharged from all claims, suits, and demands of the Commonwealth, for or upon the said notes, and each of the same.

CHAP. CXLVII.

Resolve for compensating Brigadier General James Irish, for military services. February 22d, 1814.

The Committee of both Houses, to whom was referred the petition of Brigadier General James Irish, jun. of the second brigade, and twelfth division, of the militia of this Commonwealth, praying to be allowed for the expence by him incurred, in erecting three monuments or beacons within his brigade, to serve as signals in case of sudden invasion of the town and harbour of Portland, by direction of the Adjutant General, have attended that duty, and report the following resolves :—Which is submitted by

LOTHROP LEWIS, *Per Order.*

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Brigadier General James Irish, jun. one hundred and twenty dollars, as a full compensation for erecting the beacons aforesaid.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the aforesaid James

Irish, jun. twenty-five dollars, in full compensation for his services, in detaching, organizing, and inspecting the detachment of troops, lately stationed at Portland.

CHAP CXLVIII.

Resolve on the petition of Jonathan Nash, appointing L. Lewis to ascertain the quantity and value of land taken from J. Bridgham by running the head line of Pejepscot claim. February 22d, 1814.

The Committee of both Houses, to whom was referred the petition of Jonathan Nash and others, a Committee of the proprietors of a tract of land granted by the Legislature of this Commonwealth to John Bridgham and others, praying that they may be compensated for a part of the grant aforesaid, which they have lost by the establishing of the head line of the Pejepscot claim; have attended that duty, and report, that by a resolve of the General Court, which passed on the 15th day of January, 1789, there was granted to John Bridgham and sixty-four others, "all the interest, title, and claim of the Commonwealth in, and to a tract of land, containing twenty thousand nine hundred and fifty-nine acres, lying within the bounds of what was then called Bakerstown, in the County of Cumberland; and by a subsequent resolve of the 5th of March, 1792, the Attorney General was directed to file and prosecute an information against the proprietors of Bakerstown, at the expence of said John Bridgham and others, to revest the estate in the Commonwealth, for the benefit of the aforesaid John Bridgham and others. That by a resolve which passed February 9th, 1798, it appears that the Supreme Judicial Court had adjudged nearly the whole of the aforesaid tract of land to belong to the proprietors of Bakerstown; and therefore they granted to the said John Bridgham and others, as a compensation for the first mentioned grant, a certain tract of land lying in the town of Poland, (now called Minot,) containing about eighteen thousand acres, to hold in fee as tenants in common; which last mentioned tract of land was described as running from the twenty mile falls on Androscoggin river, south west, about four miles. That by a late decision of the Supreme Judicial Court, it has been determined and

adjudged, that the head line of the Pejepscot claim shall run from the aforesaid twenty mile falls, on Androscoggin river a west course, about four miles to the curve line, so called; by which decision of the Supreme Court, about five thousand acres of the land conveyed to John Bridgham and others, by the last mentioned resolve, has been confirmed to the Pejepscot proprietors, which is an older grant; and that justice to the aforesaid John Bridgham and others, in the opinion of your Committee, requires, that the Commonwealth should in some way indemnify them for the loss they have sustained. Your Committee, therefore, ask permission to report the following resolution:—Which is submitted by

LOTHROP LEWIS, *Per Order.*

Resolved, That the Hon. Lothrop Lewis be a Committee, at the expence of the Commonwealth, to repair to the town of Minot, for the purpose of examining and ascertaining the quantity and value of the land taken from the aforesaid John Bridgham and others, by the running of the head line of the Pejepscot claim; what number of settlers there are upon the same, and under whose title they hold their lands; and to report to the first session of the next General Court, the exact situation thereof, and what measures, in his opinion, would be most adviseable for the Legislature to adopt, to indemnify the aforesaid proprietors.

CHAP. CXLIX.

Resolve making an appropriation for the State Prison.
February 22d, 1814.

The Committee of both Houses, to whom was referred the representation of Gamaliel Bradford, Warden of the State Prison, ask leave to report the following resolve:—Which is submitted.

THOMAS DWIGHT, *Per Order.*

Resolved, That his Excellency the Governor, by and with the advice and consent of the Council be, and he is hereby authorized to draw warrants upon the Treasurer of this Commonwealth, in favor of the Warden of the State

Prison, for such sums and at such periods, as may be deemed expedient by the Governor and Council, not exceeding six thousand dollars, to enable said Warden to fulfil all his existing contracts and defray the necessary expenses of said Prison, he to be accountable for the same.

CHAP. CL.

Resolve directing the Treasurer to pay to the town of Springfield, 12 cents upon \$1000 upon the aggregate amount of each State tax until a new valuation.

February 22d, 1814.

Upon the petition of the agents of the town of Springfield, praying that said town may be discharged from a part of their proportion of State taxes, on account of polls and estate wrongfully set thereto in the last valuation :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the State Treasury, to the town of Springfield, (until a new valuation be taken) upon their payment of the State taxes assessed upon said town, such sum of money as shall be equal to twelve cents on the thousand dollars upon the aggregate amount of each State tax ; and that the Treasurer of this Commonwealth pay the same to the Treasurer of said town of Springfield or his order.

Resolved further, That the county taxes for the county of Hampden, shall hereafter be apportioned upon the several towns in said county, in the same ratio and proportion as if said sum of twelve cents had been deducted from the proportion of the said town of Springfield, upon a thousand dollars in the last valuation ; the said town of Springfield furnishing the Clerk of the Sessions for said county of Hampden, with an attested copy of this resolution.

CHAP. CLI.

Resolve on the petition of Charles Vaughan, Agent of Ann S. Davies, extending the time for settling twenty-five families on two townships in Oxford county.

February 23d, 1814.

On the petition of Ann S. Davies, of New-York, part

owner and proprietor of two townships of land in the county of Oxford and District of Maine, praying for further time for completing the settling duties required in the original grant :

Resolved, For reasons set forth in said petition, that a further time of three years from the first day of June next, be, and hereby is allowed to said Ann S. Davies and others, owners and proprietors of townships called B. and C. on a plan made by John Peabody, to complete the settlement of twenty-five families on each of said townships :— Provided the said Ann S. Davies and others, owners as aforesaid, or their heirs or assigns, shall, on or before the first day of next June, give bond to the Treasurer of this Commonwealth, in the sum of three thousand dollars, with sufficient surety or sureties, to the satisfaction of the Agents for the sale of eastern lands ; conditioned that there shall be settled on each of said townships, the number of twenty-five families, within the time extended as aforesaid, or for the payment of thirty dollars for each family which shall be deficient of the whole number ; upon satisfaction of which bond, given pursuant to this resolve, either by causing the said number of families to be settled on said townships within the time aforesaid, or by paying the said sum of thirty dollars for each family which shall then be deficient, then the estate, right and title of said Ann S. Davies and others, owners as aforesaid, their heirs and assigns, shall be valid and effectual to all intents and purposes, as if the condition of settlement expressed in the original grant of said townships by the Agents for the sale of eastern lands, had been fully and seasonably complied with.

Be it further resolved, That the Treasurer of this Commonwealth be, and hereby is directed, upon receiving bond as aforesaid, to give up or cancel a bond, now in the Treasurer's office, signed by Ann S. Davies, Ezra Hounsfeld, Joseph Hall and Charles Vaughan, dated September 30th, 1809, the penalty of which is fifteen hundred dollars, given for performance of settling duties on said township, called letter B.

CHAP. CLII.

Resolve on the petition of Richard Young, directing the Agent on eastern lands to quitclaim a tract of land.

February 23d, 1814.

On the petition of Richard Young, of Sanford, in the county of York, shewing that the petitioner is in possession of a small gore of land, containing about forty acres, lying at the head of the town of Sanford, in the county of York, belonging to this Commonwealth, and praying that the same be granted to him :

Resolved, For reasons set forth in the petition, that the Agents for the sale of eastern lands, be authorized and directed to convey to the said Richard Young, his heirs and assigns, by quitclaim, all the right, title and interest of the Commonwealth in and unto the following tract of land, with the appurtenances, containing forty acres, *more or less*, and bounded as follows, to wit:—Beginning at the west corner of a tract of land, formerly assigned to Jeremiah and Jotham Moulton, thence south west to Beaver Hill Pond ; thence by the northerly side of said pond to land of Solomon Littlefield ; thence by the same to land of Abraham Morrison ; thence by said Abraham's land to the line of the town of Shapleigh ; thence east on said line to the beginning ;—Provided said conveyance shall not affect or interfere with any other title ; and provided that the said Richard Young, his heirs or assigns, shall, previous to said conveyance, exhibit and file in the Land Office of this Commonwealth, a plan of said land, taken by a surveyor and chainmen, under oath.

CHAP. CLIII.

Resolve on the petition of James N. Lithgow and others, confirming the doings of Jonathan Reed and others, Commissioners to divide a tract of land in Dresden.

February 23d, 1814.

On the petition of James N. Lithgow, William Gardiner and Ebenezer Clap, as guardians to Alfred J. S. G. Lithgow, Llewellyn Lithgow and Louisa Sarah Lithgow, pray-

ing that the doings of Jonathan Reed, Carr Barker and Leonard Cooper, Commissioners, appointed by the Court of Common Pleas for the county of Lincoln, at their November term, seventeen hundred and ninety-five, to divide a tract of land, in Dresden, in said County, called the Eastern River Mills Farm, may be confirmed and rendered valid :—

Resolved, For reasons stated in said petition, that the doings of the said Jonathan Reed, Carr Barker, and Leonard Cooper, Commissioners as aforesaid, be, and they hereby are rendered valid in law, the same not having been accepted or recorded notwithstanding; and that the clerk of the Circuit Court of Common Pleas, in Lincoln County, be directed to record the doings of the said Reed, Barker, and Cooper, Commissioners aforesaid, together with this resolve; and that all sales made by either of the petitioners, since such partition, be, and they hereby are rendered as valid in law, as if the doings of said Commissioners in the partition aforesaid, had been accepted by the court, and recorded as the law directs.

CHAP. CLIV.

Resolce on the petition of Abner Wheeler, administrator on the estate of Elijah Haven, authorising him to convey certain right in equity. February 23d, 1814.

On the petition of Abner Wheeler,

Resolved, That Abner Wheeler, of Framingham, in the county of Middlesex, in his capacity of administrator on the estate of Elijah Haven, late of Hopkinton, in said county, deceased, be, and he is hereby empowered to make and execute a good and sufficient deed, to convey the right in equity, to redeem the said real estate, as the same is now sold; he, the said Abner Wheeler, being held accountable to the Judge of Probate for the said county of Middlesex, for the sum of eighty-six dollars and eighty-six cents, as also for the other sum of two hundred and ninety-one dollars and fourteen cents, for the payment of the just debts of the said deceased, and the charges of sale: And the said deed being duly executed, acknowledged, and recorded, shall

give as good a title to the said estate, as if the same had been legally executed by the said **Elijah Haven**, during his life.

CHAP. CLV.

Resolve on the petition of Henry Baxter and others, directing their discharge from recognizances and judgments, they paying costs. February 23d, 1814.

On the petition of **Henry Baxter**, in behalf of himself, **Charles Lothrop**, and **Nathaniel Davis**, all of **Barnstable**, in the County of **Barnstable**, praying that they may be discharged from two recognizances entered into by them, on the seventh day of **February**, in the year of our Lord one thousand eight hundred and thirteen, for the personal appearance of **Charles Aikins** and **John Smith**, before the **Justices of the Circuit Court of Common Pleas** for the southern circuit, then next to be holden at **Barnstable**, within and for the County of **Barnstable**, on the third Tuesday of **April**, then next :—

Resolved, That for reasons set forth in said petition, the said **Justices of said Court** be, and they hereby are authorized and directed to release and discharge said **Henry Baxter**, **Charles Lothrop**, and **Nathaniel Davis**, from said recognizances, and the judgments thereon rendered, if any such there may be ; provided, they, the said **Henry**, **Charles**, and **Nathaniel**, or either of them, shall pay all the costs that may have in any way or manner arisen thereon.

CHAP. CLVI.

Resolve granting a tax for the County of Essex. February 24th, 1814.

Whereas the **Treasurer of the County of Essex**, has laid his accounts before the **Legislature**, which accounts have been examined and allowed ; and whereas the **Clerk of the Court of Sessions** for said County, has exhibited an estimate made by the said **Court of Sessions**, of the necessary charges

which may arise within the County of Essex for the year ensuing, and of the sum necessary to discharge the debts of said county :—Therefore

Resolved, That the sum of seventeen thousand five hundred dollars be, and the same is hereby granted as a tax for the county of Essex for the year ensuing, to be apportioned, assessed, collected, paid and applied for the purposes aforesaid according to law.

CHAP. CLVII.

Resolve granting pay to the company under the command of Captain John Erskine, detached for the defence of Wiscasset. February 24th, 1814.

The Committee of both Houses, appointed to consider the petition of Captain John Erskine, have attended that duty, and report : That by an order of Brigadier General David Payson, bearing date the third day of April, 1813, the said John Erskine did assemble the company of militia under his command, for the defence of the town and harbor of Wiscasset, then threatened with immediate invasion by the enemy, and performed military duty for three days ; for which service as well as for rations during that time, they have received no compensation ; your Committee therefore report the following resolution. Which is submitted by

LOTHROP LEWIS, *Chairman.*

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the officers, non-commissioned officers, musicians and privates under the command of Captain John Erskine, the sum of sixty-eight dollars and thirty-one cents, on account of rations and wages for three day's service in the month of April, one thousand eight hundred and thirteen, for the defence of the town and harbor of Wiscasset ; and his Excellency the Governor is requested to draw his warrant on the Treasurer for the above sum in favor of Captain John Erskine, who is authorized to receive and pay over the same to the several officers and soldiers under his command in the detachment aforesaid.

CHAP. CLVIII.

*Resolve granting Samuel Jameson \$175.
February 24th, 1814.*

On the petition of Samuel Jameson, setting forth that he did, on the seventeenth day of May, in the year of our Lord one thousand eight hundred and six, pay to the Hon. Salem Towne. Esq. Agent for the Commonwealth, one hundred dollars as the consideration named in a deed executed by the said Towne, on the said seventeenth day of May, as such Agent, to Elizabeth Jameson, widow of Daniel Jameson, and that by said deed no title passed to the said Elizabeth; and he the said Samuel, acting as Agent for the said Elizabeth, has been at great expence in prosecuting a suit to recover said land, and failed in said suit:—Therefore

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Samuel Jameson, the sum of one hundred and seventy-five dollars, as full compensation for said consideration and expences.

CHAP. CLIX.

Resolve on the petition of Jesse Parker, directing the Attorney or Solicitor General to defend the heirs of Winslow Parker in Common Pleas, Middlesex. February 24th, 1814.

On the petition of Jesse Parker, administrator of the estate of Winslow Parker, deceased, praying that the Attorney or Solicitor General may be authorized to appear and defend a suit against the heirs of said deceased, in favor of one James Martin:

Resolved, For reasons set forth in said petition, that the Attorney or Solicitor General be, and is hereby authorized, empowered and directed to appear for said heirs, of whom the said Jesse is one, in an action of land now pending in the Circuit Court of Common Pleas, in the county of Middlesex, wherein the said James is plaintiff, and the said heirs are defendants; and to defend in said action to final judgment, free of any expence to said heirs, and at the expence of said Commonwealth.

CHAP. CLX.

Resolve for erecting a fire-proof Building in York County.
February 25th, 1814.

On the petition of Shelden Hobbs and others, inhabitants the county of York, praying that the public offices of said county may be held at Alfred :

Resolved, That the Selectmen of the several towns in said county, be directed to notify and warn the inhabitants of their respective towns, qualified to vote in town meetings, to meet on the first Monday of April next, for the purpose of ascertaining by their votes, the most convenient place or places to erect a *fire proof building or buildings*, for keeping the records of said county ; and at such meeting, the Selectmen shall receive, count and sort the votes of the voters so assembled, and ascertain the number of votes for the place or places the voters of said town shall judge most convenient, and the Clerk at such meeting shall record the number of votes and the place or places for which they shall be given ; and the town Clerks and Selectmen shall make out a list of said votes and the place or places as aforesaid, and certify and seal the same, and make return thereof to the office of the Secretary of this Commonwealth, on or before the second Wednesday of the first session of the next General Court.

Resolved, That this resolve be printed in the newspaper, which is particularly authorized to publish the laws of this Commonwealth, and also in the *Weekly Visitor*, published at Kennebunk, as soon as may be after the passing thereof.

CHAP CLXI.

Resolve discharging Benjamin Heywood and appointing Asa Goodale to be guardian of the Hassanamisco Indians.
February 25th, 1814.

Whereas Benjamin Heywood, the Trustee of the Hassanamisco Indians, has presented his account for allowance, which has been examined and found correct ; and there remains in the hands of said Trustee, fourteen hundred and seventy-four dollars, thirty-four cents and seven mills : *Resolved* that the same be, and hereby is allowed.

And be it further resolved, That Benjamin Heywood, Esq. the present Trustee, according to the request contained in his memorial, be, and he is hereby discharged from any further service in his said trust :—And that Asa Goodale be, and he is hereby appointed Trustee of the said Hassanamisco Indians, and the said Asa Goodale is hereby empowered to receive of the said Heywood, the said sum of fourteen hundred and seventy-four dollars, thirty-four cents and seven mills ; and the said Heywood is hereby ordered and directed to pay over the same sum accordingly.

CHAP. CLXII.

Resolve authorizing Daniel Bradford, of Keene, guardian of minor children of William Wyman, deceased, to sell real estate of said minors in this Commonwealth.

February 25th, 1814.

On the petition of Daniel Bradford, of Keene, in the county of Chester, and state of New-Hampshire, gentleman, guardian of Mary Capin Wyman and Sarah Curtis Wyman, both of said Keene, minors, under the age of twenty one years, and children of William Wyman, late of said Keene, trader, deceased, testate, praying for license to make sale of several parcels of land lying within this Commonwealth, the estate of said minors :

Resolved, For reasons set forth in said petition, that the said Daniel Bradford, guardian as aforesaid, be, and hereby is authorised and empowered to sell and convey by deed in fee simple, said real estate as described in said petition :—Provided that the said Daniel Bradford first give bond with sufficient sureties, living within this Commonwealth, to the Judge of Probate of the county of Middlesex, conditioned that the said Bradford will account for the proceeds of the sale thereof, that he will well and truly observe all the rules and regulations, relative to the sale aforesaid, in the same way and manner as is provided by the laws of this Commonwealth, in cases where guardians shall have been empowered by the Supreme Judicial Court, or Circuit Court of Common Pleas, to make sale of the real estate of their wards for the payment of debts, or for their support.

CHAP. CLXIII.

Resolve directing the Solicitor General to file in the Supreme Court, information of Quo Warranto to know by what authority certain persons exercise the powers of certain offices in the county of Franklin. February 25th, 1814.

Resolved, That the Solicitor General be, and he hereby is directed to file in the Supreme Judicial Court, information in the nature of Quo Warranto to know by what authority the Hon Soloman Smead, Esq. exercises the office of Judge of the Probate of Wills &c. in the county of Franklin, and by what authority Job Goodale exercises the office of Chief Justice of the Court of Sessions in the said county of Franklin, and by what authority Joshua Green, Medad Alexander and Caleb Hubbard respectively exercise the office of Justices of the Court of Sessions in the said County of Franklin.

CHAP. CLXIV.

Resolve appropriating rooms for the Adjutant and Quarter-Master Generals, and for paying Daniel Oliver for apartments hired, and clerks employed by Adjutant General. February 25th. 1814.

Resolved, That from and after the third day of May next, the apartment at the north-west corner of the State House, on the lower floor, be, and the same is hereby appropriated as an office for the Adjutant General, and the room adjoining the same, under the west stairs, be, and the same is hereby appropriated as an office for the Quarter-Master General of this Commonwealth; and that the Adjutant General and Quarter-Master General be, and they are hereby respectively authorised to provide suitable desks, shelves, and furniture, for their several offices, and for the preservation of the public records and papers of their respective departments.

And be it further resolved, That the sum of one hundred and thirty-one dollars be paid to Daniel Oliver, for the use of the apartments hired of him by the Adjutant General,

and heretofore used by him as an office, from the third day of March last, to the third day of March next.

And be it further resolved, That there be allowed and paid out of the Treasury of this Commonwealth to the Adjutant General, for the services of his first Clerk, the sum of three dollars and fifty cents per day, for each and every day he has been or may be employed in said office, to the first day of June next; and for the services of any other Clerk, which the Adjutant General has been, or may hereafter be under the necessity of employing in his office, a further sum, not exceeding two dollars per day, for each and every day such Clerk has been or may hereafter be so employed; and that his Excellency the Governor, by and with the advice and consent of Council, is hereby authorised and requested to draw his warrants on the Treasury for the payment of the allowances and expences aforesaid.

CHAP. CLXV.

Resolve authorising the Treasurer to borrow 100,000 dollars. February 25th. 1814.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorised and directed to borrow of the Boston or Union Bank, in addition to the sum now borrowed, any sum not exceeding one hundred thousand dollars, that may at any time within the present year be necessary for the payment of the ordinary demands made on the Treasury, and that he repay any sum he may borrow, as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. CLXVI.

Resolve directing the Adjutant General to purchase copies of a Treatise on Courts Martial and Military Law, and distribute them to General Officers, Colonels, and Judge Advocates. February 25th, 1814.

Resolved, That the Adjutant General be, and he is hereby directed to procure a sufficient number of "A Treatise

on Courts Martial and Military Law," and forward one copy to each of the following officers in the Militia of this Commonwealth, viz. Major Generals, or Commanders of Divisions, Brigadier Generals, or Commanders of Brigades, Colonels, or Commanders of Regiments, and Judge Advocates, for the use of such officers, and to be handed down to their successors for their use ; provided the same can be purchased for one dollar and fifty cents each, printed on good paper, well bound with leather, and properly lettered on the back. And his Excellency the Governor with advice of Council is hereby authorised and requested to draw his warrant on the Treasurer for such sum as shall be necessary.

CHAP. CLXVII.

Resolve for paying Joseph Francis, Page to the House.
February 25th. 1814.

Resolved, That there be paid out of the Treasury of this Commonwealth to the Messenger, to be by him paid over to Joseph Francis, one dollar and twenty-five cents per day for each day he the said Francis shall have attended as Page to the House of Representatives, the present session of the General Court.

CHAP. CLXVIII.

Resolve granting one dollar per day to Henry Bacon, Assistant to the Messenger of the General Court. February 25th. 1814.

Resolved, That there be allowed and paid out of the public Treasury to Henry Bacon, one of the assistants to the Messenger of the General Court, one dollar per day, during the present session of the General Court, over and above the usual allowance, which usual allowance is two dollars per day.

CHAP. CLXIX.

Resolve granting one dollar per day to Silvanus Lapham, and W. Chase, Assistants to the Messenger of the General Court. February 25th, 1814.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Silvanus Lapham, and Warren Chase, one dollar per day each, during the present Session of the General Court, in addition to the usual allowance to them, for their services, as Assistants to the Messenger of the said Court, the said usual allowance, being two dollars per day.

CHAP. CLXX.

Resolve on the petition of Edward E. Powers, establishing his pay as Messenger to the Governor and Council. February 25th, 1814.

Resolved, That from and after the passing of this resolve, there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger of his Excellency the Governor and the Honorable Council, the sum of two dollars and seventy-five cents for each day employed in such service, in lieu of the compensation of two dollars and fifty cents per day heretofore allowed by law for the same.

CHAP. CLXXI.

Resolve on the petition of Samuel Babson and others, of Patricktown Plantation, county of Lincoln, remitting their tax. February 25th, 1814.

On the petition of Samuel Babson and others, inhabitants of the Plantation called Patricktown, in the county of Lincoln:

Resolved, For reasons set forth in said petition, that the tax of twenty-one-dollars and sixty-seven cents, apportioned on said inhabitants, for the year 1813, be remitted; and

the said Plantation shall not be required hereafter to pay taxes or choose Plantation officers, until the further order of the General Court.

CHAP. CLXXII.

Resolve granting Jacob Kuhn \$250. February 26th, 1814.

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 two hundred and fifty dollars, which, with the sum already allowed him, shall be in full for his services the present year, ending the thirtieth day of May next.

CHAP. CLXXIII.

Resolve providing for the payment of Wait and Lilly, for printing and binding 1000 copies of Charters, Colony and Province Laws. February 26th, 1814.

On the petition of Thomas B. Wait and Robert Lilly, praying for compensation for printing the Public Charters, and Colony and Province Laws of Massachusetts Bay, according to their contract with the Hon. Nathan Dane, William Prescott, and Joseph Story, Esquires :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, the sum of two thousand three hundred and sixty-nine dollars and twenty-six cents, to the said Thomas B. Wait and Robert Lilly, in full compensation of their claim in the premises, one half of said sum, when the said Wait and Lilly produce to the Treasurer the receipt of the Secretary of this Commonwealth for one half of the books provided for in said contract ; and the other half when the said Wait and Lilly produce to the Treasurer the receipt of the Secretary of this Commonwealth for the residue of said books, agreeably to said contract.

CHAP. CLXXIV.

Resolve appointing a Committee to cause to be repaired the front walk from the State House to Beacon Street. February 26th, 1814.

Resolved, That Mr. Hunnewell, of Boston, Mr. Loring, and Mr. Thayer, be a Committee to superintend the necessary repairs of the flagstone and pavement walk, in front of the State House leading from Beacon Street to the entrance of said State House; and that the said Committee lay their accounts before the Treasurer of this Commonwealth for examination and allowance; and that his Excellency the Governor with the advice of Council, be requested to draw his warrant on the Treasury for the amount of the same, when so examined and approved.

CHAP. CLXXV.

Resolve on the petition of the proprietors of Canal Bridge, relative to a second Drawer. February 26th, 1814.

On the petition of the proprietors of the Canal Bridge, praying to be released from the obligation of constructing more than one drawer in the said Bridge :

Resolved, For reasons set forth in said petition, that the said proprietors of the Canal Bridge be, and they hereby are authorised to suspend for the term of two years, from and after the passing of this resolve, the making or constructing of a second drawer in their said Bridge.

CHAP. CLXXVI.

Resolve on the petition of Isaac P. Davis and others, for the purpose of building a dam. February 28th, 1814.

On the petition of Isaac P. Davis and others, praying to be incorporated for the purpose of building a dam, from Beacon Street, in Boston, to Sewall's point :

Resolved, That the further consideration of the reports of

all Committees upon the said petition, be referred to the first session of the next General Court; and that all parties interested be, and hereby are notified to appear on the first Wednesday of the first session of the next General Court: And that the report of the viewing Committee already made, shall be considered, to all intents and purposes, as if such viewing Committee had been appointed by the present Legislature, with authority to report to the next General Court.

CHAP. CLXXVII.

Resolve granting Jno. Low, jun. \$110 for his services as assistant Messenger to the House of Representatives.
February 28th, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, jun. Assistant Messenger of the House of Representatives, one hundred and ten dollars, in full for his services in that capacity, during the present session of the General Court.

CHAP. CLXXVIII.

Resolve for paying the Committee on accounts.
February 28th, 1814.

Resolved, That there be allowed and paid out of public Treasury, to the Committee to examine and pass on accounts presented against the Commonwealth, 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.

Hon. Silas Holman, thirty-nine days, fifty-eight dollars fifty cents.

Hon. Joseph Whiton, thirty-six days, fifty-four dollars.

Thom Hale, thirty-six days, fifty-four dollars.

James Robinson, thirty-nine days, fifty-eight dollars fifty cents.

George Crosby, thirty-nine days, fifty-eight dollars fifty

cents; which sums shall be in full for their services aforesaid, respectively.

CHAP. CLXXIX.

Resolve for delivering to the Governor, the papers relative to the seizure and detention in New-York, of money belonging to the New England Bank, to be communicated to the next General Court. February 28th, 1814.

The Committee of both Houses, to whom was referred the communications of his Excellency the Governor, bearing date Feb. 14, 1814; relative to the complaint of the President and Directors of the New England Bank, respecting the abuse that was committed by the arrestation and detention of their property by the Collector of the Customs for the District of New York, accompanying a letter from the President of the United States on that subject; respectfully report the following resolution, which is submitted.

T. H. PERKINS, *Per Order.*

Resolved, That the said communications be delivered to his Excellency the Governor and Council, with the request of this Legislature, that his Excellency, or his successor or representative in office, would be pleased to present the said communication, together with sundry memorials and remonstrances from a large number of towns in this Commonwealth, to the next General Court, at an early day of their first session, for their consideration and disposition.

CHAP. CLXXX.

Resolve for paying the Chaplains of the General Court. February 28th, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Rev. Dr. John Lathrop, Chaplain of the Senate, and to the Rev. Joshua Huntington, Chaplain of the House of Representatives, six-

ty dollars each, in full for their services in said office, the present political year.

CHAP. CLXXXI.

Resolve directing the Secretary to request of Judge Parker a copy of that part of his Charge to the Grand Jury of Suffolk, in Nov. last, which delineates the character of the late Judge Parsons, and have it inserted in the next vol. of Term Reports. February 28th, 1814.

Resolved, That the Secretary of this Commonwealth be directed to request of the Hon. Isaac Parker, Esq. one of the Associate Justices of the Supreme Judicial Court of this Commonwealth, a copy of that part of his Charge to the Grand Jury of the County of Suffolk, at their November term last, wherein he delineated the character of the late venerated Chief Justice Parsons, and that the Secretary cause it to be inserted in the next volume of the Judicial reports of this Commonwealth, that shall be published.

CHAP. CLXXXII.

Resolve allowing a further time to locate a township by the Corporation of Williams' College. February 28th, 1814.

On the petition of the Corporation of Williams' College, praying further time to locate a tract of land granted to them by a resolve dated February 20, 1809.

Resolved, That for reasons set forth in the said petition, a further time of two years from this date, be, and hereby is allowed to said Corporation, to locate said township; and the Agents for the sale of Eastern lands, are hereby directed to govern themselves accordingly, any thing in said resolve to the contrary notwithstanding.

CHAP. CLXXXIII.

Resolve on petition of John Blake, Agent for Penobscot Indians, authorising him to lease lands. February 28th, 1814.

On the petition of John Blake, Agent in behalf of the Indians on Penobscot river, praying that he may be allowed to lease the Indian lands, for a number of years :

Resolved, That John Blake, Agent for the Penobscot tribe of Indians, for the reasons set forth in his petition, be, and he hereby is authorised to lease to the several settlers on the Indians' land, the lots on which they are respectively settled, for a term of time, not exceeding six years, for such sums as he may deem reasonable, taking such securities therefor, as he may deem sufficient, and apply the income of said leased lands to the use and benefit of said Indians. Provided however, that if the settlers on said lands, will not allow what said Agent may deem a sufficient compensation therefor, he may lease said lands to others ; and that in all leases the said Agent shall make provision that no waste of wood or timber shall be made on said lands.

CHAP. CLXXXIV.

Resolve on the petition of Robert Hallowell and John Lowell, extending the time for settling two townships, they to give bond. Treasurer directed. February 28th, 1814.

Upon the petition of Robert Hallowell and John Lowell, praying for an extension of the time allowed by a former resolve, for putting the number of settlers required by law, upon two townships mentioned in said petition, viz. No. 2, in the fifth range, and No. 3, in the sixth range, north of the Waldo patent :

Resolved by the Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled, That the time heretofore granted to the said petitioners, for putting the number of settlers required by law, upon the two townships mentioned in their said petition, be, and the same is hereby extended to three years, to be computed from the first day of June last past ; provided the said

petitioners shall give bond with sufficient surety or sureties, within sixty days after the passing of this resolve, to the satisfaction of the Agents for the sale of Eastern lands, to the Treasurer of this Commonwealth; with condition that the number of settlers required by the terms of the deeds granting and conveying said township, shall be actually put upon said townships, on or before the first day of June, which will be in the year of our Lord one thousand eight hundred and sixteen, or that the obligors will pay to the Treasurer of this Commonwealth, the sum of thirty dollars for each and every settler, which shall be deficient in the number required by the original deeds of conveyance of said townships.

And be it further resolved, That the Treasurer of this Commonwealth is hereby directed, upon receiving the bonds as above specified, to give up or cancel any bond or bonds given by said petitioners to the Treasurer of this Commonwealth, conditioned to put settlers on said townships, or pay the sum of thirty dollars for each and every settler required by law, who shall not be put upon said townships.

CHAP. CLXXXV.

Resolve relative to settlers in Bristol, Edgecomb, &c. in Lincoln county. February 28th, 1814.

A resolve in addition to a resolve passed on the 25th day of February, 1813, for quieting settlers on lands in Bristol, Edgecomb, &c. in the county of Lincoln.

On the report of the Commissioners, appointed under the resolve aforesaid, and on the several petitions of the towns of Bristol, Nobleborough, Jefferson, and New-Castle, and of the Lincoln Academy, touching the same subject:

Resolved, That the settlers described in the resolve aforesaid, be allowed a farther time, until the first day of January, 1816, to make payment for their lands therein mentioned; and the powers and duties of the Commissioners appointed, or to be appointed, under the said resolve, are prolonged, and they may make deeds to said settlers, as in said resolve authorised, until said first day of January, upon the payment of such sums, as by the terms of said resolve may be due at the end of the year therein

mentioned, with interest on such full sum afterwards, till paid: Provided, such settlers shall apply seasonably to said Commissioners, in order that time may be allowed to prepare the requisite deeds, and the proper returns to the General Court; and after the said first day of January, it shall be the duty of said Commissioners to make their final return in said resolve required: but no person shall be considered a settler under said resolve, by reason of a settlement originating after the passing thereof.

Resolved further, That the said Commissioners shall give to the said settlers proper directions to complete at their own expence, without delay, such surveys as are by said resolve required, except the part of Waldoborough, lying eastward of the Waldo line; and in case of neglect, may at their discretion, cause such survey to be made, in a manner as little expensive as may be, to answer the purpose intended, on behalf of the Commonwealth, and assess on each settler, applying for a deed, such sum as shall appear to them to be his just proportion of the cost of the plan, within the limits of which he is a settler, which sum he shall pay to them, before he shall receive his deed; and the said Commissioners shall, at the time of making their final return, deposit in the Land office of the Commonwealth, every plan made or produced to them in manner aforesaid. And whereas some of the settlers aforesaid, may have in actual possession, in the same lot, more than two hundred acres of land, and others not settlers, actually resident may, before the passing of said resolve, have had lands in actual possession, for the purpose of cultivation, and made improvements thereon, and they may wish to purchase the same:

Resolved, That the said Commissioners may sell to such settlers and occupants, lands of these descriptions, at such price, as, considering the quality and situations of the land, shall, under all circumstances, to them appear just and equitable, and execute like deeds thereof accordingly.

And whereas parts of the towns of Waldoborough, Nobleborough, and Jefferson, in said resolve mentioned, are included within the limits of the Gore, so called, lying between the Plymouth, Waldo, and Drowne claims, which has by the Commonwealth been granted and conveyed to the Trustees of the Lincoln Academy, and they have signified their willingness to quiet settlers thereon, on the like

terms: *Resolved*, that if the said Trustees, or their assigns, shall within the time aforesaid, make, execute, and deliver to settlers, deeds of all such lands, lying within said parts of said towns, equivalent in all respects to those which the said Commissioners are empowered to make, then the said Commissioners may pay over to the said Trustees or their assigns, the consideration received therefor, instead of paying the same into the Treasury of the Commonwealth, and charge the same in their account. And whereas the said Trustees, were by the terms of their deed from the Commonwealth, required to locate three lots of one hundred and sixty acres each, for public uses, on the Gore, as is usual in grants of half townships to academies; and in fact the said Gore includes small parts of several towns already settled, and such lots cannot be applied to the uses intended; and the said Trustees have petitioned, that in consideration of the low terms, on which, in compliance with the resolve aforesaid, they have offered to quiet settlers as aforesaid, they may be exempted from locating the same lots, which petition appears reasonable:

Resolved, That when the said Trustees shall have complied with the terms and conditions aforesaid, the said Gore shall be confirmed to them, without the condition of locating thereon, the said three lots for public uses; and to prevent doubt, it is declared, that this resolve shall not exempt the said Trustees from assigning, on the residue of said Gore, to each settler, who settled thereon before the first day of January, 1784, one hundred acres of land, on the principles and for the consideration prescribed in a resolve passed on the twenty-sixth day of March, 1788, according to the intent of the several resolves, and the deed of the Commonwealth in favor of said Trustees.

CHAP. CLXXXVI.

Resolve granting fifty dollars for the Gentleman who may preach the next Election Sermon. February 28th, 1814.

Resolved, That there shall be allowed and paid out of the Treasury of this Commonwealth, to the Gentleman who shall preach the Election Sermon, in May next, fifty dol-

lars ; and that his Excellency the Governor shall be authorised to draw his warrant on the Treasurer for said sum.

CHAP. CLXXXVII.

Resolve for paying Ward Lock, for his services as Assistant to the Messenger to the Governor and Council.

February 28th, 1814.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Ward Lock, the sum of two dollars, for each day he may have been employed as Assistant to the Messenger of Governor and Council, the present session of the General Court.

CHAP. CLXXXVIII.

Resolve to pay the Clerks of the two Houses. February 28th, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Samuel F. McCleary, Esq. Clerk of the Senate, the sum of four hundred dollars ; to Benjamin Pollard, Esq. Clerk of the House of Representatives, the sum of four hundred dollars ; to Robert C. Vose, Assistant Clerk of the Senate, the sum of three hundred dollars, in full for their respective services, in the capacities aforesaid, during the present session of the General Court.

CHAP. CLXXXIX.

Resolve granting to Theron Metcalf, Esq. Reporter of Contested Elections, \$90. February 28th, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Theron Metcalf, Esq. Reporter of Contested Elections for this House, the sum of ninety dollars, for his services, during the present session of the General Court.

CHAP. CXC.

Resolve allowing pay to Thomas Walcutt, for extra writing. February 28th, 1814.

Resolved, That seventy-five dollars be granted and paid out of the public Treasury, to Thomas Walcutt, in full for writing done for the House of Representatives, in the recess of the Legislature, according to his account herewith exhibited.

CHAP. CXCI.

On the petition of Seth Fish, jun. Agent for the town of Falmouth, praying for military assistance in defence of said town. February 12th, 1814.

The Committee of both Houses, to whom was referred the petition of Seth Fish, jun. Agent for the town of Falmouth, praying the Legislature to take into consideration, the representation made by inhabitants of said town of Falmouth, to the Governor and Council, requesting that men and cannon may be granted for the defence of said town, against the ships of the enemy; having had the same under consideration, ask leave to report the following resolutions, which are submitted.

ISRAEL THORNDIKE, *Chairman.*

Resolved, That his Excellency the Governor be, and hereby is authorised to furnish the town of Falmouth, in the county of Barnstable, or any other town, which in his opinion may be in danger of invasion, with such guns and ammunition, as in his discretion may be thought proper.

Resolved, That his Excellency the Governor be, and hereby is authorised to accept of the services of any military corps, or of individuals as volunteers, and cause the same to be organized in such mode as he may deem proper, to be held in readiness for the special defence, and safety of this Commonwealth.

ROLL No. 70.....January, 1814.

THE Committee on accounts having examined the several accounts they now present,

REPORT, That there are due to the Corporations and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned ; which is respectfully submitted.

SILAS HOLMAN, *Per Order.*

PAUPER ACCOUNTS.

Town of Arundel, for board and clothing Henry Rolfe to 1st January, 1814,	114 40
Attleborough, for board, clothing and doctoring Eliza and Peggy Taylor, to 1st January, 1814,	98 34
Alfred, for board, clothing and doctoring William Griffith, to the time of his death, including funeral charges, and for the support of Amos Place, to the 3d May, 1813,	88 32
Adams, for board, clothing and doctoring sundry paupers, to 9th January, 1814,	274 15
Abington, for board, clothing and doctoring Thomas Seymore to 1st February, 1814,	47 50
Acton, for board, clothing, doctoring and nursing John Van Vaulkenburg, to 29th March, 1813,	16 65
Andover, for board and clothing Patrick Kallahan, and Sukey Hornsby, to 11th February, 1814,	134 52
Bradford, for board, clothing and doctoring Joshua L. Alstars, to 1st January, 1814,	41 83
Belgrade, for board and doctoring Abigail Odlen, to 26th November, 1813,	35 56
Baldwin, for board of Daniel Hickey, to the 1st January, 1814,	45 15
Boothbay, for board and clothing Henry Green and child, to 12th January, 1814,	28 40
Berwick, for board and clothing Lemuel Woodworth, to 17th January, 1814,	45 40

Bernardstown, for boarding, clothing and doctoring Oliver Stevens, to 25th January, 1814,	69 00
Bridgewater, for board and clothing Frederick Bignor, Benjamin Cantral, Robert, Green and William Martin, to 16th January, 1814,	119 43
Belfast, for the support of Robert Rogers and family, to the 1st January, 1814,	48 60
Buxton, for board, clothing and doctoring James Maurice, to the time of his death, and funeral charges,	48 32
Beverly, for board, clothing and doctoring sundry paupers, to 1st February, 1814,	646 93
Bangor, for boarding, clothing, doctoring and nursing Frederick Waterberry, to 1st January, 1814, and Margaret Gregg, to the time of her death, including funeral charges,	150 40
Becket, for board, clothing and doctoring Sally Leonard, Hiram Leonard and Bristol Bogart, to 20th January, 1814, and Andrew Moffit's wife and children, until they left the Commonwealth,	134 45
Bellingham, for board and clothing Robert Atkins, to the time of his death, including funeral charges,	19 33
Berlin, for support of John Hanna, to the 5th April, 1813, the time of his death,	13 50
Brimfield, for board and clothing John Christian, 20th January, 1814,	65 91
Bradford, Samuel, keeper of the gaol in Suffolk county, for the support of sundry poor prisoners, to 24th December, 1813,	537 81
Burlington, for the support of James Cade, to 13th September, 1813,	25 14
Boxford, for board and clothing Mehitable Hall, to 14th February, 1814,	97 84
Boston, Board of Health, for board, clothing and doctoring sundry paupers at Rainsford's Island, to 1st February, 1814,	123 47
Boston, for board, clothing and doctoring sundry paupers, to 1st December, 1813,	6980 56
Cushing, for board and clothing James Walker, to 10th January, 1814,	41 28
Carlisle, for board and clothing Robert Barber, to 9th January, 1814,	46 34

Cape Elizabeth, for board and clothing James Ramsbottom, to 2d January, 1814,	49 00
Chester, for board and clothing Benjamin Powers, to 17th January, 1814,	37 06
Cambridge, for board and clothing sundry paupers, to 20th January, 1814,	338 14
Camden, for board and doctoring John Bloom, to 8th January, 1814,	122 70
Chesterfield, for board and clothing Rachael Polly and her daughter, to 1st January, 1814,	89 30
Colrain, for board and clothing Sally Lamonier, Richard Haynes and Rachael Haynes, to 12th January, 1814,	106 14
Castine, for board, clothing and doctoring James Bulkley, to 1st January, 1814, and James Berwick, to 3d December, 1813, when he was sent to the United States' Hospital,	117 60
Charlestown, for board, clothing and doctoring sundry paupers, to 11th February, 1814,	218 17
Chelmsford, for board, clothing and doctoring sundry paupers, to 1st January, 1814,	102 53
Concord, for board and clothing Joseph Cox and Case, a black man, to 14th February, 1814,	117 00
Cohasset, for board and supplies to the family of Peter Powers, to 3d July, 1813,	35 71
Charlton, for board, clothing, doctoring and nursing Edward Madden, to 1st January, 1814,	46 07
Dresden, for board and clothing Charles Call, to 1st January, 1814,	66 20
Dogget, Samuel, keeper of the gaol in the county of Norfolk, for support of poor prisoners, to 23d January, 1814,	101 22
Durham, for supplies to Alexander Mackintosh, to 12th January, 1814,	26 00
Dedham, for board, clothing and doctoring Robert Clue, Peggy Henly and Elizabeth Brown to 12th January, 1814,	43 56
Dorchester, for board and clothing John Harrison and Thomas Wyman, to 30th January, 1814,	95 60
Danvers, for board clothing, and doctoring sundry paupers, to 8th February, 1814,	1154 50
Dracut, for supplies to Richard Baker, to 11th February, 1814,	62 00

Elliot, for board and supplies to Jack Roberts, Jacob Brewer and Abigail Randal, to 15th January, 1814, including doctor's bill,	118 90
Edgartown, for board and clothing Anthony Chadwick, to 8th January, 1814,	62 76
East Hampton, for board and nursing Billdad Trumble, to 26th January, 1814,	49 50
Egremont, for board and clothing the family of Mary Daley and Benjamin Randal, to 14th January, 1814,	315 20
Fayette, for board and clothing William Godfrey, to 1st January, 1814,	66 20
Franklin, for board, clothing and doctoring Thomas Barre, to 3d February, 1814,	95 47
Frankfort, for board and clothing Hatevil Colson, to 31st March, 1813,	11 12
Gardner, for board of Thomas Doyle, to 12th May, 1813,	18 00
Granville, for board and clothing George Taylor and Achibald Stewart, to 1st January, 1814,	84 35
Granby, for board and clothing Ebenezer Darvins, to 17th January, 1814,	64 25
Great Barrington, for board, clothing and nursing Isaac Hose, Catharine Hose, Mary Hose, Clarissa Lindsey and Lucy Porter, to 9th January, 1814,	270 64
Greenwich, for board, clothing, doctoring and nursing sundry paupers, to 14th January, 1814,	211 85
Groton, for board, clothing and doctoring sundry paupers, to 10th January, 1814,	356 13
Greenfield, for board, clothing and doctoring Eunice Convers, to 1st January, 1814,	401 00
Gill, for board, clothing and doctoring Sarah Hamilton, Samuel Lyon and wife, to 29th January, 1814,	122 03
Gloucester, for board, clothing and doctoring sundry paupers, to 10th November, 1813,	991 94
Gorham, for board, clothing and nursing Jacob Morse, to 16th February, 1814,	54 00
Hancock, for board and clothing Rebecca Osborn, to 1st January, 1814,	53 28

PAUPER ACCOUNTS.

