

MAINE STATE LEGISLATURE

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Resolves,

Of the General Court of Massachusetts,

PASSED AT THE SESSION BEGAN AND HOLDEN AT BOSTON,

ON THE TWENTY-FOURTH DAY OF JANUARY,

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED

AND TEN.

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GOVERNOUR'S SPEECH.

REPRESENTATIVES' CHAMBER, JAN. 25.

At the hour appointed, His Excellency the Governour 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 first Session of the Legislature is generally and necessarily so short, as to occasion the postponement of much business to the winter, which affords more leisure for patient discussion and just decision.

The various subjects referred to this time, with such others as may be brought forward, will now doubtless receive your candid attention.

Complaints are sometimes apt to arise, that a considerable portion of Legislative labour is devoted to applications of individuals,

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hence called private business ; but when these shall appear to be for the purpose of combining the wealth and industry of our citizens, under the sanction of law, to promote objects, which involve the interest of Agriculture, Manufactures and Commerce, and thereby increase the population of the State, the means of industry, and the comforts and conveniences of all, they will be considered as entitled to your mature deliberation ; and your patronage will, undoubtedly, be extended to such, as do not interfere with those principles, which experience has decided to be salutary to the publick weal, nor infringe the unchangeable rules of justice ; a strict observance of which is not less necessary to those who seek to mend their condition, than to those who expect security for their rights.

It is understood that the provisions in the third section of an act for the limitation of certain real actions, and for the equitable settlement of certain claims, arising in real actions, have occasioned the satisfactory termination of many vexatious controversies. It may however deserve the attention of a wise Legislature, to consider the expediency of making those provisions more effectual, by allowing to the settler a further time, for payment of the appraised value, on his giving reasonable security for discharging the same, with the costs of suit, at the discretion of the court in which the suit may be pending ; and that, on giving such security, judgment may be entered for the settler.

Among the subjects of a more general and publick nature, none has higher claim to your serious reflections, than the laws relating to the Militia. To a free people this is, at all times, an interesting concern. In the peculiar and perilous state of our Foreign Relations, it would be the extreme of delusion to consider war improbable. The defenceless condition of our extensive frontiers, and the smallness of our naval force, leave no hope of preventing invasion, or of resisting an enemy, until landed on our soil. In such an event, our immediate reliance must be on the militia of the State. To render this, then, to say the least, our first resource for defence, as efficient as possible, is not merely the dictate of prudence, but the imperious call of a necessity, imposed by circumstances, over which we may have no control.

In the course of the autumn, I attended the review of two Brigades, being all the Brigade reviews of which I had any knowledge ; the first of General WOOD's, of the 11th Division ; and the other of General GOODALE's of the second. The order, regularity, and discipline, exhibited on the occasions, reflected much honour on the Officers and Soldiers, that composed the Brigades.

In the month of September, several persons were committed to prison in the County of Kennebeck, on a charge of Murder. Shortly after their commitment, apprehensions were entertained that a dangerous insurrection would be excited, for the purpose of obstructing the course of justice, by an attempt to rescue the prisoners. The Justices of the Court of Common Pleas, and the sheriff of the county, with a due regard to the trust devolved upon them, from the distance of the Commander in Chief, on the fourth of October, certified to Major General SEWALL, commanding the 8th division of Militia, that it was necessary that a force consisting of three hundred men, should be instantly raised, and called forth, for the suppression of the apprehended insurrection. On which the Major General detached that number of Militia, armed and equipped according to law. Notice of this application, and of the doings of the Major General was immediately transmitted to the Commander in Chief, who issued such orders as were authorized by law, and as the exigency of the case required.

Aware of the necessity of insuring a due administration of the laws, and not insensible to the duty of rendering the service as little burthen some as possible to the publick, and to the individuals, who were subject to be detached, and presuming on the effect of the good dispositions which were manifested by the citizens of that county, to prevent all obstructions to the regular course of justice, and of the promptitude and alacrity of the Militia, in obeying the orders of the Major General, it was thought advisable to direct a detachment of one hundred and fifty men only, with permission to General SEWALL, if, on consultation with the Magistrates and Sheriff, half that number should be deemed sufficient to be on actual duty, to relieve the men by turns, or in such way as he might judge proper. The

Magistrates and Sheriff having certified to the Major General, that one hundred men would be sufficient for the purposes intended, he permitted all, above that number to return home.

So soon as the necessity for a military force ceased, the troops that had been called forth, were released.

All the papers respecting this transaction will be laid before the Legislature, and it is confidently hoped, that a proper regard to the necessity of rendering the laws supreme, the economy of publick money, and of the time and services of individuals will appear to have guided the conduct of all, who were called to act in this unhappy business.

To the officers and men who were detached, great praise is due, for the promptness with which they obeyed the call of their country; and the order and discipline, which they evinced on duty, manifested a just sense of their obligations as citizens and foldiers.

An account of the expenses incurred on this occasion, will be presented, when it will be for the Legislature to make such provisions for defraying them, as justice requires.

While it is a matter of deep regret, that any of our countrymen should be so abandoned as to make attempts against the free course of justice, on which the rights of all depend, it must afford great satisfaction to reflect that the circumstances attending this transaction were of a nature to deprive such thoughtless men of all hopes of success.

Of the duties which the Representatives of a free people have to perform, none can be more pleasant than that of preserving the lives and health of their fellow-citizens. Experience in the United States, as well as in Europe, seems to have established a fact, that the Kine Pock is a safe, mild, and complete preventive of that loathsome disease, the Small Pox.

The conduct of the town of Milton, in causing the inoculation of many of their inhabitants with the Kine Pock, and in testing its certainty as a preventive of the small pox, appears to have been regulated with so much prudence, wisdom and caution, as to render it worthy of the most publick notoriety.

A recital of their doings, which has been communicated to me, shall be transmitted to the Legislature.

In obedience to a Resolve of the twentieth of June last, proposing an amendment of the Constitution of the United States, respecting Embargo and suspension of commerce, a copy of the same was transmitted to the Chief Magistrates of the several States, in the Union, with a request that the same might be communicated to the Legislatures of such States. The answers which have been received will be sent to the Legislature.

At the last session, we had the happiness of mutual congratulation on the prospect of an amicable adjustment of our national differences, with one of the great belligerents of Europe, and of a revival of our commerce, so essential to the prosperity of this Commonwealth. Subsequent events shew our relation to the powers at war to be in a most critical and alarming state.

Although our commercial and foreign concerns are confided to the government of the Union, yet so deeply involved are we, in every thing that regards them, that the exercise of all constitutional means, either to prevent the calamities that threaten us, or to prepare to meet them, in a becoming manner, is a duty too imperative to be neglected. Having done all in our power, to these ends, we may humbly rely on that Divine Providence, which has so singularly interposed to relieve our country from impending danger, to all human eyes, inevitable and overwhelming. It would be superfluous in me, again to recommend candour and prudence in discussion, always necessary to a wise and happy result. Every one must see that in the present portentous crisis of our affairs, these qualities, with a disinterested elevation above all party spirit, are indispensable to the safety of our dearest rights and best interests.

The principles which I took the liberty of submitting to your notice the last session, and of avowing as the rule of my own conduct, have invariably guided the Executive, in the performance of all its duties ; and while I have the firmest conviction that they are just in themselves, and that a strict adherence to them in all who administer the Government is necessary to preserve the rights of the people, and the constitution under which we act, I can entertain no doubt of their influence on all your deliberations ; and that the result of your labour will advance the prosperity of the citizen, and secure the dignity of the Commonwealth.

CHRISTOPHER GORE:

ANSWER OF THE SENATE.

MAY IT PLEASE YOUR EXCELLENCY,

THE Senate have received the Communication which your Excellency has been pleased to make, at the opening of the Session, with those emotions which the interesting circumstances of our affairs are calculated to inspire.

It is one of the most pleasant duties of Legislators to promote the well directed enterprize and industry of our citizens ; and the Senate will afford all the encouragement to individual application, “ *involving the interests of Agriculture, Manufactures and Commerce,*” which can be properly and constitutionally extended.

The suggestion of your Excellency, in respect to the expediency of allowing to settlers further time for the appraised value of lands in controversy, shall have the deliberate considerations of the Senate ; and they will readily adopt any provisions for the relief of that class of our citizens, which, consistently with the rights of the proprietors, shall appear to be just and reasonable.

The measures taken by your Excellency, as Commander in Chief, to prevent a dangerous insurrection, which it was justly apprehended would have taken place in the county of Kennebeck, evince that wisdom, prudence and firmness, that economy of the publick money, that regard to the publick safety and convenience, for which your Excellency is so eminently conspicuous. The Senate unite in opinion with your Excellency, that great praise is due to the officers and men who were detached for that service, and will readily concur in such provision for the payment of the expenses arising on that occasion, as justice shall require.

The various other municipal concerns, to which your Excellency has been pleased to refer, shall receive the respectful attention of the Senate.