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Hutson, John, keeper of the gaol in the county of Essex, for the support of sundry poor prisoners, to 30th December, 1813,	353 79
Herrick, Ephraim, for board Lemuel Culver and Phœbe Culver's child, to 10th January, 1814,	108 56
Hadley, for board, clothing and doctoring Fry-day Allen and Rebecca, his wife, to 6th January, 1814,	124 70
Hodgkins, Joseph, keeper of the house of correction in the county of Essex, for board and clothing sundry paupers, to 31st January, 1814,	248 03
Hallowell, for board, clothing and doctoring sundry paupers, to 31st December, 1813,	619 40
Holland, for board and clothing Jonathan Hill, to 13th January, 1814,	36 37
Haverhill, for board, clothing and doctoring William Tapley, to 1st January, 1814,	83 25
Hingham, for board, clothing and doctoring Otterwill Warrell and supplies to his family,	27 72
Hopkinton, for supporting Dinah, a negro, to 6th February, 1814,	156 00
Ipswich, for board and clothing sundry paupers, to 1st February, 1814,	464 33
Kittery, for board, clothing and doctoring Sarah Perkins, Deborah Perkins and child, to 1st January, 1814,	142 00
Lee, for board, clothing and doctoring Jonathan and Sarah Blackman, Asubah Cain, Lucy Fuller, Daniel and Betsy Santee, Nathaniel and Sarah Hubbard, and Nathaniel Risley, to the time of his death, January 6th, 1814, including funeral charges,	326 47
Lanesborough, for board, clothing and doctoring Clarissa Curtis, Tersey Terry, supplies to Ichabod Sherlock, to 1st January, 1814, and Jerusha Welsh, to the time of her death, including funeral charges,	171 90
Leyden, for board, clothing and doctoring Stacy Fuller, Elizabeth Wagger and Ruth Abel, to 21st January, 1814,	91 92
Limington, for board and clothing John Orion, to 1st January, 1814,	67 20

Lenox, for board and clothing Abraham Palmer, Tabitha Lewis and Mary Thurston, to 3d January, 1814,	108 75
Lincolnvillc, for board and clothing Alexander White, Timothy Cox and Edward Cram's child, to 1st January, 1814,	138 05
Litchfield, for board and clothing Daniel Howard and Hannah Taylor's two children, to the 1st January, 1814,	89 20
Littleton, for board and clothing John Putnam, to 27th January, 1814, and Joseph Davenport, until he left the town,	86 92
Lynn, for board and clothing sundry paupers, to 8th February, 1814,	696 04
Lunenburg, for board, clothing, doctoring and nursing Felix Tool, to 25th January, 1814,	104 23
Machias, for board, clothing and doctoring Viah Wheaton, Moses Wheaton, to 1st January, 1814, and Daniel McDaniel, to the time of his death, including funeral charges,	163 47
Milford, for board of Betty Gould and supplies to Robert Wood, to 10th January, 1814,	44 68
Methuen, for board, clothing and doctoring Nancy Hale, to 14th January, 1814,	67 69
Middleborough, for the support of John Fitzgerald, to 10th January, 1814, and Betty White to same date,	129 46
Marshfield, for board, clothing and doctoring Phillis Mitchell, to 13th May, 1813, and Lemuel Little, to the time of his death, including funeral charges,	176 38
Mount Vernon, for board and clothing David Bassford, to 5th January, 1814,	30 80
Milton, for board, clothing and nursing Alexander Theophilus, to 7th February, 1814,	65 00
Marblehead, for board, clothing and doctoring sundry paupers, to 6th February, 1814,	536 42
Montague, for board, clothing and nursing Joshua Searls, to 10th January, 1814,	60 86
Medford, for board of John P. Larkin, and supplies for his family, until his death, November, 1813, including funeral charges,	39 79

Medway, for board, doctoring and nursing Phineas Dodge, until he left the State, and expense of his removal therefrom, January, 1814,	29 04
Norridgewock, for board and clothing Joseph Spencer, a poor prisoner, confined for debt, to 8th December, 1813,	57 00
New-Gloucester, for board, clothing and nursing John May and Joseph Gregory, to 15th January, 1814,	72 84
Norwich, for board of David Williams, to 17th January, 1814,	66 96
New-Marlborough, for board, nursing and clothing Ork Eugene, to 25th January, 1814,	18 15
North Yarmouth, for board, clothing, doctoring and nursing George Young, to the time he left the town, and William Elwell and John Martin, to the time of their death, including funeral charges, 1813,	163 70
Newbury, for board, clothing and doctoring sundry paupers, to 1st January, 1814,	1326 69
Newburyport, for board, clothing and doctoring sundry paupers, to the 1st January, 1814,	2491 29
Northampton, for board, clothing and doctoring sundry paupers, to the 1st February, 1814,	382 03
Nantucket, for board, clothing and doctoring sundry paupers, to 1st January, 1814.	91 56
Oxford, to board of Catharine Jourdan, to 1st January, 1814,	71 86
Overseers of the plantation of Marshpee Indians, for supporting sundry paupers, to January, 1814,	490 10
Pittsfield, for board, clothing and doctoring sundry paupers, to 1st January, 1813,	317 76
Peru, for supplies to James Robbins and family, to 8th January, 1814,	75 04
Palmer, for board, clothing and doctoring William Mundon and Phoebe Mundon, his wife, to 5th January, 1814,	134 27
Parsonfield, for board and clothing Susan Miles and child, to 15th January, 1814,	30 20
Plymouth, for board, clothing and doctoring sundry paupers, to 9th January, 1814,	440 51
Pejipscot, for support of William Ireton, to 11th January, 1814,	15 41

Portland, for board, clothing and doctoring sundry paupers, to 1st January, 1814,	1503 60
Quincy, for board and clothing William Oliphant, to 23d January, 1814,	72 70
Readfield, for board and clothing Edward Burgess, to 1st January, 1814,	59 16
Rowley, for board, clothing, doctoring and nursing Elle Collins, to 3d January, 1814, also Benning Daw,	126 81
Richmond, for board, doctoring and nursing Eli Allen, to the time of his death, including funeral charges,	14 00
Rutland, for board, clothing and doctoring John Caulin, William Henderson, and funeral charges of John Hannes, 1st January, 1814,	78 83
Roxbury, for board, clothing and doctoring sundry paupers, to 3d January, 1814,	316 22
Rehoboth, for board, clothing and doctoring sundry paupers, to 1st January 1814,	260 88
Russell, for board, clothing, doctoring and nursing John Ward, to the time of his death, including funeral charges May, 1813,	14 67
Sandwich, for board and clothing Richard Cranch, to 10th January, 1814,	36 30
Scarborough, for board and clothing William Bowlin and Robert Gilfillen, to 8th January, 1814,	47 10
Sandisfield, for board and clothing Elizabeth Dando, Richard Dukson, and family, to 10th January, 1814,	64 57
Spencer, for board and clothing John Lander, to 6th January, 1814,	67 20
Standish, for board and clothing Alice Noble, to 6th January, 1814,	67 00
Scituate, for board and clothing John Woodward, to 1st June, 1813,	30 20
Shrewsbury, for board and clothing Leander Taylor, to 25th January, 1814,	30 16
Sutton, for board, clothing, doctoring and nursing John Knox, and five children of Isabella Santee, to 11th January, 1814,	163 08
Swansey, for board and clothing James Garnet and Ganet Burns, to 15th January, 1814,	74 80

Stockbridge, for board, clothing and doctoring Seley Peet, Mercy Doud and John Morrison, to 7th December, 1813, including funeral charges for Mercy Doud,	214 26
Somerset, for board and clothing William Elliot, to 1st January, 1814,	25 78
Shirley, for board and clothing Roderick McKinsey and wife, Simeon Cox and Molly Fare, to 29th January, 1814, and James Mills, to the time of his death,	172 99
Sudbury, for board and nursing Peter Hammond, to 24th January, 1814,	129 73
Shelburn, for board, clothing, doctoring and nursing Paul McCoy and family, to 31st January, 1814,	158 94
Southwick, for board, clothing and doctoring George Reed, to 1st January, 1814,	75 04
Sidney, for the support of James Lyon, to 13th May, 1813, when bound out,	11 00
St. George, for board and clothing Robert Hawes, to 2d February, 1814,	57 28
Salem, for board, clothing and doctoring sundry paupers, to 2d January, 1814,	1582 74
Springfield, for board, clothing, doctoring and nursing sundry paupers, to 5th January, 1814, including funeral charges for four paupers,	61 57
Sterling, for board and clothing Jeremiah Pike, to 14th January, 1814,	74 45
Simonds, Caleb, for supporting a poor prisoner in Concord gaol, 23d August, 1813,	6 65
Stoneham, for board, nursing and doctoring Nicholas John Crevy, to the time of his death, and his wife, to 29th January, 1814, including funeral charges,	110 48
Tyringham, for board, clothing and doctoring Ralph Way, to 1st January, 1814,	73 23
Taunton, for board and clothing sundry paupers and poor prisoners, to 31st December, 1813,	261 48
Thomastown, for board, clothing and doctoring John Anderson, to 12th January, 1814,	53 24
Uxbridge, for board and clothing Philis Jenks and three children, to 14th February, 1814,	76 00
Winthrop, for board and clothing William Gaskill, Olive Howard and Thomas Taylor's family, to 4th January, 1814, including the charges of moving Taylor's family out of the State,	270 89

West-Springfield, for board and clothing James Aldrech, Hannah Shivey and Hannah Felt, to 13th January, 1814,	105 60
Windsor, for board and clothing Henry Smith and wife, to 14th January, 1814,	80 92
Williamston, for board, clothing and doctoring sundry paupers, to 12th January, 1814, including funeral charges, for Mary Blue, Laura Stephenson and child, and removing Christopher Glover, out of the State,	312 47
Woolwich, for board, clothing and doctoring Anna Amelia Hencom, to November, 1811,	37 70
West Stockbridge, for board and clothing Lucy Lane and James C: Biggs, to 1st Jan'y, 1814,	101 00
Worcester, for board, clothing and doctoring sundry paupers, to 1st January, 1814,	182 32
Westfield, for board, clothing and doctoring John Newton and wife, and T. Gillet to 31st December, 1813,	170 95
Wilbraham, for board and clothing James W. McDunn, to 27th January, 1814,	8 05
Woburn, for board and clothing John Lynham, to 10th February, 1814, also James Cade,	86 10
Wiscasset, for board, clothing and doctoring Nicholas Webber, Isaac Fay, to 1st February, 1814, Mrs. Rich to the time of her death, including funeral charges, and Lewis Swart's wife and three children until they left the town, 25th August, 1813,	543 44
West Hampton, for board and clothing, sundry paupers to 1st January, 1814,	72 50
Watertown, for board of Sarah Ellis, to 24th January, 1814,	19 34
Warren, for board and clothing William Mearman, and Hannah Annis, to 1st January, 1814,	222 40
Westford, for board, clothing, doctoring and nursing Christopher Sheppard, to 15th February, 1814,	85 24
York, for board, clothing, doctoring and nursing sundry paupers, to the 8th February, 1814,	787 45

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*MILITARY ACCOUNTS.**Courts Martial, and Courts of Inquiry.*

To Blish, jun. Joseph, for the expence of a Court Martial, held at Sandwich, in September and October last, whereof Col. Charles Turner was President,	127 48
Dewey, Charles, for the expence of a Court of Inquiry, held at Egremont, in December, last, whereof Col. Colgrove was President,	28 76
Fisher, Jacob, for the expence of a Court of Inquiry, held at Shrewsbury, in August 1813, whereof Col. Blood was President.	57 93
Hoyt, Epaphras, for the expence of a Court of Inquiry, held at Whately, in November last, whereof Col. Langley was President,	30 96
Starr, Jun. James, for the expence of a Court Martial, held at Paris, in June last, whereof Col. Nevers was President,	147 47
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Brigade Majors and Aids de Camp.

To Bates, Elkh, to 30th January, 1814,	60 95
Blish, Jun. Joseph, to 19th December, 1813,	47 55
Bastow, Sumner, to 15th August 1813,	57 00
Cummings, David, to 20th January, 1814,	50 93
Clap, Ebenezer, to 13th November, 1813,	61 85
Dwight, W. Henry, to 1st December, 1813,	58 10
Dewy, Charles, to 24th January, 1814,	13 00
Dutch, Ebenezer, to 13th January, 1814,	107 63
Fisher, Jacob, to 20th October, 1813,	56 90
Greenleaf, Samuel, to 8th November, 1813,	74 36
Goodwin, M. John, to 15th January, 1814,	68 66
Hubbard, Russell, to 1st December, 1813,	24 00
Hoyt, Epaphras, to 1st January, 1814,	52 64
Hayward, Nathan, to 7th January, 1814,	83 00
Howard, Samuel, to 3d December, 1813,	151 15
Hubbell, Calvin, to 28th December 1813,	22 60
Hight, William. to 10th January, 1814,	51 00
Jaques, Samuel, to 15th February, 1814,	70 33

Knap, L. Samuel, to 9th December, 1813,	45 75
Mattoon, D. Noah, to 24th, January 1814,	33 95
Osgood, Francis, to 27th January, 1814,	54 03
Pope, Thomas, to 26th January, 1814,	35 45
Page, Samuel, to 20th January, 1814,	136 18
Sawtell, Richard, to 1st January, 1814,	73 90
Starr, Jun. James, to 1st November, 1813,	52 70
Russell, Edward, to 24th January 1814,	29 65
Russ, John, to 8th September, 1813,	64 00
Roberts, L. Charles, to 8th February, 1814,	8 00
Tilden, P. Bryant, to 15th February, 1814,	49 75
Thayer, Minot, to 12th February, 1814,	65 40
Thayer, M. Samuel, to 21st February, 1814,	92 25
Varnum, F. Benjamin, to 8th September, 1813,	28 35
Whiting, Timothy, to 29th December, 1813,	86 75
Wingate, F. Joseph, to 13th February, 1814,	24 50

Brigade Quarter Masters.

Bartol, Barnabas, to 1st January, 1814,	17 71
Cook, Daniel, to 1st January, 1814,	34 31
Crosby, John, Jun. to 1st of January, 1814,	32 27
Crafts, Ebenezer, to 1st January, 1814,	23 73
Cambell, Archibald, to 1st January, 1814,	25 83
Fales, C. Samuel, to 1st January, 1814,	31 06
Garret, Andrew, to 11th January, 1814,	15 84
How, Thomas, to 1st January, 1814,	29 51
Hildreth, Jonathan, to 1st January, 1814,	22 15
Hobat, Thomas, to 1st January, 18 4,	17 03
Lewis, Lyman, to 1st January, 1814,	24 31
Norton, B. Winthrop, to 1st January, 1814,	30 57
Partridge, Samuel, to 1st January, 1814,	35 94
Pollard, Oliver, to 1st January, 1814,	17 92
Roberts, Charles, to 1st January, 1814,	11 28
Rossiter, Samuel, to 1st January, 1814,	17 48
Weston, D. Jonathan, to 1st January, 1814,	69 84
Walker, Timothy, to 1st January, 1814,	28 42

8485 20

Adjutants.

Adams, Charles, to 9th January, 1814,	20 23
Armes, George, to 24th January, 1814,	20 15
Adams, Moses, to 24th August, 1813,	19 11
Avery, Joshua, to 17th February, 1814,	38 69
Bigelow, Tyler, to 18th January, 1814,	39 88
Backus, Zenos, to 4th January, 1814,	32 29
Burnham, Enoch, to 1st January, 1814,	30 20
Brown, Benjamin, to 27th December, 1813,	26 35
Bodurtha, Harvey, to 8th January, 1814,	19 35
Bosworth, Sherman, to 5th January, 1814,	16 36
Bartol, Barnabas, to 18th September, 1813,	16 62
Brewer, C. Daniel, to 23d September, 1813,	14 37
Brown, Abner, to 28th January, 1814,	114 12
Bradley, Enoch, to 25th January, 1814,	15 71
Bancroft, Ebenezer, to 8th June, 1813,	39 25
Bourne, Joseph, to 21st September, 1813,	23 47
Brown, Thomas, to 21st September, 1813	24 37
Callender, Benjamin, to 11th December, 1813,	14 50
Carter, Willis, to 6th January, 1814,	19 41
Clarke, Joseph, to 13th January, 1814,	63 71
Chase, James, to 13th January, 1814,	18 74
Champney, John, to 28th January, 1814,	67 00
Clarke, Samuel, to 2d January, 1814,	81 20
Cushing, Niel, to 24th January, 1814,	44 91
Colman, Daniel, to 11th February, 1814,	8 10
Chase, L. Thomas, to 16th February, 1814,	14 52
Crowell, Michael, to 18th January, 1814,	22 13
Draper, William, to 15th January, 1814,	26 59
Dean, Josiah, to 20th January, 1814,	41 12
Eell, Samuel, to 20th January, 1814,	89 55
Fliat, William, to 1st June, 1813,	6 75
Fairbank, Stephen, to 28th January, 1814,	98 62
Gilmore, Rufus, to 25th December, 1813,	21 03
Gilbreath, John, to 8th January, 1814,	12 39
Gitchel, Ephraim, to 11th January, 1814,	44 09
Grennel, Jun. George, to 1st January, 1814,	20 98
How, Joel, to 24th December, 1813,	12 82
Hyde, Zina, to 26th September, 1813,	25 28
Hald, Jun. Josiah, to 1st January, 1814,	17 73
Henshaw, Samuel, to 17th January, 1814,	17 37
Hudson, R. John, to 12th December, 1813,	18 90
Harrington, Joseph, to 1st January, 1814,	58 13

Hilton, Joshua, to 9th February, 1814,	106 38
Hodson, Isaac, to 20th September, 1813,	46 68
Jewett, Jesse, to 3d January, 1814,	23 62
Jones, Nathan, to 1st January, 1814,	7 66
Jenkins, Abraham, to 8th January, 1814,	9 84
Ingraham, M. James, to 11th May, 1813,	34 73
Jaques, Henry, to 11th January, 1814,	40 14
Kingman, Simeon, to 10th January, 1813,	37 13
Kenney, Thomas, to 1st January, 1814,	16 01
Keith, Cyrus, to 17th January, 1814,	65 85
Kellog, C. Giles, to 14th January, 1814,	26 50
Kingsbury, Sanford, to 30th November, 1813,	22 29
Lewis, Philo, to 17th December, 1813,	23 89
Low, Parley, to 11th January, 1814,	13 73
Lunt, Peter, to 8th January, 1814,	9 32
Lewis, Lyman, to 1st October, 1813,	21 69
Munroe, William, to 25th June, 1813,	14 93
Marston, Jonathan, to 17th November, 1813,	59 33
Mitchel, William, to 1st May, 1813,	54 36
Nye, Joseph, to 14th December, 1813,	13 37
Needham, H. James, to 11th January, 1814,	30 10
Nason, Levet, to 24th January, 1814,	32 00
Ormsby, Abraham, to 1st January, 1814,	23 53
Orr, Hector, to 5th January, 1814,	69 75
Poor, A. Daniel, to 3d October, 1813,	6 09
Preston, Warren, to 17th August, 1813,	22 78
Pengree, Samuel, to 7th January, 1814,	21 30
Page, Jesse, to 1st January, 1814,	14 85
Pope, Jun. Ebenezer, to 26th January, 1814,	15 22
Poor, Nathan, to 1st January, 1814,	17 61
Pike, T. Joseph, to 11th February, 1814,	10 48
Parker, Henry, to 15th January, 1814,	49 37
Rider, Lot, to 27th November, 1813,	9 00
Richardson, Ephraim, to 29th November, 1813,	11 92
Rice, Alvon, to 1st January, 1814,	17 40
Ripley, W. James, to 1st October, 1813,	11 68
Scammon, F. John, to 8th January, 1814,	12 20
Stinchfield, Jeremiah, to 16th April, 1813,	4 84
Sever, John, to 1st November, 1813,	14 28
Salmond, William, to 1st January, 1814,	30 13
Smith, Henry, to 15th January, 1814,	15 65
Silsbee, Samuel, to 28th July, 1813,	10 83
Shattuck, Daniel, to 1st October, 1813,	24 36
Spring, Josiah, to 16th January, 1814,	12 56

Sprague, G. Joseph, to 29th September, 1813,	13 39
Trufant, Seth, to 8th October, 1813,	17 86
Toby, Elisha, to 1st January, 1814,	41 19
Turner, P. John, to 1st January, 1814,	17 35
Treadwell, Charles, to 1st January, 1814,	4 14
Wood, John, to 7th January, 1814,	15 35
Wilmut, David, to 1st September, 1813,	13 50
Washburn, Cornwell, to 10th October, 1813,	17 60
Williams, Jonathan, to 3d February, 1814,	38 65
Ware, Jason, to 8th February, 1814,	12 72
Waters, Jason, to 31st January, 1814,	14 69
Wild, Jonathan, to 17th February, 1814,	51 94

 \$2769 87

Expences of Horses to haul Artillery.

Bird, Joseph, to 7th October, 1813,	8 75
Clemence Calvin, to 14th October, 1813,	5 00
Dewey, Calvin, to 2d October, 1813,	5 00
Derby, Benjamin, to 17th November, 1813,	15 00
Dyer, Ebenezer, to 15th October, 1813,	20 00
Gleason, Joseph, to 30th December, 1813,	10 00
Gale, Isaac, to 13th October, 1813,	15 00
Hills, William, to 22d December, 1813,	10 00
Joy, Noah, to 8th October, 1813,	5 00
Johnson, Peter, to 6th October, 1813,	40 00
Johnson, Alfred, to 16th September, 1813,	5 00
Kendall, Loammi, to 7th October, 1813,	8 75
Lyon, John, to 8th October, 1813,	5 00
Ladd, G. Samuel, to 5th October, 1813,	7 50
Lane, Isaac, to 13th October, 1813,	7 50
Lewis, James, to 13th January, 1814,	8 75
Prentis, Caleb, to 6th October, 1813,	10 00
Peabody, Jacob, to 19th January, 1814,	7 00
Putnam, Jesse, to 1st January, 1814,	7 00
Parkhurst, Amasa, to 24th January, 1814,	5 00
Page, Timothy, to 8th October, 1813,	8 75
Prescott, L. John, to 18th September, 1813,	6 50
Rantlett, Samuel, to 15th January, 1814,	5 00
Stebbins, Zenos, to 10th December, 1813,	5 00
Smith, M. Edmund, to 21st February, 1814,	8 75
Strong, Asahel, to 3d February, 1814,	5 00
Smith, E. Joseph, to 14th February, 1814,	20 00

Sprague, Nathaniel, to 17th September, 1813,	7 50
Smith, Zenos, to 9th June, 1813,	5 00
Landerson, Henry, to 7th October, 1813,	10 00
Temple, John, to 7th October, 1813,	8 75
Thaxter, Jonathan, to 17th February, 1814,	20 00
Ware, Nathan, to 24th January, 1814,	5 00
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	290 00
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Aggregate Courts Martial, &c. - - - -	392 60
“ Brigade Quarter Masters, - -	485 20
“ Brigade Majors, &c. - - -	1992 26
“ Adjutants, - - - - -	2769 87
“ For Artillery Horses, - - -	290 50
	<hr/>
	5930 43

SHERIFFS' AND CORONERS' ACCOUNTS.

Baker, Jun. John, Coroner of Norfolk County, for funeral charges of a stranger, January, 1814,	7 00
Bourn, Thomas, Coroner of Norfolk County, for inquest and funeral charges of a stranger, April 13th, 1813,	19 00
Folsom, W. John, Coroner of Suffolk County, for inquest and funeral charges on sundry strangers, to February, 1814,	76 49
Gardner, Lathram, Coroner of Nantucket County, for inquest and funeral charges of a stranger, January, 1813,	26 12
Glover, Benjamin, Coroner of Nantucket County, for inquest and funeral charges of sundry strangers, March, 1813,	84 17
Leonard, Horatio, Sheriff of Bristol County, for apprehending a prisoner and returning votes for Governor and Lieutenant Governor, 1813,	58 20
M'Lellen, John, Coroner of Cumberland County, for inquest and funeral charges of a stranger, September, 1813,	21 15
Osgood, James, Deputy Sheriff of Oxford County, for distributing resolves for choice of Electors of President and Vice President, November, 1813,	14 50

Putnam, Josiah, Coroner of the County of Worcester, for inquest and funeral charges of a stranger, August, 1813,	20 49
Sawtell, Richard, Sheriff of Somerset County, for returning votes for Governor, Lieutenant Governor and Senators, 1813,	17 60
Tobey Seth, Coroner of Barnstable County, for inquest and funeral charges of a stranger, August, 1813,	21 60
Witt, Thomas, Coroner of Essex County, for inquest and funeral charges of two strangers, January, 1814,	45 68
	<hr/>
	412 00

PRINTERS' ACCOUNTS.

Allen, E. W. for printing Acts and Resolves, for 1813,	16 66
Allen, Phineas, for printing Acts and Resolves, for 1813,	16 67
Allen, W. B. and H. G. for printing Acts and Resolves, for 1813,	16 67
Adams & Rhoades, for printing to 26th Aug. 1813,	7 50
Clapp, William, for printing Acts and Resolves, to 23d February, 1813,	16 67
Cheever, Nathaniel, for printing Acts and Resolves, 1st January, 1814,	16 67
Munroe & Francis, for printing to 14th Feb. 1814,	26 37
Shirley, A. for printing Acts and Resolves, to 1st January, 1814,	16 67
Russell, Benjamin, for printing and stationary, for the government, including printing for the Massachusetts Agricultural Society, amounting to 362 dollars.	4,191 32
Phelps and Denno, for printing Acts and Resolves, to July, 1813,	16 67
Watson and Bangs, for printing to July, 1813,	10 00
Wait, Thomas, B. for printing, to 28th July, 1813,	21 00
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	\$4,372 87

MISCELLANEOUS ACCOUNTS.

Boston Board of Health, for sundry repairs on Rainsford Island, to February, 1814,	95 66
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Bradford and Reed, for stationary to 8th February, 1814,	147	87
Brown, Walter, for the burial of a stranger, February 7th, 1814,	5	00
Brooks, John, for stationary, January, 1814,	6	89
Blaney, Henry, for sundry repairs on the State-House, to 7th December, 1813,	35	67
Bradley, Samuel and David, for sundry articles, of Iron Mongry, for the State-House, to January, 1814,	51	77
Burditt, James, W. for stationary, to 17th February, 1814,	509	29
Bill of Cost, in the case of John Vinal, allowed to the following persons, viz :		
George Reed, Constable,	5	
Thomas Dawes,	4	
David W. Bradley,	4	
Edward Jackson,	3	
William P. Whiting,	1	
Shubael Bell,	1	
Elias Mann,	2	
Walter Crosby,	1	
Andrew Sanborn,	1	
Joseph Wendell,	4	
Thomas H. Guss,	4	
Peter Guss,	1	
Alexander M. Lane,	4	
Primus Hall,	4	
Rebecca Jessamin,	4	
Michael Dalton,	4	
John Gardner,	1	
Philip Sombardo,	4	
Solomon Twist,	2	
William Oliver,	4	
Henry Lane,	4	
James T. Austin,	2	—31 00
Bacon, Henry, for assisting the Messceger of the Court, to 26th February,	84	00
Charlestown Representatives, for their attendance, to 14th June, 1813, viz :		
David Goodwin,	22	
Thomas Harris,	30	
John Soley,	26	
William Austin,	16	—94 00

Chase, Warren, for assisting the Messenger, to 26th February, 1814,	88 00
Durant, William, for sundries for the State-House, to February 1814,	49 00
Greenwood, Alexander, for surveying land, Octo- ber, 1813,	134 47
Hammond, Charles, for services by order of Court, February, 1814,	34 00
Lincoln, Amos, for repairs on the State-House, to February, 1814,	43 58
Leeds, Samuel, for funeral charges on a stranger, May, 1813,	4 00
Lapham, Sylvanus, for services, to 26th February, 1814,	88 00
Merril, John, for doctoring criminal prisoners, to 19th January, 1814,	33 00
McCleary, and Pollard, Clerks of the Senate, and House of Representatives, for services,	86 60
Savage, James, for correcting and revising the Charters and Laws of the Commonwealth, by order of Court, February 8th, 1814,	100 00
Spear, Henry, keeper of Rainsford's Island, for services, to 15th February, 1814,	44 44
Tudor, William, Clerk of the Supreme Court, for filing and arranging papers, by order of Court, 18th February, 1814,	263 37
Tarbel, Thomas, for Crape, furnished by order of the Court, January, 1814,	241 50
White, John, for wood supplied at Rainsford, Island,	96 00
Woombal and Poland, for bringing a dead body from Calf Island, under direction of a Coroner,	7 00
Wheeler, John, H. for sundry repairs on the State- House,	112 74
Wells, John, Joseph Bemis, Benjamin Weld, Eze- kiel Savage, and George Blanchard, for their services in examining and adjusting Treasurer's accounts, February, 1814,	70 00

§ 2,526 85

Aggregate of Roll No. 70.

Expences of State Paupers,	37,207 69
Do. Militia,	5930 43
Do. Sheriff's and Coroners,	412 00
Do. Printers,	4372 87
Do. Miscellaneous,	2526 85
	<hr/>
	\$50,419 84

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' names respectively, amounting in the whole to the sum of fifty thousand, four hundred and forty-nine dollars and eighty-four cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, February 25th, 1814.

Read and accepted. Sent down for concurrence.

JOHN PHILLIPS, *President.*

In the House of Representatives, February 25th, 1814.

Read and concurred.

TIMOTHY BIGELOW, *Speaker.*

February 26th, 1814....Approved,

CALEB STRONG.

COMMONWEALTH OF MASSACHUSETTS.

.....

Secretary's Office, May 20th, 1814.

By this I certify, that the Resolves of the General Court, passed at their Winter Session, in the present year, and contained in this Pamphlet, have been compared in this Office, with the originals, and appear to be correct, excepting in the following instances, viz. : at page 398 third line from the bottom on the right hand of Mount Washington, for 2,3008 40 read 2,008 40—at page 399 third line from the top, for *New-Ashfield* read *New-Ashford*—at page 401, total of polls in Cumberland, for 775,9 read 9,577—at page 403, for the last figures on the bottom line, viz. : 0,23 read 1,23

ALDEN BRADFORD,

Secretary of the Commonwealth.

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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY THE 25th DAY OF MAY, AND

WHICH ENDED ON THE 14th DAY OF JUNE, 1814.

Published agreeably to a Resolve of 16th January, 1812.

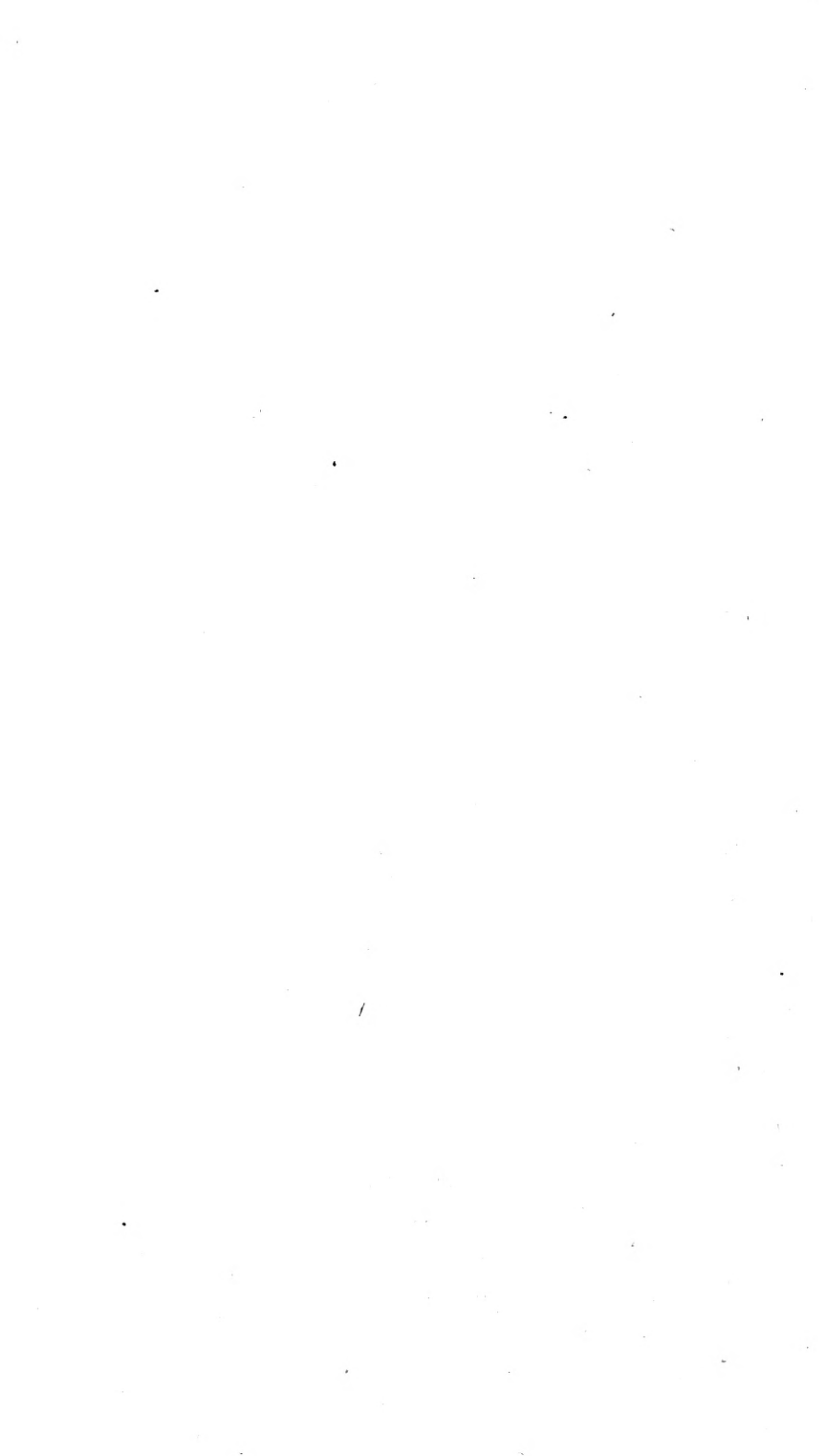


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.....
1814.



CIVIL LIST

OF THE

COMMONWEALTH OF MASSACHUSETTS,
FOR THE POLITICAL YEAR 1814—15.

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 Abijah Draper, Abner Ellis.
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Braintree. *Foxboro'*.
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Cohasset. *Randolph*, Micah White.
Needham, Jonathan Gay, jr. *Canton*, Friend Crane.

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Bridgewater, Daniel Howard. Cushing Otis.
Middleboro', Thomas Weston. *Hingham*, Thomas Fearing.
Hull.

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<i>Dennis</i> , Judah Paddock.	<i>Truro</i> .
<i>Harwich</i> , Ebenezer Weeks.	<i>Provincetown</i> .

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Nantucket.

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<i>Tisbury</i> .	

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Levi Lincoln, jun.	Seth Field.
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Milford, Samuel Jones.
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Grafton, Jonathan Wheeler.
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Royalston, John Norton.
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Athol, James Oliver.
Phillipston, Ithamar Ward.
Dana.

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 Samuel Ornc,
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Wilbraham, Joseph Lathrop,
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- Monson*, Abner Brown,
 Jesse Ives.
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<i>West-Springfield</i> ,	James Barlow.
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Asahel Birge.	<i>Granby</i> , David Smith.
<i>West-Hampton</i> ,	<i>Belchertown</i> , Eliakim Phelps,
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Gilead.
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Orono.

Dixmont.

Carmel.

Hermon.

Levant.

Corinth.

Exeter.

Garland.

New-Charlestown:

Foxcroft.

Sebeck.

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<i>Eastport.</i>		<i>Addison.</i>
<i>Lubeck.</i>		<i>Harrington.</i>
<i>Calais.</i>		<i>Steuben.</i>
<i>Robbinston.</i>		<i>Columbia.</i>



Benjamin Pollard, Esq. Clerk.
Rev. Samuel Cary, Chaplain.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

COMMENCED ON THE 25th DAY OF MAY, AND ENDED ON THE 14th DAY

OF JUNE, A. D. 1814.

GOVERNORS' SPEECH.

REPRESENTATIVES' CHAMBER, MAY 30, 1814.

At 11 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment, when His Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH :

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

AT the last session of the late General Court, memorials were presented from a number of towns, complaining of the act of Congress laying an embargo; they were referred to a committee, who reported that, in their opinion, the act was unconstitutional and void in divers of its provi-

sions ; but, at the same time, expressed their hope, that the people of this Commonwealth would, as far as possible, restrain their feelings, and wait patiently for the interposition of the State Government for their relief. This report was accepted by the Legislature ; and it was thereupon resolved, that the memorials abovementioned should be delivered to the Governor, with a request that he or his successor in office, should cause the same to be laid before the then next General Court, at an early day in their first session. In compliance with this request I will direct the Secretary to deliver them to the two Houses.

Since the transactions abovementioned, the embargo and non-importation laws have been repealed ; this event must afford peculiar satisfaction to the people of this State, as it seems to indicate a milder and more pacific disposition in the Government ; and may be considered as a final relinquishment of that restrictive system, the effects of which we have abundantly experienced in the course of the last seven years ; and which, however designed to operate against the people of Great-Britain, has been found to be far more injurious to us than to them.

The last act laying an embargo, interdicted the right of navigating from port to port within the limits of the State, and fishing on its coasts ; from this species of restraint, we have probably suffered more than all the other States. But though those provisions, and other parts of the act, were generally thought to be infringements of the constitution, we have not heard of any violence in opposing them. Our fellow citizens are therefore entitled to much credit, for the exercise of that forbearance which was recommended by the late Legislature.

From the time that war was declared, a great proportion of the people in this State have viewed that measure as unnecessary and unjustifiable ; their sentiments were fully expressed by their Representatives then assembled, and afterwards at every subsequent meeting of the State Legislature. Our national rulers had, therefore, no reason to expect, that with these sentiments, we should do any thing more in support of the war, than they had a right by the constitution to demand ; and they could not expect it, unless they supposed we were destitute of moral principle. Nor has the manner of carrying on the war had any tendency to satisfy us of its policy or justice ; it was commenced and is still prosecuted,

against the unoffending inhabitants of Canada, with whom many of the people of these States are connected, by the ties of blood and the habits of friendship. But as Congress have authority, by the constitution, to declare war, and impose taxes to defray the expense, we are bound to obey the laws which are duly enacted for this purpose ; and I am happy to observe, that none of the measures of the General Government have been opposed by violence, and no dangerous commotions have disgraced the people, in this Commonwealth. I flatter myself that our fellow citizens will continue to manifest the same regard to order, and will confide in you, gentlemen, as the guardians of their rights, to adopt such measures for their relief and safety, as your wisdom shall dictate, and the constitution of our country justify.

We can hardly conceive that in the present state of France and England, the members of our Government can have any temptation to continue the war. We hope they will perceive the danger of being involved in the politics and quarrels of Europe. That they will provide for the common defence, and make no attempts to extend our territory, either by conquest or purchase, or to allure the subjects of foreign powers to become citizens of the United States : That they will protect the Indian Tribes in their rightful possessions ; and that they will seek peace in the spirit of candor and reconcilliation, and impose no unreasonable restraints hereafter upon commercial enterprize. We may then hope to become once more a prosperous and united people.

I have received a letter from the Governor of Pennsylvania, which enclosed a resolution of the Senate and House of Representatives of that State, proposing that an amendment of the constitution of the United States shall be adopted, by which the term of service of the Senators in Congress shall be reduced from six to four years ; these papers will be laid before you.

As we have been slected by our constituents to the offices in which we have now engaged, they have a right to expect that we shall pursue a disinterested and impartial course of conduct, and guard their interest with steadiness and fidelity. Whatever claims we make to patriotism, if we appear solicitous for our own advancement, or endeavor by unfair methods to ensure the success of a party we belong to, our fellow citizens may well doubt our sincerity when we pretend to an anxious concern for the public good. The

real patriot makes no sacrifice of truth or duty to gain the confidence of the people, nor will he deviate from the strictest rules of integrity to effect any purpose, how important soever it may seem to the interest of his country ; he wishes that the state and nation may prosper whoever directs their affairs, and is content with his own proportion of the public happiness.

Divers subjects, interesting to particular sections of the State or to individuals, were postponed at the close of the last session of the General Court, from the want of sufficient time to discuss them ; I presume they will now receive the attention to which they are entitled. If any matters of importance shall occur to me, of which you, gentlemen, may not be informed, or which may seem to escape your recollection, I will communicate them by a message.

CALEB STRONG.

Council Chamber, May 30, 1814.

ANSWER
OF THE
HOUSE OF REPRESENTATIVES.

May it please your Excellency,

IN congratulating you upon your re-election by the free and intelligent citizens of Massachusetts, to the first office in their power to bestow, the House of Representatives regard with the liveliest emotions of gratitude, the continued sacrifice of personal inclination, which your Excellency has again consented to make to considerations of public good. In this event also we perceive with peculiar satisfaction, the renewed pledge given by our fellow-citizens, of their persevering determination to support and maintain those great principles of public policy, which have hitherto characterized your Excellency's administration.

The subject embraced by the memorials of various towns, presented to the Legislature at its last session, and the report of both Houses thereon, to which your Excellency has alluded, although it may have lost something of its interest and importance by the repeal of the most obnoxious measure of which they complain, is still in many points of view deserving of the serious attention of the government and people of this Commonwealth, and of all the commercial States. Without commenting on that course of measures denominated the restrictive system, the principles of which have been often discussed and are now well understood, we dismiss it with the single remark that, we believe it to have been in its origin founded in false pretences, and in its operations attended by consequences pernicious to the morals, ruinous to the prosperity, and hostile to the best interests of our country. Yet, after this system had been tried and abandoned, after its inefficacy had become perfectly manifest, after it had impoverished the country, after war had been declared, avowedly as a substitute; the act of December last was passed, infinitely surpassing, in the odiousness of its features, all which had preceded it. This act not only

overleaped at once the limits of constitutional authority, but manifested an open and undisguised attempt to establish an arbitrary despotism, enforced by military power, not sanctioned even by the forms of legal process, and utterly subversive of the first principles of civil liberty. What are the high and invaluable privileges which distinguish a free people from the slaves of a capricious and arbitrary despotism? Are they not these; to be at all times secure in their persons, their property, their dwellings, their pursuits and occupations, to be governed by known and equal laws, to be questioned and judged only by legal and constitutional tribunals? Yet how deeply does the act in question entrench upon all these rights and privileges. After a general prohibition of the coasting trade, permissions were to be given by the President to individuals at his pleasure, which must necessarily introduce an odious system of favoritism.

Every species of moving property was liable to seizure at the caprice of every inferior officer. The secret instructions of the President to his officers were declared to have the force and effect of law, and might be pleaded as a justification of such officer, for any act, however outrageous. Such being the features of the act against which these memorials raised their loudest complaints, although it has now ceased to operate, it can never cease to be regarded by the people of the United States, with abhorrence and detestation. A recurrence to this subject therefore may still be useful and salutary to mark the character of an administration still in power, and still professing its attachment to the cause of liberty; to put the people more effectually on their guard against future encroachments on their rights, and to prevent the revival of measures tending to corrupt the morals, to enfeeble the spirit, to exhaust the resources, and to paralyze the industry of the American people.

At the last session of the Legislature, this act was in full operation. A measure of such a character could not fail of instantly exciting the attention of the guardians of the people's rights, even if their vigilance had not been awakened and their interposition demanded by the numerous memorials of their constituents. So imminent was the danger to the liberties and interests of the people, that the right and even the duty of the Legislature to provide for their relief and security was no longer a question. It remained only to inquire, as a point of expediency, into the time and mode, in

which such relief should be afforded. After great deliberation, aware of the danger of rash counsels and precipitate measures, they contented themselves with adopting and publishing a report, reciting the wrongs and injuries of their constituents, the invaluable rights and privileges, which, from the infancy of their Commonwealth, they had invariably enjoyed, and still ought to enjoy, their full determination to resist and repel, at every hazard, these unjust aggressions, and to maintain their essential rights. This may not improperly be considered as a solemn appeal to their constituents, to their sister states and the world, for the justice of their complaints, the purity of their motives, and the propriety and necessity of that course of conduct, which a sense of duty imperiously required them to pursue. This course gave to the people, time for deliberation, and to the government, opportunity for reflection and a change of measures.

We feel with your Excellency, peculiar satisfaction in the repeal of the last obnoxious embargo act, and the entire and total abandonment of the restrictive system. Whatever may have been the motives to this change of policy, we will not repress the expression of our joy upon the occasion.— We regard it as the tacit acknowledgement of a pernicious error which we have uniformly endeavored to expose, and a pledge that it will not speedily be repeated. We hail it as the harbinger of a better day, auspicious to the interests of commerce, so highly, if not equally beneficial to every portion of the American people, and essential to the resources of its government. We exult in the hope that the affecting lessons of past experience will not be lost upon the leading members of the general government, that more liberal and enlightened views will henceforth actuate their measures, that they will more steadily and uniformly regard the general interests of the people, that they will cease to set the interests of one portion of the union in opposition to those of another ; that they will at length perceive that the vigour of all the parts is essential to the regular and healthy action of the whole.

We concur with your excellency in commending the forbearance and moderation which have uniformly been displayed by our fellow-citizens. Early inspired with the love of civil liberty, they are equally impressed with the love of order and good government, and respect for the laws.

They are perfectly aware that the hasty and undirected efforts of individuals, in seeking relief even from manifest and acknowledged oppression, would not only prove fruitless, but tend to bring discredit and contempt upon a cause demanding united wisdom and combined exertion. But, the love of liberty which animates the people of this Commonwealth, is not the unprincipled licentiousness of those who seek in violence and civil commotion the gratification of their baser passions, but a firm and unshaken attachment to their constitutional rights, regulated and secured by wholesome and energetic laws. Grossly therefore do those mistake the character of our citizens, who regard their forbearance as the result, either of that ignorance which cannot discern, or that pusillanimity which will not protect their essential rights.

The House of Representatives still deeply lament, in common with your Excellency, the continuance of the war in which we are involved. This House has invariably expressed its abhorrence of this measure, in language too strong and explicit to be misunderstood. Even before war was declared, and when it appeared to be in immediate contemplation, the House hastened to lay its decided remonstrance against that measure before Congress, and it has never ceased to enter its solemn protest against its continuance. We can only add that, we concur fully with our predecessors in the belief that this war was neither necessary, justifiable, nor politic. We have too much reason to believe that it was rashly precipitated at a moment when a short delay would have probably removed the only plausible, if not the only ostensible causes of complaint. Stripping the state papers, issued by the government, upon that occasion, of those circumstances which were introduced merely to heighten their coloring, it will readily be perceived that the only causes relied on, were the orders in council, and the practice of impressment. Upon this last point, it is not to be presumed that the Congress or people of the United States would have consented to engage in a war. It had not, for several years, been the subject of distinct negotiation. No precise demand had been made by one government and refused by the other. There was no irreconcilable controversy between the two governments on the subject of their relative rights, but the difficulty solely arose respecting the mode of securing them. Without therefore

discussing this subject, we may venture to pronounce the war rash, premature and unjustifiable on this ground, when it is manifest that the two governments had come to no issue upon which it was expedient for us to resort to the hazards of war, or upon which we could conscientiously appeal to the God of armies, to smile on our cause. The existence of the orders in council therefore, may be considered as the only plausible pretext upon which the American people would have tolerated a declaration of war. But we are constrained to believe, that at the moment when war was thus declared, the American cabinet had reason to anticipate the speedy revocation of those orders, which was in fact almost simultaneous with the declaration of war. Had not the American government therefore rushed into a state of war with such premature impetuosity, may we not believe that our beloved country would have been rescued from the disgrace and calamities, the burdens and sufferings which we have endured, and which are still rapidly accumulating. We have, therefore, no hesitation in expressing our firm conviction, that as men governed by the dictates of moral principle, it is still our duty to abstain from every voluntary act which would give aid and encouragement to the prosecution of the war. We shall however cheerfully concur in any measure which may be thought expedient solely for defensive purposes, and which may become necessary in consequence of the criminal neglect of the general government to employ those means, which the constitution has placed in their hands, to provide for the *common* defence, and *general* welfare of the people.

We indulge some hope, mingled however with many doubts and fears, that peace may soon be restored to our suffering and bleeding country; *that peace*, so anxiously desired by all classes of its citizens. This hope is in some degree strengthened by the unexpected and unexampled change which has recently taken place in the political relations of the powers of Europe. Notwithstanding the manifest danger of being involved in the politics and quarrels of Europe, we are apprehensive that our relations have been too intimately combined with those of one of the contending powers. We will not say that our government have been in alliance with that of France; but we cannot avoid perceiving that they have been pursuing similar objects by similar means, and have cooperated in fact, if not in form. The

commercial restrictions of America kept pace with the continental system of France, and was in fact abandoned when that system was destroyed. Neither have we forgotten that war was declared by America at the moment when Bonaparte was collecting his countless myriads in the north, to burst like a torrent upon the only civilized nation of Continental Europe that dared to resist his power and assert her independence. But the failure of this effort, we trust, will prove equally auspicious to our country and the world, equally grateful to the patriot and the philanthropist. With the highest satisfaction, therefore, we embrace this occasion to congratulate your Excellency upon the entire prostration of that monstrous military despotism, which had so long trampled upon the rights, and at length threatened the total annihilation and the liberties of civilized society.

Upon this subject we can scarcely command language to express our feelings. During many years we had witnessed the accumulating and despotic power of the French Emperor with emotions of terror and dismay. We had seen him combining a greater physical force than was ever before concentrated to a single object, aided by all the means of seduction and the arts of intrigue, actuated by no principles but those of boundless ambition, pursuing his rapid career of conquest with unrelenting violence, until the independence of Europe seemed nearly prostrate at his feet. Yet within the short period of eighteen months, the power of Bonaparte, once so formidable and so terrific, has been subverted, and that man is now a harmless exile, who had so long been the scourge of nations. Although we cannot contemplate without melancholy emotions, the immeasurable waste of human life, which so short a period of time has produced, yet in the event we think we may discern the signal interposition of a wise, merciful and overruling Providence, for the punishment of lawless ambition, the protection of his suffering creatures, and the restoration of peace and tranquility to the world.

Any further communications which your Excellency may be pleased to make, will be received by the House of Representatives with respectful deference, and acted upon with all the promptness, which their importance may demand.

ANSWER OF THE SENATE.



May it please your Excellency,

THE Senate of Massachusetts have witnessed, with emotions of ardent gratitude to Heaven, the re-election of your Excellency to the office of Chief Magistrate of this Commonwealth. The ability, integrity and patriotism, so conspicuous in the public administration and the private life of your Excellency, affords the strongest assurance of the disinterested zeal with which your Excellency will continue to seek and promote the prosperity and happiness of the people. In times of domestic turbulence and external danger, they looked to your Excellency for counsel and assistance, and in your wisdom, moderation and firmness, they have found a sure and certain guide. The spirit of party turbulence has been checked, abuses reformed, the rights of the people ascertained and preserved, the sovereignty of the State asserted and maintained, and tranquility restored to our Councils.—These have been the fruits of your Excellency's administration, and of that spirit of candor and moderation which your example has every where diffused among the people.

The injuries which the people of this Commonwealth have experienced, and the sufferings they have endured from the oppressive measures of our national government, have been great and manifold, and have been borne with a patience almost unexampled. Among these measures, the system of commercial restrictions, which for the last seven years has been so cruelly enforced, is not the least considerable.

Under the operation of this system, our citizens have been driven from their accustomed employments, deprived of the means of their subsistence, and cut off from the sources of their wealth. Not only has their intercourse with foreign nations and the neighbouring states been prohibited, but they have been "interdicted the right of navigating from

port to port within the limits of the State, and of fishing on its coasts." Powers, which the people of this Commonwealth had never delegated to their national rulers, have been exercised with unrelenting severity for their destruction; and rights, which they had never surrendered, have been torn from them by ruthless violence under the forms of law. To oppressions and restraints alike hostile to the principles of civil liberty, and the express provisions of the constitution, it was not to be expected that a free people, jealous of their rights, and conscious of their strength, would long submit in silence. To their national rulers, therefore, they made known their grievances and uttered their complaints. They stated the ruin which awaited them, and humbly petitioned for relief. They appealed to the constitution, which guaranteed the protection and encouragement of commerce, so necessary for their prosperity, and to that union, which was "established to provide for the *common defence*, and to promote the *general welfare*." But their complaints were uttered in vain. An inveterate hostility to commerce, and a spirit of local aggrandizement in the south and in the west, controled our national councils. Under the operation of these causes, the influence of the eastern and northern states has been annihilated, and measures fatal to their interests, and hostile to their rights, have constantly marked the course of that administration, whose duty it was to cherish and protect them.

It was then that the eyes of the people of this Commonwealth were turned to their State Legislature. They claimed of the immediate guardians of their rights, that protection which is their due. They demanded such an interposition in their favor, as would not only relieve them from present suffering, but secure them against future oppression, and restore to them that constitutional weight and influence of which they had been so unjustly deprived.—The spirit of firmness and forbearance which characterise the proceedings of the late General Court in reference to these complaints, has met the most cordial approbation of the Senate, and they beg leave to assure your Excellency, that the papers and documents upon this interesting subject, referred to in your Excellency's communication, shall receive all the attention to which their importance is entitled.

Since the last session, indeed, the people of this Commonwealth have witnessed, with "peculiar satisfaction," the re-

removal of one of the causes of their sufferings, by the repeal of the "embargo and non-importation laws;" and they are not without hope that "a milder and more pacific disposition in the government," will induce it forever to relinquish that odious system of restrictions which has "proved far more injurious to us than to the people of Great-Britain."

The sentiments of the people of Massachusetts, as well as of their Legislature, upon the subject of the war with Great Britain, have been so often expressed, that it is unnecessary for the Senate to repeat their solemn conviction of its *injustice*. Our national rulers, and the world, well know that the sons of Massachusetts, the legitimate descendants of those who achieved our Independence and founded the American Republic, are not regardless of the rights, the honor, or the interests of the nation. They know full well, that in a just and necessary war, a war for the maintenance or defence of either of these great objects, no sacrifice would be deemed too great, and no privation intolerable.

But in the prosecution of a war founded in falsehood, declared without necessity, and whose real object was extent of territory by unjust conquests, and to aid the late tyrant of Europe in his views of aggrandizement, our rulers could expect no aid from the people of this Commonwealth, excepting only that which they had a strict "right by the constitution to demand." The Senate agree with your Excellency, that "the manner of carrying on the war has had no tendency to satisfy us of its policy or its justice."—Defeat, disgrace and disaster, have marked its progress on the land, and although the gallant achievements of our neglected navy, the offspring of a better policy, and more auspicious times, have "plucked from the deep the drowning honour of our country," yet we cannot forget the cause in which they are engaged, nor the cruel policy which has called for such a sacrifice of blood at their hands.

In addition to the enormous expences which have necessarily attended a war of invasion, we have witnessed a profligate expenditure of public money, the imposition of taxes, loans and exactions, equally oppressive to the present and future generations. We have seen the territories of unoffending provinces invaded, whose inhabitants were connected with many of our citizens, "by the ties of blood and the habits of friendship." The spirit of cupidity has ex-

tended its grasp to the "rightful possessions of the Indian Tribes," and a cruel war of extermination, at which humanity revolts, has been prosecuted against them. The rules which have heretofore regulated civilized nations, have, in many instances, been abandoned—and peaceful villages, in a most inclement season, have been wrapt in flames by order of an American Commander. A system of retaliation was adopted, which tended to increase the ferocity of a war already too sanguinary, and to call into action the vindictive passions of the contending parties. The lives of honorable men were exposed, on both sides, to retaliate for a few unnaturalized British subjects, who had voluntarily entered into the service of our Government, and who were taken in arms within the territory of their country. In the opinion of the Senate, it is not only the right, but the duty of a people, mindful of what they owe to themselves, their country and their God, to oppose, by every peaceful and constitutional effort, a war thus declared, and thus prosecuted. But with your Excellency "we are happy to observe, that none of the measures of the General Government have been opposed by violence, and that no dangerous commotions have disgraced the people of this Commonwealth," and we trust our fellow citizens will continue to manifest the same regard to order, and that they will seek relief and safety in such manner only, as wisdom and justice shall dictate and the constitution of our country will justify. But, although we believe that peace may now be attained, if sought "in the spirit of candor and reconcillation by our rulers," the recent astonishing events in Europe have lessened our apprehensions of the probable consequences of the war. It may be a war of suffering and disgrace, but, thanks to a merciful Providence, it cannot terminate in our slavery and subjugation. The arm of the mighty oppressor, in whose cause our government seemed disposed to engage, is broken. Europe is delivered from thralldom, and our liberties ransomed from his grasp. The gigantic despotism which had nearly exterminated freedom from the earth, subverted the independence of nations, and desolated the world, is at length overwhelmed, and the empire of peace and order established on its ruins. Though we cannot foresee nor predict, with certainty, the result of these mighty changes, yet we cannot refrain from congratulating your Excellency and our country, that the tremendous conflict which has so long spread havoc and carnage through

the earth, is closed, and of joining the general voice of emancipated nations, in gratitude to him “who ruleth among the mighty, and turneth headlong the council of the froward.”

The Senate will endeavor to keep in mind your Excellency’s precepts, “to pursue a disinterested and impartial course of conduct, and to guard the rights and interests of their constituents, with steadiness and fidelity.”

They have witnessed too much of the baleful influence of party, to suffer it to mislead them from the path of truth and duty, and they will most sincerely co-operate with your Excellency in every effort to restore to their country prosperity and peace.

RESOLVES.

June, 1814.

CHAP. I.

Resolve establishing the pay of the Council and General Court. 31st May, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to each Member of the Honorable Council, Senate and House of Representatives, two dollars per day, for each day's attendance the present session, and the like sum of two dollars for every ten miles travel from their respective places of abode, to the place of the setting of the General Court.

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

CHAP. II.

Resolve making valid the proceedings of the town of Mount Vernon, in March, 1814. 31st May, 1814.

On the petition of the Selectmen of the town of Mount Vernon, praying that the proceedings of said town, at their annual meeting on the second Monday in March, 1814, may be valid in law.

Resolved, For reasons set forth in said petition, that the doings and proceedings of the said town of Mount Vernon, at their annual meeting on the second Monday of March, in the year of our Lord one thousand eight hundred and fourteen, be confirmed, and made valid in law, any defect in the warning of said town meeting to the contrary notwithstanding.

CHAP. III.

Resolve for paying Samuel Dutton, of Ellsworth, for supplies to a detachment of Militia. 31st May, 1814.

On the petition of Samuel Dutton, praying allowance for rations provided by him, on contract, for a detachment of the Militia of this Commonwealth, then in actual service.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to said Samuel Dutton, the sum of twenty-five dollars and eighty-five cents, in full compensation for all rations and supplies by him provided as aforesaid; and that his Excellency the Governor be requested, by and with advice of Council, to draw his warrant on the Treasurer of this Commonwealth, in favor of said Dutton, for said sum of money accordingly.

CHAP. IV.

Resolve allowing pay to the Troops detached to repel invasion at Boothbay. 31st May, 1814.

The Committee of the House of Representatives, to whom were referred the petitions of Captain David R. Adams, and of Lieutenant Joseph M'Cobb, in behalf of themselves and of certain officers and soldiers under their respective commands, together with the documents accompanying the same, have attended to the duties assigned them, and beg leave to report:—That by an order of John McKown, Major and commanding officer for the time being, of the first Regiment in the second Brigade and eleventh Division of the Militia of this Commonwealth, bearing date in

April, in the year of our Lord one thousand eight hundred and thirteen, a detachment composed of the officers and soldiers named in the pay rolls annexed to said petitions, was made from said regiment, for the purpose of defending the town and harbor of Boothbay, from an attack made upon them by a British armed force ; that said officers and soldiers accordingly performed military duty, each during the term of time specified against his name in said pay rolls, and that they are justly entitled, in consideration of such services, to the same pay and rations as the troops of the United States when in actual service. Your Committee therefore ask leave to report the following resolution, which is submitted.

GEORGE HERBERT, *per order.*

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of sixty-five dollars and sixty-five cents, for the sole use and benefit of the several officers, non-commissioned officers and privates, under the command of Captain David Reed Adams, on account of wages and rations while in actual service, in repelling invasion during the month of April, in the year of our Lord one thousand eight hundred and thirteen, which sum shall be distributed agreeably to the corrected pay-roll accompanying, marked A, *number one*, the same being after the rate allowed by the United States in like cases, and in full for extra fatigue duty and for clothing ; and that his Excellency the Governor be requested to draw his warrant on the Treasurer of this Commonwealth, in favor of Major John M'Kown, who is hereby authorised to receive the same, and to pay it over to the several persons named in the pay-roll aforesaid.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of thirty-five dollars and ten cents, for the sole use and benefit of the several officers, non-commissioned officers and privates, under the command of Lieutenant Joseph M'Cobb, on account of wages and rations while in actual service, in repelling invasion during the month of April, in the year of our Lord one thousand eight hundred and thirteen, and in full of extra fatigue duty and clothing, which sum shall be distributed agreeably to the corrected pay-roll accompanying, marked B, *number two*, the same being after the rate allowed by the Uni-

ted States in like cases, and for similar services ; and that his Excellency the Governor be requested to draw his warrant on the Treasurer of this Commonwealth, in favor of Major John M'Kown aforesaid, the then Commandant of the first Regiment, in the second Brigade, and eleventh Division of the Militia of this Commonwealth ; who is hereby authorised to receive the same, and to pay it over to the several persons named in said pay-roll.

CHAP. V.

Resolve on the petition of David Colby, granting him License as an Innholder in Manchester. 31st May, 1814.

On the petition of David Colby, of Manchester, in the county of Essex,

Resolved, For the reasons set forth in the said petition, that said David Colby be, and he is hereby authorised and licensed as an Innholder in said Manchester, from the date of this resolve, until thirty days after the next meeting of the Court of Sessions for the county of Essex.

Provided, However, that said Colby shall first comply with all the requisites of the law, as if this license had been granted by said Court of Sessions.

CHAP. VI.

Resolve confirming the Records of the town of Hawley, and their choice of a Collector. 1st June, 1814.

On the petition of the Selectmen of the town of Hawley, praying that the records of said town may be valid in law, and that the choice of a Collector of Taxes, on the second day of September, 1812, may be made effectual and valid.

Resolved, For reasons set forth in said petition, that the choice of a Collector on the second day of September, in the year of our Lord eighteen hundred and twelve, and all records of that town, be confirmed and made valid in law, any defect in the warning of said meeting, for the choice of

said Collector, or any want of a regular certificate of the oaths of town officers, to the contrary notwithstanding.

CHAP. VII.

Resolve allowing two Notaries Public in the town of Portland, and no more. 1st June, 1814.

Whereas it is represented to be inexpedient that there should be four Notaries Public in the town of Portland, in the county of Cumberland.

Therefore resolved, That there shall be two persons annually elected to that office, in the town of Portland, and no more; any law or resolve to the contrary notwithstanding.

CHAP. VIII.

Resolve granting \$48 to Sally Wyeth, due to her late husband as a Representative from Sherburne. 2d June, 1814.

On the petition of Sally Wyeth, widow of Tapley Wyeth, late of Sherburne, in the county of Middlesex, deceased, stating, that she is administratrix on said Tapley's estate, and that he was chosen a Member for said town of Sherburne, in the House of Representatives, and did attend in said House at the first session of the last General Court, but that his travel and attendance were not made up on the pay roll, and that he never received any pay therefor.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Sally Wyeth, in her said capacity, the sum of forty-eight dollars, in full compensation for the said travel and attendance of her late husband.

CHAP. IX.

Resolve granting Enoch Atkins, of Whateley, compensation for a wound received when on military duty.

3d June, 1814.

On the petition of Enoch Atkins, of Whately, praying for compensation for a wound received by him in his hand, in the month of October, 1811, at a military review, whilst firing by the order of his officer.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to him, the said Atkins, as a compensation for the necessary expenses and the loss of the use of a part of his hand, one hundred dollars.

CHAP. X.

Resolve on petition of Israel Rust, authorising the Administrators on the estate of Elnathan Wright, to execute a deed. 3d June, 1814.

On the petition of Israel Rust, of Northampton, in the county of Hampshire, praying that the Administrators on the estate of Elnathan Wright, late of Westhampton, in said county, deceased, may be empowered to execute to the said Rust, a deed of the home estate situated in said Northampton, whereon the said Israel Rust now lives, upon the said Rust's complying with the condition in said petition stated; that is to say, provided the said Rust shall first pay to the said Administrators, the sum of six hundred and thirty-five dollars, and the legal interest thereon from the eleventh day of May, in the year of our Lord 1813.

Resolved, For reasons set forth in the said petition, that Martin Wright and Elisha Ludden, Administrators on the estate of the said Elnathan Wright, be, and they are hereby empowered to execute a good and sufficient deed unto the above named Israel Rust, of the home estate in said Northampton, on which said Rust now lives, bounded northerly on Nathaniel Clark's home lot; southerly and easterly on the road

called South-street ; westerly on Welch end road, so called, containing six acres, with the buildings thereon, he the said Israel Rust first paying to the said Administrators, the sum of six hundred and thirty-five dollars, and the interest thereon from the said 11th day of May, A. D. 1813.

CHAP. XI.

Resolve on the petition of the Inhabitants of Watertown, confirming their records and proceedings.
4th June, 1814.

On the petition of the inhabitants of the town of Watertown, in the county of Middlesex, by their Representatives, stating, that none of the records of said town have been attested by any of their former Clerks, and doubts have arisen whether such records are legal and valid, and praying that their records may be made valid, the aforesaid neglect of their former Clerks notwithstanding.

Therefore resolved, For reasons set forth in said petition, that the several records, and the proceedings had in pursuance thereof, in said town of Watertown as aforesaid, be, and they are hereby rendered as good, and fully ratified, confirmed and made valid, as they would have been, had their former Clerks heretofore attested their said records, according to law.

CHAP. XII.

Resolve on the petition of Charles Roby and wife, empowering them to sell real estate. 4th June, 1814.

On the petition of Charles Roby and Alice Roby, his wife, praying for leave to make sale of certain real estate in said Commonwealth, of which the said petitioners are seized in right of the said Alice.

Resolved, For the reasons set forth in said petition, that the said Charles and Alice be, and are hereby authorised and empowered, to make sale of all the real estate lying within the said Commonwealth, whereof the said Charles

and Alice are seized in her right, and a deed or deeds made and executed by the said Charles and Alice, in due form of law, shall be valid and effectual to convey a perfect and indefeasible title to the purchaser or purchasers, of all such lands as the said Charles and Alice are lawfully seized of in her right, in fee simple, within said Commonwealth.

CHAP. XIII.

Resolve on petition of Eliza N. Davenport, empowering her to make and execute a deed to Eliphalet Slack.

4th June, 1814.

On the petition of Eliza N. Davenport and Eliphalet Slack, stating, that Addington Davenport, on the twenty-fourth day of July, A. D. 1813, then in full life, bargained and sold to the said Eliphalet Slack, a certain lot with a dwelling-house thereon, situate in Seekonk, in the county of Bristol, at the junction of the old Boston, and the Norfolk and Bristol turnpike roads, measuring on the former, one hundred and ten feet, and on the latter, eighty-eight feet, for the sum of six thousand, five hundred and sixty dollars; and that the said Addington afterwards, on the twenty-first day of September, A. D. 1813, died, without having made and executed a deed thereof; and praying that the said Eliza might be empowered to make and execute a deed of the premises aforesaid to the said Eliphalet.

Resolved, That the said Eliza N. Davenport be, and she hereby is empowered to make and execute, to the said Eliphalet Slack, a deed of the above described premises, which shall vest in him the said Eliphalet, his heirs and assigns, forever, all the right, title and interest, which the said Addington Davenport had therein on the said twenty-fourth day of July, A. D. 1813.

Provided, That the said Eliza, guardian to Addington Davenport, the only child of the said Addington, deceased, shall give bonds to the satisfaction of the Judge of Probate for the county of Bristol, to cause two thirds of the amount of said sale to be put out and secured to the said minor, on interest, and to secure the payment of the remaining third, to the said minor, or his legal representative, after the death of the said Eliza.

CHAP. XIV.

Resolve granting \$13 to Timothy Mooers, for board, &c. of an Indian woman. 4th June, 1814.

On the petition of Timothy Mooers, of Vienna, in the county of Kennebeck, praying allowance for boarding and nursing Molly Mitchell, an Indian of the Penobscot tribe.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the public Treasury, to Timothy Mooers, thirteen dollars, in full compensation for boarding, nursing and doctoring Molly Mitchell aforesaid; and his Excellency the Governor is hereby authorised to draw his warrant accordingly.

CAAP. XV.

Resolve confirming the doings of the town of Dedham. 7th June, 1814.

On the petition of the Selectmen, in behalf of the inhabitants of the town of Dedham, in the county of Norfolk, praying that the acts and doings of said inhabitants, at their town meetings for several years past, may be confirmed and rendered valid, notwithstanding any supposed defect or informality in the manner of notifying said meetings.

Resolved, For reasons set forth in said petition, that the acts and doings of the inhabitants of the town of Dedham, at their several town meetings, for years past, shall be, and the same are hereby confirmed, and rendered good and valid in law, any supposed defect or informality in the manner of notifying said meetings to the contrary notwithstanding.

CHAP. XVI.

Resolve granting the Chief Justice of the Circuit Court of Common Pleas for the Third Eastern Circuit, such sum as with his fees shall amount to 1000 dollars.

7th June, 1814.

Resolved, That from and after the first day of January

last, and until the farther order of the Legislature, there shall be annually allowed and paid out of the public Treasury of this Commonwealth, to the Chief Justice of the Circuit Court of Common Pleas, for the Third Eastern Circuit, such sum of money, as together with the fees of office by him received, shall amount to the sum of one thousand dollars; and it shall be the duty of the Chief Justice aforesaid, to produce, *annually*, to the Supreme Executive, certificates of the Clerks of the several Courts within said Circuit, of the amount of fees by him from time to time and annually received, by virtue of said office; and it shall be the duty of such Clerks to furnish, for said Chief Justice, such certificates accordingly; and his Excellency the Governor is authorised from year to year, beginning on the first day of January next, to issue his warrant for such sum, in favor of the Chief Justice aforesaid, as together with the fees aforesaid, by him received, shall make up the sum of one thousand dollars.

CHAP. XVII.

Resolve on the petition of Amariah Harris, authorising the Agent for the sale of Eastern Lands to sell him lot No. 2. 8th June, 1814,

On the petition of Amariah Harris, stating, that he is desirous of purchasing a lot of land, the property of the Commonwealth, being lot numbered two, in an unincorporated plantation, called number three, in the County of Oxford, as surveyed by John K. Smith, Esq. by order of the Agents for the sale of Eastern Lands.

Resolved, That the Agent for the sale of Eastern Lands be, and he is hereby authorised to sell and convey to the said Amariah Harris, his heirs and assigns, all the right, title and interest of said Commonwealth, in and unto said lot number two, as surveyed by John K. Smith, Esq. lying in said unincorporated plantation number three, upon such terms and conditions, as the said Agent shall think just and reasonable.

CHAP. XVIII.

Resolve on the petition of Rev. Daniel Collins and others, relative to Ministerial fund in Lanesborough.

8th June, 1814.

On the petition of the Rev. Daniel Collins, Amos Pardee and the Selectmen of Lanesborough, respecting the Ministerial fund in that town.

Resolved, That the prayer thereof be granted, and that the proviso contained in the last clause of a Resolve of the General Court, passed February 15, 1797, reserving the power of making a new appropriation of the income of said fund, be repealed; and that the appropriation of said fund and income, remain and be confirmed, as established in said resolve.

CHAP. XIX.

Resolve allowing the inhabitants of the North School District in Waltham, to appropriate money to support a School therein. 8th June, 1814.

On the petition of David S. Eaton and others, inhabitants of the North School District in the town of Waltham.

Resolved, That the inhabitants living within the limits of the North School District in the town of Waltham, as at present defined by said town, shall henceforth, annually, have the right to appropriate such proportion of the money raised within said town for the use of Schools, to the support of a School in that District, as the taxes the inhabitants of such School District pay, may bear to the whole amount of money raised in said town for that purpose.

CHAP. XX.

Resolve allowing F. McLane \$200 for extra services in the Secretary's Office. 8th June, 1814.

On the representation of Alden Bradford, Esq. Secretary of the Commonwealth.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Edward McLane, Esq. first Clerk in the Secretary's Office, the sum of two hundred dollars, in addition to his annual stipend, in full for extra services rendered by him, in arranging and filing the valuation papers, and other things pertaining to said office ; and his Excellency the Governor is requested to draw his warrant on the Treasurer, for the payment of that sum accordingly.

CHAP. XXI.

Resolve on the petition of the town of Hebron, making valid their records, &c. 9th June, 1814.

On the petition of the inhabitants of the town of Hebron, in the county of Oxford, representing, that from the incorporation of said town. the certificates of the oaths of their town officers have not been recorded at length, as by law they ought to have been, and that the Clerks have omitted to record the impression of seals on the Selectmen's warrants for town meetings ; and praying that the doings and proceedings of said town and its officers, in the premises, may be confirmed and rendered valid.

Resolved, For reasons set forth in said petition, that the records of the said town of Hebron, be deemed and taken to be as valid and effectual, to all intents and purposes, as if the impression of the seals on the Selectmen's warrants for town meetings, had been regularly entered on the records of said town ; and that the doings of its officers be ratified and confirmed, in all respects, and in the same manner as they would have been, if the evidence of the qualification of such officers had been duly preserved or recorded.

CHAP. XXII.

Resolve respecting bonds given for the settlement of families on lands in the District of Maine, and directing the Agent for the sale of said lands, and the Treasurer of the Commonwealth therein. 9th June, 1814.

Whereas sundry persons have given bonds to the Trea-

surer of this Commonwealth, conditioned for the settlement of a certain number of families on their lands, or for the payment of thirty dollars for each and every family which may be deficient of the whole number, when the bonds become due, and no mode has yet been established, to determine what number of settlers are placed on the lands, to authorise the Treasurer to cancel the bonds.

Be it therefore resolved, That on satisfactory evidence being produced to the Agent for the sale of Eastern Lands, of the number of settlers placed on the lands when the bonds are due, the certificate of the Agent aforesaid to the Treasurer, shall be sufficient evidence to authorise him to cancel such bond or bonds.

CHAP. XXIII.

Resolve authorising the Quarter-Master General to purchase land in the town of Portland. 9th June, 1814.

The Committee of both Houses, to whom has been referred the petition of a Committee of the town of Portland, and of sundry inhabitants thereof, praying that the Legislature would purchase a tract of land in the town of Portland, for the use of the Commonwealth, have attended to the duties of their appointment, and ask leave to report the following resolution. Which is submitted by

LOTHROP LEWIS, *Chairman.*

Resolved, That the Quarter-Master General be, and he is hereby authorised and empowered to purchase, for the use of this Commonwealth, a tract of land situated in the town of Portland, at what is called Jordan's Point, (whereon has been erected a breast work and barracks at the expense of this Commonwealth) provided the sum required for that purpose, does not exceed fifteen hundred dollars; and his Excellency the Governor is requested to draw his warrant on the Treasurer for such sum, not exceeding fifteen hundred dollars, as may be necessary for the foregoing purpose.

CHAP. XXIV.

Resolve authorising two Justices of the Supreme Judicial Court to hold said Court at Castine. 10th June, 1814.

Resolved, That the Supreme Judicial Court next to be holden at Castine, for the counties of Hancock and Washington, on the second Tuesday of this present June, may be held by any two Justices of said Court ; and such Justices shall be, and hereby are authorised to hear, try and determine all such matters as may come before the said Court, and which, by force of the act passed on the fifteenth day of March, in the year one thousand eight hundred and five, entitled “ An act making further provision in the Judicial department,” may be heard, tried and determined by the Supreme Judicial Court, when holden pursuant to the second and third sections of the aforesaid act, or either of them ; and such two Justices shall be, and hereby are also authorised to hear, try and determine all questions of Divorce and Alimony, which may lawfully come before the said Court to be holden as aforesaid ; and all actions, suits and processes which may be pending in the said Court, may be heard, tried and determined by such Justices, in the same manner, as any three or more Justices of said Court are authorised to do, by virtue of the second and sixth sections of the act aforesaid. And all actions, suits and processes, which may be pending in the said Court, and which may be there continued for the advisement of the Court, upon any question of law, may be heard and determined at any term of said Court, to be holden in any other county, pursuant to the second section of the act aforesaid, and judgment therein may be rendered, as of the said term of said Court to be holden at Castine, by virtue of this resolve.

CHAP. XXV.

Resolve confirming the doings and records of the first Congregational Society in Hebron. 10th June, 1814.

On the petition of Isaac Bearee and others, assessors of the first Congregational Society in the town of Hebron, in

the county of Oxford, praying that the records and assessments of said Society may be confirmed and rendered valid in law.

Resolved, For reasons set forth in said petition, that the records, doings and assessments of the said first Congregational Society in Hebron, shall be, and hereby are confirmed and made valid in law, notwithstanding the omission or neglect of the officers thereof, in not taking the official oaths required by law in like cases :

Provided, That nothing in this resolve, shall be considered to affect any suit at law now pending.

CHAP. XXVI.

Resolve on petition of Nathaniel Lewis and Ruth Witherel, remitting the penalty of this recognizance.

10th June, 1814.

On the petition of Nathaniel Lewis and Ruth Witherel, both of Pembroke, in the county of Plymouth, praying for the remission of the forfeiture of a recognizance to this Commonwealth, entered into by them as sureties, before John Winslow, Esq. a Justice of the Peace for the county of Plymouth, on the fifth day of June, A. D. 1813, conditioned for the appearance of one Olive Witherel, at the then next Circuit Court of Common Pleas in said county.

Resolved, For reasons set forth in said petition, that the penalty of said recognizance be, and the same is hereby remitted to the said Nathaniel Lewis and Ruth Witherel, and that they be wholly discharged from the same.

CHAP. XXVII.

Resolve on the petition of Ebenezer Davis and others, and the Treasurer of the Commonwealth directed therein.

10th June, 1814.

On the petition of Ebenezer Davis and others,

Resolved, For reasons set forth in said petition, that Ebenezer Davis and Levi Davis, both of Charlton, and Rufus

Davis, of Dudley, all in the county of Worcester, be allowed to pay into the Treasury of this Commonwealth, the sum of five hundred dollars, being the amount of a bond bearing date the first day of February, in the year of our Lord one thousand seven hundred and sixty four, given by Edward Davis and Elisha Davis, late of Oxford, in said county, deceased, by which they obligated themselves, their heirs, executors, and administrators, to pay to Moses Marcy, Joshua Healy, and the said Edward Davis, as guardians to the *Dudley Indians*, or their successors in said office, the sum of nine pounds, lawful money, on the nineteenth day of January annually, and that they also pay all arrearages that will be due on said bond, to the present guardians of said Indians, at the time of passing this resolve ; and upon the payment being made as aforesaid, the said Ebenezer, Rufus and Levi, shall be discharged from the obligation of said bond ; and the Treasurer of this Commonwealth, or his successor in said office, is hereby authorised and required to pay out of the Treasury of this Commonwealth to Lemuel Corbin, Mark Dodge and John Healy, the present guardians of said Indians, or their successors in said office. in one year from the passing of this resolve, the sum of thirty dollars, and the same sum thereafter annually, until the tribe of Dudley Indians becomes extinct ; after which time, the said five hundred dollars shall revert to this Commonwealth.

CHAP. XXVIII.

Resolve allowing Isaac Augin the balance due to him, for his services as a soldier in the revolutionary army.
10th June, 1814.

On the petition of Isaac Augin, a soldier in Colonel Grea-ton's regiment, in the revolutionary army, for the balance due him on the army books, which, it appears, he has not received.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the said Isaac Augin, the sum of five hundred and twenty dollars, ninety-seven cents, in full for the balance due him on the army books.

CHAP. XXIX.

Resolve granting \$100 to Daniel Hart, in consideration of a wound he received when on military duty.

10th June, 1814.

On the petition of Daniel Hart, of Townsend,

Resolved, That the further sum of one hundred dollars be granted and paid out of the public Treasury to said Daniel Hart, in consideration of the expense incurred by the cure of his wound, which he received on the 7th of October, 1812, while doing military duty ; and his Excellency the Governor, with advice of Council, is requested to issue a warrant on the Treasury for the payment of one hundred dollars to the said Daniel Hart accordingly.

CHAP. XXX.

Resolve on the petition of Patty Gamwell, widow, authorising the Solicitor General to quitclaim certain estate.

10th June, 1814.

Whereas it has been made to appear to to this Legislature, that Samuel Gamwell, late of Amherst, in the county of Hampshire, Physician, deceased, intestate, at the time of his decease, was seized and possessed of a small real and personal estate, leaving this petitioner, his widow, and John Gamwell, his adopted son, but no legal heirs to take such estate.

Therefore resolved, That the Hon. Daniel Davis, Solicitor General of the Commonwealth, be, and he hereby is authorised and empowered, in the name and behalf of the Commonwealth, to release and quitclaim to Patty Gamwell, widow, and to John Gamwell, adopted son of said Samuel Gamwell, all the right, title and interest of the Commonwealth, in and to the estate, real and personal, which was of the said Samuel Gamwell at the time of his decease, in manner following, that is to say ; to the said Patty Gamwell, and to her sole use and disposal, the whole of the personal estate late of the said Samuel, her late husband, and one undivided moiety of the real estate, late of said

Samuel in fee ; and also the other moiety of said estate for the term of her life ; and to the said John Gamwell, the reversion of one undivided moiety of said estate, to have and to hold the same to him, his heirs and assigns forever, from and after the determination of the estate of the said Patty therein.

Provided, That nothing herein contained, shall in any manner prejudice or impair the legal rights of creditors, or others. in said estate, the debts due from said estate to be first paid out of the personal estate, and if need be, out of the real estate, according to the law in such case provided.

CHAP. XXXI.

Resolve authorising the Governor to appoint Guardians for the Natick Indians. 11th June, 1814.

Resolved, That the Governor be authorised, with the advice and consent of the Council, to appoint one or more Guardians to the Natick Indians, who shall be authorised to settle the accounts of any former Guardians, and to demand and recover any money or other property of said Indians in the hands of such Guardians : And that the Guardians thus appointed, shall be held to render an account annually, to the Governor and Council.

CHAP. XXXII.

Resolve on the petition of the inhabitants of the town of Lanesborough, to have Pittsfield the shire town.
11th June, 1814.

On the petition of the inhabitants of the town of Lanesborough, and others, praying that the public buildings of the county of Berkshire, may be removed from Lenox, and located in the town of Pittsfield.

Resolved, That the Selectmen of the several towns in the county of Berkshire, be, and they hereby are directed to notify and warn the inhabitants of their respective towns,

qualified to vote for a Representative to Congress, to meet on the first Monday of November next, for the purpose of ascertaining, by their votes, the opinion of said inhabitants, as to the propriety and expediency of removing said public buildings from Lenox to Pittsfield; and at said meetings, the said Selectmen shall receive, sort and count the votes of the inhabitants so assembled, and ascertain the number of votes in favor, as well as the number of votes against the removal of said public buildings as aforesaid; and the said Selectmen are hereby required to certify and return the votes so given and collected as aforesaid, distinguishing the number for and against the said removal, into the Office of the Secretary of this Commonwealth, on the second Wednesday of the next session of the present General Court, that the same may then be laid before the Legislature.

And be it further resolved, That the petitioners are hereby required to publish the petition of the town of Lanesborough aforesaid, and also these resolves in the three newspapers printed in the county of Berkshire, three weeks successively, the last publication to be at least thirty days before the said first Monday in November next.

CHAP. XXXIII.

Resolve on petition of Joseph Leavett, directing the Treasurer to stay execution against the bondsmen of David Learned. 11th June, 1814.

On the petition of Joseph Leavett, praying for stay of execution against the bondsmen of David Learned,

Resolved, For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he is hereby directed to stay execution against the bondsmen of David Learned, late Sheriff of the county of Oxford, for the sum of three hundred and twenty-four dollars and interest thereon since the twentieth day of June, eighteen hundred and eleven, for the term of one full year, from the last day of the present session of this General Court, that said bondsmen may be enabled to discharge the aforesaid sum and interest, without any further cost.

CHAP. XXXIV.

Resolve authorising Robert Murdock to sell real estate mortgaged to John Hastings. 11th June, 1814.

On the petition of Robert Murdock, of Newton, in the county of Middlesex, trader, guardian of John Hastings, of said Newton, a spendthrift, praying that he the said Robert Murdock, in his said capacity, may be authorised and empowered to sell at public auction, to the highest bidder, and to transfer and convey to the highest bidder, all said spendthrift's right, title and interest, in and to the promissory note, mortgage and mortgaged premises in said petition mentioned, to wit, a promissory note, dated the seventeenth day of October, A. D. 1808, made by one Isaac Jones, in his life time, to said Hastings, for two thousand seven hundred dollars, payable to said Hastings, or his order, by instalments, and a mortgage of the same date, by which said Jones conveyed to said Hastings, in fee and in mortgage, about one acre and an half of land, with a dwelling-house, shed and corn barn thereon, situate in said Newton, to secure the payment of said note.

Resolved, For reasons set forth in said petition, that the prayer thereof be granted, and that the said Robert Murdock, in his said capacity, be, and he hereby is fully authorised and empowered to sell at public auction, and to convey all said spendthrift's right, title and interest in and to said note, mortgage and mortgaged premises, and in his said capacity, to make and execute a good and sufficient deed or deeds of conveyance thereof; which deed, when duly acknowledged and recorded, shall make a legal title to the purchaser or purchasers thereof.

Provided, That the said Robert Murdock first give bond with sufficient sureties to the Judge of Probate for said county of Middlesex, in making said sale, to observe the rules and directions of law for the sale of real estate by executors or administrators, and that the proceeds of said sale, so far as the same will extend, shall be applied in the first place, to the payment of the balance mentioned in said petition, now due from said spendthrift to said guardian, and of the incidental expenses of the sale, and the surplus, if any, to the support and maintenance of said spendthrift and his family, or otherwise agreeably to the rules of law.

CHAP. XXXV.

Resolve directing the Reporter of contested elections, to publish 1000 copies of all his reports, and directing the distribution of them, &c. 11th June, 1814.

Resolved, That the Reporter of contested elections be directed to cause to be published, one thousand copies of all the reports of the Committee, since a Reporter of their decisions has been employed in this Commonwealth ; and cause each town and district, entitled to send one or more Representatives to the General Court, to be furnished with a copy, and cause the remainder to be deposited in the Secretary's Office, for the use of the General Court.

CHAP. XXXVI.

Resolve on the petition of Samuel Parkman, allowing further time to complete settlement duties. 11th June, 1814.

On the petition of Samuel Parkman, owner and proprietor of a township of land No. 5, 6th range, north of the Waldo patent, in the county of Hancock ; also of half township of land granted to Portland Academy, lying in the county of Washington, praying for further time to complete the settling duties required by the deeds.

Resolved, For reasons set forth in said petition, that a further time of three years from the first day of June, eighteen hundred and fourteen, be, and hereby is allowed to the said Samuel Parkman, to complete the settlement of forty families on said township number five ; also to complete the settlement of ten families on the half township granted to Portland Academy aforesaid.

Provided, That the said Samuel Parkman, his heirs or assigns shall, on or before the first day of December next, give bonds to the Treasurer of this Commonwealth, in the sum of two thousand four hundred dollars for township number five ; and six hundred dollars for Portland Academy grant, with sufficient surety or sureties, to the satisfaction of the Agent for the sale of Eastern Lands ; conditioned

that there shall be settled on each of said townships, the number of families abovementioned, within the time extended as aforesaid, or for the payment of thirty dollars for each family which shall be deficient of the whole number aforesaid ; upon satisfaction of which bonds, given pursuant to this resolve, either by causing the said number of families to be settled on said tracts, within the time aforesaid, or by paying the said sum of thirty dollars for each family which shall be deficient, then the estate, right and title of said Samuel Parkman, his heirs and assigns, shall be valid, full and effectual, to all intents and purposes, as if the conditions of settlement expressed in the original deeds of said tracts, by the Agents for the sale of Eastern Lands, had been fully and seasonably complied with.

Be it further resolved, That the Treasurer of this Commonwealth be, and hereby is directed, upon receiving the bonds aforesaid, to give up or cancel the bonds given for said tracts, dated November 29th, 1809, and March 1st, 1810, signed by Samuel Parkman, Edward Blake, jun. and John Parkman.

CAAP. XXXVII.

Resolve on the application of the Historical Society, providing for the purchase of 600 copies of Hubbard's History. 11th June, 1814.

Upon the petition of C. Gore, William Spooner and James Savage, Esquires, in behalf of the Historical Society,

Resolved, For the reasons set forth in the said petition, that the Legislature will take six hundred copies of Hubbard's General History of New-England, to be published by the said Society, to consist of one volume ; and will pay the said Society two dollars for each volume, printed on good paper and well bound ; and the Governor is hereby authorised to draw his warrant upon the Treasury for the same, upon the delivery of the books to the Secretary of the Commonwealth ; and that one copy of said work shall be sent to the Clerk of each town in the Commonwealth, for the use of the inhabitants thereof, and the residue shall remain at the disposal of the Legislature.

CHAP. XXXVIII.

*Resolve allowing \$6000 for the use of the State Prison.
11th June, 1814.*

Resolved, That there be allowed and paid out of the public Treasury, for the use of the State Prison, the sum of six thousand dollars, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrants on the Treasurer for said sums accordingly.

CHAP. XXXIX.

Resolve on the petition of Benjamin Russell, appointing him Printer to the Commonwealth. 11th June, 1814.

On the petition of Benjamin Russell, of Boston, in the county of Suffolk, praying to be appointed and employed as Printer to the General Court, the ensuing year.

Resolved, That the said Benjamin Russell, for reasons set forth in his said petition, be, and he hereby is appointed the Printer of this Commonwealth for one year, from the fourth day of June instant, to be fully completed and ended, and until another State Printer be appointed in his stead.

Provided, He, the said Russell, shall do and perform, or cause to be done and performed, the printing, in a faithful and workmanlike manner, on good and suitable paper, and with all reasonable despatch, and to the acceptance of the officers for whom the work may be done.

Be it further resolved, That the compensation which shall and may be allowed and made to the said Benjamin Russell, for printing and materials furnished as aforesaid, shall be such as the Committee on accounts, may deem to be just and reasonable; they, the said Committee on accounts, taking into consideration and comparison, the pay and allowance heretofore made for similar and like services rendered, and articles furnished by the Printers to the General Court for several years last past.

CHAP. XL.

Resolve on the representation of the Adjutant-General, relative to a system of Discipline for Artillery.
13th June, 1814.

Resolved, That the Adjutant-General be directed to procure the printing and engraving of four hundred copies of the system of discipline for the artillery of this Commonwealth, as reported by him to the Legislature, upon the best terms in his power ; and that he distribute one of said copies to each general officer, one to each field, commissioned and military staff officer of the several Regiments and Battalions of artillery, and one to each Division and Brigade Inspector, one to each commanding officer of an artillery company, to be handed down to their successors in office ; to be printed on good paper, the plates to be engraved on copper, well bound in leather, and properly lettered ; and his Excellency the Governor, with advice of Council, is hereby authorised and requested to draw his warrant on the Treasurer for such sum as shall be necessary for defraying the expense of the same. *Provided,* It shall not exceed one dollar and fifty cents per copy.

CHAP. XLI.

Resolve on petition of Buckminster Wood, granting him a new trial vs. Samuel Townsend. 13th June, 1814.

Resolved, Upon the petition of Buckminster Wood, praying for a new trial against Samuel Townsend ; that the prayer of the petitioner be granted :

And it is further resolved, That said cause shall be tried before the Justices of the Supreme Judicial Court, to be begun and holden at Boston, in the county of Suffolk, and for the counties of Suffolk and Nantucket, on the fourth Tuesday of November, in the year of our Lord one thousand eight hundred and fourteen, that being the tribunal before which the cause was tried in March term, Anno Domini, eighteen hundred and fourteen.

CHAP. XLII.

Resolve allowing pay to Sylvanus Lapham and others, Assistants to the Messenger of the General Court.
13th June, 1814.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, unto Sylvanus Lapham, Warren Chase and Henry Bacon, Assistants to the Messenger of the General Court, one dollar per day each, during the present session of the Legislature, in addition to two dollars per day, the usual allowance to them.

CHAP. XLIII.

Resolve providing for the pay of the Clerks in the Secretary's Office. 13th June, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the first Clerk in the Secretary's Office, and also to the first Clerk in the Treasurer's Office, fourteen hundred dollars each, in full compensation for their services for one year, from the first day of this current month of June; and likewise to each of the other Clerks in said Secretary's and Treasurer's Offices, three dollars and eighty-four cents per day, for each and every day they are respectively employed therein, for one year, commencing the said first day of June current.

CHAP. XLIV.

Resolve allowing pay to the Clerks in the Adjutant-General's Office. 13th June, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the first Clerk in the Adjutant General's Office, three dollars and fifty cents per day, and to each and every other Clerk, who may be employed in said Office, two dollars per day, for each and

every day they may be respectively employed therein, for one year, commencing the first day of this present month of June.

CHAP. XLV.

Resolve exempting the town of Harvard from a fine.
13th June, 1814.

On the petition of the Selectmen of the town of Harvard, *Resolved*, That the acts and proceedings which were had and done in a town meeting held in the said town of Harvard, on the sixth day of March last, in relation to the not posting up lists of the voters, as required by law, shall be deemed and taken to be valid in law ; and that the Assessors of the said town shall be exempted from any fine or forfeiture they may be liable to by virtue of an act of this Commonwealth, passed the sixteenth day of June, in the year of our Lord eighteen hundred and thirteen.

CHAP. XLVI.

Resolve on the petition of Nathaniel Morton, jun. and others, of the third parish in Rochester. 13th June, 1814.

On the petition of Nathaniel Morton, jun. and others, inhabitants and individuals in the third parish in Rochester, Middleborough and Freetown, praying that said precinct may be authorised to call meetings, and raise money for the payment of the debts of said precinct.

Resolved, That the prayer of the petitioners be granted, and the said third Congregational precinct be, and is hereby authorised and empowered to call a meeting in the month of September next, for the purpose of choosing all parish or precinct officers which are allowed by law to other precincts or parishes, to be chosen in the months of March and April ; and also to vote and raise money for all parochial purposes whatever.

Resolved, That Nathaniel Morton, jun. one of the Justices of the Peace for the county of Bristol, be, and he hereby

is authorised to issue his warrant, directed to some principal inhabitant of said precinct, authorising him to warn the inhabitants of said precinct to assemble themselves to act on the several articles aforesaid ; and that the acts and doings of said precinct, under such warrant, are hereby declared to be legal and binding in all cases whatever.

CHAP. XLVII.

Resolve on the petition of John Dickey, of the State of New Hampshire, making valid his affidavit.

13th June, 1814.

On the petition of John Dickey, of Londonderry, in the county of Rockingham, in the State of New-Hampshire, Esquire, Administrator of the estate of William Moor, late of Charlestown, in the county of Middlesex, in said Commonwealth, carpenter, deceased, intestate, praying that his affidavit of his proceedings, relating to the sale of part of the real estate of said deceased, made in the Probate Court in and for said county of Middlesex, on the twenty-sixth day of April last past, and recorded with a copy of one of the original notifications of said sale, in the Registry of Probate in said county of Middlesex, may be valid in law, although not made and recorded as aforesaid, within the time limited by law, and that the person, to whom said Administrator sold and conveyed said part of said real estate as aforesaid, shall have as valid a title thereto, as he would have had, had said Administrator given legal notice of the adjournments of the auction for said sale.

Resolved. That the prayer of said petition be granted, and that said affidavit, including a copy of one of said notifications, recorded as aforesaid, shall have the same force and effect, in law, as if it had been made and recorded as aforesaid within the time limited by law ; and that said title shall be as valid, to all intents and purposes, as it would have been had said Administrator given strictly legal notice of said adjournments, any law, usage or custom to the contrary notwithstanding.

CHAP. XLVIII.

Resolve granting to the Page of the House, \$1 25, per day for his services. 13th June, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger, to be paid by him over to Joseph Francis, one dollar and twenty five cents per day, for each day he, the said Francis, shall have attended as Page, the present session of the General Court.

CHAP. XLIX.

Resolve granting to John Low, jun. Assistant to the Messenger of the General Court, \$51. 13th June, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, jun. Assistant Messenger of the House of Representatives, fifty-one dollars for his services, in that capacity, during the present session of the General Court.

CHAP. L.

Resolve on the report made by the Agent for the sale of Eastern Lands, and for discharging him therein. 13th June, 1814.

The Committee of both Houses that were appointed to examine the accounts of the Agent for the sale of Eastern Lands, have examined his account of proceedings, from the first day of June, eighteen hundred and thirteen, to the ninth day of June, eighteen hundred and fourteen, wherein he acknowledges to have received, in securities and money, the sum of eleven thousand seven hundred and eighty-nine dollars and twenty-nine cents, and has paid the Treasurer in securities, together with payments made for Clerk hire and other charges, including the amount due the Agent for services, the sum of twelve thousand six hundred and fifty-five

dollars and fifty-one cents ;—and there appears to be a balance due said Agent, of eight hundred and sixty-six dollars and twenty-two cents, all which appears to be right cast and well vouched.

THOMAS STEPHENS, *Chairman.*

Therefore resolved, That the Agent aforesaid be, and he hereby is discharged from the sum of eleven thousand seven hundred and eighty-nine dollars and twenty-nine cents ; and the Governor is requested to draw his warrant in favor of William Smith, Esq. for the sum of eight hundred and sixty-six dollars and twenty-two cents, in full for his services as Agent for the sale of Eastern Lands, to the fourteenth day of May last past, and in full discharge of the balance of said account.

CHAP. LI.

Resolve on the petition of Rhoda Danforth, authorising John Parker and Samuel Hale to transfer real estate.
13th June, 1814.

Upon the petition of Rhoda Danforth, of Boston, in the county of Suffolk, guardian of Abigail Danforth, Thomas Danforth and Josiah Danforth, minor children of Josiah Danforth, late of the same Boston, deceased, praying, that John Parker, Esq. and Samuel Hale, may be authorised to complete the transfer of the whole of an estate, called the Frost place, pursuant to a license from the Supreme Judicial Court for that purpose, any defect of the description of the premises in said license notwithstanding.

Resolved, For reasons in said petition set forth, that the said John Parker and Samuel Hale be, and they are hereby authorised to complete the transfer of the whole of said estate, by conveying to John Carleton, of Billerica aforesaid, gentleman, that parcel thereof (for the same consideration expressed in the deed by which they have already transferred to him the other part of said Frost place) which the said Josiah Danforth claimed and held, under a deed from one Micajah Mears, which is recorded in the Registry

of deeds for said county of Middlesex, Book 182, page 115—And any deed of such parcel, made pursuant to said license by said Parker and Hale, to said John Carleton, shall be as valid and effectual in law, to pass and transfer the same parcel, as though the same had been well described in the same license, as part of said Frost place, and as though the same were comprehended in an accurate description of the same premises, in the deed by which said Parker and Hale have already conveyed the other parts of said Frost place, to said John Carleton, any other law to the contrary notwithstanding.

CHAP. LII.

Resolve on the petition of George Reed, a Constable of Boston. 13th June, 1814.

On the petition of George Reed, one of the Constables of the town of Boston, praying for compensation for having complained and instituted a prosecution against one John Groves, for having fraudulently passed a counterfeited bank bill.

Resolved, For reasons set forth in said petition, that the sum of forty dollars be, and hereby is granted to said George Reed, in full for his services in said prosecution; and that his Excellency the Governor be, and he hereby is requested to draw his warrant on the Treasurer for the said sum in favor of the said Reed.

Provided, However, that such warrant be not drawn until a certificate under the hand of either the Attorney General or Solicitor General, that the amount of said Groves' recognizance has been recovered and paid into the Treasury, be produced by the said Reed, and delivered to his Excellency the Governor.

CHAP. LIII.

Resolve granting to William Moody, \$20 33, for services in purchasing land, and erecting a Gun-House in Saco. 13th June, 1814.

On the petition of William Moody, praying to be reim-

bursed for expences paid and services rendered for the use of the Commonwealth.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth, to William Moody, twenty dollars and thirty-three cents, in full compensation for the expences paid by him for purchasing land and building a Gun-House thereon, and for his services in completing said business.

CHAP. LIV.

Resolve on petition of the Rev. John T. Kirkland, D. D. and others, appointing a Committee, authorising them to contract for 1000 copies of Jenkins' Art of Writing.
13th June, 1814.

On the petition of John T. Kirkland and others, praying that some provisions may be made by the Legislature of this Commonwealth, to aid the publication of Mr. John Jenkins' System of Writing.

Resolved, For reasons set forth in said petition, that the Hon. Daniel Sargent, Joseph Bemis and Timothy Fuller, Esquires, be, and they are hereby appointed a Committee, to contract with some person or persons, for one thousand copies of the first six books of Mr. Jenkins' Art of Writing, on the most reasonable terms they can obtain, not exceeding two dollars for one set of said books; and the contract with such person or persons, to be made on the following conditions, viz. : That such person or persons shall, within twelve months from the passing of this resolve, print and publish, and have in readiness for sale and delivery, twenty thousand copies of said work, of which the one thousand copies to be contracted for as aforesaid, to make a part; that the remaining nineteen thousand copies shall be by him or them, or by others, to be sold by the single copy or set at the same price as paid by said Committee for the one thousand copies contracted for: that the work shall be printed on good writing paper, shall be suitably and well bound, and executed to the satisfaction of said Committee, and that said person or persons, shall pay to the said Jenkins, at such times, and in such sums, as said Committee shall di-

rect, not to exceed one year for the last payment, the sum of five hundred dollars, for the right to publish said twenty thousand copies.

Provided, However, that if the said Jenkins shall refuse to convey to said person or persons who shall contract as aforesaid, the right to publish said twenty thousand copies, then this resolve, as also the following resolve on the same subject, to be void.

And be it further resolved, That for the purpose of aiding in publishing the work aforesaid, there be allowed and paid out of the Treasury of this Commonwealth to the said Sargent, Bemis and Fuller, Committee as aforesaid, and for the purposes aforesaid, the sum of two thousand dollars ; and his Excellency the Governor, with advice of Council, is hereby requested to draw his warrant on the Treasurer accordingly.

And be it further resolved, That the aforesaid Committee are hereby authorised, on the person or persons, who shall contract as aforesaid, giving satisfactory security therefor, to pay to such contractor or contractors, such part of said two thousand dollars, before the work is completed, as they may think proper, to enable him or them to prosecute the publication ; and the said Committee are also authorised to leave out of the first book of said work, such unnecessary matter as they may think proper, and to add thereto, such preface or other matter as they may think necessary.

And be it further resolved, That when the said one thousand copies are ready for delivery, they shall be deposited in the Office of the Secretary of this Commonwealth, and the same, together with those already purchased by the Commonwealth, shall be by him distributed to the several incorporated Academies, and to the Selectmen and Assessors of the several towns, districts and plantations in this Commonwealth, in such proportions as the Committee aforesaid shall order.

CHAP. LV.

Resolve on the Representation of the Quarter-Master General, authorising him relative to the Room assigned for his Office. 13th June, 1814.

The Committee to whom was referred the representation of Amasa Davis, Esq. Quarter-Master General, have attended to the duties of their appointment, and ask leave to report the following resolve, which is submitted by

AMOS HOVEY, *Per order.*

Resolved, That the Quarter-Master-General be, and he is hereby authorised and directed, to cause such alterations to be made in the room which was appropriated for his Office, by a resolve of the General Court, on the 25th day of February last, as will make said room convenient, and provide such desks, shelves and furniture, as will be necessary for the safe keeping of the records and papers of his Office : And that the Quarter-Master General be authorised to defray the expences of said alterations and furniture aforesaid, and present his account to the General Court for allowance.

CHAP. LVI.

Resolve allowing to Jacob Kuhn, Messenger, \$1000, to purchase fuel, &c. 13th June, 1814.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's and Quarter-Master General's Offices, he to be accountable for the expenditure of the same.

CAAP. LVII.

Resolve granting to Theron Metcalf, Esq. Reporter of contested elections, \$125. 13th June, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Theron Metcalf, Esq. Reporter of contested elections for this House, the sum of one hundred and twenty-five dollars, for his services during the present session of the General Court, and for former services not before paid.

CHAP. LVIII.

Resolve providing for the pay of the Messenger of the General Court. 13th June, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, three hundred and fifty dollars for the present year, commencing the thirtieth day of May last, to be in addition to the sum of four hundred dollars allowed him by a resolve of March 26th, 1793, establishing the pay of the Messenger of the General Court.

CHAP. LIX.

Resolve establishing the pay of the Lieutenant-Governor, Secretary and Treasurer. 13th June, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to his Honor the Lieutenant Governor thereof, the sum of five hundred and thirty-three dollars and thirty-three cents, in full for his salary for one year from the thirty first day of May last past.

Also to Alden Bradford, Esq. Secretary of this Commonwealth, the sum of two thousand dollars, as and for his salary for one year, from the 6th day of June instant, he the said Secretary to be accountable, at the end of said year, for all the fees of Office he shall have received.

And likewise to John T. Apthorp, Esq. Treasurer and Receiver-General of the said Commonwealth, the sum of two thousand dollars, as and for his salary for one year, from the 6th day of June current; and that all the aforesaid salaries be paid quarterly as they shall become due.

CHAP. LX.

Resolve on petition of Solomon Hyde, discharging him from confinement, with a proviso. 13th June, 1814.

On the petition of Solomon Hyde, now a prisoner in the gaol of the county of Suffolk, at the suit of said Commonwealth, and for reasons set forth in said petition.

Resolved, That the Sheriff of the county of Suffolk be, and is hereby authorised and directed to liberate the said Solomon Hyde from said prison, and discharge the execution on which he stands committed, on said Hyde's paying to said Sheriff, for the use of said Commonwealth, the sum of one hundred dollars, together with all costs of suit and fees of commitment.

CHAP. LXI.

Resolve on petition of Daniel Piper and others, settlers on land of the Commonwealth, in the District of Maine, allowed further time to make payment. 13th June, 1814.

On the petition of Daniel Piper and others, settlers on the Commonwealth's lands in townships No. 2, 1st range on Penobscot river, praying further time to be allowed them to pay for their lots.

Resolved, For reasons set forth in said petition, that a further time of two years from the date hereof, be, and hereby is granted to the settlers, their heirs and assigns, who have settled on lands belonging to this Commonwealth, situated in the towns of Bangor, Hampden, No. 2, 1st range, and No. 2, 2d range, and Orono in the county of Hancock, and the town of Eastport, in the county of Washington, to pay the sums due on said lots, to the Agent for the sale of

Eastern Lands; and said Agent is hereby directed to receive of said settlers, their heirs or assigns, what remains due to the Commonwealth, and give them conveyances of their several lots.

CHAP. LXII.

Resolve on the petition of Anna Palmer and others, the Agent for the sale of Eastern Lands directed therein.
13th June, 1814.

Whereas Anna Palmer, Eber Hathorn and others, and Richard Eldridge, have petitioned this Legislature, to be quieted in their several possessions, as settlers on the Commonwealth's land, purchased of the Indians on Penobscot river; and whereas there are on said land a number of settlers, who it would be for the interest of this Commonwealth to quiet in their several possessions.

Therefore resolved. For reasons set forth in said petitions, that the Agent for the sale of Eastern Lands, be, and he is hereby authorised to cause to be surveyed to each person who claims any lot or lots of said land that have been settled on more than one year before the passing of this resolve, by virtue of his own settlement, or by virtue of purchase from any other settler, their several lot or lots of land of one hundred acres each, or as near that quantity as may be convenient, so to be run out as best to include his improvement, and be least injurious to the adjoining lands; and when the surveyor, to be appointed by said Agent, shall have made said survey, and have returned a plan thereof into the Office of said Agent, and also shall have made a certificate for each of said lots, certifying the metes and bounds thereof, and that the person claiming the same has paid for said survey, and also his opinion of the value of said lot, exclusive of improvements, which value shall not be less than one dollar, nor more than two dollars per acre, the said Agent is hereby authorised to convey such lot or lots to the claimants to whom the same was so run out:

Provided, That such claimant shall, within two years from the date of such survey, present said certificate to said Agent, and pay to him the value thereof, as appraised by

said surveyor, together with lawful interest thereon from the time of such survey ; and provided also, that such survey shall be made within one year from the first day of September next.

And be it further resolved, On the petition of the Assessors of plantation number four, for reasons set forth in said petition, that the Selectmen and Assessors of the several towns and plantations on Penobscot river, within the tract purchased of the Indians, be, and they hereby are authorised to lease the Meadows belonging to this Commonwealth, within their respective towns and plantations, for such consideration as is just and reasonable, and apply the money received therefor to the use of Schools within their respective towns and plantations, until further order of the General Court.

CHAP. LXIII.

Resolve authorising the Treasurer to borrow \$100,000.
13th June, 1814.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorised and directed to borrow of the Union and Boston Banks, in addition to the sum now borrowed, any sum not exceeding one hundred thousand dollars. that may, at any time within the present year, be necessary for the payment of the ordinary demands made on the Treasury ; and that he repay any sum he may borrow, as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. LXIV.

Resolve on the petition of Henry Huntington and Timothy Pitkin, authorising the Agent for the sale of Eastern Lands therein. 13th June, 1814.

On the petition of Henry Huntington and Timothy Pitkin, requesting the Legislature to grant them such relief as they may think proper, in obtaining a deed of a township

of land in the County of Oxford, being numbered five in the second range of townships between New-Hampshire line and William Brigham's Million of Acres, on paying the balance which may be due on the contract which they made in the year 1794, with the Committee for the sale of Eastern lands.

Be it resolved, That the Agent for the sale of Eastern lands be, and he hereby is authorised to convey to the said Henry Huntington and Timothy Pitkin, their heirs or assigns, by a good and sufficient deed of said township, making the usual reservations and conditions of settlement:

Provided, They shall produce to the said Agent the original contract, with evidence of their having paid the sum of twelve hundred and thirty-two dollars and seventy-four cents, on the first day of October, seventeen hundred and ninety-five, and also the sum of one thousand and forty-seven dollars, the first day of October, seventeen hundred and ninety-six, and shall pay to the said Agent, on or before the first day of October next, the sum of eleven hundred and nine dollars, being the balance then due.

CHAP. LXV.

Resolve making an allowance to the widow of the late Chief Justice Sewall. 14th June, 1814.

Whereas the sum of eight hundred and seventy-five dollars would be due to the late Chief Justice of this Commonwealth, on the last day of June instant, for a quarter's salary, had he lived to that time; but it having pleased the Almighty to remove him by death, after the commencement and before the end of said quarter.

Therefore resolved, That there be paid out of the Treasury of this Commonwealth, to Abigail Sewall, the widow of the said deceased, such a sum, as together with the arrear due to him at the time of his death, will amount to one quarter salary; and that the Governor be authorised to draw his warrant for such sum accordingly.

CHAP. LXVI.

Resolve granting \$100 to Thomas Wolcott, for his services during the present session of the Legislature.

14th June, 1814.

Resolved, That there be allowed and paid out of the public Treasury to Thomas Wolcott, a Clerk in the lobbies, for the assistance of the Members of the Legislature, one hundred dollars, in full for his services during the present session of the General Court.

CHAP. LXVII.

Resolve granting \$100 to Nathaniel P. Watson, Deputy Warden of the State Prison. 14th June, 1814.

The Committee to whom was referred the petition of Nathaniel P. Watson, praying for relief in his distressed situation, having broken his leg while in the employment of the Directors of the State Prison, beg leave to report, viz. :

Resolved, That there be allowed and paid out of the public Treasury, the sum of one hundred dollars, to Nathaniel P. Watson, Deputy Warden of the State Prison; and that his Excellency the Governor, with the advice of Council, be requested to draw his warrant on the Treasurer for that sum, in favor of said Watson, in compensation for his sufferings and loss, by breaking of his leg, while in the employment of the Directors of the State Prison.

CHAP. LXVIII.

Resolve establishing the pay of Ward Locke, Assistant to the Messenger of the Governor and Council.

14th June, 1814.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Ward Locke, the sum of two dollars and fifty cents for each day he may have been employed, by his Excellency the Governor and

the Honorable Council, as Assistant to their Messenger, during the past and the present session of the Council.

CHAP. LXIX.

Resolve for paying the Clerks of the two Houses.
14th June, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Samuel F. McCleary, Clerk of the Senate, and Benjamin Pollard, Clerk of the House of Representatives, two hundred dollars each; and also to Robert C. Vose, assistant Clerk of the Senate, one hundred and twenty-five dollars, in full for their services in said Offices, the present session of the General Court.

CHAP. LXX.

Resolve on the petition of John T. Stone and others, allowing compensation to them. 14th June, 1814.

The Committee of Accounts, to whom was referred the petitions of John T. Stone, Reuel Roby, Elisha Wheeler, and the account of Dr. Nathaniel Bemis, ask leave to submit the following resolve.

SILAS HOLMAN, *Per order.*

On the petitions of John T. Stone, Reuel Roby and Elisha Wheeler, praying allowance for damages sustained by the accidental explosion of gun powder, while on military duty; and Dr. Nathaniel Bemis, Surgeon, for medical attendance and dressing.

Resolved, For reasons set forth in their several petitions, that there be allowed and paid out of the public Treasury of this Commonwealth, to John T. Stone, one hundred and fifty-three dollars; to Reuel Roby, one hundred dollars; to Elisha Wheeler, one hundred dollars; and to Dr. Nathaniel Bemis, twenty-six dollars and seventy cents, in full compensation for all damages and service aforesaid.

CHAP. LXXI.

Report on the subject of Lands in Minot, in the District of Maine, awarded to the Pejepscot Proprietors, and resolves thereon. 14th June, 1814.

The Committee of both Houses, to whom was referred the report of the Hon. Lothrop Lewis, concerning certain lands in the town of Minot, taken from John Bridgham and others, by the running of the head line of the Pejepscot claim, &c. have had the same under consideration, and ask leave to report, for the adoption of the Legislature, the following resolve, which is respectfully submitted by order of the Committee.

D. A. WHITE, *Chairman.*

Resolved. That the Attorney-General be, and he hereby is authorised and empowered, on the part of this Commonwealth, to submit with the Pejepscot Proprietors, their heirs or assigns, and those claiming under them, to three referees, mutually to be chosen by the said Attorney General and the said Proprietors, their heirs and assigns, their Agent or Attorney, or those claiming under them, (the report of whom or a major part of whom, to be made to the next term of the Supreme Judicial Court, in the county of Cumberland, to be holden next after the said referees shall have made this award touching the premises, and accepted by the Supreme Judicial Court, shall be binding on all the parties, and judgment to be rendered accordingly) the amount of money which the said Proprietors, their heirs or assigns, or those claiming under them, are in law and equity entitled to receive from the Commonwealth aforesaid. as an equivalent and in full compensation to the said Proprietors, their heirs or assigns, for all their right, title and interest in and to all the lands sold and granted by the Commonwealth to John Bridgham and others, by virtue of a resolve, passed on the ninth day of February, in the year of our Lord seventeen hundred and ninety-eight, which lies to the south of a west line drawn from the uppermost part of the Twenty-Mile Falls, upon Androscoggin river; and which said Lands, by the decision of the Supreme Judicial Court, in the trial of an inquest of office, between the Commonwealth and the said Pejepscot Proprietors, rendered at the sitting of said Court

in Portland, at the term of said Court in May, 1813, was adjudged to belong to the said Proprietors.

Resolved, That his Excellency the Governor be, and he hereby is authorised and requested, whenever he shall receive a certificate from the Clerk of the Court aforesaid, of the sum awarded by said referees, pursuant to said submission, immediately to draw his warrant on the Treasurer of this Commonwealth for said sum, in favor of said Proprietors, their heirs or assigns (as said referees may report); and it shall be the duty of said Treasurer, forthwith to pay over said sum to said Proprietors, or persons in whose favor said warrant may be drawn.

Resolved, That said referees shall give public notice to the Attorney-General, and the Pejepscot Proprietors, their heirs or assigns, and also to the occupants of said lands, of the time and place of the meeting of said referees, by publishing the same in the Columbian Centinel and Portland Gazette, four weeks previous to their meeting; and said referees shall have power to send for persons or papers, and shall issue proper process for this purpose.

CHAP. LXXII.

Resolve granting pay to the Committee on Accounts.
 14th June, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to the Committee appointed to examine and pass on accounts presented against the Commonwealth, for their attendance on that service during the present session, the sums annexed to their names respectively, in addition to their pay as Members of the Legislature :

Hon. Silas Holman, fourteen days, fourteen dollars.

Hon. Joseph Whiton, fourteen days, fourteen dollars.

Daniel Howard, fourteen days, fourteen dollars.

James Robinson, fourteen days, fourteen dollars.

Alford Richardson, fourteen days, fourteen dollars.

CHAP. LXXIII.

Resolve making compensation to the Hon. Lothrop Lewis, for services therein mentioned. 14th June, 1814.

Resolved, That there be allowed, and paid out of the Treasury of this Commonwealth, to the Hon. Lothrop Lewis, Esq. thirty dollars, in full compensation for his services, in examining and ascertaining the quantity and value of the land taken from John Bridgham and others, by the running of the head line of the Pejepscot claim, agreeably to a resolve of the Legislature, passed on the 22d day of February, A. D. one thousand eight hundred and fourteen; and his Excellency the Governor is requested to draw his warrant on the Treasury, for the payment of said sum accordingly.

CHAP. LXXIV.

Resolve authorising his Excellency the Governor to appoint Commissioners, with power to cancel certain bonds to the Commonwealth, for Eastern Lands. 14th June, 1814.

Resolved, That his Excellency the Governor be, and he hereby is authorised and requested, to nominate and appoint a Committee, consisting of two Members of the Hon. Council, for the time being, and that such Committee so appointed, be, and they hereby are authorised and empowered, together with the Agent for the sale of Eastern Lands, to execute the powers vested in such Agent, by a resolve of this General Court, passed the ninth day of June instant, relative to cancelling certain bonds to the Commonwealth, and that the certificate of the major part of such commission, shall be required to authorise the Treasurer of the Commonwealth to cancel such bonds, any thing contained in the aforesaid resolve to the contrary notwithstanding.

CHAP. LXXV.

Resolve authorising and directing the Quarter-Master General to remove the Gun-House, &c. in Salem.
14th June, 1814.

Resolved, That Amasa Davis, Esq. Quarter-Master General, be, and he is hereby authorised and directed, to cause to be removed, the Gun-House, cannon and carriages, the property of this Commonwealth, now in the town of Sa'em, on Winter-Island, so called, to a more safe and convenient place in said town; and that he defray the expense of the removal of said house and cannon, and present his account to the General Court for allowance.

CHAP. LXXVI.

Resolve relative to the defence of the Sea-Coast;—His Excellency the Governor authorised therein.
14th June, 1814.

Whereas in the progress of the war, in which the United States are unhappily engaged, the British armed ships on this coast have lately burnt, and otherwise destroyed, a number of vessels in the bays, ports, harbors and coves of this Commonwealth; and it being uncertain what further evils may be consequent upon the war, and what measures it may be necessary for this Commonwealth to adopt to prevent the same as far as may be, and afford due protection to its citizens.

Therefore be it resolved, That his Excellency the Governor be, and he hereby is requested and authorised to adopt any and every such measure as to him may appear necessary or expedient, for the defence, protection and security of this Commonwealth, or any part thereof.

Be it further resolved, That until the next session of this General Court, the Treasurer of this Commonwealth be, and he hereby is authorised and required, to borrow from

any Bank or Banks within the same, such sum or sums of money, for effectuating the objects and purpose of this resolve, as he may be directed to do by his Excellency the Governor; not exceeding, however, the sum of one million of dollars.

Be it further resolved, That during the period aforesaid, his Excellency the Governor be, and he hereby is authorised and empowered, from time to time, to draw his warrants on the Treasurer, for such sum or sums as may be expended for the objects and purposes aforesaid.

ROLL No. 71.....June, 1814.

THE Committee on accounts having examined the several accounts they now present

REPORT, That there are due to the Corporations and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned ; which is respectfully submitted.

SILAS HOLMAN, *Per order.*

PAUPER ACCOUNTS.

Ashburnham, for supplies to Sukey Franklin, to 1st of March, 1814,	7 62
Augusta, for board sundry poor prisoners confined in gaol for debt, and supplies to Jacob Britt, to May 23d, 1814,	60 56
Adams, for support of sundry paupers, to 22d May, 1814,	125 88
Abington, for board and clothing Thomas Seymour, to 7th June, 1814,	27 50
Blanford, for board and clothing Samuel Walker, to 1st February, 1814,	75 00
Brookfield, for board, clothing and doctoring Jonas Bentow, Betsy and William Hix, to 2d May, 1814, and supplies to George Baslington, to the time of his death, including funeral charges,	134 67
Barnardstown, for board and clothing Oliver Stevens, to 24th May, 1814,	22 03
Boxborough, for board and clothing John McKoy, to 22d May, 1814,	60 66
Becket, for board, clothing, doctoring and nursing Hiram Leonard, Sally Leonard, Bristol Bogert, supplies to the family of Peter Treadwell, to 20th May, 1814,	92 50

Bridgewater, for board and clothing Frederick Bignor, John Stocks, Robert Green, to 5th June, 1814, and Charles Brown, William Mortis, to the time of their death, Benjamin Antreil, till he left the town,	119 91
Belchertown, for board of Phœbe Butler, to 20th May, 1814,	23 40
Bradford, for board of Joshua L. Alsters, to 1st June, 1814,	24 90
Bristol, for board, clothing and doctoring William How, to 1st May, 1814,	69 24
Bellingham, for board and clothing Nathan Freeman, to 1st April, 1814,	60 44
Belgrade, for board and nursing Abigail Odlin, to 25th May, 1814,	36 10
Brewer, for board and doctoring James Gregg, to the time of his death, 29th April, including funeral charges,	28 65
Bradford, Samuel, keeper of the gaol in suffolk, for support of sundry poor prisoners confined for debt, to 30th May, 1814,	252 00
Beverly, for board and clothing sundry paupers, to 2d June, 1814,	181 63
Boston, for board and clothing sundry paupers, to 1st June, 1814,	8272 45
Colrairie, for board and clothing Sally Leominar, Richard Hines and Rachael Hines, to 18th May, 1814,	59 62
Chesterfield, for board and clothing Adam Hamilton, Rachael Polly and her daughter, to 21st May, 1814,	107 00
Cushing, for board and clothing James Walker, to 1st June, 1814,	27 35
Charlton, for boarding Edward Madden, to 21st May, 1814,	22 00
Camden, for board and clothing John Bloom, to 25th May, 1814,	35 15
Cape Elizabeth, for board and clothing James Ramsbottom, to 15th May, 1814,	38 50
Conway, for board and clothing Hannah McNeal, to 18th May, 1814,	57 30

Cheshire, for board, clothing and doctoring sundry paupers, to 23d May, 1814,	411 30
Concord, for board and clothing George Black, to 14th February, 1814,	16 25
Canton, for board and clothing John Cole, to 1st April, 1814,	34 00
Dartmouth, for board, clothing and doctoring William Biggs and John Quanniwal, to 20th May, 1814, and John Apply, till his death, September 6th, 1813,	304 75
Doggett, Samuel, gaoler for the county of Norfolk, for supporting James Hatchel, a poor prisoner, to the time of his death, March 27th, 1814,	23 21
Durham, for board and clothing Samuel Bemerit and two sons, and Alexander McIntosh, to 18th May, 1814,	209 66
Danvers, for board and clothing sundry paupers, to 7th June, 1814,	493 00
East Hampton, for board, clothing and doctoring Bildad Trumbull, to the time of his death, including funeral charges. 13th April. 1814,	31 22
Edgartown, for board and doctoring Barkus Courtney, to 24th April, 1814, when he left the State,	64 10
Elliot, for board, clothing and doctoring Jacob Brewer and Abigail Randall, to 21st May, 1814,	43 96
Falmouth, Bristol county, for board and clothing Edward Edwards, to 19th January, 1814,	26 00
Falmouth, for board of Felecian Sang, to 14th May, 1814,	19 80
Granby, for board and clothing Ebenezer Dawin, 23d May, 1814,	32 90
Granville, for board and clothing Archibald Stewart and George Taylor, to 1st June, 1814,	55 80
Goshen, for board and clothing Sarah Herford, to 4th June, 1814,	67 00
Gill, for board and clothing Sarah Hamilton, Samuel Lyons and wife, to 21st May, 1814,	55 32
Greenwich, for board, clothing and doctoring sundry paupers, to 26th May, 1814,	148 27
Greenfield, for boarding sundry poor prisoners confined in goal for debt, to 4th June, 1814,	31 91

Gloucester, for board and clothing sundry paupers, to 10th May, 1814,	1015 92
Hancock, for supplies to the family of Ruckamie Farley, to 14th May, 1814,	42 37
Hodgkins, Joseph, keeper of the house of correction, county of Essex, for board and clothing sundry paupers, to 6th June, 1814,	157 99
Hamilton, for board, clothing and nursing Molly McCriefts, to 15th April, 1814,	123 00
Haverhill, for board and clothing John Stewart, to 2d May, Edward Welsh, to 6th April, 1814,	45 68
Hudson, John, keeper of the gaol in Salem, for support of sundry paupers confined for debt, to 25th May, 1814,	158 78
Hallowell, for board, clothing and nursing sundry paupers, to 3d June, 1814,	280 96
Lincolnvillie, for board of Alexander White, Samuel Cox and Edward Oran, to 20th May, 1814,	69 00
Lanesboro', boarding Ichabod Shirlock, William Macham, Tirza Torry and Clarisa Curtis, to 21st May, 1814,	76 16
Lenox, for boarding and clothing sundry paupers, to the 23d May, 1814,	90 25
Lee, for board, clothing, doctoring and nursing sundry paupers, to 20th May, 1814,	144 80
Leyden, for board, clothing and doctoring Stacy Fuller, Ruth Abel and Elizabeth Wagner, to 19th May, 1814,	45 20
Long-Meadow, for board of Peter Dunkin, to 24th May, 1814,	37 47
Middlefield, for board, clothing and removing from the State Mary Moffit and child, to 10th February, 1814,	52 71
Monson, for board, clothing and nursing James Lyde, to 16th May, 1814,	132 87
Mount-Vernon, for supplies to William Ham and family, to 1st of January, 1814,	14 00
Montague, for board, clothing and nursing Joshua Searle, to 23d May, 1814,	-32 50
Minot, supplies to Phillip Weeks, to 1st September, 1813, and support of Elizabeth Finy and child, to 4th May, 1814,	91 00

Marlborough, for board and clothing Joseph Waters, to 28th May, 1814,	62 00
Milton, for board and doctoring Alexander Theophilus, to 5th June, 1814,	32 06
Marshfield, for support of Samuel Holmes and Phillis Mitchell to 14th May, 1814,	147 77
Marblehead, for board and clothing sundry paupers, to 6th June, 1814,	240 96
Norwich, for board and clothing Daniel Williams, to 23d May, 1814,	25 38
New-Salem, for board, clothing, doctoring and nursing Phillip Hoven, to 2d of April, 1814,	99 97
New Bedford, for board, clothing and doctoring sundry paupers, to 12th March, 1814,	151 10
New-Castle, for board of sundry paupers, to 23d December, 1813,	471 96
Newburyport, for boarding and clothing sundry paupers, to 1st June, 1814,	1671 83
Newbury, for board and clothing sundry paupers, to 1st June, 1814,	1043 18
Oxford, for board, clothing, doctoring and nursing Catharine Jourdan, to the time of her death, 3d March, 1814, including funeral charges,	31 63
Peru, for board of James Robbins and Olive, a colored girl, to 21st May, 1814,	43 80
Parsonsfield, for support of sundry paupers, to the time they left the State, May, 1814,	23 00
Plymouth, for board, clothing and doctoring sundry paupers, to 22d May, 1814,	283 50
Pittsfield, for board and clothing sundry paupers, to 28th May, 1814,	113 52
Prospect, for board, clothing and nursing Ann Haynes, to 31st December, 1813,	65 00
Portland, for board and clothing sundry paupers, to 1st June, 1814,	1086 18
Rowe, for board and clothing Betsey Carpenter, to 15th May, 1814,	26 00
Rowley, for board, clothing and doctoring Bening Dow, and Ellis Collins, to 23d May, 1814,	77 86
Rutland, for board and clothing John Cowlon and William Henderson, to 1st June, 1814,	47 62

Roxbury, for board, clothing and doctoring sundry paupers, to 3d June, 1814,	205 86
Southwick, for board and clothing George Reed, 1st May, 1814.	24 93
Sutton. for board and clothing five small children of Isabella Santee, to 8th June, 1814,	57 25
Sandisfield, for board, clothing and doctoring Richard Dickson and wife, to 26th May, 1814, James Carron and Elizabeth Dando, to the time of their death including funeral charges,	62 20
Sherburne, for board of Benjamin Houghton, to 31st January, 1814,	52 00
Swansey. for board and clothing James Garnet and Garret Barnes, to 21st May, 1814,	43 48
Sandwich, for board of Richard Cranch, to 30th May, 1814.	22 00
Saco, for board of Jane Young and two children, colored people, to 5th June, 1814,	10 80
Scarborough, for board of Robert Gilfillin and William Bowlen, to 9th April, 1814, when Bowlen was bound apprentice,	40 11
Salem, for board and clothing sundry paupers, to 5th June, 1814,	1328 36
Topsham. for board and clothing John Duggin, to 23th January, 1814. William Proctor, to the time of his death and funeral charges,	84 71
Uxbridge, for board and clothing David Mitchell, Phillis Jenks and three children, to 24th May, 1814,	32 37
Vassalborough, for board, clothing, doctoring and nursing Abigail Fairbrother and Lydia Gordon, to 4th May, 1814,	53 76
Worcester, for board and clothing sundry paupers, to 1st June, 1814,	101 62
West-Hampton, for board and clothing John Gay and wife, to 21st May, 1814,	55 60
Windsor, for board and clothing Henry Smith and wife, to 18th May, 1814,	44 81
Windham, for supplies to Alexander Plumly, to the time of his death and funeral charges,	43 37
Walpole, for board and clothing John F. Williams, to 2d April, 1814,	49 1

MILITARY ACCOUNTS.

549

Westfield, for board and clothing John Newton and wife, and Theodotia Gillet, to 31st May, 1814,	75 12
Williamstown, for board, clothing and doctoring sundry paupers, to 23d May, 1814,	185 80
Waldoborough, for board, clothing and nursing John Houdel and son, to 6th June, 1814,	171 20
West Springfield, for board of Hannah Shevoy, Hannah Felt, Juda Wood and Lucinda Howe, to 19th May, 1814,	78 08
York. for board of sundry paupers, to 1st June, 1814,	192 00

Total paupers,	\$23,150 06

MILITARY ACCOUNTS.

Courts Martial and Courts of Inquiry, &c.

Pope, Thomas, for the expense of a Court Martial, holden at Brookfield, in February, 1814, Colonel Salem Town, jun. President,	281 35
Brooks, John, Adjutant-General, for the expense of a Court Martial, holden at Portland, in April, 1814, for the trial of General James Irish, jun. General Sewall, President,	680 18
Brooks, John, Adjutant-General, for the expense of a Court of Inquiry, holden at Barre, in February, 1814, Colonel Moses N. Child, President,	90 84
Brooks, John, Adjutant-General, for the expense of a Board of Officers, holden at Brunswick, in April and June, 1812, General Richardson President,	70 95
Fisher, Jacob, for the expense of a Court Martial, holden at Shrewsbury, in February, 1814, Colonel Ebenezer Pope, jun. President,	161 08
Fisher, Jacob, for the expense of a Court of Inquiry, holden at Shrewsbury, in February, 1814, Colonel Ebenezer Pope, jun. President,	47 64

	1332 04

Brigade-Majors and Aids-de-Camp.

Dutch, Ebenezer, to 17th April, 1814,	48	54
Pope, Thomas, to 3d May, 1814,	16	55
Prince, Hugh, to 1st June, 1814,	14	20
Russell, Edward, to 28th April, 1814,	9	85
Woods, Sampson, to 20th May, 1814,	44	50
.....		
	133	64

Adjutants.

Allen, Shobal, to 14th April, 1813,	16	82
Adams, Thomas, to 13th August, 1813,	91	24
Boyd, William, to 2d June, 1814,	57	51
Bradford, Hira, to 27th September, 1813,	10	09
Champney, John, to 27th May, 1814,	25	12
Curtis, Joseph, to 1st September, 1813,	7	33
Carleton, William, to 17th May, 1814,	17	25
Chadbourn, Nahum, to 4th June, 1814,	6	75
Dickinson, Frederick, to 3d March, 1814,	61	70
Fisk, Ezra, to 26th April, 1814,	33	12
Hinman, Ransom, to 1st June, 1814,	39	61
Knight, Jonathan, to 30th May, 1814,	10	45
Keith, Cyrus, to 8th June, 1814,	21	25
Ordway, Nathan, to 8th June, 1813,	8	83
Porter, K. David, to 12th January, 1814,	28	94
Stone, Hosea, to 16th March, 1813,	19	15
Spurr, D. Elijah, to 2d May, 1814,	31	26
Sayles, Richard, to 4th June, 1814,	30	19
Sears, Joseph, to 2d May, 1814,	38	48
Sever, John, to 28th April, 1814,	28	59
Sewall, William, to 19th August, 1813,	12	13
Tainter, Harvey, to 29th April, 1814,	17	09
Tobey, James, to 12th November, 1813,	18	28
Washburn, H. Philo, to 13th August, 1813,	17	71
Wilder, David, to 16th April, 1814,	22	56
.....		
	671	50

Expenses for Horses to Haul Artillery.

Davis, William, Jr. to 25th January, 1814,	6 00
Graves, Samuel, to 1st October, 1813,	5 00
Harwood, Abner, to 18th March, 1814,	5 00
Hixon, Richard, to 14th October, 1813,	5 00
Jacobs, F. Edward, to 14th October, 1813,	5 00
Kelley, Sylvanus, to 16th May, 1814,	10 00
Mudge, Benjamin, to 17th January, 1814,	10 00
Newhall, Aaron, to 12th June, 1814,	10 00
Rider, B. John, to 9th October, 1813,	5 00
Tenney, Joseph, to 31st March, 1814,	5 00
Townsend, Seth, to 20th May, 1814,	5 00

	71 00

Brigade Quarter-Masters.

Blake, James, to 1st May, 1814,	37 50
Thomas, Nathaniel, to 1st October, 1814,	8 30
Whitney, P. Timothy, to 1st June, 1814,	31 20

	77 00
Courts Martial, &c. - - - -	1332 04
Brigade Majors, &c. - - - -	133 64
Adjutants, - - - -	671 50
Expense for Artillery Horses, -	71 00

Total Military,	2285 18

SHERIFFS' AND CORONERS' ACCOUNTS.

Adams, Moses, Sheriff of Hancock county, for returning votes for Governor, Lieutenant Governor and Senators, May, 1814,	22 24
Hunnell, Richard. Sheriff of Cumberland county, for returning votes for Governor, Lieutenant Governor and Senators, May 1814,	10 40
Howard, Samuel, Sheriff of Kennebec county, for returning votes for Governor, Lieutenant Governor and Senators, May, 1814,	14 40

Lyman, Elibu, Sheriff of Franklin county, for returning votes for Governor, Lieutenant Governor and Senators, May, 1814,	16 00
Mattoon, Ebenezer, Sheriff of Hampshire county, for returning votes for Governor, Lieutenant Governor and Senators, May, 1814,	7 20
Osgood, James, jun. Deputy Sheriff for Oxford county, for services, distributing resolves for the choice of Electors of President and Vice President, over and above what he has been heretofore allowed for that service, and in full to May 20th, 1814,	10 00
Phelps, John, Sheriff of the county of Hampden, for returning votes for Governor, Lieutenant Governor and Senators, May, 1814,	8 00
Partridge, George, Sheriff of Plymouth county, for distributing laws for the choice of Electors, returning votes of Electors of President and Vice President, Representative to Congress, and votes for Governor, Lieutenant Governor and Senators, to the 4th May, 1814,	29 20
Thatcher, Samuel, Sheriff of Lincoln county, for returning votes for Governor, Lieutenant Governor and Senators, May, 1814,	14 56
Ward, Thomas, Sheriff of Worcester county, for returning votes for Governor, Lieutenant Governor and Senators, Representative to Congress, Electors of President and Vice President, from 1812 to May, 1814,	21 20

Total Sheriffs' and Coroners',	153 20

PRINTERS' ACCOUNTS.

Butler, William, for printing Acts and Resolves, to May, 1814,	16 67
Cushing, Thomas, for printing Acts and Resolves, to June, 1814,	16 67
Dickman, Thomas, for printing Acts and Resolves, to May, 1814,	16 67
Edes, Peter, for printing Acts and Resolves, to June, 1814,	16 67

Gazette Office, Dedham, for printing five hundred copies of Reports on Contested Elections,	45 00
Lindsey, Benjamin, for printing Acts and Resolves, to May, 1814,	16 67
Russell, Benjamin, for sundry printing and paper for the use of Government, to June 3d, 1814,	3115 75

Total Printers',	3214 10

MISCELLANEOUS ACCOUNTS.

Austin, James T. for service as Attorney per order of the Committee of House, in February, 1814,	10 00
Bradford & Reed, sundries Stationary furnished the Government, to the 11th of June, 1814,	116 12
Brooks, John, Adjutant-General, for fixtures and Stationary in his Office, June, 1814,	8 33
Bacon, Henry, for assisting the Messenger to the General Court, to 14th June, 1814,	44 00
Chase, Warren, for assisting the Messenger to the General Court, to June 14th, 1814,	42 00
Durant, William, for glazing State House windows and cleaning the same, to May 18th, 1814,	55 65
Dane, Nathan, for service revising Criminal Laws, 1813 and 1814,	75 00
Greenwood, Alexander, for surveying land by order of the General Court, April 6th, 1814,	31 50
Guardians of Dudley Indians, for balance due them, May 22d, 1814, which sum the Treasurer is directed to charge said Indians with, and deduct the same from the sum due them from the Commonwealth,	109 08
Gardner, Micajah, for travel from Nantucket to Boston, per order General Court,	27 00
Hurd & Gould, for Stationary furnished Adjutant General's Office, May 30th, 1814,	48 52
Hilliard & Metcalf, for printing for the Agricultural Society in part of a grant by the General Court, January Session, 1814,	180 00

Kuhn, Jacob, for balance due him the 13th June, 1814, over and above a grant made him by a resolve of the General Court, June 16th, 1813, for \$1009, and proceeds of sales of sundry old iron and copper, &c.	22 54
Lincoln, Amos, for repairs on the State-House, June 3d, 1814,	170 65
Loring, Josiah, for Stationary furnished Adjutant-General's Office, to 11th June, 1814,	90 00
Lapham, Silvanus, for assisting the Messenger of the General Court, to 14th June, 1814,	44 00
McCleary and Pollard, Clerks to the General Court, for distributing Reports on Memorials, by order of the House of Representatives, 23th February, 1814,	80 00
Merrill, John, for doctoring sundry poor prisoners, confined in gaol for criminal offences, to June, 1814,	18 50
Oliver, Daniel, for rent of Adjutant-General's Office, to 23d May, 1814,	34 50
Osgood & Whitney, for labour done on the State House, up to 21st May, 1814,	85 50
Stratton & Whittaker, for Chairs at the Adjutant General's Office, 21th May, 1814,	5 00
Story, Joseph, for service revising Criminal Laws, 1813 and 1814,	75 00
Thompson, James, sundry repairs on the State House, to 2d June, 1814,	105 00

Total Miscellaneous,	1477 89

Aggregate of Roll No. 71.

Expense of State Paupers, - - -	23,150 06
Do. Militia, - - - - -	2,285 18
Do. Sheriffs and Coroners,	153 20
Do. Printers, - - - - -	3,244 10
Do. Miscellaneous, - - -	1,477 89

	30,310 43

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' names respectively, amounting in the whole to the sum of thirty thousand three hundred and ten dollars and forty-three cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 14th, 1814.

Read and accepted. Sent down for concurrence.

JOHN PHILLIPS, *President.*

In the House of Representatives, June 14th, 1814.

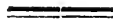
Read and concurred.

TIMOTHY BIGELOW, *Speaker.*

June 14th, 1814....Approved.

CALEB STRONG.

COMMONWEALTH OF MASSACHUSETTS.

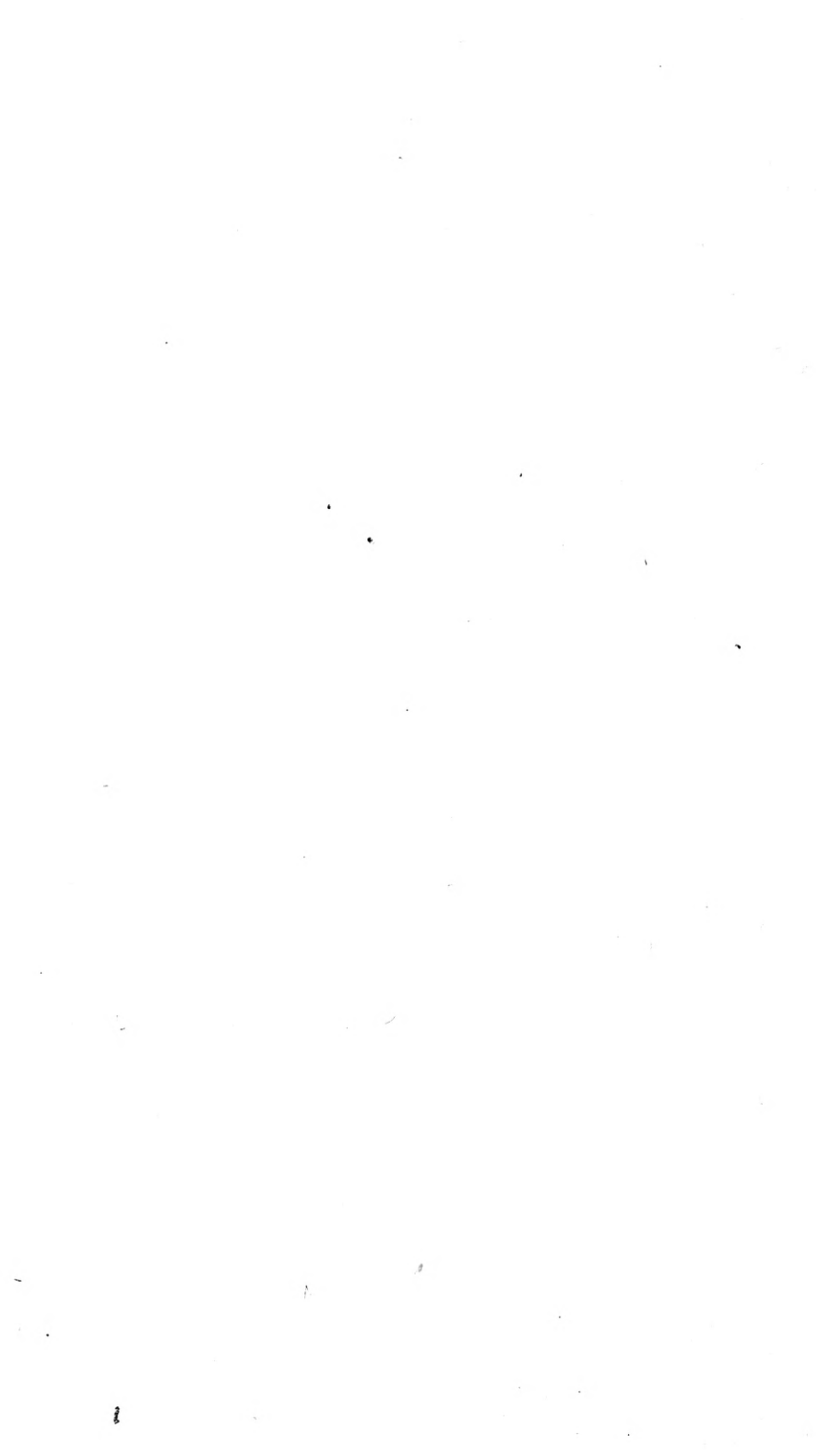


Secretary's Office, September 26th, 1814.

By this I certify, that the Resolves, &c. contained in this pamphlet, which were passed by the General Court, at their session, began and holden on the 25th day of May last, have been compared, in this Office, with the originals, and appear to be correct.

ALDEN BRADFORD,

Secretary of the Commonwealth.



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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY THE 5th DAY OF OCTOBER, 1814,

AND ALSO AT THEIR SESSION, WHICH COMMENCED ON

WEDNESDAY, THE 18th OF JANUARY, 1815.

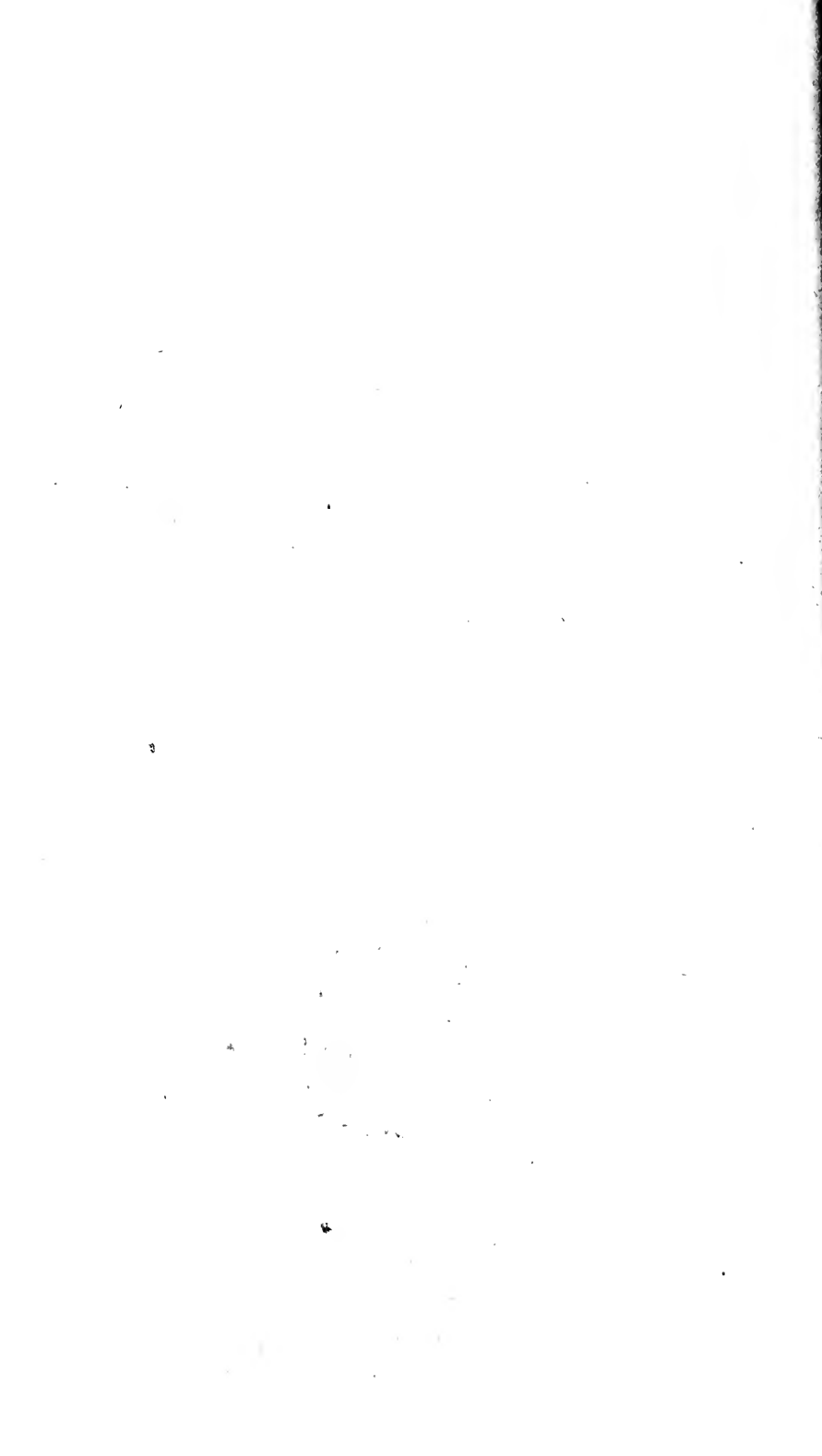
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Published agreeably to a Resolve of 16th January, 1812,
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1814-5.



RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 5th AND ENDED ON THE 20th DAY OF
OCTOBER, A. D. 1814.

GOVERNOR'S MESSAGE.

REPRESENTATIVES' CHAMBER, OCTOBER 5, 1814.

At 12 o'clock, the Secretary of the Commonwealth came down from the Council Chamber to the Senate and House of Representatives, with the following Message from his Excellency the Governor :—

MESSAGE :

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

SINCE your late adjournment such important changes have taken place in the state of our public affairs, and the war in which we have been unhappily involved has assumed an aspect so threatening and destructive, that the Council unanimously concurred with me in the opinion, that an extraordinary meeting of the Legislature was indispensable.

At different times and for short periods, some of the troops of the United States had been stationed within this Commonwealth; but most of them having been withdrawn for the purpose of aiding in the operations against Canada, it was found necessary in the course of the late session of the General Court and afterwards, to call out a number of the militia for the protection of the most exposed places on our maritime frontier, and to furnish their inhabitants with such other means of defence as the circumstances of the State would authorise.

Brigadier-General Cushing, while he was Superintendent of this Military District, informed me that he expected an order from the President of the United States to request a detachment from the militia of this Commonwealth for the defence of the sea-coast, and particularly of this town; and stated that the number of the United States' troops in the two forts in this harbor was not more than sufficient to man one of them. He proposed that one of the forts should be occupied by the militia; and agreed that when called out they should be subject to the command of no officer of the United States army, except the Superintendent of this Military District. Though it was supposed, that in ordinary cases the militia were not liable by the constitution to do garrison duty in the forts of the United States, yet as the defence of this town was a primary object with the government of the State, and we possessed no other means of strengthening the forts at the entrance of the harbor, I agreed that the proposed detachment should be made upon the terms before mentioned.

After I had left Boston, I received a letter from Major-General Dearborn, who had succeeded General Cushing as Superintendent of this Military District, dated on the 8th of July, in which, by order of the President, he requested me to detach eleven hundred of the militia to occupy the forts in the harbor of Boston, and other points on the sea-coast of the State. I immediately wrote to the Adjutant-General, requesting him, if he could make such arrangements with General Dearborn as had been proposed by General Cushing, to issue the necessary order for making the detachment. A general order was accordingly issued for that purpose on the 18th of July.

On the 4th of September, I received a letter of that date, from General Dearborn, stating that he had received infor-

mation of the enemy's having taken possession of Castine with a formidable force, and that it was not improbable his views might extend to our principal towns on the sea-coast, and requesting me to order out, for the service of the United States, two thousand infantry and two hundred artillery of the militia of this State, exclusive of the town of Boston, for the defence of this harbor, town and vicinity ; and the same numbers for the defence of Portland and its vicinity, and the sea-board between Kennebeck and Penobscot rivers ; and two hundred infantry and fifty artillery from Kittery, Berwick and York, to aid in the defence of the harbor and the public ships in the harbor of Portsmouth. But such objections and complaints had arisen in executing the general orders of the 18th of July, and the whole number proposed to be called out was so great that the Council, whose attention was requested to this subject, unanimously advised me to issue the general order of the 6th of September, and to place the detachment made by virtue of it, under the immediate command of a Major-General of the militia. The alacrity with which this and other similar orders were obeyed, has been highly honorable to the militia of the State. Measures were also taken to call out, for the protection of the towns on the sea-coast in the District of Maine, a part of the militia of that District. I immediately addressed a letter to Mr. Monroe, the acting Secretary of War, inclosing the last mentioned general order, and requesting to be informed whether the expenses thus necessarily incurred for our protection, would be ultimately reimbursed to this State by the United States. A copy of this letter and the Secretary's answer to it, and of the general order of September the 6th, with such official information as I have received concerning the capture of Eastport and Castine, and other hostile events, which have taken place in the eastern part of the State, since the capture of Eastport, and also a letter from the Governor of Rhode Island and the reply to it, will be laid before you by the Secretary.

In the defensive measures which have been adopted, and which for the most part have been under the immediate direction of the Commissioners for the defence of the sea-coast, we have been solicitous to avoid unnecessary expense. But the apprehensions of an attack in every part of our coast, and the pressing calls for the means of defence from the exposed towns through an extent of five or six hundred miles, have

made it necessary to call out a greater number of our militia than have been in service at any former period. It is an obvious reflection, that the limited sources of revenue, which the State has retained in its own power, bear no proportion to the expenses hereby incurred, and if those efforts are much longer required, the State will find it extremely difficult, if not impossible, to provide even in the first instance for the requisite expenditures.

By a law of Congress, passed at their late session, it is enacted, that in addition to the officers of the militia, which had before been provided for, there shall be to each division, one Division-Inspector, and one Division Quarter-Master, and to each brigade, one Aid de-Camp. But no provision has been made directing the manner in which those officers shall be appointed.

The situation of this State is peculiarly dangerous and perplexing. We have been led by the terms of the constitution to rely on the government of the Union to provide for our defence. We have resigned to that government the revenues of the State, with the expectation that this object would not be neglected. But the government has declared war against the most powerful maritime nation, whose fleets can approach every section of our extended sea-coast, and we are disappointed in our expectations of national defence. But though we may be convinced that the war in its commencement was unnecessary and unjust, and has been prosecuted without any useful or practicable object against the inhabitants of Canada, while our sea-coast has been left almost defenceless ; and though in a war thus commenced we may have declined to afford our voluntary aid to any offensive operations—yet I presume there will be no doubt of our right to defend our dwellings and possessions against any hostile attack, by which their destruction is menaced.—Let us then, relying on the support and direction of Providence, unite in such measures for our safety, as the times demand, and the principles of justice and the law of self preservation will justify. To your wisdom and patriotism the interests of the State are confided, and the more valuable those interests are, the more solicitous you will be to guard and preserve them.

CALEB STRONG.

Council Chamber, October 5, 1814.

RESOLVES.

October, 1814.

CHAP. LXXVII.

Resolve granting a county tax for the county of Oxford.
10th October, 1814.

Whereas the Clerk of the Circuit Court of Common Pleas for the county of Oxford, has exhibited an estimate made by the said Court, of the sum necessary to be raised the current year for the purpose of finishing the Court-House and fire proof offices in said county, and for defraying the other expenses of said county :

Resolved, That the sum of three thousand dollars be, and the same hereby is granted as a tax on the said county of Oxford the present year ; to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

CHAP. LXXVIII.

Resolve establishing the pay of the Council and General Court. 10th October, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to each Member of the honorable Council, Senate and House of Representatives, two dollars per day, for each day's attendance during the present

session ; and the like sum of two dollars for every ten miles travel 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 honorable President of the Senate and the honorable Speaker of the House of Representatives, two dollars per day each, for each and every day's attendance, over and above their pay as Members.

CHAP. LXXIX.

Resolve authorising the Treasurer to borrow money of the several Banks. 11th October, 1814.

Whereas a resolve passed this Legislature on the 14th day of June last, authorising and requiring the Treasurer of this Commonwealth to borrow from any Bank or Banks within the same, such sum or sums of money for effectuating the objects and purposes of this said resolve, as he might be directed to do by his Excellency the Governor, not exceeding the sum of one million of dollars :

And whereas the said resolve did not authorise and require the said Treasurer to borrow any part of the said sum, after the commencement of the then next session of the General Court, previous to which time such engagements had been made on account of this Commonwealth, as would absorb a greater amount of funds than is now in the Treasury :

Therefore, be it resolved, That the Treasurer of this Commonwealth be, and he hereby is authorised and empowered, in the name and behalf of the Legislature, to require of any Bank or Banks within the same, according to the provisions of their several acts of incorporation, and upon such terms and conditions as are therein specified, the loan of any such sum or sums, not exceeding, with what has been already borrowed, the said sum of one million of dollars as may be necessary, in the opinion of his Excellency the Governor, to accomplish the purposes of the said resolve of the fourteenth of June last ; and that this authority shall continue in force until the second Wednesday of the next session of this General Court.

Be it further resolved, That during the period aforesaid, his Excellency the Governor be, and he hereby is authorised

and empowered, from time to time, to draw his warrants on the Treasurer, for such sum or sums as may be expended for the objects and purposes aforesaid.

CHAP. LXXX.

Resolve on the petition of Samuel Gushe, Jun. and others, Collectors of Taxes for the towns of Raynham and Easton, county of Bristol. 11th October, 1814.

On the several petitions of Samuel Gushe, Jr. and George Andrews, Jr. Collectors of Taxes for the town of Raynham, in the county of Bristol, and of John Gilmore, a Collector of Taxes for the town of Easton, in the same county, the last year, shewing that the petitioners delivered to John Gilmore, Jr. Esq. Representative in the General Court, for the town of Raynham, the following sums of money, being part of the State tax of the said towns, for the last year, to wit: the said Samuel Gushe, Jr. the sum of sixty dollars; the said George Andrews, Jr. the sum of one hundred and seventeen dollars, and the said John Gilmore the sum of seventy dollars, to be paid into the Treasury of this Commonwealth; and that on the twenty-fifth day of May last, while the said John Gilmore, Jr. was on his way to the Treasurer's Office, his pocket book was stolen, containing all the aforesaid sums, no part of which has ever been regained, and praying for relief in this behalf:

Resolved, For reasons set forth in their petitions, that the sum of one hundred and seventy-seven dollars, part of the tax of the town of Raynham for the last year, and the sum of seventy dollars, part of the tax of the town of Easton for the last year be, and the same are hereby abated. And the Treasurer is hereby directed, to credit the said Samuel Gushe, Jr. with the sum of sixty dollars, and the said George Andrews, Jr. with the sum of one hundred and seventeen dollars, and the said John Gilmore with the sum of seventy dollars, on the books of his office, as, and for the aforesaid abatement.

CHAP. LXXXI.

Resolve on the petition of Peter Cary, \$100 granted, and pension allowed. 12th October, 1814.

On the petition of Peter Cary, of Phipsburg, in the county of Lincoln, praying for compensation for the loss of the use of his right arm, while doing military duty :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to the said Peter Cary, in consequence of his having lost the use of his right arm, in manner as is set forth in said petition, the sum of one hundred dollars, to enable him to pay his nurses' bills, and other expenses arising from the said misfortune ; and an annuity or pension of five dollars per month during his natural life.

CHAP. LXXXII.

Resolve, confirming the proceedings of the Inhabitants of the town of Brewster. 13th October, 1814.

On the petition of the Selectmen and Town Clerk of the town of Brewster, in behalf of the inhabitants of said town, setting forth that on the eighteenth day of September last past, a demand for the sum of four thousand dollars in specie, was made on the said town, by Richard Ragget, Esq. of his Britannic Majesty's ship *Spencer*, commanding a British squadron in Cape Cod Bay ; and that unless the said sum had been produced in eighteen hours, he would have proceeded to the destruction of the saltworks and buildings of said town ; shewing also, that at a meeting of the inhabitants of said town, which was then and there notified and held for the purpose of consulting what measures were best to be taken concerning the said demand, it was voted, that the said sum of four thousand dollars should be assessed upon the saltworks and buildings of every description in said town, and upon vessels owned in said town, frequenting or lying upon the shores thereof ; and praying that their proceedings may be confirmed :

Resolved, For reasons set forth in said petition, that the proceedings of the inhabitants of the said town of Brewster, relating to the said demand and assessment, at the meeting, which was held on the eighteenth day of September aforesaid, and by adjournment, on the day then next following, be, and the same are hereby ratified, confirmed and made valid ; and that the inhabitants of the said town of Brewster, by their proper officers, be, and they are hereby authorised and empowered to assess the said sum of four thousand dollars upon the saltworks and buildings in said town, and upon vessels owned therein, and frequenting or lying on the shores thereof, and to levy and collect the same, for the uses and purposes aforesaid, any law, usage or custom to the contrary notwithstanding.

CHAP. LXXXIII.

Resolve on the petition of the town of Chester, authorising the assessment of \$300 towards re-building a Bridge.
 14th October, 1814.

On the petition of the Selectmen of the town of Chester, in the county of Hampden, setting forth, that a certain Bridge across Westfield river at Falley's village, so called, had for several years been supported in part, by the county of Hampshire, before its division, and that said Bridge has been swept away by a freshet, and praying relief from said county :

Resolved, For reasons set forth in said petition, that the Justices of the Court of Sessions, for said county of Hampden, be authorised and directed to add to their other county estimates for a tax for said county, the sum of three hundred dollars, and to order payment of the same out of the county Treasury, for the purpose of aiding said town in re-building said Bridge, and to appoint an agent to superintend the laying out of the same.

CHAP. LXXXIV.

Resolve on the petition of Doane Batteshell, allowing compensation for a wound received. 14th October, 1814.

On the petition of Doane Batteshell, praying compensation for the loss of time and expences incurred in consequence of a wound received at Hampden, on the third day of September last, while actually serving as a soldier under General John Blake :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to the said Doane Batteshell the sum of thirty six dollars, in full compensation for the loss of time and expences as aforesaid ; and his Excellency the Governor is hereby requested to draw his warrant on the Treasurer of this Commonwealth accordingly.

CHAP. LXXXV.

Report of the Committee on the Governor's Message. 15th October, 1814.

The Committee to whom was referred the Message of his Excellency, with the documents accompanying the same,

Respectfully Report in part, That the ruinous war, declared against Great Britain, has assumed an aspect of great and immediate danger to this Commonwealth. The persevering invasion of Canada, has at length produced, as by natural consequence, the invasion of our Atlantic, Frontier and River towns. A portion of the territory of this State is already in the actual occupation of the enemy ; and the sea-coast, in all such parts as may be deemed assailable, is openly menaced with desolation. To defend our soil and to repel the invader, no force or means, bearing any proportion to the emergency, have been provided by the national government. It was justly to have been expected, that, before hostilities were provoked from a formidable enemy, or at least, that at some period subsequent to their commencement, means of defence and protection would have been afforded to a sea-coast so

extended, and so exposed to the ravages of an enemy as that of Massachusetts. But events forbid a reliance on any such expectation. The principal part of the regular force raised, or at any time quartered in this State, has been withdrawn for the war on the Canada border. The fortifications, until lately strengthened by the exertions of our own citizens, were essentially defective; and the navy in a situation calculated to invite, rather than repel aggression; and to require protection, instead of affording it. Indeed, when the circumstances under which the war was declared, and has been prosecuted, are viewed in connexion with the utter neglect of the ordinary preparation for such a state, the inference is fairly warranted, that the American cabinet intended no other means of defence for this State, but such as a brave and free people would feel themselves impelled to make, by their own sense of danger and love of country.—That it relied upon the passions and sufferings, incident to a state of war, to overcome the repugnance so universally felt by our citizens to the unjust and ruinous contest, and to leave them at liberty to drain our population and our treasures, for the prosecution of their favorite enterprises. But when the Commonwealth was found to be in danger of invasion, the people have not paused to consider the motives or objects of their national rulers in leaving them defenceless; but at the summons of their Governor, they have repaired to the standard of their country, with a zeal and alacrity, which demonstrate, that the principles which unite men of every class and description in the determination to conquer or die in its defence, are not enfeebled by our party divisions. Thousands of brave and hardy yeomanry, composing a part of a well provided and well disciplined militia, have hastened to the post of danger; and other thousands are ready to follow, at a moment's warning. The most liberal and effectual aid has been afforded in erecting forts and batteries; and but one spirit animates the whole mass of our citizens, with the invincible resolution of defending their native land against the incursions of the enemy. It is, however, a fact, not to be disguised, that while the people of this state, with the blessing of Heaven, have confidence in the sufficiency of their resources, for defending their own soil, if applied exclusively to this object, yet, they cannot be supposed equal

to this, and also competent to respond to the heavy and increasing demands of the national government.

The state of the national treasury, as exhibited by the proper officer, requires an augmentation of existing taxes ; and if, in addition to these, the people of Massachusetts, deprived of their commerce and harrassed by a formidable enemy, are compelled to provide for the indispensable duty of self defence, it must soon become impossible for them to sustain this burden. There remains to them, therefore, no alternative, but submission to the enemy, or the control of their own resources, to repel his aggressions. It is impossible to hesitate in making the election. This people are not ready for conquest or submission. But being ready and determined to defend themselves, and having no other prospect of adequate means of defence, they have the greatest need of all those resources derivable from themselves, which the national government has hitherto thought proper to employ elsewhere.

Your Committee are also of opinion, that, if the war is to continue, provision for a military force, in addition to the ordinary militia, must be resorted to ; that a considerable force must be constantly embodied and maintained, ready to meet the enemy in his varied and distant enterprises ;—that the continual calls upon great bodies of militia, to march from home at all seasons, and to remain at a distance from their families, will be the most oppressive and least economical of any mode of defence which can be devised, in a protracted warfare.

But while your Committee think, that the people of this Commonwealth ought to unite, and that they will unite under any circumstances, at the hazard of all that is dear, in repelling an invading foe, it is not believed, that this solemn obligation imposes silence upon their just complaints against the authors of the national misfortunes. It is, on the contrary, a sacred duty to hold up to view on all occasions, the destructive policy, by which a state of unparralleled national felicity has been converted into one of humiliation and danger ; believing, that, unless an almost ruined people will discard the men and change the measures, which have induced this state of peril and suffering, the day of their political salvation is past. It should never be forgotten, that this disastrous condition of public affairs, has been forced

upon Massachusetts, not merely against her consent, but in opposition to her most earnest protestations. From the moment, that the administration, yielding to its own passions and calculations of party power, commenced its system of commercial hostility to Great Britain, and of conformity to the views of the late tyrant of France, its tendency to involve the nation in the most needless and cruel embarrassments, was distinctly foreseen, and declared by former legislatures. The insufficiency of our youthful, though flourishing commerce, to cope with that of Great Britain in a struggle of restrictions, was announced by the united warning of those best versed in a knowledge of this subject. It was never doubted by these persons, that a war with Great Britain would be accompanied by an extinction of commerce ; by the banishment of our sailors ; the desolation of our coast ; the blockade and invasion of our sea-ports ; the failure of national credit ; the necessity of oppressive taxes ; and the consummation of national ruin, by an alliance with the late despot of Europe, from which greatest of all calamities we have been preserved only by his fall. Of all these evils, were our rulers forewarned by Massachusetts, whose vital interests were thus put in jeopardy ; and they were implored, by every consideration of policy and humanity, to stay their hands from the cruel and wanton sacrifice of the interests of those, who asked from them nothing but the privilege of pursuing their own industrious callings. But government, deaf to this voice, and listening to men distinguished in their native state, only by their disloyalty to its interests and the enjoyment of a patronage, bestowed upon them as its price, have affected to consider the patriotic citizens of this great state as tainted with disaffection to the union and with predilection for Great Britain ; and have lavished the public treasure, in vain attempts to fix, by evidence, this odious imputation. Thus dishonored and deprived of all influence in the national councils, this state has been dragged into an unnatural and distressing war ; and its safety, perhaps, its liberties, endangered.

It is therefore, with great concern, that your Committee are obliged to declare their conviction, that the constitution of the United States, under the administration of the persons in power, has failed to secure to this Commonwealth, and as they believe, to the eastern section of this union,

those equal rights and benefits, which were the great objects of its formation, and which they cannot relinquish without ruin to themselves and posterity. These grievances justify and require vigorous, persevering and peaceable exertions, to unite those who realize the sufferings, and foresee the dangers of the country, in some system of measures, to obtain relief, for which the ordinary mode of procuring amendments to the constitution, affords no reasonable expectation, in season to prevent the completion of its ruin. The people, however, possess the means of certain redress ; and when their safety, which is the supreme law, is in question, these means should be promptly applied. The framers of the constitution made provision to amend defects, which were known to be incident to every human institution ; and the provision itself was not less liable to be found defective upon experiment, than other parts of the instrument. When this deficiency becomes apparent, no reason can preclude the right of the whole people, who were parties to it, to adopt another ; and it is not a presumptuous expectation, that a spirit of equity and justice, enlightened by experience, would enable them to reconcile conflicting interests, and obviate the principal causes of those dissensions, which unfit government for a state of peace and of war ; and so to amend the constitution, as to give vigor and duration to the union of the states. But as a proposition for such a convention from a single state, would, probably, be unsuccessful, and our danger admits not of delay, it is recommended by the Committee, that in the first instance, a conference should be invited between those states, the affinity of whose interests is closest, and whose habits of intercourse, from their local situation and other causes, are most frequent, to the end, that, by a comparison of their sentiments and views, some mode of defence, suited to the circumstances and exigencies of those states, and measures for accelerating the return of public prosperity, may be devised ; and also to enable the delegates from those states, should they deem it expedient, to lay the foundation for a radical reform in the national compact, by inviting to a future convention, a deputation from all the states in the union. They therefore report the following Resolves, which are submitted.

H. G. OTIS, *per order.*

Resolved, That the calamities of war, being now brought home to the territory of this Commonwealth, a portion of it being in the occupation of the enemy, our sea coast and rivers being invaded in several places, and in all exposed to immediate danger, the people of Massachusetts are impelled by the duty of self defence, and by all the feelings and attachments which bind good citizens to their country, to unite in the most vigorous measures for defending the state and expelling the invader; and no party feelings, or political dissensions can ever interfere with the discharge of this exalted duty.

Resolved, That provision be made by law for raising, by voluntary enlistment, for twelve months or during the war, a number of troops, not exceeding ten thousand, rank and file, to be organized by the Governor, for the defence of the state.

Resolved, That the Governor be authorized to accept the services of any volunteers, and to organize them as part of the aforesaid troops, who shall hold themselves in readiness to march at a moment's warning, to any part of the Commonwealth, who shall be entitled to full pay and rations, when in actual service, and to a just compensation, short of full pay, to be provided by law, during the entire term of their enlistment.

Resolved, That the Governor be authorized to borrow, from time to time, for the use of this Commonwealth, a sum, not exceeding one million of dollars, at an interest not exceeding six per cent; and that the faith of this Commonwealth be pledged to provide funds, at the next session of this Legislature, at furthest, for the payment of the interest on the sums borrowed.

Resolved, That twelve persons be appointed, as Delegates from this Commonwealth, to meet and confer with Delegates from the other states of New England, or any of them, upon the subjects of their public grievances and concerns, and upon the best means of preserving our resources and of defence against the enemy, and to devise and suggest for adoption by those respective states, such measures as they may deem expedient; and also to take measures, if they shall think proper, for procuring a convention of Delegates from all the United States, in order to revise the Constitution thereof, and more effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation.

Resolved, That a circular letter from this Legislature, signed by the President of the Senate, and Speaker of the House of Representatives, be addressed to the executive government of each of said states, to be communicated to their Legislatures, explaining the objects of the proposed conference, and inviting them to concur in sending Delegates thereto.

Resolved, That, on the eighteenth day of October instant, this Legislature will by joint ballot elect twelve persons to meet such Delegates as may be appointed by the said states, or either of them, at Hartford, in the state of Connecticut, on the fifteenth day of December next.

CHAP. LXXXVI.

Circular Letter to the Governors of the New England States on a Convention to be holden at Hartford, which his Excellency the Governor is requested to transmit.

17th October, 1814.

SIR,

Your Excellency will herewith receive certain resolutions of the Legislature of Massachusetts, which you are respectfully requested to take the earliest occasion to lay before the Legislature of your state, together with this letter, which is intended as an invitation to them to appoint Delegates, if they shall deem it expedient, to meet such others as may be appointed by this and other states at the time and place expressed in these resolutions.

The general objects of the proposed conference are first, to deliberate upon the dangers to which the Eastern section of the Union is exposed by the course of the war, and which there is too much reason to believe will thicken round them in its progress, and to devise, if practicable, means of security and defence, which may be consistent with the preservation of their resources from total ruin, and adapted to their local situation, mutual relations and habits, and not repugnant to their obligations as members of the Union.

When convened for this object, which admits not of delay, it seems also expedient to submit to their consideration, the enquiry, whether the interests of these states demand, that persevering endeavours be used by each of them to pro-

cure such amendments to be effected in the national constitution, as may secure to them equal advantages; and whether, if in their judgment, this should be deemed impracticable under the existing provisions for amending that instrument, an experiment may be made without disadvantage to the nation, for obtaining a Convention from all the states in the Union, or such of them as may approve of the measure, with a view to obtain such amendment.

It cannot be necessary to anticipate objections to the measure which may arise from jealousy or fear. This Legislature is content, for its justification to repose upon the purity of its own motives, and upon the known attachment of its constituents to the national union, and to the rights and independence of their country.

Read and accepted in both Houses, and thereupon

Resolved, That his Excellency the Governor be requested to transmit letters of the foregoing form, signed by the President of the Senate and Speaker of the House of Representatives, to the several Governors of the States of New Hampshire, Rhode Island, Connecticut, and Vermont, and also a copy of the resolutions to which it refers; with a request that the same may be laid before the Legislatures of their several states.

CHAP. LXXXVII.

Resolve appropriating the Land Office for the Board of War.
17th October, 1814.

Resolved, That from and after the first day of November next ensuing, the apartment at the north-east corner of the State House, on the lower floor, now occupied as the land office, be, and the same is hereby appropriated as an office for the Commissioners for the defence of the Commonwealth, or to such board as may by law succeed to them in that department; and the said Commissioners, or their successors as aforesaid, are hereby authorized to provide suitable desks, shelves, and furniture, for the said office, if any may be wanted, in addition to those already in the apartment aforesaid.

And be it further resolved, That from and after the said first day of November next ensuing, the apartment call-

ed number eleven in the north-west corner of the State House on the second floor be, and the same is hereby appropriated for the land office, instead of the room now occupied for that purpose.—And that the agent for Eastern lands be, and he hereby is authorized and empowered, to provide suitable desks, shelves, and furniture for the said room number eleven, if any additional articles of that description shall be necessary therefor. And the Commissioners aforesaid, and agent for Eastern lands aforesaid, shall lay their accounts before the Committee of Accounts.

CHAP. LXXXVIII.

Resolve refering all orders of notice and papers, referred at the last session, to the next session of the General Court.
18th October, 1814.

Resolved, That all matters and things whatever, which were referred by the Legislature at the last session of the General Court to this session or any particular day therein, be further referred to the next session of the General Court, and to such day therein as was appointed therefor in this session; and that all orders of notice which were issued at the last session and have not been served, are hereby revived and may be served and returned to the next session and to such day therein as was appointed therefor in this session; and all persons, who, in the last session, were directed to shew cause against granting the prayer of any petition at this session or any particular day in this session, shall have the same day in the next session as was appointed therefor in this session; any thing in any resolve of the General Court, at the last session thereof, to the contrary notwithstanding. And the Secretary is directed to publish this resolve in the newspapers in which the laws of this Commonwealth are published, as soon as may be.

CHAP. LXXXIX.

Resolve authorizing the Quarter Master General to furnish Cavalry with trumpets and bugles. 18th October, 1814.

Resolved, That in all cases, in which the Quarter Master

General is by law authorized to furnish a trumpet for the use of any troop of Cavalry in the Militia of this Commonwealth, the said Quarter Master General be, and he is hereby authorized to furnish such troop of Cavalry with a trumpet or bugle, as may be most convenient.

CHAP. XC.

Resolve providing for the pay of the Page of the House.
19th October, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger, to be paid by him over to Joseph Francis, one dollar and twenty-five cents per day, for each day he the said Francis shall have attended as Page, the present session of the General Court.

CHAP. XCI.

Resolve respecting the removal of prisoners in the County of Berkshire. 19th October, 1814.

Resolved, That the Sheriff of the County of Berkshire be, and he hereby is authorized and empowered to remove such of the Criminals as now are, or may hereafter be confined in the Goal at Lenox in said County, as he may think their safe keeping may require, to the Goal in Northampton in the County of Hampshire; and the Goaler in said County of Hampshire, is hereby empowered and directed to receive said prisoners, and safely to keep the same; and the said Goal in Northampton, is hereby made the Goal, as well for the County of Berkshire, for the purposes aforesaid, as for the County of Hampshire.

And be it further resolved, That all the expenses attending the removal of said Criminals and the keeping and supporting of the same at the Goal in Northampton, shall be defrayed by the County of Berkshire.

Be it further resolved, That this resolve shall be, and remain in force for, and during the term of one year, and

from thence to the end of the then next session of the General Court, and no longer.

CHAP. XCII.

Resolve allowing to the Secretary \$100 to pay for extra writing in his department. 19th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury to the Secretary of this Commonwealth, in his said capacity, the sum of one hundred dollars to defray the expenses of extra writing in his department, and to be accounted for by him.

CHAP. XCIII.

Resolve on the petition of Captain James Hunnewell, directing him therein. 19th October, 1814.

Whereas a resolve passed the Legislature of this Commonwealth, on the twenty-first day of February last, allowing to the officers, non-commissioned officers, musicians, and privates, under the command of Captain James Hunnewell, the sum of sixty-four dollars and twenty-six cents, and no provision was made in said resolve, specifying to whom the same should be paid by the Treasurer; therefore

Resolved, That the Treasurer be, and he is hereby authorized to pay the sum aforesaid, to the said Captain James Hunnewell, to be by him, the said Hunnewell, applied for the purposes mentioned in the aforesaid resolve.

CHAP. XCIV.

Resolve relative to Courts in Hancock and Washington Counties. 19th October, 1814.

The Committee of both Houses appointed to consider the expediency of altering the times and places for holding the Circuit Court of Common Pleas, in the Counties of Han-

cock and Washington, report the following resolves, which are submitted.

Per Order,

JACOB ABBOT.

Resolved, That if, at the next term of the Circuit Court of Common Pleas to be holden at Castine, within and for the County of Hancock, on the first Tuesday of November next, none of the Justices of the said Court shall attend, so that it shall be necessary to adjourn said Court, the Sheriff of said County, or any of his Deputies, by him specially authorized, shall adjourn the said Court without day.

And it is further resolved, That, if such adjournment shall be made, all writs and processes, and all other precepts original or judicial, which are, or may be returnable to the said Circuit Court of Common Pleas, to be holden by law at Castine, shall, and may be entered at the next term of said Court, for said County, to be holden at Bangor, on the first Tuesday of January next; and the same proceedings shall be had thereon, as if the same were originally made returnable to said last mentioned Court, and all attachments shall have the same effect as they would have had, if said Court had not been adjourned.

Resolved, That the Sheriff of said County, or either of his Deputies, or any Constable of any town, in said County, is hereby authorized to commit to the Goal in Augusta, in the County of Kennebec, any person who may in due course of law, be in his or their custody; and the said Goal in Augusta, shall, in case of such commitment, be considered to all intents a lawful Goal therefor; and it is hereby made the duty of the keeper thereof to receive therein, and deal with such person accordingly.

Be it further resolved, That all deeds and other instruments for the conveyance, security, or defeasance of real estates, and all executions levied upon real estate, or upon the rents and profits thereof, and all depositions taken in perpetuum rei memoriam, which ought by law to be recorded in the registry of deeds, for the Counties of Hancock and Washington, may be filed in either of the offices of the register of deeds of the north district of the County of Hancock, or of the County of Kennebec, and a certificate of the register of such office, that they are so filed, shall have the same effect from the day of the date thereof, as the due filing and

recording of the same would have had before the passing of this resolve.

And be it further resolved, That this resolve shall be in force, until the end of the next session of this General Court, and no longer.

CHAP. XCV.

Resolve appointing Hon. Lothrop Lewis and others, a Committee to examine into the doings of the several Banks, in the District of Maine. 19th October, 1814.

Resolved, That the Hon. Lothrop Lewis, James Neal, and Samuel Coney, Esquires, be a Committee, for the purpose of examining, in the recess, into the doings of the several incorporated Banks in the District of Maine, with full power of access to all their books and vaults; and that said Committee report at an early day of the next session of the present General Court.

CHAP. XCVI.

Resolve allowing compensation to Jacob Kuhn, for taking care of the Adjutant and Quarter Master General's Office. 19th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, eighty cents for each day he may be employed in taking care of the offices of the Adjutant General, and Quarter Master General, agreeably to an order of the General Court of the 13th of June last. the same to be certified by the Adjutant General, and Quarter Master General.

CHAP. XCVII.

Resolve granting \$300 to the Messenger of the General Court to purchase fuel. 19th October, 1814.

Resolved, That there be paid out of the Treasury of this

Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of three hundred dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter Master General's offices, he to be accountable for the expenditure of the same.

XCVIII.

Resolve providing for the pay of Assistants to the Messenger of the General Court. 20th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Warren Chase, Henry Bacon, and Lewis Low, Assistants to the Messenger of the General Court, one dollar per day each, during the present session of the Legislature, in addition to the usual allowance to them, of two dollars per day.

CHAP. XCIX.

Resolve providing for the pay of John Low, jun. Assistant to the Messenger of the General Court. 20th October, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, jun. Assistant Messenger of the House of Representatives, forty-one dollars, for his services, in that capacity, during the present session of the General Court.

CHAP. C.

Resolve establishing pay to Ward Locke, Assistant to the Messenger of the Governor and Council. 20th October, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Ward Locke, Assistant

to the Messenger of the Governor and Council, two dollars and fifty cents per day, for each day he may have been employed, since the session of Council, in June last, and the same sum for each day his Excellency the Governor and the Honorable Council may judge it necessary to employ him in future.

CHAP. CI.

*Resolve to pay to Thomas Wallcut, \$50.
20th October, 1814.*

Resolved, That there be allowed and paid out of the public Treasury to Thomas Wallcut, a Clerk in the Lobbies, for the assistance of the members of the Legislature, fifty dollars, in full for his services, during the present session of the General Court.

CHAP. CII.

*Resolve authorizing the Treasurer to delay issuing warrants of distress, as he may deem proper.
20th October, 1814.*

Resolved, That the Treasurer and Receiver General be, and hereby is authorized to delay, when in his judgment such delay is proper, issuing warrants of distress against the several Collectors of the State tax, for the year eighteen hundred and thirteen, until the next session of the present General Court.

CHAP. CIII.

Resolve providing for the pay of the Clerks of the General Court. 20th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Samuel F. McCleary, Clerk of the Senate, and Benjamin Pollard, Clerk of the House of Representatives, one hundred and twenty dollars each; and also to

Robert C. Vose, Assistant Clerk of the Senate, seventy-five dollars, in full for their services in said offices, the present session of the General Court.

CHAP. CIV.

Resolve giving the consent of the General Court to march the forces of this State to the assistance of a neighbouring State, if the Governor shall think it expedient.

20th October, 1814.

Whereas during the present calamitous war, a common danger threatens the safety of this, and the adjacent states, and the Governor and Legislature of Rhode Island have expressed their readiness to render to this Commonwealth all the aid in their power, in cooperating to avert the same :

Resolved, That the consent of the General Court agreeably to the Constitution, is hereby given to his Excellency the Governor, to order to march out of the limits of this Commonwealth, any portion of the military force of the same, to the assistance of any adjacent State, whenever in his judgment it shall be expedient so to do.

RESOLVES

OF THE

General Court of Massachusetts,

PASSED AT THEIR SESSION,

COMMENCING ON THE EIGHTEENTH OF JANUARY, AND ENDED ON
THE FIRST DAY OF MARCH, A. D. 1815.

GOVERNOR'S MESSAGE.

REPRESENTATIVES' CHAMBER, JAN. 18th, 1815.

At 12 o'clock, the Secretary of the Commonwealth went down from the Council Chamber to the Senate, and to the Representatives' Chamber, with the following Message from his Excellency the Governor :—

MESSAGE :

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

IN compliance with the request of the members from this Commonwealth, of the Convention of Delegates from the New-England States which lately met at Hartford, I have directed the Secretary to communicate to the Legislature, their report, which was transmitted to me for that purpose, and which appears to have been the result of moderation and firmness.

Immediately after your late adjournment, five persons were appointed to constitute a Board of War, agreeably to the act of the 20th of October last. A copy of the instructions given

them, and an abstract of all the accounts by them allowed and paid prior to the 14th day of this month, together with such proceedings of the late Commissioners for the protection of the sea-coast, as have not before been communicated, will be laid before you. From these documents, I think the Legislature will be satisfied, that the Board of War, and the Commissioners for sea-coast defence, have discharged the duties assigned them, with fidelity, and with much advantage to the public.

The Secretary will also deliver to you returns from the Quarter-Master General, of the ordinance, and military stores, and of the tents, intrenching tools, &c. the property of this Commonwealth, stating the quantity, quality and places of deposit, and also a return of the quantity of military stores, and munitions of war, that have been delivered to sundry towns for their defence, by order of the Commissioners for the protection of the sea-coast. These returns will enable the two houses to judge, whether the State is deficient in any of the articles, that will be essential for the general defence, in case of extremity.

In erecting fortifications in this town and its vicinity, and in other exposed places on the coast, the inhabitants of many of the neighbouring towns have laboured cheerfully and without recompense on the works that were deemed necessary for defence ;—the patriotism, manifested in these voluntary services, merits the public approbation and gratitude.

By the resolve of the 11th of October last, the Treasurer was authorized to require of the Banks within the State, according to the provisions of the several acts of incorporation, and upon such terms as are therein specified, the loan of such sums, not exceeding one million of dollars, as might be necessary to accomplish the purposes of the resolve of the 14th of June. At that time it was supposed there would be no difficulty in procuring the requisite sums from that source ; and the Treasurer soon obtained loans to a considerable amount. But the Directors of some of the Banks declared themselves unable to lend, and others have expressed such reluctance, as forbids an expectation that the whole amount can be obtained in that way during the continuance of the present cautious operations of the Banks. Besides, the sums to be provided for the payment of interest on the money borrowed, and for the ordinary expenses of government, will be greater than usual, from the failure of the United States

to pay the interest on their stock, and the increased difficulty of collecting taxes. These circumstances show the necessity of speedily providing means for meeting the expenditures, which the public exigencies may require. Indeed, the efforts of defensive preparation, which were made in this State the last year, will, if continued at the expense of the Commonwealth, be fatal to our finances ; and will render it necessary to impose hereafter such burdensome taxes, as must be extremely injurious to the manufactures and agriculture of the State ; nor will all the resources, which remain to us, be sufficient, for any length of time, to furnish the requisite supplies.

The attention of the Executive was early directed to the provisions of the act of the 20th of October, to establish a military corps for the defence of the Commonwealth. But as the act was passed at the close of the session, some delay was necessary to obtain information concerning the persons proper to be selected in the various parts of the State, for the offices contemplated in the act. When the Council again met, it was thought expedient, from the changes in the aspect of our affairs, to incur no immediate additional expense. The Council therefore advised, that commissions should not be issued, until the General Court would have an opportunity of varying, if they thought proper, their measures of defence, according to the change of circumstances.

On the 8th of December, I received a letter from the Secretary of War, stating, that the President had authorized General Dearborn to take measures for the purpose of expelling the enemy from the District of Maine, and suggesting that any aid which I might be able to afford in providing the funds necessary for the execution of the enterprize, would be gladly received. In my answer, I informed him, that the Legislature had authorized me to borrow a sum not exceeding one million of dollars, to be applied for the pay and support of the militia who had been called into service—that it would be difficult to borrow a sufficient sum for those purposes ; and that I had no authority, even if the money could be obtained, to borrow for any other ; and therefore it was not in my power to make any advances for the objects mentioned in his letter. A copy of the letter, and of my answer to it, will be laid before you.

We have heard it observed, that the State legislatures have no right to express their opinion concerning the meas-

ures of the national government. This doctrine is repugnant to the first principles of liberty, and the remark could not have been made by any one, who had well considered the organization of our governments, or the arguments used by the advocates of the national constitution, when that system was adopted. The government of the United States is founded on the State governments and must be supported by them: the legislatures of the several states either elect the members of the executive and legislative branches of the national government, or prescribe the manner of their election. It would then be strange indeed, if they were denied a right, which the meanest citizen of every free state enjoys. In the arrangement of the different powers, the state governments are, to many purposes, interposed between the government of the United States and the people. If the latter think themselves oppressed, they will complain to their immediate representatives; and the remonstrance of a State legislature, on their behalf, will not often be slighted by a wise and just administration.

The powers of the United States government are limited by the constitution, which points out the extent of those powers, and the manner in which they are to be exerted. The constitution, however, will be of little value, unless it be religiously observed. If at any time the national administration disregard its authority either by violating its express provisions or by the assumption of powers, with which it has not entrusted them, their commands become unjust, and they are guilty of a dangerous abuse of confidence. But on subjects of this kind, every private man is not a competent judge. The State legislatures are the guardians, not only of the individual citizens, but of the sovereignty of their respective states; and while they are bound to support the general government, in the exercise of its constitutional powers, it is their duty to protect the rights of the states and of their constituents, and to guard the constitution itself, as well against silent and slow attacks, as more open and daring violations. The security, thus afforded to the people, would be lost, if the State legislatures should be implicitly devoted to the views of the national government, or were deprived of their right to enquire into its measures.

In all free states, the people have, at some periods, been hurried into rash and dangerous excesses, to oppose either real or imaginary grievances. An individual, who is under

the influence of passion or prejudice, will be likely to form erroneous opinions and pursue indiscreet measures: and yet, in the highest paroxisms of anger, he is checked by a sense of responsibility. But when the passions of a multitude are inflamed, they have little restraint of this kind, and will be in danger of proceeding to excesses, of which as individuals they would be incapable. In this manner the abuse of liberty has often terminated in the loss of it.

To prevent such fatal excesses, whenever the conduct of the general government or its officers is thought to be unconstitutional or oppressive, and no remedy can be obtained in the ordinary course of justice, the people of the state have a right to apply to their legislature for assistance in obtaining redress. Their petitions, I presume, will be attended to, though not with a disposition to impute improper motives to the agents of the national government, or to condemn their conduct, upon slight grounds, or frivolous pretences. If the members of the legislature are convinced that the complaint is well founded, they will employ the most prudent and effectual means for redress. This course was thought to be regular, when the constitution was adopted; and it seems to be the most efficacious, as well for the relief of oppressed individuals, and the preservation of the rights of the state, as for the maintenance of order, and the support of a just administration of government. I hope, therefore, that the people of this Commonwealth, however they may, at any time, think themselves injured by the national agents, will not resort to unauthorized and intemperate measures, which may prove extremely hurtful to themselves and the public, but cannot be advantageous to either.

Before war was declared, when we saw the tendency of the national measures, we expressed our most ardent desires that hostilities might be avoided. We could hardly conceive it possible, that under the pretence of guarding our commerce, we should adopt a course, by which it must be annihilated; or that, to protect our seamen, we should engage in a war, that would lead to their destruction. We knew that, whenever the war between France and England should terminate, the evils we complained of would cease; and that our commerce, if unobstructed by internal restraints, would be more profitable during the war in Europe, than after peace should be established. If, in the arduous conflict between Great Britain and France and their respective allies,

the combatants did not always suspend their blows when we happened to go within reach of them, yet we could see no reason for our interference in the quarrel. But the government became impatient, and though there was apparently some embarrassment in deciding which of the belligerents should be attacked, and whether it would not be expedient to attack both at once, it was soon determined to select that people for our enemies, with whom we were most nearly connected, whose commerce was most important to us, and who were able to do us the most mischief.

Soon after the declaration of war, we learned that the orders in council were repealed. With a view to open the way to peace, the British government proposed an unconditional armistice, to which our administration refused to agree. The rejection of this proposal appeared to us an extremely unfortunate event, as a compliance with it might have saved the honor of the government, and extinguished the war before it was kindled to a flame. It was also unfortunate, as together with other circumstances, it served to convince the British nation, that the war was waged, not for the protection of our maritime rights, but for other purposes, and particularly to obtain possession of the Indian country, and to conquer the adjoining provinces of Great Britain.

These apprehensions have been manifested by the British Commissioners in the negotiations for peace. The terms first proposed by Great Britain, undoubtedly implied a want of confidence in our pacific views, both with regard to themselves and the Indians. But the British ministers knew that the same men who commenced the war, still administered our government; they might, therefore, be more apprehensive, that former measures would be repeated. Should the conditions of peace, to which we may find it convenient ultimately to agree, be not the most favourable, the fault will not consist in making peace, but in having made war. This fault will not be diminished by postponing a reconciliation to a distant period; neither the political character, nor the moral stain of an unnecessary war can be effaced, though the war should be continued many years.

We still flatter ourselves that there will soon be a favourable issue to the negotiations in Europe. But so long as hostilities are continued, and we are left to defend, by our own exertions, our extended maritime frontier, the duties of

the Legislature of this State must be arduous. I hope, that, under the influence of that wisdom which is from above, the measures you adopt will be suited to promote order and tranquillity in the State ; to protect, as far as we are able, our exposed towns on the sea-coast ; and to preserve, unimpaired, the constitutional privileges to which we are entitled.

CALEB STRONG.

Council Chamber, January 18, 1815.

RESOLVES

Passed the Session commencing January 18th, 1815.

CHAP. CV.

*Resolve granting lands to Thomas Johnson and others.
24th January, 1815.*

On the petition of Thomas Johnson, Peleg Chandler, jun. Jacob Davis, Hannah Moore, William C. Whitney, Nathan Woodbury, Stephen Phelps, Henry Jackson, John Cousins, Levi Bartlett, Zebedee Cushman, Davis Woodward, Samuel Brown, George Denning and Biel L. Rollins, setting forth, that they are the heirs, or assigns of John Brown, the original owner of lands at Pemquid, called the Brown claim, and which the said John Brown purchased of certain Indian chiefs, in the year 1625, then claimed by said Indians; and that the aforesaid petitioners have lost their title to their proportion of said lands, by releasing the same to this Commonwealth, at the time the Commissioners met to determine the claims of certain persons claiming lands in the towns of Bristol, Edgecomb, New Castle, Nobleborough, Waldoborough, Jefferson, and Boothbay; and the said Commissioners having determined, that the claims of said petitioners did not come within the powers of their commission:

Therefore resolved, For reasons set forth in said petition, that there be granted to said petitioners, the following quantities of land, of the unappropriated lands of this Commonwealth, viz. to Thomas Johnson, Esq. two thousand acres; to Peleg Chandler, jun. Esq. sixteen hundred acres; to Jacob Davis, of Pownal, four hundred acres; to Hannah Moore, sister of the said Jacob, four hundred acres: to William C. Whit-

ney, of Hebron, six hundred acres ; to Nathan Woodbury, Stephen Phelps, and Henry Jackson, of Minot, four hundred acres each ; to John Cousins, and George Denning, of Poland, three hundred acres each ; to Levi Bartlett, of Norway, Zebedee Cushman, Davis Woodward, and Samuel Brown, of Hebron, two hundred acres each ; and to Biel L. Rollins, of Poland, four hundred acres : *Provided* they, the said grantees, their heirs, or assigns, shall locate said grants of lands, under the direction of the Agent for the sale of Eastern lands, in one body ; and if said grants of land shall be located within the townships purchased of the Indians, on the Penobscot river, the lines shall run from said river to the back line of the townships, within which said land is located ; and of sufficient width on said river, to include the eight thousand acres aforesaid, in parallel lines with the lines of such townships ; and if said grants of land shall be located on any other State's land, not appropriated, the lines shall run parallel with the lines of towns already surveyed, and not interfere with any former grant ; the said lands not to be located within the bounds of the lands contracted for by Jackson and Flint, or the township on the St. Johns and Chaudiere roads, which are appropriated to defray the expense of opening said roads, and shall return a plan of said lands, with a copy of the field book, into the Land Office, within twelve months from the passing of this resolve : *Provided also*, that the said grantees, their heirs, or assigns, shall within the term of five years from the passing of this resolve, permanently settle on said location, the following number of families, viz. the said Thomas Johnson, five families ; the said Peleg Chandler, jun. four families ; the said Jacob Davis, Hannah Moore, Nathan Woodbury, Stephen Phelps, Henry Jackson, and Biel L. Rollins, one family, each ; the said John Cousins, Levi Bartlett, Zebedee Cushman, Davis Woodward, Samuel Brown, and George Denning, three families ; and the said William C. Whitney, two families.

Be it further resolved, That the Agents for the sale of Eastern lands, or their successors in office, be, and hereby are authorized and empowered, whenever the said grantees, their heirs, or assigns, shall produce satisfactory evidence, that said tract has been located agreeably to the terms of this resolve ; and whenever the said grantees, their heirs, or assigns, or either of them, shall produce to said Agents, or

their successors in office, satisfactory evidence, that they have permanently settled on said tract of land, the said number of families, or any part of said number, to give to said grantees, their heirs, or assigns, or either of them, a good and sufficient deed of the whole of said grant, or a part thereof, in proportion to the number of families settled, as aforesaid, on the same : *Provided* the said number of families are settled within the term of five years, as before expressed in this resolve : *And provided also*, That if the settlers, placed on said land as aforesaid, their heirs, or assigns, shall cease to reside on, and improve their several lots of land, for the term of ten years, from the time they are so settled thereon, then the deeds of said land to be void.

CHAP. CVI.

Resolve authorizing Gates Rand to sell real estate of Marshall and Fanny Adams, minors. 26th January, 1815.

On the petition of **Gates Rand**, of **Rindge**, in the County of **Cheshire**, and State of **New Hampshire**, gentleman, who is guardian of **Marshall Adams** and **Fanny Adams**, both of said **Rindge**, minors, under the age of fourteen years, and children of **Oliver Adams**, late of said **Rindge**, yeoman, deceased, intestate, praying for license to make sale of certain real estate, belonging to said minors, and lying within this Commonwealth,

Resolved, For reasons set forth in said petition, that the said **Gates Rand**, guardian as aforesaid, be, and he is hereby authorized and empowered to sell and convey by deed, in fee simple, said real estate, as described in said petition ; *Provided*, That the said **Gates Rand** first give bond, with sufficient sureties, living within this Commonwealth, to the Judge of Probate for the County of **Middlesex**, conditioned that the said **Gates Rand** will account for the proceeds of the sale thereof, that he will well and truly observe all the rules and regulations relative to the sale aforesaid, in the same way and manner as is provided by the laws of this Commonwealth, in cases where guardians shall have been licensed by the Supreme Judicial Court, to make sale of the real

estate of their wards, for the purpose of putting out on interest the proceeds of such sales, and securing the same for their use.

CHAP. CVII.

Resolve approving of the proceedings of the Hartford Convention, and for appointing Commissioners to the National Government. 27th January, 1815.

The Committee of both Houses, to whom were referred the Message of his Excellency the Governor, and the documents therewith transmitted, have had the same under consideration, and beg leave to report, in part:—

That the expediency of having invited a Convention of Delegates from the New England States, is fully proved by the result of their labours communicated with his Excellency's Message. In times of unprecedented embarrassment and distress, there can indeed be no better mode of discovering the means of relief, or of preparing for inevitable consequences, than to resort to the deliberate and united counsels of the wisest and most faithful men of the community;—men, who have an interest, in common with all their fellow citizens, in the subjects of their deliberation, and who will act with a firm and enlightened regard to the good of the whole, and under the highest responsibility. However sensibly such men may feel the importance of timely resisting oppression, and averting impending calamities, their counsels will be tempered by an accurate understanding of past political transactions, by a sound perception of the nature of existing sources of complaint, and by a careful enquiry as to events, which time may unfold.

The Committee entertain a high sense of the wisdom and ability, with which the Convention of Delegates have discharged their arduous trust: while they maintain the principle of State sovereignty, and of the duties which citizens owe to their respective State governments; they give the most satisfactory proofs of attachment to the Constitution of the United States and to the national union; and while, with the undaunted freedom, which they inherit from their ancestors, they express their disapprobation of the measures which have produced our public calamities, and especially

of the unnecessary and ruinous war in which we are involved, they manifest a determination, which the people will support, that our country must be defended at every hazard, against invasion and conquest. The people will thus find new reasons for approving the confidence reposed in their Delegates, in discerning, through their report, the proper course to be pursued, in their relation to the federal Constitution, in sustaining their allegiance to the State governments, and in defending themselves against the public enemy; but, above all, in the recognition of duties, which they owe to their Creator, to themselves and to posterity, and which are founded in higher authority than any earthly government can claim.

As the exposition of the views and sentiments of that Convention is clear and intelligible, the Committee deem it unnecessary to enlarge upon the considerations which entitle them to the approbation and support of the Legislature; or to repeat the arguments contained in the very able report of their proceedings, [*which is annexed to this Pamphlet, by way of appendix*] for adopting the measures by them recommended.

The Committee therefore respectfully submit the following Resolves. D. A. WHITE, *Per Order.*

Resolved, That the Legislature of Massachusetts do highly approve the proceedings of the Convention of Delegates from the States of Massachusetts, Connecticut and Rhode-Island, and the counties of Cheshire and Grafton, in the State of New-Hampshire, and the county of Windham, in the State of Vermont, convened at Hartford, on the fifteenth day of December, in the year one thousand eight hundred and fourteen; and that the advice and recommendation therein given, are entitled to, and shall receive, the most respectful consideration of this Legislature.

Resolved, That his Excellency the Governor, with advice of Council, be, and he hereby is authorized and empowered to appoint three Commissioners to proceed immediately to the seat of the national government, and in pursuance of such instructions as his Excellency and the Honorable Council may think proper to give them, to make an earnest and respectful application to the government of the United States, requesting their consent to some arrangement, whereby the State of Massachusetts, separately, or in concert with neigh-

bouring States, may be enabled to assume the defence of their territories against the enemy ; and that to this end a reasonable portion of the taxes collected within said States may be paid into the respective Treasuries thereof, and appropriated to the payment of the balance due to the said States, and to the future defence of the same : the amount, so paid into the said Treasuries, to be credited, and the disbursements, so made as aforesaid, to be charged to the United States ; and the Senators and Representatives of the Commonwealth in Congress, are hereby requested to cooperate with said Commissioners in effecting this object.

CHAP. CVIII.

Resolve for establishing the pay of Members of Council, Senate and House of Representatives. 27th January, 1815.

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 of two dollars, for every ten mile's travel 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, two dollars per day each, for each and every day's attendance, over and above their pay as members.

CHAP. CIX.

Resolve on the petition of Isaac Miles, authorizing the Justices of the Peace for the county of Worcester, to grant him a license. 28th January, 1815.

Resolved, For reasons set forth in said petition, that any two Justices of the Peace, in and for said county of Worcester, quorum Unus, be authorized to license the said Isaac Miles, as a retailer in said town of Westminster, until the next licensing term in said county, he conforming to the laws regulating retailers within this Commonwealth.

CHAP. CX.

Resolve on the petition of Sarah Phillips, empowering the Trustee of the Grafton Indians to sell land.
28th January, 1815.

On the petition of Sarah Phillips, one of the Grafton Indians, so called, praying that the Trustee of said Indians may be empowered to sell and convey a part of the real estate belonging to said Sarah Phillips :

Resolved, For reasons set forth in said petition, that Asa Goodale, Trustee of the Grafton Indians, be, and he is hereby empowered to make sale of fifteen acres of land belonging to the said Sarah Phillips, and lying in the town of Grafton, aforesaid ; and the said Asa Goodale is hereby empowered to make and execute good and sufficient conveyances of the right, which the said Sarah Phillips has in and unto the land aforesaid ; and that a small part of the proceeds of the said sale be appropriated for making some necessary repairs in the dwelling-house of the said Sarah Phillips, and the remainder to be placed on interest, to be appropriated annually for her support.

CHAP. CXI.

Resolve for granting the Proprietors of Saco Free Bridges, one quarter of a township of land in the District of Maine.
28th January, 1815.

On the petition of Jeremiah Hill and others, a Committee of the Proprietors of Saco Free Bridges, praying for Legislative aid to enable them to build free bridges over the eastern and western branches of Saco river, from Saco to the shore of Indian Island, and from Indian Island to the shore of Biddeford, agreeably to their act of incorporation :

Resolved, For reasons set forth in said petition, that there be, and hereby is granted, (subject to the usual reservations and conditions of settlement, and upon the conditions hereinafter mentioned) to the said Proprietors, for the purposes aforesaid, one quarter part of a township of land, of the contents of six miles square, out of any of the unappropriated

lands in the District of Maine, excepting the ten townships lately purchased of the Penobscot Indians; to be laid out under the direction of the Agents for the sale of Eastern lands, who, upon receiving a certificate from the Treasurer of this Commonwealth, that a bond has been given to him, as hereinafter mentioned, are hereby authorized and directed to make and execute a good and sufficient deed of the same to Jeremiah Hill and others, Proprietors aforesaid, in trust for the use and benefit of the members of said Corporation, and to their heirs and assigns: *Provided*, That the said members of the said Corporation, shall first give bonds to the Treasurer of said Commonwealth, in the penalty of ten thousand dollars, well and truly to perform the conditions hereafter specified in this resolve, agreeably to the true intent and meaning thereof: that is to say, that the said Proprietors shall build said bridge over said eastern and western branches of Saco river, within one year from the passing of this resolve, and that they also keep both of said bridges in good repair for and during the term of twenty years from the passage of this resolve, and that the said Proprietors, at the end of said term, shall leave both of said bridges in good repair at the disposal of the Commonwealth.

CHAP. CXII.

Resolve for reviving and continuing the resolve of the 11th of October last, authorizing the Treasurer to borrow \$1,000,000. 28th January, 1815.

Whereas a resolve passed this Legislature on the eleventh day of October last, authorizing and requiring the Treasurer of this Commonwealth to borrow from any Bank or Banks within the same, a certain sum of money, and for certain objects and purposes therein mentioned; and whereas the period has elapsed to which the authority aforesaid was limited, without the objects and purposes for which it was given, having been accomplished:

Therefore resolved, That the resolve aforesaid of the eleventh day of October last be, and hereby is revived and continued in full force until the termination of the first session of the next General Court and no longer.

Be it further resolved, That during the period last above-

mentioned, his Excellency the Governor be, and he hereby is authorized and empowered, from time to time, to draw his warrants on the Treasurer for such sum or sums as may be expended for the objects and purposes aforesaid.

CHAP. CXIII.

Resolve on the petition of Moses and Lucy Gimbee, authorizing the Trustee of the Grafton Indians, to pay them the interest arising from the amount of Cæsar Gimbee's estate. 28th January, 1815.

On the petition of Moses Gimbee, and Lucy Gimbee, alias Lucy Hector, two of the Grafton Indians, so called, praying that the Trustee of said Indians may be authorized to pay to said Moses and Lucy, the proceeds of the estate of Cæsar Gimbee, late of said Grafton;

Resolved, For reasons set forth in said petition, that Asa Goodale, Trustee of the Grafton Indians, be, and he is hereby authorized and directed to pay to the said Moses Gimbee and Lucy Gimbee, in equal shares, annually, the interest arising on the whole amount of the estate of the said Cæsar Gimbee, which is now in the hands of the said Trustee.

CHAP. CXIV.

Resolve for advancing to the Commissioners, to repair to the General Government, \$300 each. 30th January, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Commissioners, appointed by the Governor and Council, to proceed to Washington, pursuant to a resolve of the Legislature, passed the present session, the same sums for travel, and attendance, to which the Members of Congress are by law entitled.

And be it further resolved, That his Excellency the Governor be, and he hereby is authorized and requested to draw his warrant on the Treasurer, in favor of each of said Com-

missioners, for the sum of three hundred dollars, to be by them respectively accounted for, on a final settlement of their accounts, under said commission.

CHAP. CXV.

Resolve for paying the Delegates from Massachusetts, to the Convention, held at Hartford, on the 15th December, 1814. 30th January, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Honorable George Cabot, the sum of two hundred and twenty-three dollars and thirty cents, being the amount, in the ratio of its population, of this Commonwealth's proportion of the charges incident to the Convention, holden at Hartford, in the State of Connecticut, on the 15th day of December last, the same having been advanced by the said Cabot.

And be it further resolved, That there be paid, as aforesaid, to each of the Delegates from this Commonwealth, to the Convention aforesaid, four dollars per diem, for each day's attendance, and the like sum of four dollars for every ten miles travel, from their respective places of abode, to the place of the sitting of said Convention, according to the roll annexed, viz :

	Miles.	Sum.	Days.	Sum.	Total.
Hon. George Cabot,	120,	\$48,	22,	88,	\$136.
Harrison Gray Otis,	120,	\$48,	22,	88,	\$136.
William Prescott,	120,	\$48,	22,	88,	\$136.
Timothy Bigelow,	125,	\$50,	22,	88,	\$138.
Nathan Dane,	140,	\$56,	22,	88,	\$144.
Stephen Longfellow, jun.	250,	\$100,	22,	88,	\$188.
Samuel S. Wilde,	315,	\$126,	22,	88,	\$214.
Joshua Thomas,	160,	\$64,	22,	88,	\$152.
Hodijah Baylies,	130,	\$52,	12,	48,	\$100.
Daniel Waldo,	80,	\$32,	22,	88,	\$120.
Joseph Lyman,	50,	\$20,	22,	88,	\$108.
George Bliss,	30,	\$12,	22,	88,	\$100.

CHAP. CXVI.

Resolve granting a tax for the County of Washington.
30th January, 1815.

Whereas representation has been made to the Committee on County estimates, that, owing to existing circumstances, no estimates for County taxes, in the County of Washington, has been made; and whereas great inconvenience may arise if no such tax be granted, for that County, the present year;

Therefore resolved, That the sum of thirteen hundred dollars be, and it is hereby granted as a tax, for the said County, the present year, to be apportioned and assessed, paid, collected, and applied, according to law, to defray the necessary charges which may arise within said County, during the year ensuing, and for discharging the debts now due therefrom.

CHAP. CXVII.

Resolve on the petition of Reuel Williams, and compensation allowed him. 31st January, 1815.

On the petition of Reuel Williams, praying to be reimbursed for expenses paid, and services rendered, for the use of the Commonwealth:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth, to Reuel Williams, ninety-six dollars, in full compensation for the expenses paid, and for his services rendered, in prosecuting an action for the Commonwealth, against Arthur Lithgow, Esq. late Sheriff of the County of Kennebec.

CHAP. CXVIII.

Resolve on the petition of Jotham Sexton, making valid his doings in the sale of real estate. 31st January, 1815.

On the petition of Jotham Sexton, of Monson, in the County of Hampden, yeoman, praying that the sale of the real estate of Rebecca Utley, Azel Utley, and John W. Utley, minors, and heirs of Azel Utley, late of said Monson, deceased, made by the said Jotham, on the seventh day of November, in the year of our Lord eighteen hundred and fourteen, may be confirmed ;

Resolved, That for reasons set forth in said petition, that the sale of said estate, as set forth in said petition be, and the same hereby is confirmed, and rendered as valid and effectual, to all intents and purposes, as though the said Jotham had taken the oath, in such cases by law required, any law to the contrary notwithstanding.

CHAP. CXIX.

Resolve confirming the proceedings and records of the town of Dixfield, in the County of Oxford. 2d February, 1815.

On the petition of the inhabitants of Dixfield, in the County of Oxford, representing that from the incorporation of said town, all its officers have been duly sworn, although in some instances, the Clerks have neglected to record at full length, the certificates of such qualifications ; that in some instances, the warrants or notifications for calling town-meetings ; have been incorrectly returned, and do not appear to have been recorded ; and praying that the doings and proceedings of said town, and its officers, in the premises, may be confirmed, and rendered valid ;

Resolved, For reasons set forth in said petition, that the records of the said town of Dixfield, be deemed, and taken to be as valid and effectual, to all intents and purposes, as if the same had been properly certified, and attested by the town Clerk ; and that the proceedings of said town, and the doings of its officers, be ratified and confirmed, and the same

shall be deemed and taken to be as valid and effectual, in all respects, in the same manner as they would have been, if the warrants or notifications for calling town-meetings, had been legally and correctly issued, posted, returned, and recorded, and the evidence of the qualification of such officers, had been duly preserved, and regularly entered on the records of said town.

CHAP. CXX.

Resolve on the petition of Joshua Perry, authorizing him to execute a deed. 2d February, 1815.

On the petition of Joshua Perry, as he is administrator de bonis non of the estate of James Lindsey, late of Pembroke, deceased :

Resolved, For reasons set forth in said petition, that the said Joshua Perry be, and he hereby is authorized in his said capacity, to execute a deed to Charles Josselyn, of Pembroke, of the real estate of the said James Lindsey, sold pursuant to an order of the Court of Common Pleas, of the county of Plymouth, by Elijah Perry, the former administrator, and that the same deed be, and is hereby made, as effectual to convey the estate aforesaid, as if executed by the former administrator.

CHAP. CXXI.

Resolve authorizing the Committee on new trials, to send for executions against Drake Mills, in the hands of the Clerk of the Judicial Court in the county of Berkshire.

2d February, 1815.

Resolved, That the Committee of new trials be authorized and empowered to send for an execution of Abraham R. Lawrence, against Drake Mills, and also an execution of William Tabels, against Drake Mills, in the possession of Joseph Woodbridge, Clerk of the county of Berkshire, to be used as evidence before said Committee.

CHAP. CXXII.

Resolve authorizing the Treasurer of the Commonwealth to dispose of the State's stock in the Union and Boston Banks.

2d February, 1815.

Resolved, That the Treasurer of the Commonwealth be, and he hereby is authorized, at his discretion, either to make sale of all the Bank stock belonging to the State, in the Union and Boston Banks, on the best terms to be obtained therefor; *Provided* the same be not sold below par, or nominal value for cash, or for the said Treasurer's certificates for the loans made by any of the banks, or in such other species of payment as the Governor and Council as hereinafter provided, may authorize and direct; or that he may borrow a sum, not exceeding one million of dollars, from time to time, as the necessities of the Treasury may require, at an interest not exceeding six per cent per annum, and pledge the said Bank stock, or any part thereof, as security therefor; in which case notice shall be given to the President, Directors and Company of the said Union and Boston Banks, by the said Treasurer, that they are respectively ordered and directed to purchase of the Commonwealth the amount of capital stock owned in their respective Banks, according to the respective charters of said Banks; and in exercising his said discretion, and in arranging the terms of such sale and loan, the said Treasurer is hereby directed to govern himself by the advice of the Governor and Council of this Commonwealth.

CHAP. CXXIII.

Resolve authorizing the Justices for the County of Worcester, to license John Goodale, as an Inn-keeper.

2d February, 1815.

On the petition of Asa Goodale, in behalf of John Goodale, of Millbury, in the County of Worcester, praying that the said John may be licensed to keep a tavern, or house of entertainment, in said town of Millbury:

Resolved, For reasons set forth in said petition, that any

two Justices of the Peace (quorum unus) within and for the County of Worcester, be, and they hereby are authorized to license the said John Goodale to keep a tavern, in said Millbury, until the next regular license term in said County, in conformity to the law regulating inn-holders, within this Commonwealth.

CHAP. CXXIV.

Resolve confirming the doings of the town of Newfield.
3d February, 1815.

On the petition of the Selectmen and other inhabitants of the town of Newfield, in the County of York, stating, that in some instances, the officers of said town have not been legally sworn, and in others, a proper entry of the officers of said town having been sworn, has not been made in the town records, and praying that the doings of said officers may be made valid, notwithstanding said illegalities ;

Resolved, That, for reasons set forth in said petition, the doings of the officers of the town of Newfield be, and they hereby are confirmed, and made valid, to all intents and purposes, as they would have been, if the officers of said town had at all times been legally sworn, and as if proper entries of the administration of oaths to said officers, had at all times been made in the records of said town : *Provided nevertheless*, That nothing herein contained, shall be so construed, as to affect any action now pending.

CHAP. CXXV.

Resolve on the petition of Daniel Fox and others, appointing Samuel Titcomb to run out land, granted to said Fox, J. Richardson, and others. 3d February, 1815.

The Committee of both Houses, to whom was referred the petition of Daniel Fox and others, children and heirs of John Fox, late of Portland, deceased, representing that the said John Fox, on the 13th day of March, A. D. 1792, purchased of the Committee for the sale of Eastern lands, a certain tract of land, situated on Androscoggin river, adjoining

ing the town of Jay, in the deed whereof, the said Committee in behalf of the Commonwealth, covenanted to warrant and defend said land to said John Fox, his heirs, and assigns forever; and that by running the lines of said Jay, about three hundred acres of the most valuable part of said tract, have been taken away, for which they pray that compensation may be made; and further, that a resolve, passed the Legislature of this Commonwealth, on the 21st of February, A. D. 1814, appointing and empowering Samuel Titcomb, at the expense of the Commonwealth, to return a plan of said land, granted to said John Fox, into the Land office, before the first session of the next General Court; and the said Titcomb not having been able to perform the said service, within the time therein limited, have had the same under consideration, and report the following resolve, which is submitted.

Resolved, That Samuel Titcomb be, and he is hereby appointed, at the expense of the Commonwealth, to run out the land granted to said Fox, and also the lines of the township granted to Josiah Richardson and others, now called Jay, so as to ascertain how far said grants interfere, and to return a plan thereof into the Land office, as soon as may be, said Titcomb to appoint his own chainmen, and all to be under oath, and to give seasonable notice to the petitioners, and also to the Selectmen of Jay.

CHAP. CXXVI.

Resolve confirming the doings and records of the town of Poland. 3d February, 1815.

On the petition of the inhabitants of the town of Poland, in the County of Cumberland, praying that the records of said town may be confirmed, and made valid in law, any informalities in the records of said town, to the contrary notwithstanding; that the Town Clerk, in the year seventeen hundred and ninety-five, recorded the notification, signed by the Constable, instead of the warrant, signed by the Selectmen, which error was several times repeated; that the votes in some legal town meetings, were recorded without being attested by the Town Clerk, and that the Selectmen have omitted putting seals to the warrants signed by them;

Resolved, For reasons set forth in said petition, that the records of said town of Poland, be deemed, and taken to be as valid, and effectual, to all intents and purposes, as if the same had been properly certified, and attested by the Town Clerk; and that the proceedings of said town, and the doings of its officers be ratified, and confirmed, and the same shall be deemed and taken to be as valid and effectual, in all respects, in the same manner, as they would have been, if the warrants or notifications for calling town meetings had been legally and correctly issued, posted, returned, and recorded, and the evidence of the qualifications of the officers of said town had been duly preserved, and regularly entered on the records of said town.

CHAP. CXXVII.

Resolve on the petition of Ebenezer Francis and others.
4th February, 1815.

Whereas William Powell, late of Boston, in the County of Suffolk, deceased, by his deed, bearing date the eighteenth day of January, A. D. seventeen hundred and ninety-four, granted and conveyed certain real estate in said Boston, being a certain wharf, land, and flats, now known as the Island wharf, and appurtenances, to Giles Alexander, jun. and others, which grantees, their heirs, and assigns, then took, and have ever since held the same in trust, for the benefit of the proprietors of the Boston Pier, or Long wharf, who have since sold the same to Ebenezer Francis, of said Boston, merchant, proprietor of the wharf and appurtenances, formerly of the Broad-street association, in the town of Boston; and certain parts of the said real estate being so holden, that the legal estate therein cannot be transferred to said Francis, as the justice of the case requires: Therefore, on the petition of the said Francis, of the proprietors of the Boston Pier, or Long wharf, and of Isaac Winslow, and others, guardians of certain persons, in said petition named;

Resolved, That Isaac Winslow, guardian of Martha Winslow, Eliza Fudger, guardian of H. E. Fudger, J. G. Fudger, and A. B. Fudger, Samuel Cobb, executor of the last will of Lucy Cobb, deceased; Christiana K. Sargent, guardian of John T. Sargent, Henry I. Sargent, and How-

ard Sargent ; William Mackay, guardian of Thomas Lamb, Louisa Lamb, William D. Lamb, and Caroline Lamb ; George Sullivan, guardian of Harriot R. Pearce, Catharine Pearce, Helen A. C. Pearce, Charles Pearce, and David Pearce ; John Davis, guardian of Sarah Davis ; Thomas J. Eckley, attorney to the heirs of Joseph Eckley, deceased, be, and they are respectively authorized and empowered to make and execute good and sufficient deeds of quit claim and conveyance, of the right, title, and interest, of said heirs and minors, in and to the said estate, known by the name of the Island wharf, and appurtenances, to the said Francis, his heirs, and assigns, forever, upon the same terms, and for the same consideration, which have been agreed upon, between the said Francis and the proprietors of said estate, who are of full age ; which deeds shall be good and effectual in law, to vest such parts and shares of the said estate, as are owned by said heirs and minors, in said Francis, in fee simple.

CHAP. CXXIX.

Message from the Governor to the two Houses.
6th February, 1815.

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

The Secretary will lay before you a letter which I have received from his Excellency the Governor of Connecticut, in which he has transmitted certain resolutions of the General Assembly of that State, proposing several amendments of the Constitution of the United States.

He will also deliver to you a letter from the President of the Board of War, enclosing an abstract of accounts allowed by that Board, in the month of January, 1815.

CALEB STRONG.

Council Chamber, February 6th, 1815.

CHAP. CXXX.

Resolve on the petition of the Selectmen of Freeport.
7th February, 1815.

On the petition of the Selectmen of the town of Freeport, in the County of Cumberland, praying that the records of said town may be legalized; and setting forth that in many particulars, the records of said town are informal, in that many of the warrants are not recorded on the town book, and that a record of the oaths administered to the town officers, has not been made, and that there is no evidence of the requisite oaths having been administered to the town officers, except the recollection of those who administered them;

Therefore resolved, That the records of said town of Freeport be, and hereby are made valid in law, to all intents and purposes, any omission to record said warrants, or to make a record of the administration of said oaths, to the contrary notwithstanding; *provided* said warrants were legally issued, and said oaths actually administered by competent authority: *Provided also,* That this resolve shall not be construed to affect the rights of any non-resident proprietors, whose lands may have been sold for the non payment of any taxes, or so as to make valid in law any assessment of taxes for the building or repairing of any school-house, within said town of Freeport, or to defeat any action, which may have been commenced before the passing of this resolve.

CHAP. CXXXI.

Resolve establishing the proportion of taxes in the towns of Berwick and South Berwick. 7th February, 1815.

Whereas by the last valuation, the town of Berwick was charged with the payment of four dollars and seventy-five cents on the thousand dollars; and whereas the south parish in said town, has since been incorporated into a distinct town by the name of South Berwick:

Therefore resolved, That, from and after the passing of this resolve, the town of South Berwick shall stand in the valuation of polls and estates, one dollar, eighty-one cents

and five mills ; and the town of Berwick at two dollars, ninety-three cents and five mills on the thousand dollars, and to be taxed in that proportion in all future taxes, until a new valuation.

CHAP. CXXXI.

Resolve authorizing the Governor to appoint an Agent to sell certain lands mortgaged to the Commonwealth by Prentiss and Chevers, and directing the Solicitor General to prosecute Joseph Stone. 7th February, 1815.

Resolved. That the Governor and Council be, and hereby are authorized to appoint an Agent to sell all the right, title, and interest the Commonwealth has by virtue of mortgage deeds made and executed by Henry Prentiss and Bartholomew Chevers, both of Princeton, in the county of Worcester, and to certain lands described in said deeds, and that he the said Agent be authorized to make and execute a deed or deeds thereof to any purchaser or purchasers thereof ; *provided* the same can be sold for the amount of the debt and interest due to said Commonwealth, from the said Prentiss and Chevers ; and that he, the said Agent, have full power to lease the said lands until the same can be sold as aforesaid.

And be it further resolved, That the Attorney or Solicitor General be directed to commence and prosecute to final judgment and execution, a suit or suits against Joseph Stone of Harvard, in the county of Worcester. Esquire, upon two judgments which the Commonwealth recovered against said Stone in the Supreme Judicial Court, in the said county of Worcester ; one in September, A. D. 1807, for the sum of \$500 debt, and \$18 45 cost ; and the other in September, A. D. 1808, for the sum of \$500 debt, \$26 26 cost.

CHAP. CXXXII.

*Resolve allowing Charles Shaw of Jefferson, \$63.
8th February, 1815.*

On the petition of Charles Shaw, representing, that, at the request of the Attorney General, he rendered assistance in

settling the disputes between certain claimants and settlers of lands in the towns of Edgecomb, Nobleborough, &c. praying that he may receive compensation therefor :

Resolved. For reasons set forth in said petition, which is confirmed by a certificate from the Attorney General as to the facts therein stated, that there be allowed and paid out of the Treasury of this Commonwealth, to Charles Shaw, the sum of sixty-three dollars, in full for his services as aforesaid.

CHAP. CXXXIII.

Report on that part of the Governor's message, which relates to the defence of the State, and resolutions accompanying. 8th February, 1815.

The Committee of both Houses to whom was referred so much of the message of his Excellency the Governor, as relates to the defence of the State of Massachusetts, beg leave respectfully to Report in part :

That in the opinion of your Committee, it was expedient that his Excellency the Governor should postpone the establishment of the military corps, which was authorized by the act of the Legislature, passed on the 20th October last.—The act was passed but a few days previous to the adjournment of the Legislature, and thence obstacles occurred to prevent the act from being carried into effect, besides those arising from the impaired state of the finances, in consequence of expense incurred in the purchase of munitions of war and the pay of the militia during the last year. The necessity of that measure became less urgent, as the force of the enemy employed on the coast of the United States, after the rising of the Legislature, was not increased, and the militia called into service were deemed a sufficient defence.

From accounts of the Commissioners of Sea-Coast Defence, and of the Board of War, which are amongst the documents communicated by his Excellency, it appears, that a sum not much short of a million of dollars has already been paid, or is shortly to be paid, for the expenses of the past year ; a large portion of which has accrued since June last ; leaving the state of the treasury nearly exhausted, and point-

ing strongly to the necessity of adopting such means of defence, as will be least expensive, consistently with safety.

The people of this Commonwealth, and especially those living on the sea-coast of this State, were thrown into great alarm, during the last summer and autumn, in consequence of the capture of the city of Washington, the plunder of Alexandria, and the taking possession by the enemy of a part of the District of Maine. Under those circumstances, it was deemed necessary by the proper authority, to continue in force a general order of July, 1812, which authorized officers of the militia, from the Major-General to subalterns, to call out such portions of the militia as were under their respective commands, when in their opinion it should be necessary. Under this authority, troops were in some cases called out, under apprehensions of danger, which proved groundless; and, in other instances, more than were necessary for the occasion.

It is the opinion of your Committee, that, in some instances, calls were made upon the militia, when the officers who made them were less influenced by their own apprehensions of danger, than by the fears of those, who compelled them, by constant applications, to yield to their intreaties and prayers. The readiness with which the militia obeyed the calls when made upon them, is a sufficient proof, that under such regulations as may be entered into, we can, with safety, place our principal reliance, under Providence, for a defensive warfare, upon the hardy yeomanry of our country, organized as militia, who have hitherto so honorably discharged the duties they have been called upon to perform.

Your Committee are strongly fortified in this opinion, by the result of a conference held in this metropolis, the last autumn, with the Major-Generals and Brigadier-Generals residing in this vicinity; who were summoned to meet, by the Adjutant-General, to consult with his Excellency the Governor, and the Commissioners of Sea-Coast Defence, as to the ability of their several divisions and brigades, to furnish troops, within a given time, at or near to the town of Boston; the result of which conference was, that in the opinion of the general officers convened, a body of at least eighteen thousand infantry, light infantry, artillery and cavalry, might be brought to a point, in this vicinity, in twenty-four hours after an alarm; and a proportionate number on the other parts of the sea-coast.

As we have a sea-coast extending nearly 600 miles, liable to be attacked, and as many forts have already been erected at considerable expense, and which require to be guarded throughout the year, your Committee think proper to recommend for the consideration of the Legislature, the expediency of requesting the Supreme Executive to cause to be enlisted, one thousand men, to compose a part of the military corps already authorized by law, to serve for one year, unless sooner discharged. This number of troops, it is presumed, will be sufficient for forming guards in the several forts, and may be usefully employed in detachments not greater than a Major's command.

This arrangement, your Committee conceive, will save considerable expense to the State, by making it unnecessary to organize a complete field and staff appointment, for such a corps.

And with a view to prevent extensive calls upon the militia, when there is no pressing necessity, and that such calls may not be made by an individual, who may be led from ardent feelings, or the solicitations of his neighbours and friends, to call out his troops when there is no actual danger, your Committee would suggest the propriety of giving power to his Excellency the Governor, with advice of Council, to appoint two persons at each of the following stations, viz: *Waldoborough* and *Camden*; *Wiscasset* and *Bath*; *Portland*; *Saco*, *Kennebunk*, and *Old York*; *Newburyport*, *Gloucester*, and *Salem*; *Boston*; *Plymouth*, *Sandwich* and *Barnstable*; *New-Bedford*, and at such other places as he may think proper, who shall be stiled *Military Commissioners*; and to whom shall be added the Major General, or Brigadier General, in the vicinity of the place of residence of the senior Commissioner, and which general officer shall be considered *ex-officio* as one of the said Commissioners; and that instructions, such as his Excellency may deem proper to give to such Commissioners, be communicated to them for their government; and whose duty it shall be, to decide as to the number of the militia which it may be necessary to call out at one time, and also when they may be discharged.

Your Committee are persuaded that such an arrangement would be very beneficial to the public, and be acceptable to general officers, who would be thus aided and advised by judicious persons, on whom they might rely.

And your Committee further report, That with a view to the convenience of the militia, and that the service to which they may be called, shall be as little burthensome as possible, it is recommended, that the Major Generals and Brigadier Generals be authorized and empowered to call out such portions of the force of the State, with the consent of the Military Commissioners, as may be most conveniently situated to the place threatened, to repel invasion, without recourse to the roster, or military usage or laws governing the militia.

Your Committee further report, That amongst the documents communicated to them, is a letter from the Secretary at War of the United States, dated December 1, 1814, addressed to his Excellency, stating, that it is contemplated by the general government to expel the enemy from the District of Maine ; and to this end that orders had been given to Major General King, to employ five thousand of the militia of this State, with such of the United States' forces as can be spared from Military District No. 1, for that object ; and requesting from his Excellency the aid of money, should it be called for, to carry this object into effect. To this letter was returned an answer, by his Excellency, informing the Secretary at War, that the funds at his disposition were directed to be applied under the State authority, and that even if the treasury of the State were in a situation to loan the amount applied for, it was not in his power to make the advance, without a special provision therefor. His Excellency observes further, in answer to the letter of the Secretary at War, " that it is desirable that we should be again in possession of the country east of the Penobscot ; but an unsuccessful attempt to recover Castine, would aggravate the calamities of the people in that vicinity ;—and some well informed persons have expressed to me their opinion, that it will be extremely difficult, if not impracticable, to take that fortress, unless we have a naval force that shall command the Bay of Penobscot."

Your Committee agree with his Excellency, that an unsuccessful attempt upon Castine would occasion aggravated calamities to the inhabitants on the other side the Penobscot, as well as to those residing on the west side of that river. And your Committee highly approve of his Excellency's refusal to encourage the expectation in the Secretary at War, that under the heavy pressure for the support of our militia,

engaged in defending our fire sides, we should have it in our power to furnish the general government with funds, to enable it to undertake an enterprize, which in the opinion of your Committee is impracticable, unless an adequate naval force could be obtained for the purpose.

Your Committee, therefore, recommend the following Resolves. All of which is submitted by

T. H. PERKINS, *Chairman.*

Resolved, That his Excellency the Governor, with the advice of Council, cause to be raised forthwith, one thousand men, in part of the number authorized by the law of the 20th October last, and to appoint and commission such number of officers, and of such grades as may be deemed necessary for the above troops ; and that his Excellency be, and he hereby is empowered to suspend the raising of the residue of the troops, required by said act, if in his judgment, the safety of the Commonwealth will permit, until, in virtue of some arrangement to be made with the national government, sufficient funds can be provided for their pay and support, without recourse to additional taxes.

Resolved, That his Excellency the Governor, by and with the advice of Council, be, and he hereby is authorized and empowered to appoint Commissioners, and the same at pleasure to remove, in as many and at such places within the Commonwealth, as he may think necessary ; any two of which Commissioners (in the District for which they are appointed) together with the Major General or Brigadier General in their District, or the major part of them, shall have power to determine on the necessity of calling out the militia to repel invasion ; and the number of militia necessary for such purpose, and the manner of calling them out ; and they shall also have power to determine when the militia so called out, or any part thereof, shall be discharged ; subject in all cases to the controul of the Commander in Chief.

CHAP. CXXXIV.

Governor's Message. 8th February, 1815.

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

I have this morning received a letter from the Secretary of War, of the 1st instant, together with a copy of an act of Congress, to authorize the President of the United States to accept the services of State troops and volunteers; the letter, and enclosed act will be laid before you by the Secretary.

CHAP. CXXXV.

Resolve on the petition of Lucy Wilkins, making valid the conveyance of certain real estate. 9th February, 1815.

On the petition of Lucy Wilkins, for rendering valid the conveyance of Timothy Wilkins, jun. deceased,

Resolved, For the reasons set forth in the said petition, that the conveyance of the real estate of said Timothy Wilkins, jun. deceased, by Lucy Wilkins, administratrix on the estate of said deceased, pursuant to a license of the Supreme Judicial Court, is, and shall be good and valid, to vest the title to said real estate, to all intents and purposes, in the same manner; as if notifications of the sale thereof, had been posted agreeably to law.

CHAP. CXXXVI.

Resolve on the petition of Joseph White, of Charlemont, and compensation allowed him. 9th February, 1815.

On the petition of Joseph White, of Charlemont, praying indemnification for losses sustained, and expenses incurred, in consequence of his having been taken sick, while doing duty in the detached Militia, the last fall, at Commercial Point;

Resolved, For reasons set forth in said petition, that there be allowed, and paid out of the Treasury of this Commonwealth, to the said Joseph White, the sum of sixty dollars, in full for all the considerations mentioned in said petition.

CHAP. CXXXVII.

Resolve on the petition of Samuel Parkman, Esq. extending the time for settling families on Township, No. 5.
9th February, 1815.

On the petition of Samuel Parkman, owner and proprietor of a Township of land, No. 5, 6th range, north of the Waldo patent. in the County of Hancock ; also of half a Township of land granted to Portland Academy, lying in the County of Washington. praying for further time to complete the settling duties required by the deeds ;

Resolved, For reasons set forth in said petition, that a further time of three years from the first day of June, in the year of our Lord one thousand eight hundred and fourteen, be, and hereby is allowed to the said Samuel Parkman, to complete the settlement of forty families on said Township number five ; also to complete the settlement of ten families on the half Township, granted to Portland Academy aforesaid.

Provided, That the said Samuel Parkman, his heirs, or assigns, shall, on or before the first day of July next, give bonds to the Treasurer of this Commonwealth, in the sum of two thousand four hundred dollars, for Township No. 5, and six hundred dollars for Portland Academy grant, with sufficient surety, or sureties, to the satisfaction of the Agent for the sale of Eastern lands ; conditioned that there shall be settled on each of said Townships, the number of families abovementioned, within the time extended as aforesaid, or for the payment of thirty dollars for each family, which shall be deficient of the whole number aforesaid. Upon satisfaction of which bonds given pursuant to this resolve, either by causing the said number of families to be settled on said tracts, within the time aforesaid, or by paying the said sum of thirty dollars, for each family, which shall be deficient, then the estate, right and title of said Samuel Parkman, his heirs, and assigns, shall be valid, full and ef-

fectual, to all intents and purposes, as if the conditions of settlement, expressed in the original deeds of said tracts, by the Agents for the sale of Eastern lands, had been fully and seasonably complied with.

Be it further resolved, That the Treasurer of this Commonwealth be, and hereby is directed, upon receiving the bonds aforesaid, to give up or cancel the bonds given for said tracts, dated November 29th, 1809, and March 1, 1810, signed by Samuel Parkman, Edward Blake, jun. and John Parkman.

CHAP. CXXXVIII.

Resolve on the petition of Thurston Card, of Woolwich, and compensation allowed for a wound he received.
9th February, 1815.

On the petition of Thurston Card, of Woolwich, praying indemnification for expenses incurred, in consequence of his having been wounded by a musket ball, while doing duty in the detached militia, when stationed at Coxe's head, in the month of September last ;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto the said Thurston Card, the sum of two hundred dollars, in full for all losses and damages occasioned by said wound.

CHAP. CXXXIX.

Resolve on petition of Melinda Taylor, widow, allowing her \$19. 9th February, 1815.

On the petition of Melinda Taylor, widow of George Taylor, Jun. late a musician in Lieutenant-Colonel Enos Foot's regiment of detached militia ;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said widow Melinda Taylor, the sum of nineteen dollars in full for losses and expenses incurred by reason of the death of her late husband.

CHAP. CXL.

Resolve on the petition of Mark Dodge, a Trustee of the Dudley Indians, discharged the said service at his request.
10th February, 1815.

Resolved, For reasons set forth in said petition, that Mark Dodge, one of the Guardians or Trustees of the Dudley tribe of Indians, at his particular request, be, and he is hereby discharged from any further service in said office : *Provided however,* That this discharge shall not be considered so as to exonerate him from being accountable to the proper authority for any property which belonged to the Commonwealth, or to the said Indians, and which may have passed through his hands, as one of the Trustees.

CHAP. CXLI.

Report and resolves respecting amendments to the Constitution of the United States. 10th February, 1815.

THE Committee of both Houses to whom were referred the message of his Excellency the Governor, and the documents therewith transmitted, beg leave further to Report :

That they have maturely considered the several amendments to the Constitution of the United States, recommended by the Convention of Delegates to be proposed for adoption by the State Legislatures ; and they are of opinion, that all these amendments are such, as experience has suggested to be important, and that, if adopted, they will tend to give to the Constitution that just and equal operation, which was originally intended to maintain it, in its true spirit, and to prevent abuses under colour of its authority ; to preserve and to strengthen the Union, and increase the mutual confidence and harmony of the States ; to secure on the part of the government, a regard for all the great interests of the people, and to extend alike to every portion of our country, the benefits and privileges to be enjoyed under the federal compact.

The Committee therefore, respectfully submit the following resolutions.

D. A. WHITE, *per order.*

Resolved, That the Senators and the Representatives of this Commonwealth in the Congress of the United States, be requested to use their best endeavors, to cause the following articles to be proposed by the two houses of Congress to the Legislatures of the several States, as amendments to the Constitution of the United States—that is to say :

ART. I. Representatives and direct taxes, shall be apportioned among the several States, which may be included within this Union, according to their respective numbers of free persons, including those bound to serve for a term of years, and excluding Indians not taxed, and all other persons.

ART. II. No new State shall be admitted into the Union by Congress in virtue of the power granted by the Constitution, without the concurrence of two thirds of both houses.

ART. III. Congress shall not have power to lay any embargo on the ships or vessels of the citizens of the United States in the ports or harbors thereof, for more than sixty days.

ART. IV. Congress shall not have power, without the concurrence of two thirds of both houses, to interdict the commercial intercourse between the United States and any foreign nation, or the dependencies thereof.

ART. V. Congress shall not make, or declare war, or authorize acts of hostility against any foreign nation, without the concurrence of two thirds of both houses ; except such acts of hostility be in defence of the territories of the United States, when actually invaded.

ART. VI. No person, who shall hereafter be naturalized, shall be eligible as a member of the Senate or House of Representatives of the United States, nor capable of holding any civil office under the authority of the United States.

ART. VII. The same person shall not be elected President of the United States a second time ; nor shall the President be elected from the same State two terms in succession.

Resolved, That his Excellency the Governor be requested to transmit to each of the Senators and Representatives of this Commonwealth in the Congress of the United States, an attested copy of these Resolutions.

Resolved, That his Excellency the Governor be requested to inform the Chief Magistrates of the several States in the Union, of the doings of this Legislature respecting this subject, and to request them to communicate the same to the

Legislatures of their respective States, and to solicit their co-operation in procuring the aforesaid amendments to be adopted and made a part of the Constitution.

CHAP. CXLII.

Resolve empowering the Warden of the State Prison to draw \$8000. 10th February, 1815.

Resolved, That there be allowed and paid out of the public Treasury, for the use of the State Prison, the sum of eight thousand dollars, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Directors shall, from time to time, direct; and his Excellency the Governor with the advice of Council, is hereby requested to draw his warrants on the Treasurer for said sums accordingly.

CHAP. CXLIII.

Resolve on the petition of Isaac Peirce, of Orrington. 10th February, 1815.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth unto the said Isaac Peirce, the sum of sixty-one dollars and seventy-five cents, in full for all the considerations mentioned in said petition.

CHAP. CXLIV.

Resolve on the petition of Richard S. Blasdel of Hampden. 10th February, 1815.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Richard S. Blasdel, of Hampden, the sum of sixty-eight dollars and seventy-five cents, in full for all the considerations mentioned in said petition.

CHAP. CXLV.

Resolve on the petition of Nicholas Peirce, of Limerick.
11th February, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the said Nicholas Peirce, the sum of seventy-five dollars, in consideration of the expense incurred and time lost, in consequence of a wound he received on the parade, while in the discharge of military duty, on the eleventh day of October last, and in full for all the considerations mentioned in petition.

CHAP. CXLVI.

Resolve granting allowance to the Committee appointed to examine the Banks. 11th February, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Lothrop Lewis, Esq. the sum of sixty-one dollars and forty cents ; to James Neal, Esq. the sum of seventy-six dollars and thirty cents ; to Samuel Cony, Esq. the sum of seventy-eight dollars and ninety-five cents, in full for their services and expenses, in examining the Banks in the District of Maine ; and that there be allowed and paid out of the Treasury of this Commonwealth, to Wendell Davis, Esq. Kilborn Whitman, Esq. and James Washburn, Esq. the sum of fifty-three dollars, and seventy five cents, each in full for their services and expenses in examining the Banks in the town of Nantucket.

CHAP. CXLVII.

Resolve on the representation of the Quarter-Master General, respecting the Commonwealth's title to lands at Cambridge. 11th February, 1815.

On the representation of the Quarter-Master-General and Timothy L. Jennison, of Cambridge, in the county of Middlesex, as guardian of Leonard Pool, Charles Pool and Su-

san Pool, all of said Cambridge, minors, under fourteen years of age, and children of Luke Pool and Susannah Hill Pool, both late of said Cambridge, deceased :

Resolved, That the said Timothy I. Jennison, in his capacity of guardian as aforesaid, be, and he hereby is authorized and empowered to make and execute, to this Commonwealth, a sufficient deed of release of all the right, title, interest and estate whatsoever, which said guardian's wards have, of, and into a certain piece of land situate in said Cambridge, and described in a deed to the Commonwealth from the heirs of Joseph Bates, deceased, dated the sixth day of March, in the year of our Lord one thousand eight hundred and thirteen ; and recorded in the registry of deeds for the county of Middlesex, book 210, page 39 ; the said Jennison having received from the Commonwealth, for his wards aforesaid, their proportion of the consideration, or purchase money, expressed in the deed last mentioned.

CHAP. CXLVIII.

Resolve on the petition of Henry Marsh.
11th February, 1815.

On the petition of Henry Marsh, a Deputy Sheriff of the county of Berkshire, praying for compensation for serving a warrant of distress in favor of this Commonwealth, against John Chamberlain, Jr. and committing said Chamberlain to Lenox gaol.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Marsh, one hundred dollars, in full for his services and claims in the premises.

CHAP. CXLIX.

Resolve on the petition of Alexander Robinson.
11th February, 1815.

On the petition of Alexander Robinson, stating, that he is desirous of owning a tract of land belonging to the Commonwealth, lying in the county of Oxford, bounded northwardly by

the town of Bethel ; eastwardly by township numbered two ; southwardly by plantation numbered three, and westwardly by plantation numbered four, containing about fourteen hundred acres, as surveyed by Alexander Greenwood, Esq. by order of the Agent for the sale of Eastern Lands :

Resolved, That the Agent for the sale of Eastern Lands be, and he is hereby authorised to sell, and convey unto the said Alexander Robinson, his heirs and assigns, or to any other person or persons, who may apply for the same, all the right, title, and interest of said Commonwealth, in and unto a tract of land, lying in the county of Oxford, bounded northwardly by the town of Bethel ; eastwardly by township numbered two ; southwardly by plantation numbered three, now Woodstock, and westwardly by plantation numbered four, as surveyed by Alexander Greenwood, Esq. upon such terms and conditions, as the said agent shall think just, and reasonable : *Provided*, That said Agent shall first ascertain that the land hereby intended to be sold is the property of the Commonwealth.

CHAP. CL.

Resolve granting Hanson Whitehouse \$50, for the loss of his Horse. 11th February, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Hanson Whitehouse, the sum of fifty dollars, in full for the value of his horse, which was mortally wounded in the service of this Commonwealth, at a Brigade Muster, in Marblehead, on the fourth day of October last.

CHAP. CLII.

Resolve authorising the Board of War to indemnify such persons as have had or may have their land taken for works of defence during the present war. 11th February, 1815.

Whereas, it became necessary for the security and defence of various towns on the maritime frontier of the Commonwealth, the last year, for the Commissioners of Sea-

Coast Defence, and other persons acting under the authority of the Commander in Chief, to take possession of various heights of land, and other places which were considered as suitable places for the erection of forts and batteries, and upon which fortifications and other works of defence have been erected :

And, whereas, during the continuance of the war, it may hereafter become necessary for the government of this Commonwealth, to take possession of other places for similar purposes :

Therefore resolved, That the Board of War be, and they are hereby empowered and directed, in all cases where application may be made to them, by any person, or persons, for an indemnification for the loss or injury sustained by reason of the act or doings of the authorized agents of the government, to hear and consider such applications ; and after having defined the uses and purposes for which such pieces of land were taken possession of, and for which they may be wanted by the government, and also for what length of time they may be wanted, to describe such part of said tract or parcel of land as may be needed by the government for the purposes aforesaid, by metes and bounds ; and in case they can agree with the applicant, or applicants, either for the purchase, or use of the same, as they shall think most for the interest of the Commonwealth, to pay such sum of money as shall be agreed on, as a full consideration for such purchase, or indemnification for the loss or injury such person or persons may sustain, by reason of the occupation or use of his land and estate by the government.

And in case no agreement or compromise can be made, the Board of War are further authorised and empowered (the applicants consenting thereto) to appoint one appraiser, and the applicant may appoint another, and the two appraisers, thus chosen, shall appoint a third, which three appraisers, under oath, shall view the premises, and the whole or amajor part of them, shall make their report thereon to the Board of War, and their report thereon shall be final ; and such sum of money as such appraisers may award, the said Board of War shall pay to such applicant, in full for the loss or injury sustained as aforesaid ; and all necessary expenses attending the proceedings hereby authorised, shall be paid by the Board of War.

CHAP. CLII.

*Resolve granting a pension to John T. Stone of Concord.
14th February, 1815.*

On the petition of John T. Stone of Concord, praying relief in consequence of his having been wounded by the explosion of gunpowder, while doing military duty at a regimental muster at Waltham, in the year 1813 :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto the Selectmen of the town of Framingham, for the time being, for the use and for the support of the said John T. Stone, the sum of twenty dollars per annum, during his natural life, or until the further order of the General Court.

CHAP. CLIII.

Resolve appointing a day for solemn prayer and thanksgiving for the return of peace. 14th February, 1815.

The Legislature of Massachusetts, being impressed with a deep and lively sense of the goodness of the Almighty Ruler of the Universe, in restraining the wrath of man, and in restoring the blessings of peace to our distressed land :

Therefore resolved, That on Wednesday, the twenty-second day of February instant, should information of the cessation of hostilities be received, this Legislature will unite in public and solemn prayer and thanksgiving to Almighty God, for the mercy and deliverance he has thus vouchsafed to our nation.

Resolved, That the Chaplains of both branches, be requested to make selections from the scriptures, adapted to the occasion, and to prepare suitable solemn services.

Resolved, That his Excellency the Governor, his Honor the Lieutenant Governor, and the Members of the Honorable Council be invited to unite with the Legislature in these solemnities.

Resolved, That a joint Committee be appointed to make the necessary arrangements, and that they be authorized to

take measures for a display of fire-works, and, in conjunction with the Selectmen of Boston, for a general illumination of all public buildings, on the occasion.

CHAP. CLIV.

*Resolve on the petition of Andrew Hall.
15th February, 1815.*

On the petition of Andrew Hall, of Falmouth, in the county of Cumberland, stating, that he purchased two lots of land under the Commonwealth, lying in the town of Hampden, in the county of Hancock, and that by running the northerly line of the Waldo patent one hundred and fifty-two acres has been taken from him, for which he prays remuneration.

Whereas the Commonwealth has received of Robert Wheeler, for lot No. 169, containing one hundred acres, and of Amos Hurd, for lot No. 168, containing one hundred acres, both of said lots in Hampden aforesaid, the sum of three hundred and eighty-five dollars and eighty-three cents, with compound interest, included, to this time; one hundred and fifty-two acres of which land amounts to two hundred and ninety-three dollars and nineteen cents, and the petitioner has purchased the lots aforesaid of said grantees, and has been at the expense of two hundred and thirteen dollars and fifty cents, costs of court and other incidental expences, in defending the title to said lots;

Therefore, resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to Andrew Hall aforesaid, five hundred and six dollars and sixty-nine cents, in full for the aforesaid one hundred and fifty-two acres, including costs of court, and all other charges.

CHAP. CLV.

Resolve confirming the records of the Congregational Society in Dudley. 15th February, 1815.

On the petition of the Congregational Society in Dudley,

by their Committee, praying that the doings of said Society, at a meeting of said Society, held on the second day of January last past, for the choice of Officers for said Society, may be made valid ;

Resolved, For reasons set forth in said petition, that the doings of said Society, at said meeting for the choice of Officers aforesaid, be, and hereby are made valid in law, to all intents and purposes ; and the Officers chosen as aforesaid, shall have the same authority as if the said meeting had been held on the first Monday in November, any thing in the act of incorporation, or bye-laws of said Society, to the contrary notwithstanding.

CHAP. CLVI.

Resolve on the Memorial of the Attorney-General, three hundred and twenty dollars granted for expence of reference in the cause of Josiah Little, Esq.

15th February, 1815.

Resolved, That there shall be allowed and paid out of the public Treasury to Perez Morton, Esq. Attorney-General, three hundred and twenty dollars, for the purpose of meeting and defraying all the necessary expences, which already have, and hereafter may accrue in the reference entered into by the said Attorney-General, in behalf of the Commonwealth, and Josiah Little, Agent of the Pejepscot proprietors, and in his own right, claiming under said proprietors, as authorised and directed by a resolve passed the 14th of June, A. D. 1814, he, the said Attorney-General, to be accountable for the disposition of the same ; and his Excellency the Governor, by and with the advice and consent of the Council. is hereby authorised and requested to draw his warrant on the Treasury for the aforesaid sum.

CHAP. CLVII.

Resolve on the petition of the Maine Literary and Theological Institution, granting a township of Land.

15th February, 1815.

On the petition of the Trustees of the Maine Literary and

Theological Institution, requesting that the Agent for the sale of eastern lands might be empowered to give a deed to them of township, No. 3, on the west side of Penobscot river, purchased of the Indians ;

Resolved, For reasons set forth in said petition, that William Smith, Esq. agent for the sale of eastern lands, be, and he is hereby authorised to give a deed of township, No. 3, on the west side of Penobscot river, to the Trustees of the Maine Literary and Theological Institution, to be vested in the Corporation of said Institution, and their successors, forever, for the use, benefit, and purpose of supporting said Institution; to be by them holden in their corporate capacity, in full consideration for the grant made by an act passed the twenty-seventh day of February, eighteen hundred and thirteen, reserving, however, two thousand six hundred acres, surveyed in lots of one hundred acres each, laid out on a road to be made through said township; which lots are reserved for the purpose of defraying the expense of making said road, and subject to the same restrictions, reservations, and limitations, as other grants for similar purposes are now usually made. The said Trustees, and their successors, have full power and authority to settle, divide, and manage the said tract or township of land, or any part thereof, or to sell, convey, or dispose of the same for settlement only; and to no person a larger quantity than one thousand acres, in such way and manner, as shall best promote the welfare of said Institution.

CHAP. CLVIII.

Resolution directing the payment of the expenses attending the celebration on account of peace. 16th February, 1815.

On application of the Committee of both Houses, appointed to carry into effect the arrangements, directed by the resolutions relative to the celebration proposed on account of the treaty of peace, between the United States and Great Britain ;

Resolved, That the Quarter-Master-General be, and he hereby is authorised and directed to pay and discharge, out of any monies belonging to the Commonwealth, which are, or may be in his hands, all such bills and accounts of ex-

penses, as may be incurred in consequence of the celebration aforesaid; provided, however, such bills and accounts be approved and certified by the Committee of Arrangements aforesaid.

CHAP. CLIX.

Resolve remitting Patricktown plantation, their State tax.
16th February, 1815.

On the petition of the inhabitants of plantation called Patricktown, in the county of Lincoln;

Resolved, For reasons set forth in said petition, that the sum of seventeen dollars and thirty-three cents, assessed on the inhabitants of said plantation, by the act entitled "An act to apportion and assess a tax of one hundred and thirty-three thousand, three hundred and thirty-four dollars, ninety-two cents, for the service of the State," passed on the twenty-eighth day of February, in the year of our Lord one thousand eight hundred and fourteen, be, and the same is hereby remitted.

CHAP. CLX.

Resolve on petition of Nathan Searl, authorising Lemuel Bates to execute a deed to him. 16th February, 1815.

On the petition of Nathan Searl, of Southampton, in the county of Hampshire, setting forth, that he, together with Eleazer Clap of said Southampton, and Obadiah Walker, late of the same Southampton, now deceased, on the sixteenth day of April, A. D. 1808, purchased of Samuel Mather, Esq. of Westfield, lately in the county of Hampshire, and Charles Mather, of Hartford, in the state of Connecticut, and Rhoda his wife, a certain tract of land on Westfield plains, near Hampton Ponds, so called, that a conveyance of said premises was made to said Eleazer Clap and Obadiah Walker only, but that more than one-third part of the purchase money, which has already been demanded, has been paid by him the said Nathan Searl, and that he is still ready to pay his proportion of one hundred and eighty-seven dol-

lars and eight cents, which now remains due of said purchase money, and praying that the administrator on the estate of the said Obadiah Walker deceased, may be authorised to convey to him one third of one half of the tract aforesaid;

Resolved, That Lemuel Bates, administrator on the estate of the said Obadiah Walker, deceased, he, and he is hereby empowered to execute a good and sufficient deed unto the said Nathan Searl, of one third of one half of the tract of land aforesaid, on Westfield plains, near Hampton Ponds, so called, being part of a lot originally laid out to David Mosely, Esq. in the second tier of lots, and is numbered thirty-five, containing one hundred and twenty-nine acres, on the east side of the highway leading from Westfield to Northampton, and beginning at the northeast corner of said land, by the highway aforesaid, at a stake and stones; then running eastwardly, by the first tier of lots to the ponds or brook; then southerly by said brook to Asahel Owen's land, then westerly on land laid out to Jacob Fowler, to the highway aforesaid; then on said highway to the first mentioned bounds; to be in common, and undivided; he, the said Nathan, paying his proportion of one hundred and eighty six dollars, and eight cents, which now remains due of the purchase money for said land.

CHAP. CLXI.

Resolve on the petition of Cornelius Williams, allowing fifty dollars for loss of time, occasioned by a wound.

16th February, 1815.

On the petition of Cornelius Williams, of Dixmont;

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of fifty dollars to the said Cornelius Williams, in full for his loss of time occasioned by a wound he received in his thigh by the enemy, when doing duty in the detached militia at Hampden in the month of September last, and in full of all expenses not already assumed and charged against the Commonwealth by the town of Dixmont.

CHAP. CLXII.

Resolve on the petition of William Ferguson, allowing fifty dollars for loss of time occasioned by a wound.

16th February, 1815.

On the petition of William Ferguson, of Dixmont;

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the said William Ferguson, the sum of fifty dollars in full for his loss of time occasioned by a wound he received in his thigh, by the enemy, when doing duty in the detached militia at Hampden, in the month of September last, and in full of all expenses not already assumed by the town of Dixmont, and charged by them to the Commonwealth.

CHAP. CLXIII.

Resolve on the petition of Joshua Cole. 17th February, 1815.

On the petition of Joshua Cole, representing, that by running the north line of the Waldo patent, a lot No. 146, in Hampden, which he paid the Agents for the sale of eastern lands for, has been found to be within the Waldo claim; consequently, the title he received from said Agents, is not valid; and praying that he may have compensation therefor;

Resolved, For reasons set forth in said petition, that there be paid out of the Treasury of this Commonwealth, to Joshua Cole, of Frankfort, in the county of Hancock, the sum of one hundred and sixty-nine dollars and seventy-nine cents, in full consideration for the loss of said lot, it being the amount paid said Agents, with compound interest added thereto.

CHAP. CLXIV.

Resolve on the petition of Stephens Atwood.

17th February, 1815.

On the petition of Stephens Atwood, of the town of Frank-

fort, in the county of Hancock, stating, that he is purchaser of a lot of land, sold by the Agents for eastern lands to Daniel Colson, and that by running the north line of the Waldo patent, said lot, being No. 145, surveyed by Park Holland, was found to be within the Waldo claim; consequently, has lost the same, and praying for remuneration;

Resolved, For reasons set forth in said petition, that there be paid to Stephens Atwood, (assignee of David Colson) out of the Treasury of this Commonwealth, the sum of one hundred and seventy eight dollars, and fifty-eight cents, in full consideration for the loss of said lot, No. 145, in the town of Hampden, it being the amount which the Commonwealth has received, with compound interest thereon.

CHAP. CLXV.

Resolve on the petition of John S. Trott, authorising the Judge of Probate for Suffolk county, respecting the estate of John H. Blake, deceased. 18th February, 1815.

On the petition of John S. Trott, of Boston, in the county of Suffolk, merchant, stating that he is a creditor to the estate of John H. Blake, late of said Boston, merchant, deceased, which has been represented insolvent, and that more than eighteen months has expired since the date of the commission of insolvency, but from the various and complicated accounts between him and the estate of said deceased, and also of the co-partnership accounts of the late firm of Trott & Blake, it has become necessary that further time be allowed the Commissioners to receive and examine his claim, and also any further claims that may be exhibited against said estate;

Therefore resolved, That for reasons set forth in said petition, the Judge of Probate for the county of Suffolk, be, and he hereby is authorised and empowered to grant a new commission on said estate, or to allow such further time to the former Commissioners on said estate, not exceeding three months, as he shall judge expedient, to receive, examine and allow all such claims, as shall be duly exhibited and proved against the estate of said deceased, under the said commission.

CHAP. CLXVI.

Resolve on the petition of Rhoda Harwood, authorising the Judge of Probate, for the county of Worcester, to allow a further time to the Commissioners to examine the claims against the estate of Luke Potter. 18th February, 1815.

On the petition of Rhoda Harwood, of North Brook field, in the county of Worcester;

Resolved, For reasons set forth in said petition, that the Judge of Probate, within and for the county of Worcester, be, and he is hereby authorised and empowered to allow the Commissioners on the estate of Luke Potter of said North Brookfield, deceased, a further time for the examination of the claims of Abel Harwood, of said county, deceased, and of his heirs, against the estate of said Potter, which time shall not extend beyond the first day of July next.

CHAP. CLXVII.

Resolve on petition of Paul Langdon and others, authorising them to sell real estate. February 18, 1815.

On the petition of Paul Langdon, of Wilbraham, in the county of Hampden, executor of the last will and testament of Mary Davis, late of said Wilbraham, deceased, stating, that the said Mary bequeathed all her personal estate to certain legatees, named in the will, and devised all her real estate to Festus Sheldon and George Sheldon, sons of Ebenezer Sheldon, of Aurora, in the county of Portage, nad state of Ohio, under the age of twenty-one years, subject to the payment of certain small legacies, all her debts and charges of administration; that the whole of the real estate was appraised at the sum of seven hundred and fifty dollars; and that the debts due, and charges of administration, amount to the sum of two hundred and forty-eight dollars and forty-five cents, and that said real estate is so situated, that the sale of a part of said real estate would greatly diminish the value of the residue, and that the father of said Festus and George has requested him to procure an authority to sell the right and interest in said estate :

Therefore resolved, That the said Paul Langdon and Martin Sheldon, of Suffield, in the county of Hartford, and state of Connecticut, be, and they hereby are authorised and empowered to sell, at public vendue, to the highest bidder, all the right and interest of the said Festus Sheldon and George Sheldon, in and to the real estate devised to them by the last will and testament of the said Mary Davis; and to execute a deed or deeds of the same, which shall be valid and effectual in the law, to convey all the right and interest of the said Festus and George, in and to said real estate, so devised to them; they the said Paul and Martin observing the rules and regulations prescribed by law for the direction and government of executors and administrators in selling real estate for the payment of the debts of persons deceased; *provided*, that the said Paul Langdon and Martin Sheldon shall first give bonds to the said Festus Sheldon and George Sheldon, in such sum and with such security, as the Judge of Probate for the county of Hampden shall direct; that the money arising from said sale shall be put out upon interest for the benefit of the said Festus and George, and that they will account with the said minors for the same when they shall severally attain the age of twenty-one years, or in case of their death, with their legal representative, when thereto lawfully required.

CHAP. CLXVIII.

Resolve on the petition of Samuel Stall.
20th February, 1815.

On the petition of Samuel Stall, praying to be reimbursed for expences paid by him for the use of the Commonwealth;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth, to Samuel Stall, the sum of eighty-two dollars and fifty cents, in full compensation for the expenses paid by him for purchasing land, and building a gun-house in the town of New-Bedford.

CHAP. CLXIX.

Resolve on the petition of Aaron Dwinal, and others.
20th February, 1815.

On the petition of the proprietors of a tract of land, granted to John Bridgham and others, on the ninth day of February, in the year of our Lord one thousand seven hundred and ninety-eight, praying compensation for expenses incurred in defending certain real actions, commenced by the Pejepscot proprietors, against Benjamin Thoms and Jeremiah Dillingham, grantees of the said John Bridgham, and others, who claimed under the Commonwealth by virtue of the grant aforesaid;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to James Hearsey, Aaron Dwinal and Samuel Pool, agents for said John Bridgham and others, the sum of four hundred and thirteen dollars and eighty-three cents, in full compensation for all costs and expenses which they have incurred in defending Benjamin Thoms and Jeremiah Dillingham, in suits commenced against them by the Pejepscot proprietors; in which judgment was rendered for the demandants by the Supreme Judicial Court, begun and holden at Portland, on the fourth Tuesday of May, in the year of our Lord one thousand eight hundred and ten; and that his Excellency the Governor be authorised and requested to draw his warrant on the Treasurer therefor.

CHAP. CLXX.

Resolve on the petition of John Gleason.
20th February, 1815.

On the petition of John Gleason, representing that in the month of April, 1812, he was employed by the Attorney-General of this Commonwealth, (in behalf of the Commissioners, who were appointed to settle the title of certain claims of proprietors in the county of Lincoln,) to make accurate surveys of the towns of Bristol, New-Castle, Nobleborough, Waldoborough, Jefferson and Boothbay; and was author-

ised to employ such assistance as was necessary ; that he employed Josiah Jones as an assistant, whose bill has never been paid, and therefore prays that he may be allowed such a sum as would be reasonable and just, to be paid over to said Jones for his services ;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, the sum of fifty-eight dollars to the said John Gleason, in full consideration for monies paid, or to be paid, by the said Gleason to Josiah Jones aforesaid.

CHAP. CLXXI.

Resolve granting taxes for the counties of Cumberland, Kennebeck and Franklin. 20th February, 1815.

On the representation of the Committee on county estimates, stating, that the estimates for the county taxes for the counties of Cumberland, Kennebeck and Franklin, are not accompanied with the Treasurer's accounts for said counties, and as great inconveniences may arise, if no taxes are authorised for the present year ;

Resolved, That the estimates made by the Circuit Court of Common Pleas, for the county of Cumberland, November, 1814, and amounting to five thousand dollars for the present year, be, and is hereby granted as a tax for the said county ; and that the estimate made by the Circuit Court of Common Pleas, for the county of Kennebeck, in November, 1814, and amounting to six thousand dollars for the present year, be, and is hereby granted as a tax for said county ; and that the estimate made by the Circuit Court of Common Pleas, for the county of Franklin, in August, 1814, and amounting to three thousand and two hundred dollars, for the present year, be, and is hereby granted as a tax for said county ; the said sums to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid according to law.

And be it further resolved, That the Treasurers of the said counties, respectively be, and they are hereby required and directed to produce their accounts as Treasurers of the counties aforesaid respectively, at the first session of the next General Court.

CHAP. CLXXII.

*Resolve on the petition of John Tripp, of Westport.
20th February, 1815.*

On the petition of John Tripp of Westport,

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to John Tripp, of Westport, the sum of seventy-three dollars, in full for cost and damages he sustained by reason of a severe wound his son Carmi Tripp received by a fall, while doing military duty in the month of July last.

CHAP. CLXXIII.

*Resolve for granting county taxes, to several counties.
20th February, 1815.*

Whereas the Treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions for said counties have exhibited estimates made by said Courts, of the necessary charges which may arise within the several counties for the year ensuing; and of the sums necessary to discharge the debts of the said counties;

Resolved, That the sums annexed to the several counties, contained in the following schedule, be, and the same are hereby granted as a tax, for each county respectively, to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid according to law:—

Suffolk, twenty-two thousand dollars,	\$ 22,000
Berkshire, four thousand dollars,	4,000
York, five thousand dollars,	5,000
Somerset, two thousand dollars,	2,000
Worcester, three thousand dollars,	3,000
Bristol, six thousand dollars,	6,000
Middlesex, six thousand six hundred dollars,	6,600
Hampden, seven thousand dollars,	7,000
Hancock, three thousand dollars,	3,000

CHAP. CLXXIV.

Resolve on the petition of Leonard Sweet.
21st February, 1815.

On the petition of Leonard Sweet ;

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the said Leonard Sweet, the sum of one hundred and sixty dollars, in full, for services rendered and expenses incurred by pursuing and detecting certain persons engaged in counterfeiting and passing bank bills, and in full for premiums by law allowed on the conviction of counterfeiters and utterers of bank bills, in the Municipal Court in the town of Boston.

CHAP. CLXXV.

Resolve on the petition of the President of Harvard College.
21st February, 1815.

Whereas it appears that Samuel Parkman, Esq. has munificently granted to Harvard College a township of land in the District of Maine, being No. 8, in the eighth range of townships, north of the Waldo patent, between the Kennebec and Penobscot rivers, upon condition that the President and Fellows of said College would exonerate him from his bond to the Commonwealth, for the performance of the settling duties on said township. And whereas the President and Fellows of Harvard College have petitioned this court, that the settling duties required to be performed on said township may be altogether remitted.

Therefore, resolved, That the Treasurer of this Commonwealth be, and he hereby is directed to cancel the bond given by said Parkman, for the performance of the settling duties in the township No. 8, in the eighth range of townships north of the Waldo patent, between the Kennebec and Penobscot rivers; and that the performance thereof be wholly remitted to the President and Fellows of Harvard College.

CHAP. CLXXVI.

Resolve on the petition of George Reed.
21st February, 1815.

On the petition of George Reed, one of the constables of the town of Boston ;

Resolved, For the reasons set forth in the said petition, and supported by the evidence annexed to and accompanying the same, that the sum of sixty dollars be, and the same hereby is granted to the said George Reed, to be paid out of the Treasury of this Commonwealth.

CHAP. CLXXVII.

Resolve on the petition of Captain Nathan Partridge.
23d February, 1815.

On the petition of Nathan Partridge, Captain of a company of artillery, in the second brigade and seventh division of the militia ;

Resolved, For the reasons and facts set forth in the said petition, and supported and corroborated by the evidence annexed to and accompanying the same, that the Quarter-Master-General be, and he hereby is authorised to issue to the said Captain Partridge, fifty pounds of gun-powder, to replace the like quantity heretofore issued by the Quarter-Master-General, for the use of said company, and stolen while on its way from Boston to Barre.

CHAP. CLXXVIII.

Resolve granting taxes to the counties of Lincoln and Hampshire. 24th February, 1815.

On the representation of the Committee on county estimates, stating, that the estimates for the county taxes, for the counties of Lincoln and Hampshire, are not accompanied with the Treasurers accounts for said counties ; And whereas

great inconveniences may arise, if no taxes are authorized for the present year ;

Resolved, That the estimate made by the Circuit Court of Common Pleas, for the county of Lincoln, in January, 1815, and amounting to \$6,462 $\frac{4}{100}$, for the present year, be, and the same is hereby granted as a tax for the said county ; and that the estimate made by the Circuit Court of Common Pleas for the county of Hampshire, in August, 1814, and amounting to \$2,500, for the present year, be, and the same is hereby granted as a tax for the said county ; the said sums to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

And be it further resolved, That the Treasurers of the said counties, respectively, be, and they are hereby required and directed to produce their accounts as Treasurers of the counties aforesaid, respectively, at the first session of the next General Court.

CHAP. CLXXIX.

Resolve for granting taxes for several counties.
24th February, 1815.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature for examination, which accounts have been examined and allowed ; and whereas the Clerks of the Courts of Common Pleas, for the said counties have exhibited estimates made by the said Courts, of the necessary charges, which may arise within the said several counties for the year ensuing, and of the sums necessary to discharge the debts of said counties ;

Resolved, That the sums annexed to the several counties contained in the following schedule, be, and the same are hereby granted as a tax for each county, respectively, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid :—

Essex, seventeen thousand five hundred dollars,	\$ 17,500
Barnstable, one thousand four hundred dollars,	1,400
Norfolk, three thousand dollars,	3,000

CHAP. CLXXX.

Resolve allowing to the Messenger of the General Court four hundred dollars, to purchase fuel, &c.
24th February, 1815.

Resolved, That there be 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, and such other articles, as may be necessary for the use of the general court, together with the Governor and Council chamber, the Secretary's, Treasurer's, Adjutant-General's and Quarter-Master-General's offices; he to be accountable for the expenditure of the same.

CHAP. CLXXXI.

Resolve adjusting accounts of the Attorney-General, and a grant for the balance. 24th February, 1815.

The Committee appointed to consider the Memorial of the Attorney-General, praying for an adjustment of his account of sundry sums of money received by him out of the public Treasury, for certain purposes, by virtue of certain resolves, and for which he is made accountable, report, that by a resolve, passed March 12th, 1811, the Attorney-General received one hundred dollars, and by virtue of two other resolves, passed March 12th, 1811, he received five hundred dollars more, the whole of which sums were placed in his hands to defray the necessary expenses of certain suits in the county of Middlesex, instituted by James Martin against Winslow Parker, Samson Woods, Lemuel Pitts, and a number of others, for recovery of certain lands, sold to the tenants by the Commonwealth, and that the necessary costs and expenses, incurred in all these suits, (amounting to seventeen) are six hundred and fifty dollars, leaving a balance due to the said Attorney-General, on that account, of fifty dollars. And the Committee further report, that the said Attorney-General, by virtue of another resolve, passed the 29th day of February, 1812, received from the public Treasury the sum of two hundred dollars, to enable him to meet and

defray the necessary expenses arising in three inquests of office, instituted by the late Attorney-General in behalf of the Commonwealth, against the Pejepscot proprietors, in the counties of Cumberland, Lincoln and Kennebec, and that his expenditures and costs in those three suits, amount to three hundred and thirty dollars, leaving a balance in favor of the Attorney-General, on that account, of one hundred and thirty dollars. The Committee further report, that in August, 1811, the Attorney-General was requested and employed by the Agents for the sale of eastern lands, to appear in behalf of the Commonwealth, in defence of a suit brought by J. Peirce against Seth Spring, a grantee of the Commonwealth, by said Agents for the sale of eastern lands, and that his fees and costs on that account, amount to fifty dollars more; which said sums together, amount to two hundred and thirty dollars; but that the Attorney-General has received, by virtue of a resolve, passed February 7, 1814, two bills of cost on two executions against Alfred Swift and Benjamin Walton, for judgments on scire facias, amounting to thirty-eight dollars and ninety-two cents, which he credits wholly to the Commonwealth, as he had before received his part of those bills of cost, from the Treasurer of the county of Cumberland; which being deducted from the said sum of two hundred and thirty dollars, leaves a balance due to the said Attorney-General of one hundred and ninety-one dollars and eight cents; whereupon, they report the following resolve, viz:—

Resolved, That there be allowed and paid out of the public Treasury, to Perez Morton, Esq. Attorney-General, the sum of one hundred and ninety-one dollars and eight cents, in full of all his expenditures, costs and services in the suits mentioned, and referred to in the several resolves passed the 27th day of February and 12th of March, 1811, and on the 29th day of February, 1812, and of the 7th of February, 1814, and in full of his services in defending the suit of Peirce against Spring; and that the said Attorney-General be, and he hereby is discharged of his responsibility for the several sums by him received, by virtue of the several resolves aforesaid; and his Excellency the Governor, with the advice and consent of the council, is hereby authorised and requested to draw his warrant on the Treasury for the said sum.

CHAP. CLXXXII.

Resolve on the petition of the town of St. George, remitting six cents on \$1000 of their public taxes.

25th February, 1815.

On the petition of the Selectmen of the town of St. George, setting forth, that in the settlement of the last valuation. the town of St. George was doomed by the Committee of valuation for sixty polls, and praying that the same may be remitted to said town ;

Resolved, That the town of St. George be, and they hereby are remitted six cents, on the sum of one thousand dollars, on all public taxes hereafter assessed on said town, until a new valuation.

CHAP. CLXXXIII.

Resolve for erecting a fire-proof building at Alfred.

27th February, 1815.

Resolved, That on or before the first day of January, one thousand eight hundred and eighteen, there shall be erected and finished at Alfred, in the county of York, a fire proof building, for the purpose of keeping all the records of said county, as required by law ; and when said building shall have been so erected and finished, all the records and offices of said county required as aforesaid, shall be kept and held at Alfred aforesaid : *Provided*, That the present Register of Deeds of said county may hold his office in York, so long as he shall remain Register of Deeds as aforesaid : *Provided also*, That any Register of Deeds or county Treasurer of said county, who shall hereafter be chosen or appointed, may hold either of said offices at York, upon application to, and consent of, the Court of Sessions, so long as said Court may determine, in case said court should adjudge that the records can be kept there with safety.

CHAP. CLXXXIV.

Resolve granting to Jonathan Warren, Jun. fifty dollars.
27th February, 1815.

On the petition of Jonathan Warren, Jun. of Weston ;
Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to Jonathan Warren, Jun. the sum of fifty dollars, in full, for all claims against this Commonwealth.

CHAP. CLXXXV.

Report of the Committee on Bank returns, and resolve.
27th February, 1815.

The Committee, to whom was referred the returns from the several banks, having before reported, that there were either defective or no returns from the following banks, viz. Lincoln, Gloucester, Merrimack, Portland, Lynn, Mechanicks, Springfield and Waterville, and recommended by way of resolve, that the Secretary of State be directed to call upon the said banks, to shew cause why prosecutions should not be instituted against them. for breaches of law, ask leave farther to report, That since making their former report, the returns from the several banks aforesaid have been made, or completed where defective. Your Committee are therefore of opinion, for causes shewn by the several banks, that it is inexpedient to institute any prosecutions against the said banks, in conformity to the former report of your Committee. In order that the returns from the several banks, in future, may be made conformable to law, your Committee recommend the following resolve for the consideration of the Senate ;

Resolved, That the Secretary of this Commonwealth transmit, as soon as may be, to the several banks, incorporated within this Commonwealth, a copy of the law passed February 27th, 1813, requiring the Directors of the several banks to make returns of the state of their funds, on the first day of January and June, annually, together with the blank form

hereto annexed, in order that such returns may, in future, be made conformable to said law.

Statement from the President and Directors of the Bank, made in conformity to a law of the Commonwealth.

Capital Stock actually paid in.	Value of Real Estate.	Amount of all debts due.	Cash deposited.	Bills in circulation, including bills of 1, 2, and 3 dollars.	Gold, silver and other coined metals on hand.	Bills of other Banks incorporated by the State.	Bills of other Banks incorporated elsewhere.	Bills of 1, 2 and 3 dollars. In circulation.	On hand.	Rate and amount of the last dividend of profits.	Amount of reserved profits.

CHAP. CLXXXVI.

Resolve granting fifty dollars for the gentleman who shall preach the next Election Sermon. 28th February, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, fifty dollars to the gentleman who shall preach the Election Sermon in May next.

CHAP. CLXXXVII.

Resolve making a grant of two hundred and fifty dollars to the Messenger of the General Court. 28th February, 1815.

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 two hundred and fifty dollars, which, with the sum already allowed him, shall be in full for his services the present year, ending the thirtieth day of May next.

CHAP. CLXXXVIII.

Resolve on the petition of Caleb Gannett, authorizing him to execute a deed to the proprietors of Middlesex Canal. 28th February, 1815.

On the petition of Caleb Gannett, surviving Trustee of property, held for the use of the children of Lydia Hastings, under the will of Edmund Trowbridge, late of Cambridge, county of Middlesex, Esq. deceased, to execute deed or deeds to the proprietors of the Middlesex Canal;

Resolved, For reasons set forth in said petition. that Caleb Gannett, of Cambridge, county of Middlesex, Esq. surviving trustee as aforesaid, be, and he is hereby authorized and empowered to make and execute a deed or deeds, to the proprietors of the Middlesex Canal, of the several pieces of land by them appropriated, or taken for the use of said Canal, which were a portion of the property held in trust, as aforesaid; and to acquit and discharge said proprietors from all claims and demands, on account of said lands taken as aforesaid, and in consideration of such sum or sums as may be agreed on by the parties, which sum or sums shall be appropriated according to the trust aforesaid.

CHAP. CLXXXIX.

Resolve allowing pay to John Low, Jun. assistant Messenger of the House of Representatives.
1st March, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, Jun. assistant Messenger of the House of Representatives, one hundred and ten dollars in full for his services in that capacity, during the present session of the General Court.

CHAP. CXC.

Resolve allowing pay to Theron Metcalf, Esq. Reporter of contested Elections. 1st March, 1815.

Resolved, That there be allowed and paid out of the public Treasury, to Theron Metcalf, Esq. Reporter of contested Elections, three hundred and sixty dollars, for his services during the last and present session of the General Court, and also for his procuring and superintending the publication of all the reports of the Committee on contested elections, since a reporter has been employed; and distributing the same to the several towns in this Commonwealth.

CHAP. CXCI.

Resolve on the Quarter-Master-General's accounts, and appropriation for his department. 1st March, 1815.

Resolved, That Amasa Davis, Esq. Quarter-Master-General, be, and he hereby is discharged from the sum of eighteen thousand five hundred and fifty-seven dollars and twenty-six cents, which he expended the year past, including fifteen hundred dollars for his salary for one year, ending on the seventeenth day of January, in the year of our Lord one thousand eight hundred and fifteen, and including also six hundred eighty-nine dollars and fifty cents, in full, for clerk hire for his office to the first day of March, in the year aforesaid, out of the sums he has received the year past by warrants on the Treasurer.

Resolved, That the sum of two thousand fifty-seven dollars and $\frac{2}{100}\frac{6}{100}$ be paid to the said Amasa Davis, Esq. from the Treasury of this Commonwealth, as the balance of his account.

Resolved, That the sum of ten thousand dollars be paid to the Quarter-Master-General, from the Treasury of this Commonwealth, to meet the expenses of his department the ensuing year; for the application of which, said Quarter-Master-General is to be accountable; and his Excellency the Governor is requested to issue his warrant on the Treasury for the amount, in such sums and at such periods, as his Excellency, with the advice of Council, may deem expedient for the public service.

CHAP. CXCII.

Resolve on the petition of William Goodwin, allowing him seventy-six dollars and seventy-five cents, for folding, &c. Jenkins' Art of Writing. 1st March, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to William Goodwin, the sum of seventy-six dollars and seventy-five cents, in full for folding and placing the plates in twelve hundred copies of Jenkins' Art of Writing, belonging to this Commonwealth.

CHAP. CXCIII.

Resolve authorizing the Treasurer to borrow money of the State Bank. 1st March, 1815.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorised and directed to borrow of the State Bank, any sum or sums of money, not exceeding fifty thousand dollars, that may at any time within the present year be wanted for the payment of the ordinary demands made on the Treasury, and that he repay any sum he may borrow as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the Treasury.

Be it further resolved, That the Treasurer be, and he hereby is authorized and empowered, in the name and behalf of the Commonwealth, at any time or times before the first day of July next, to require of the State Bank the loan of any sum or sums of money, not exceeding one hundred thousand dollars, that may be necessary, in the opinion of his Excellency the Governor, finally to accomplish the purposes of the resolve passed by this Legislature, on the 14th day of June last, “for the defence, protection and security of this Commonwealth, or any part thereof.”

Be it further resolved, That in case the State Bank shall refuse to loan any sum of money required of them, by virtue of the foregoing resolves, the Treasurer be, and he hereby is authorized and empowered to borrow of any other bank or banks, which by the provisions of their charter are obliged to loan to the Commonwealth, any sum of money not exceeding the amount authorised to be borrowed of the State Bank, by the aforesaid resolves.

Be it further resolved, That his Excellency the Governor be, and he hereby is authorised and empowered from time to time, to draw his warrants on the Treasury, for such sums of money, as may be necessary to complete the objects and purposes of the said resolve of the 14th day of June, 1814.

CHAP. CXCIV.

Resolve on the representation of the Solicitor-General relative to lands mortgaged to the State by Leonard Jarvis, Esq. authorizing the Governor therein. 1st March, 1815.

Upon the representation of the Solicitor-General, stating, that several valuable tracts of land, situated in the towns of Penobscot, Surrey and Ellsworth, which were mortgaged to the Commonwealth by the late Leonard Jarvis, Esq. require to be partially or wholly surveyed, and the number of settlers thereon, with the nature of their several claims, properly and correctly ascertained, before the Commonwealth can recover possession of said lands by suits at law;

Resolved, For reasons set forth in said representation, that his Excellency the Governor be, and he is hereby authorized and requested, by and with the advice of the honorable Council, to appoint an Agent on behalf of the Commonwealth, whose duty it shall be to cause an accurate survey, as far as may be necessary, of the said several tracts of land mortgaged to the Commonwealth, by the said Jarvis, to be taken as soon as may be, and whose duty it shall also be to investigate the title of the Commonwealth to the said mortgaged lands, and to ascertain the number of persons now in possession of any part of said tracts of land; together with the nature of their several titles or claims to the lands, of which they may be found to be in possession, if any, and to make report of his doings in the premises to his Excellency the Governor, as soon as may be.

And be it further resolved, That the sum of two hundred dollars be allowed and advanced, out of the Treasury of the said Commonwealth to the Agent, to be appointed as aforesaid, to enable him to carry the provisions of this resolve into effect; he, the said Agent, to be accountable for the same, and to render an account of the expenditure thereof to his Excellency the Governor, at the time the said Agent shall make his report, as is herein before provided. And his Excellency the Governor is hereby requested to draw his warrant upon the Treasurer of the Commonwealth for the aforesaid sum of two hundred dollars.

CHAP. CXCIV.

Resolve for paying the Chaplains of the General Court.
1st March, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Rev. Dr. John Lathrop, Chaplain of the Senate, and to the Rev. Samuel Cary, Chaplain of the House of Representatives, seventy-five dollars each, in full for their services in said office, the present political year, there having been, during said year, three sessions of the General Court.

CHAP. CXCVI.

Resolve making allowance to the Clerks of the Senate and House of Representatives. 1st March, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Samuel F. McCleary, Clerk of the Senate, the sum of four hundred dollars; to Benjamin Pollard, Clerk of the House of Representatives, the sum of four hundred dollars; to Robert C. Vose, assistant Clerk of the Senate, the sum of three hundred dollars, in full, for their respective services in the capacities aforesaid, during the present session of the General Court.

CHAP. CXCVII.

Resolve allowing extra pay to the Assistants of the Messenger of the General Court. 1st March, 1815.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Warren Chase, Henry Bacon, and Lewis Low, assistants to the Messenger of the General Court, one dollar per day each, during the present session of the Legislature, in addition to the usual allowance of two dollars per day.

CHAP. CXCVIII.

Resolve for paying Isaac Adams, Assistant to the Messenger of the Governor and Council. 1st March, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Isaac Adams, two dollars and fifty cents, for each and every day he has been employed by his Excellency the Governor, and the honorable Council, as assistant to their Messenger, during the present session of the Council.

CHAP. CXCIX.

Resolve making allowance to the Page of the House of Representatives. 1st Mach, 1815.

Resolved That there be paid out of the Treasury of this Commonwealth, to the Messenger, to be by him paid over to Joseph Francis, one dollar and twenty five cents per day, for each day he the said Francis shall have attended as Page to the House of Representatives the present session of the General Court.

CHAP. CC.

Resolve making provision for the adjournment of the next term of the Circuit Court of Common Pleas, to be holden within the county of Hancock, and for other purposes. 1st March, 1815.

Resolved, That if at the next term of the Circuit Court of Common Pleas, to be holden at Castine, within and for the county of Hancock, on the second Tuesday of April next, none of the Justices of said Court shall attend, so that it shall be necessary to adjourn said Court, the Sheriff of said county, or any of his deputies, by him specially authorized, shall adjourn the same to Bangor, in said county, there to be holden on the third Tuesday of April aforesaid.

Be it further resolved, That if such adjournment shall be

made, all writs and processes, and all other precepts, original and judicial, which are or may be returnable to the said Circuit Court of Common Pleas, to be holden by law at Castine, shall, and may be entered at said adjourned term of said Court, to be holden at Bangor as aforesaid, and such proceedings shall be had thereon, as if the same were originally, pursuant to law, made returnable to said adjourned term of said Court, and all attachments shall have the same effect, as they would have had if said Court had not been adjourned.

Resolved, That the Sheriff of said county, or either of his deputies, or any Constable of any town in said county, is hereby authorized to commit to the gaol in Augusta, in the county of Kennebeck, any person who may in due course of law, be in his or their custody, and the said gaol in Augusta shall, in case of such commitment, be considered to all intents a lawful gaol or prison therefor, and it is hereby made the duty of the keeper thereof to receive therein and deal with such person accordingly.

Resolved, That all deeds and other instruments for the conveyance, security or defeazance of real estate and all executions levied upon real estate, or upon the rents or profits thereof, and all depositions taken in *perpetuam rei memoriam*, which ought by law to be recorded in any Registry of Deeds for either of the counties of Hancock or Washington, may be filed either in the office for the Registry of Deeds, within the north district of the county of Hancock, or that in the county of Kennebeck, and a certificate of the Register of such office that they are so filed, shall have the same effect, from the day of the date thereof, as the due filing and recording of the same would have had before the passing of this resolve: *Provided always however*, that all such deeds and other instruments, executions and depositions, which may be so filed and certified as aforesaid, and also that all deeds and other instruments, executions and depositions, which may have been duly filed and certified, pursuant to a resolve hereafter specified, passed during the last session of this General Court, shall within one month after the end of the next session of the next General Court, be duly filed and recorded, pursuant to the laws of this Commonwealth, in the office of the Registry of Deeds at Castine.

Be it further resolved, That this resolve, and also a resolve bearing the same title as this resolve, passed on the

nineteenth day of October, in the year of our Lord one thousand eight hundred and fourteen, except so far as the same relates to the Circuit Court of Common Pleas aforesaid, shall both remain in force until the end of the next session of the next General Court, and no longer.

CHAP. CCI.

Resolve regulating the tax of the town of Phillips, in the county of Somerset. 1st March, 1815.

Whereas by the valuation, which was settled on the thirtieth day of January, 1812, the plantation No. 3, between Kennebec and Androscoggin rivers, was assessed by the Committee of valuation as belonging to the county of Oxford;

And whereas it appears that the same plantation was assessed by said Committee of valuation in the county of Somerset, by the name of Curvo plantation, and that the same plantation was on the 25th day of February, 1812, incorporated into a town by the name of Phillips, in the county of Somerset;

Therefore resolved, That the township No. 3, between Kennebec and Androscoggin rivers, in the county of Oxford, be stricken out of the valuation, and that in all future taxes to be levied the plantation of Curvo, in the county of Somerset (being the same as plantation No. 3, above mentioned,) shall be taxed by the name of Phillips; and the Treasurer of this Commonwealth, and of the county of Somerset, shall issue their warrants for the assessing and collecting of state and county taxes accordingly.

CHAP. CCII.

Resolve referring the account of Capt. Skillings, and other officers of the Sea Fencibles, in Boston, to the Board of War. 1st March, 1815.

Upon the petition of Nehemiah W. Skillings, and others, officers of the corps of Sea Fencibles, in the town of Boston, praying for compensation for certain munitions of war

by them expended the year past, in experimental gunnery;
Resolved, That the Board of War be, and they are hereby authorised to receive the accounts of said Skillings, and other officers in said corps, and make such allowance thereon as they may deem just and reasonable.

CHAP. CCIII.

Resolve authorizing the Referees, appointed by the Attorney-General and the Pejepscot proprietors to report to the Supreme Judicial Court. 1st March, 1815.

Resolved, That the Referees, authorized to be chosen by the Attorney-General and the Pejepscot proprietors, or those claiming under them, by virtue of a resolve passed on the 14th day of June last, be, and they are hereby authorised to make their report to the Supreme Judicial Court, to be holden within and for either of the counties in the Commonwealth, any thing in the resolve authorizing said reference to the contrary, notwithstanding: *Provided*, that said Referees shall give seasonable notice to the Attorney-General and Josiah Little, Esq. Agent for the Pejepscot proprietors, of the term of said Court, to which said report will be made.

CHAP. CCIV.

Resolve on the petition of William Tuttle, and granting him twenty dollars. 1st March, 1815.

On the petition of William Tuttle, of Lynn, in the county of Essex, labourer;

Resolved, For the reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, the sum of twenty dollars, to the said William Tuttle, who served as a soldier in the revolutionary war, in lieu of two hundred acres of land, which sum was granted as an equivalent for the said land, by a resolve of the Legislature, passed March 5th, 1801, and that his Excellency the Governor be requested to grant a warrant on the Treasury accordingly.

CHAP. CCV.

*Resolve granting pay to the Committee on Accounts.
2d March, 1815.*

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Committee appointed to examine and pass on Accounts, presented against this Commonwealth, for their attendance on that service, during the preceding as well as the present session, the sums annexed to their names respectively, in addition to their pay as members of the Legislature:

Hon. Silas Holman fifty-eight days,	\$ 58
Hon. Joseph Whiton forty-four days,	44
Daniel Howard fifty-eight days,	58
James Robinson fifty-eight days,	58
Alford Richardson thirty-five days,	35

CHAP. CCVI.

Resolve granting two hundred and fifty dollars to Thomas Wallcut. 2d March, 1815.

Resolved, That there be allowed and paid out of the public Treasury, to Thomas Wallcut, a Clerk in the Lobbies, for the assistance of the members of the Legislature, two hundred and fifty dollars, in full for his services during the present session of the General Court.

ROLL No. 72.....January, 1815.

THE Committee on Accounts having examined the several Accounts, they now present

REPORT, That there are due to the Corporations and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned; which is respectively submitted.

SILAS HOLMAN, *Per order.*

PAUPER ACCOUNTS.

Augusta, for board and doctoring John Morgan, to 2d January, 1815,	30 35
Adams, for board, clothing, doctoring and nursing sundry paupers, to January, 1815,	268 33
Arundel, for board, clothing, and nursing Henry Rolf, to 1st January, 1815,	88
Alford, for support of Hammson Sampson, to 6th January, 1815,	10 55
Attleborough, for supplies furnished Peggy and Eliza Taylor, to 20th January, 1815,	98 34
Abington, for board and clothing Thomas Seymore, to 14th February, 1815,	52 50
Amesbury, for support of Aquila Goodwin's wife, and three children, to 5th September, 1814,	52
Baldwin, for board and clothing Daniel Hickey, to 1st January, 1815,	67 20
Boothbay, for board and clothing Henry Green, to 12th January, 1815,	28 8
Belfast, for board and clothing the wife of Robert Rogers, and children, to 1st January, 1815,	90
Barnardstown, for board and clothing Oliver Ste- vens, to 27th January, 1815,	45 84
Brimfield, for board and clothing John Christian and Robert Campbell, to 20th January, 1815,	78
Belchertown, for the support of Phœbe Butler, to 10th January, 1815,	29 70

Becket, for board, clothing and doctoring sundry paupers, to 23d January, 1815,	146	8
Boxford, for board and clothing Mehitable Hall, to 14th January, 1815,		62
Bradford, for board and clothing Joshua Alslar, to 1st January, 1815,	42	39
Bridgewater, for board and clothing sundry paupers to 5th February, 1815,	96	65
Bradford, Samuel, keeper of the gaol in Suffolk, for support of sundry poor prisoners, to 21st December, 1814,	283	50
Belgrade, for board of Abigail Odlin, to 8th January, 1815,	29	5
Barre, for support of sundry paupers, to 25th January, 1815,	15	40
Beverly, for board and clothing sundry paupers, to 1st January, 1815,	446	72
Berwick, for supporting Lemuel Woodsworth, to 12th April, 1814,	15	70
Board of Health, Boston, for supporting sundry paupers, and repairs of schooner Trimmer, to February, 1815,	253	20
Bristol, for support of sundry paupers, to January, 1815,	175	25
Billerica, for supplies to James Ingalls, to 19th February, 1814,	12	84
Boston, for board and clothing sundry paupers, to 1st December, 1814,	6693	92
Colerain, for board and clothing sundry paupers, to 11th January, 1815,	113	12
Charlton, for board, clothing and doctoring Edward Maden, till his death, 11th November, 1814,	66	64
Cushing, for board and clothing James Walker, to 17th January, 1815,	43	88
Chester, for board and clothing Benjamin Powers, to 17th January, 1815,	52	68
Cumington, for supplies to sundry paupers till their removal and death,	78	
Camden, for board, clothing and nursing John Bloom, to 1st February, 1815,	72	
Cambridge, for board, clothing and doctoring sundry paupers, to 20th January, 1815,	297	

Chesterfield, for board and clothing sundry paupers, to 21st January, 1815,	138 97
Cape Elizabeth, for supporting James Ramsbottom, to 25th December, 1814,	48
Concord, for board and clothing Case, to 6th February, 1815,	78
Chelmsford, for board and clothing sundry paupers, to 1st January, 1815,	116 60
Carlisle, for board and clothing Robert Barbour, to 8th January, 1815,	67 10
Charlestown, for board, clothing and doctoring sundry paupers, to 11th February, 1815,	336 61
Dresden, for board and clothing John Culling, to 1st January, 1815,	65 28
Dartmouth, for board and nursing William Briggs till his death,	41 97
Dorchester, for board and clothing John Harrison and Thomas Wyman, to 30th January, 1815,	96
Duxbury, for board and doctoring Henry Edwards till his death, and Thomas Gaffagan, till he left the town,	60
Dedham, for board of Robert Clew, to 6th April, and Eliza Smith and daughter, till they left the town,	27 18
Dracut, for support of Richard Baker, to 1st February, 1815,	62
Danvers, for board and clothing sundry paupers, to 7th February, 1815,	1036 98
Egremont, for board and clothing Mary Dailey and her children, to 14th January, 1815,	315
Elliot, for board and clothing Jacob Brewer and Abigail Randall, to 21st January, 1815,	80 23
Falmouth, (Barnstable county,) for support of Edward Edwards, to 19th January, 1815,	26
Friendship, board, clothing and nursing Martha Bigmore, to 20th January, 1815,	167
Franklin, for board, clothing and doctoring Thomas Barre, to 13th February, 1815,	81
Fayette, for board and clothing William G. Martin to 1st January, 1815,	67 20
Framingham, for support of William Taggett, to 24th August, 1814,	3 79

Falmouth, (Cumberland county,) for support of Felician Sang, to 8th January, 1815,	78 38
Fairhaven, for board and nursing John Francis, to 28th April, 1814,	26 80
Groton, for board, clothing and doctoring sundry paupers, to 10th January, 1815,	450
Goshen, for board of Sarah Horsford, till her death, June, 1814,	6
Granby, for board, clothing and doctoring Ebenezer Darwin, to 22d January, 1815,	70 2
Greenwich, for board, clothing and doctoring sundry paupers, to 14th January, 1815,	167 81
Grafton, for board and clothing Isaac Newman, to 10th January, 1815,	17 66
Granville, for board, clothing, doctoring and nursing sundry paupers, to 1st January, 1815,	131 60
Greenfield, for board, clothing and doctoring Unice Convers, M. Tollis, and sundry poor prisoners, to 1st January, 1815,	196 14
Gill, for board and clothing Sarah Hamilton, Samuel Lyon and wife, to 28th January, 1815,	144 40
Gorham, for support of Robert Gilfilling, to 1st February, 1815,	52 50
Gloucester, for board and clothing sundry paupers, to 10th November, 1814,	957 78
Great Barrington, for board, clothing and doctoring sundry paupers, to 9th January, 1815,	327 96
Hancock, for board and clothing Rebecca Osborn, to 6th January, 1815,	56 80
Holland, for board and clothing Jonathan Hill, to 13th January, 1815,	67
Hopkinton, for board of Dinah, a black woman, to 6th February, 1815,	57 20
Hallowell, for board and clothing sundry paupers, to 31st December, 1814,	310 44
Hodgkins, Joseph, (keeper of the House of Correction, county of Essex,) for board and clothing sundry insane persons, to 31st January, 1815, including allowance as keeper, made by Court of Sessions,	519 40
Hadley, for board and doctoring Friday Allen and wife, to 6th January, 1815, and Mary Sampson, till her death,	140 36

Hutson, John, (goaler of Essex,) for support of sundry poor prisoners, to 3d December, 1814,	202 28
Hingham, for supplies to Ottawell Warrell and family, to 6th February, 1815,	60
Haverhill, for board of William Tapley and Ed- ward Welsh, to 1st January, 1815,	91 33
Ipswich, for board and clothing sundry paupers, to 1st February, 1815,	408 79
Kittery, for board, clothing and doctoring Deborah Berks and Sarah Perkins and child, to 1st Jan- uary, 1815,	146
Kingston, for supplies to Elizabeth Kenney and two children, to 14th January, 1815,	15
Leeds, for board and clothing Nicholas Tallier, to 31st December, 1814,	99
Lincolnvile, for board and clothing sundry pau- pers, to 1st January, 1815,	125 60
Lanesborough, for board and clothing sundry pau- pers, to 1st January, 1815,	265 84
Lee, for board and clothing sundry paupers, to 12th January, 1815,	240 30
Lerox, for board, clothing and nursing sundry pau- pers, to 25th January, 1815,	212 38
Litchfield, for board and clothing Daniel Hower and Hannah Taylor's two children, to 1st Jan- uary, 1815,	133 90
Littleton, for board and clothing John Putnam to 11th February, 1815, and Anthony Williams till his death,	69 84
Longmeadow, for board and clothing Richard Woolworth and Peter Duncan, to 24th 1815,	50 48
Lancaster, for board and doctoring Dexter Clark, and William Shearer, to 20th May, 1814,	143 25
Leyden, for board, clothing and doctoring Stacy Fuller, Elizabeth Wagner and Ruth Abel, to 16th January, 1815,	92
Lunenburg, for board, clothing and doctoring Fe- lix Tool to the time of his death,	41
Lynn, for board and clothing sundry paupers, to 8th February, 1815,	780 96

Mount Vernon, for board and clothing William Basford and William Ham, to 16th January, 1815,	42 43
Monson, for board, nursing and doctoring Thomas Brown, to 16th January, 1815, and James Lyde till his death,	120 72
Methuen, for board and doctoring Nancy Hale, to 14th January, 1815,	28 77
Montague, for board, clothing and doctoring Joshua Searle, to 25th January, 1815,	65 71
Milford, for board, clothing and doctoring sundry paupers, to 30th January, 1815,	124 39
Manchester, for support of Abraham Glon, to 24th January, 1815,	30 50
Minot, for support of Philip Weeks, to 1st February, 1815,	81
Machias, for board and clothing sundry paupers, to 1st January, 1815,	191 28
Milton, for board and clothing Alexander Theophilus, to 11th October, 1814,	47
Middleboro', for board and clothing John Fitzgerald and Betsey White, to 10th January, 1815,	127
Marblehead, for board and clothing sundry paupers, to 6th February, 1815,	279 1
Newry, for board and clothing William Burt, to 2d January, 1815,	50 69
Northampton, for board, clothing, doctoring and nursing sundry paupers, to 15th January, 1815,	381 50
New Castle, for board, doctoring and nursing John Coughfran, and William Coughfran a child, to 25th, 1815,	77 20
Norwich, for board and clothing Daniel Williams, to 23d January, 1815,	40 50
New Gloucester, for board and clothing Joseph Gregory, to 31st December,	47 56
Nantucket, for support of sundry paupers, to 1st January, 1815,	103 39
Newbury, for board and clothing sundry paupers, to 1st January, 1815,	1588 20
Newburyport, for board and clothing sundry paupers to 1st January, 1815,	2347 1
Overseers of Marshpee Indians, for support of sundry paupers, to 1st January, 1815,	493 20

Paris, for board of Benaiah Dow, to 18th March, 1815,	4 50
Palmer, for board, clothing and doctoring William and Phebe Mendon, to 5th January, 1815,	134 27
Peru, for board, clothing and nursing James and Olive Robbins, to 25th January, 1815,	104 10
Pittsfield, for board, clothing and doctoring sundry paupers, to 1st January, 1815	350 36
Parsonsfield, for support of Lucy Miles, to 15th January, 1815,	26
Prospect, for board and clothing Ann Hinds, to 1st January, 1815,	56
Plymouth, for board, clothing and doctoring sundry paupers, to 22d January, 1815,	533 98
Portland, for board and clothing sundry paupers, to 1st January, 1815,	1085 73
Quincy, for board and clothing William Olifante and D. Wright's wife, to 23d January, 1815,	86
Randolph, for board and doctoring Benjamin Cantrol, and supplies to William Reed, to 9th June, 1814,	15 50
Rutland, for board, clothing and doctoring William Henderson, to 1st January, 1815, and John Lowland till his death,	87 30
Roxbury, for board, clothing and doctoring sundry paupers, to 3d January, 1815,	352 99
Rehoboth, for board, clothing and doctoring sundry paupers, to 1st January, 1815,	315 18
Rowley, for board, clothing and nursing Benning Dow and Anna Collins, to 1st January, 1815,	417 80
Reedfield, for board, clothing and doctoring Edward Burgis and Coten Comerans, to 29th December, 1814,	137
Standish, for board, clothing and doctoring Ellis Noble till her death,	51
Shelburne, for boarding and nursing Mary Bates, to 14th January, 1815,	69 84
Sterling, for board, clothing and doctoring Jemima Pike, to 14th January, 1815, and Delina Proctor to the time of her death,	91 56
Spencer, for board and clothing John Larnder, to 6th January, 1815,	67 32

Seconk, for board, clothing and doctoring George S. Boyd, to 20th April, 1814,	75 65
Sandisfield, for board of Richard Dickson and wife, to 1st January, 1815,	34
Stockbridge, for board, clothing and doctoring sundry paupers, to 6th December, 1814,	316 13
Sutton, for board and clothing Isabella Santee's children, to January, 1815,	95 21
Sheffield, for board, clothing and doctoring Hannah Row, to 20th December, 1814, and Hammond till he left the town,	100 78
Sherburne, for board of Benjamin Horton, to 29th January, 1815,	52
Saco, for board and doctoring Jane Young to 11th November, 1814, with her two children,	48 5
Savoy, for board, doctoring and nursing John M. Symonds, to 30th August, 1814,	40 18
Swansey, for board and clothing Garret Barnes and James Garnett, to 21st January, 1815,	87 75
St. George, for board of Robert Hawes to 2d February, 1815,	57 20
Scituate, for board, clothing and doctoring John Williams and Peter Powers, to 14th February, 1815,	68 92
Southwick, for board of George Reed, to 1st January, 1815,	51 59
Shrewsbury, for board and clothing Leander Taylor, to 25th January, 1815,	30 16
South Berwick for support of Lemnel Woodworth to 23d January, 1815,	52 5
Sandwich for board clothing and doctoring Richard Crauch, to 4th January, 1815, and James Islesly to the time of his death,	121 85
Sturbridge for board, clothing and doctoring Londonderry, to 1st January, 1815	32
Sudbury for board and clothing John Weighton, to 12th February, 1815,	88
Shirley, for board, clothing and doctoring sundry paupers, to 29th January, 1815,	176 64
Stonham for board and clothing the wife of John Crevy an Indian to 2d May, 1814,	21 28
Salem for board and clothing sundry paupers, to 1st January, 1815,	1810 29

Tyringham for board and clothing Ralph Way, to 1st January, 1815,	77 60
Thomastown, for board and clothing John Ander- son to 12th January 1815	67 20
Topsham, for board and clothing John Duggin, to 23th January 1815,	72
Taunton, for board and clothing sundry paupers, to 1st January, 1815,	185 20
Uxbridge for support of sundry paupers, to the 14th February, 1815,	106 58
Vassalborough. for boarding Abigail Fairbrother. to 16th January. 1815.	11 97
Windsor, for board, clothing and doctoring Hen- ry Smith and wife, to 18th January, 1815,	81 29
Winthrop, for board, clothing and doctoring Wil- liam Gaskell and Olive Howard, to 4th Janua- ry, 1815,	152 15
Washington, for board and clothing Richard Rig- by, to 19th January, 1815,	45 10
Walpole, for supporting Nancy Hernes, to 24th Jan- uary, 1815,	54 23
Wiscasset, for board, clothing and doctoring sun- dry paupers, to 21st January, 1815,	136 13
Warren, for board of William Mearman and Han- nah Ames, to 4th January, 1814,	101
West Stockbridge, for board, clothing and doctor- ing Lucy Lanes, John V. Arden and James C. Biggs, to 1st January, 1815,	124 17
Williamstown, for board, clothing and doctoring sundry paupers, to 19th January, 1815,	322 71
Westfield, for board and clothing sundry paupers, to 30th December, 1814,	143 75
Westford, for board, clothing and doctoring Chris- topher Shepard, to 15th, 1815,	78
West Springfield, for board, clothing and doctor- ing sundry paupers, to 8th January, 1815,	204 8
Wilbraham, for board and clothing William M. Dunn, to 6th January, 1815,	63
Worcester, for board and clothing sundry paupers, to 1st January, 1815,	209 14
West Hampton, for board and clothing John Gay and wife, to 1st January, 1815,	213 63

Watertown, for board and supplies for Nicholas Johnson and Deborah Barnes, to 1st January, 1815,	105	23
Woburn, for board and clothing James Cade, to 10th March, 1814,	4	
York, for board, clothing and nursing sundry paupers, to 1st February, 1815,	518	4
	
Total paupers,	\$ 36,228	43

MILITARY ACCOUNTS.

Courts Martial and Courts of Inquiry.

Carter, Solomon, for the expense of a Court Martial, holden at Grafton, in November, 1814, whereof Colonel Leonard Burbank was President,	274	1
Goodwin, M. John, for the expenses of a Court Martial, holden at Bridgewater, in August, 1814, whereof Colonel Shepard Leach was President,	174	26
Hubbel, Calvin, for the expense of a Court Martial, holden in June, 1814, whereof Colonel Hyde was President,	75	67
Hubbel, Calvin, for the expense of a Court of Inquiry, holden at Pittsfield, in September, 1814, whereof Major Erastus Rowley was President,	35	62
Hight, William, for the expense of a Court of Inquiry, holden at York, in November, 1814, whereof Colonel Paul Lewis was President,	84	6
King, C. James, for the expense of a Court Martial, holden at Salem, in November, 1814, whereof Colonel Coleman was President,	377	59
King, C. James, for the expense of a Court Martial, holden at Gloucester, in August, 1814, whereof Colonel Samuel Brimlecom was President,	255	83
Osgood, Francis, for the expense of a Court of Inquiry, holden at Portland, in September, 1814, whereof Colonel E. Foxcroft was President,	96	65
Thayer, M. Samuel, for the expense of a Court of Inquiry, holden at Weymouth, in October, 1814, whereof Major James Thayer was President,	98	67

Thayer, M. Samuel, for the expense of a Court Martial, holden at Quincy, in February, 1815, whereof Colonel Daniel Messenger was President,	229 86
Tainter, Harvey, for his travel and attendance as Marshal of a Court Martial, holden in Brookfield, in February, 1814, whereof Colonel Salem Towne, Jun. was President, omitted in pay roll through mistake,	8 40
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Jaques, Samuel, to 9th January, 1815,	82
Knap, L. Samuel, to 6th October, 1814,	21 85
Porter, Moses, to 9th January, 1815,	16 50
Peabody, David, to 25th January, 1815,	34 75
Page, Samuel, to 24th January, 1815,	142 64
Thayer, M. Samuel, to 25th January, 1815,	92 40
Tilden, P. Bryant, to 28th February, 1815,	45 37

	\$ 812 3

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Bartol, Barnabas, to 1st October, 1814,	18 21
Blanchard, B. John, to 1st October, 1814,	25 75
Coffin, Nathaniel, to 1st January, 1815,	94 17
Failes, C. Samuel, to 1st October, 1814,	21 73
Green, H. Reuben, to 1st January, 1815,	16 27

Garrett, Andrew, to 1st January, 1815,	15 84
Hobart, Thomas, to 1st January, 1815,	19 31
How, Thomas, to 1st January, 1815,	29 51
Lewis, Lyman, to 1st January, 1815,	26 92
Roberts, L. Charles to 1st January, 1815,	10 38
Nichols, Thomas to 1st January, 1815,	92 3
Osgood James, to 1st January, 1815,	17 66
Peabody, David to 1st January, 1815,	27 32
Partridge Theodore, to 1st January, 1815,	35 78
Pollard, Oliver to 1st January, 1815,	16 62
Robertson, Jesse to 1st January, 1815,	59 67
Rosseter Samuel, to 1st January, 1815,	17 48
Ripley W. James, to 1st January, 1815,	40 85
Talmadge, Josiah, to 1st January, 1815,	16 21
Thomas, Nathaniel, to 1st January, 1815,	9 64
Walker, Timothy, to 1st January, 1815,	28 72

.....
\$ 640 7

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Allen, C. Shobel, to 25th April, 1814,	22 98
Burnham, Enoch to 2d January, 1815,	10 55
Brown, Thomas, to 26th December, 1814,	11 79
Brigham Asa, to 14th October 1813,	15 39
Bourne Abner, to 2d February 1815,	80 75
Callender, Benjamin, to 23d January, 1815,	11 13
Crowell Michael to 20th August, 1814,	26 40
Champney, John, to 4th February, 1815,	118 25
Carr, Jun. Francis to 1st September, 1814,	25 17
Cobb, G. W. David to 25th August, 1814,	51 83
Delano, Gideon, to 3d February, 1815,	14 89
Fairbanks Stephen, to 3d February, 1815,	64 35
Fales, David, to 15th January, 1815,	8 75
Hyde, Zena, to 18th January 1815,	69 46
Hunton, E. Jonathan, to 14th January, 1815,	36 72
Hasley, Jun. Daniel to 23d December, 1814,	30 84
Hudson, R. John to 14th January 1815,	17
Hamilton Abial to 27th December, 1814,	35 2
Heald, Jun. Josiah, to 1st October, 1814,	6 55
Harrington, Joseph, to 11th October, 1814,	57 4
Haskins, Abijah, to 2d July, 1814,	3 94

Jaques, Henry, to 23d August, 1814,	34 75
Lyman, George, to 18th January, 1815,	43 73
Lakeman, James, to 1st January, 1815,	16 25
Leonard, B. Ezekiel, to 6th July, 1814,	11 31
Munroe, Benjamin, to 1st December, 1814,	27 72
Munroe, Reuben, to 10th August, 1813,	8 85
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Nason, L. to 1st February, 1815,	24 50
Neel, G. John, to 1st February, 1815,	29 57
Parker, Henry, to 29th September, 1814,	25 97
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Phillips, Liscom to 1st October, 1814,	5 75
Rockwell, Usal to 6th October, 1814,	20 58
Riley, Jun. Samuel, to 4th October, 1814,	11 3
Richardson, Wyman, to 15th November, 1814,	40 92
Sever, John, to 27th October, 1814,	84 70
Spring, Josiah, to 20th January 1815,	8 27
Sprague, Roswell to 1d February, 1815,	22 3
Stone, Hosea, to 4th November, 1814,	17 5
Sewall, William, to 1st November 1814,	61 75
Shepard, Robert, to 10th December, 1813,	36 29
Taft, Hazelton, to 2d January, 1815,	35 37
Tainter, Harvey, to 21st September, 1814,	17 19
True William, to 7th January, 1815,	787
Trudefant, Seth, to 7th October, 1814,	43 53
Tucker, Seth, to 30th January, 1815,	59 50
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	\$1,595 86

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Acock, William, to 14th January, 1815,	7
Carter, Nehemiah, to 17th January, 1815,	5
Davis, Jun. William, to 9th January, 1815,	6
Derby, Benjamin, to 21st January, 1815,	7 50
Elwell, Abiel, to 13th January, 1815,	5
Gleason, Joseph, to 25th February, 1815,	6
Kindall, Benjamin, to 21st December 1814,	6
Leighton Isaac, to 17th January, 1815,	15
Ladd, G. Samuel, to 8th September, 1814,	6
Mudge, Benjamin, to 5th October, 1814,	12
Noble, Horace, to 3d January, 1815,	5

Prentice, Caleb, to 1st January, 1815,	10
Pearsons, Thomas, to 28th September 1814,	6
Putnam, Jesse, to 20th September. 1814,	6
Richmond, Leonard to 1st November, 1813,	5
Ranlet, Samuel, to 10th September. 1814,	5
Sweetser John, to 26th January, 1815,	17 50
Sprague, Nathaniel, to 8th September, 1814,	7 50
Smith, E. Joseph, to 21st February 1814,	20
Turner, Wi liam, to 7th October, 1814,	5
Thaxter, Jonathan, to 11th September, 1814,	20
Walker, Nathaniel to 14th September, 1814,	5
Ware, Nathan, to 19th October, 1814,	5

.....
\$192 50

Courts Martial, &c.	\$2240 42
Brigade Majors, &c.	812 3
Brigade Quarter Masters,	640 7
Adjutants.	1 595 86
Expenses for Artillery Horses,	192 50

.....
Total, \$5,480 88

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Austin, Nathaniel, Sheriff of Middlesex, for distributing acts and returning votes, to January, 1815,	22 80
Adams, M. Sheriff of Hancock county, for distributing acts and returning votes for 1814,	77 61
Bartlett, Bailey, Sheriff of Essex county for distributing acts and returning votes for 1813 and 1814	26 50
Crane, Elijah, Sheriff of Norfolk county, for distributing acts and returning votes for 1814,	13 72
Cooper, John, Sheriff of Washington county. for distributing acts and returning votes for 1814,	84 92
Freeman, James, Sheriff of Barnstable county, for distributing acts and returning votes for 1814,	21 25
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Goodwin, Ichabod, Sheriff of York county, for returning votes for 1814,	28 65

Gardner, Latham, Coroner of Nantucket county, for Inquisition and burial expenses of a stran- ger, November, 1814,	26 61
Howard, Samuel Sheriff of Kennebec county, for distributing acts and returning votes for 1814,	84 80
Hunnewell, Richard, Sheriff of Cumberland coun- ty, for distributing acts and returning votes for 1814,	32 40
Lyman, Elihu, Sheriff of Hampshire (N. District) county for returning votes for 1814,	17
Lawrence, Jeremiah, Sheriff of Nantucket county, for returning votes for 1814.	33 75
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McMillan John, Sheriff of Oxford county, for re- turning votes for 1814,	53 33
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Phelps, John, Sheriff of Hampden county, for re- turning votes for 1814,	29 40
Pincheon, John, Coroner of Hampden county, for Inquisition expenses and burial of a stranger, April, 1814,	27 18
Sawtell, Richard, Sheriff of Somerset county, for distributing acts and returning votes for 1814,	115 60
Sentor, Noah, Coroner in Cumberland county, for expenses of burying a stranger December, 1813,	9 25
Stowers, Joseph, Coroner in Suffolk county for Inquisition and burial of a stranger, 23d Octo- ber, 1814,	19 65
Thatcher, Samuel, Sheriff of Lincoln county, for distributing acts and returning votes for 1814,	53 94
Worth, Jethro, Sheriff of Dukes' county, for dis- tributing acts and returning votes for 1814,	23 25
Ward, Thomas W. Sheriff of Worcester county, for distributing acts and returning votes for 1814,	27 30
Wait, Nathan, Coroner of Middlesex county, for Inquisition and expense of burying a stranger, November, 1813,	12 64
Total Sheriffs' and Coroners' Accounts, \$944 91

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Allen, Phineas, for publishing Acts and Resolves, and notices for the Board of War, to January, 1815,	21 17
Adams & Rhoades, for printing by direction of the Government, to June, 1814,	16
Allen, E. W. for publishing Acts and Resolves, and Notices for Board of War, to January, 1815,	25 67
Butler, William, for publishing Acts and Resolves, to 1st January, 1815,	16 67
Cushing, Thomas, for printing for the Government, to October, 1814,	5
Dennio & Phelps, for publishing Acts and Resolves, to 1st January, 1815,	16 67
Goodale & Burton, for publishing Acts and Re- solves, to 1st January, 1815,	16 67
Palfrey, William, for printing for Government, to October, 1814,	5
Russell, Benjamin, for printing and stationary fur- nished for the Government, to 25th February, 1815,	2996 80
Shirley, Arthur, for publishing Acts and Resolves, to 1st January, 1815,	16 67
Wells & Lilley, for printing proceedings of Hart- ford Convention,	225
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Bradlee, Samuel, for sundry hardware supplies for State House, to 20th February, 1815,	70 95
Burditt, James W. for sundry stationary supplied the Government, to 24th, 1815,	224 3
Bradford & Read, for sundry stationary supplied the Government, to 7th February, 1815,	282 23
Blaney, Henry, for services at the State House, to 15th February, 1815,	10 50
Belcher, Joshua, for printing for Agricultural So- ciety, to January, 1815,	176

Bacon, Henry, for assisting the Messenger of the General Court, to the 2d March, 1815,	82
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Thomas H. Perkins,	\$14
Joseph Bemis,	14
Benjamin Weld,	14
William Brewer,	14
John Soley,	14
.... ..	
	\$70
Capen & Drake, for lime furnished the State Houe, to September, 1814,	13 25
Committee on Militia Law, during the recess, viz :	
Josiah Quincey, 3 days,	\$6
William Brewer, 3 days and travel,	9
Samuel L. Knap, 3 days and travel,	26
Richard Sullivan, 3 days,	6
Timothy Fuller, 3 days,	6
.....	
	\$53
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Howe, Jonathan, for lumber for the use of the State House, to 17th February, 1815,	52 1
Lincoln, Amos, for work done at the State House, to 15th January, 1815,	25 20
Loring, Josiah, for stationary supplied the Govern- ment, to 13th January, 1815,	161 50
Low, Lewis, for assisting Messenger to the Gene- ral Court, to 2d March, 1815,	82
Munroe & Francis, for stationary furnished the Government, to December, 1814,	2 50
Peck, W. D. for services rendered the Agricultu- ral Society, to November, 1814,	739 17
Revere, John, for surgical operations at the request of a Jury, July, 1814,	5

Spear, Henry, for salary as keeper of Hospital Island, to 17th February, 1815,	44 44
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Wheeler, John H. for sundry repairs on the State House, to 4th February, 1815,	92 37
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West & Blake, for stationary supplied Adjutant-General's office, to July, 1814,	8 90

Total Miscellaneous Accounts,	\$2625 77

Aggregate of Roll No. 72.

Expenses of State Paupers,	\$36,228 43
Do. Militia,	5,480 88
Do. Sheriffs and Coroners,	944 91
Do. Printers,	3,361 32
Do. Miscellaneous,	2,625 77

Total,	\$48,641 31

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' names respectively. amounting in the whole to the sum of forty-eight thousand six hundred and forty-one dollars and thirty-one cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, 2d March, 1815.

Read and accepted. Sent down for concurrence.

JOHN PHILLIPS, *President.*

In the House of Representatives, 2d March, 1815.

Read and concurred.

TIMOTHY BIGELOW, *Speaker.*

2d March, 1815.....Approved.

CALEB STRONG.

COMMONWEALTH OF MASSACHUSETTS.



Secretary's Office, May 20th, 1815.

By this I certify, that the Resolves, &c. contained in this pamphlet, which were passed by the General Court, at the October Session, 1814, and at the Session begun and holden on the 18th day of January last, have been compared with the originals, in this Office, and appear to be correct.

ALDEN BRADFORD,

Secretary of the Commonwealth.

GENERAL INDEX

TO THE RESOLVES, PASSED BY THE GENERAL COURT. BETWEEN THE
26th DAY OF MAY, 1812, AND THE 3d DAY OF MARCH, 1815.

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