The people of this Commonwealth, believing it to be the indispensable duty of the States to contribute to the exigencies of the Union, have been accustomed to consider it as a reciprocal duty of the general government to *provide for the common defence*. And knowing that the United States contain the most ample naval and military resources; and considering the imminent dangers which threaten, we cannot but express our deepest concern that our extensive frontiers are so defenceless, and our naval force so utterly incompetent to the purposes of national security, and unbecoming the just claims and the dignity of our country. In this alarming situation of our publick affairs, our immediate reliance must be had on the militia of *the State*, and we assure your Excellency, that “*to render this, to say the least, our first resource for defence as efficient as possible,*” we consider to be “*not merely the dictate of prudence, but the imperious call of a necessity, imposed by circumstances, over which we may have no control.*”

The policy of the United States was PEACE. To preserve this blessing, it became necessary, not only to defend the rights of Neutrality; but to respect the rights of Belligerents. The Federal administration did not *originally* rest satisfied with the appeals to the reason only, of the great powers at war; but made adequate provision, and manifested a determination to maintain the rights of their country by the sword. Hence resulted a state of national glory, and of unexampled prosperity.

It would unquestionably be the policy of a neutral nation to submit to the inconveniencies *necessarily* incident to collisions between belligerents and neutral rights; but a neutral possessing the means of resistance, and yet acquiescing in such aggressions of the one party to the war, as would justify measures of retaliation by the other, must be considered as having abandoned or forfeited its neutral position and privileges. The people of this state will support with their accustomed energy and promptitude, the measures necessary to maintain an honest Neutrality :

even if they should involve a just but necessary war ; BUT SUCH A WAR ONLY WILL HAVE THEIR ENCOURAGEMENT.

While we concur with your excellency in opinion " that in the *" perilous state of our foreign relations it would be the extreme of delusion to consider war as improbable,"* we are obliged frankly to declare our apprehension that this war will inevitably lead to an alliance, which would be the preface of destruction ; that this war is menaced against a nation, which opposes the only barrier to the necessity of an immediate conflict with the tremendous power and despotism of France, which has already overwhelmed the liberties of the old world.

And when it shall appear that the Administration of the General Government pursue a policy towards the great Belligerent powers, which seems to conceal and palliate the wrongs and the insults of the one, and to magnify the injuries and discolour the views of the other—to submit to the cruel aggressions of the one, committed in contempt and violation both of Treaty and the Publick Law ; and to refuse to accept from the other parts, reparation for unauthorized injury, and proffers of adjustment that might be reasonable and just : The People of this Commonwealth will consider it "*a duty too imperative to be neglected, to exercise all constitutional means, either to prevent impending calamities, or to prepare to meet them in a becoming manner.*"

ANSWER OF THE HOUSE.

MAY IT PLEASE YOUR EXCELLENCY,

THE House of Representatives have considered your Excellency's Speech to the two branches of the Legislature, with all that attention which is demanded by the importance of the subjects it embraces. Although great and interesting public concerns will always have the first place in their deliberations, they are disposed to devote all the time and attention that may be necessary to the applications of individuals, in cases which require the interposition of the Legislature. Such interposition is often rendered necessary by the imperfection which is natural and inevitable in every general system of Laws. And when the petitions of individuals are warranted by principles of justice, and consistent with the rules of public policy; when especially their objects tend to advance the interests of Agriculture, Manufactures and Commerce, to increase the means and the products of industry, and promote the comfort and happiness of the citizens, they are not only entitled to patient and mature deliberation, but may justly claim the patronage of the government.

The House of Representatives are happy to learn from your excellency that some good effects have been produced by the late act for the limitation of real actions and for the equitable settlement of certain claims arising therein. Whatever difference of opinion may have existed as to the expediency or necessity of the act referred to, some of its principles have, it is believed, met with general approbation. The House of Representatives will readily concur in such alterations as may be necessary to remedy any defects that exist in this law, or to render its operation more just and equitable.

The due regulation of the militia, at all times an interesting concern to a free people, most peculiarly demands our attention when a foreign war is considered probable, and while other modes of defence are not yet provided. If circumstances beyond our control should disturb the publick tranquillity; a numerous and well disciplined militia will prove at least a temporary defence against danger, from whatever quarter it may come. We are happy to be informed by your Excellency of the good order and discipline of that part of the militia which you have had an opportunity to view; and we shall cheerfully concur in any necessary measures to render this resource for defence still more efficient.

The House of Representatives have heard with deep regret of the attempts lately made in the county of Kennebeck, to obstruct by force the regular course of justice. It affords, however, great pleasure to reflect that this spirit of disaffection was confined to so few individuals; that the citizens of that county in general, and especially the civil and military officers who were called to act on the occasion, manifested so much alacrity in supporting the dignity of the government and maintaining the supremacy of the laws; and that the issue of the transaction was such as to leave no hopes of success, to any future combination of a similar nature. Indeed the nefarious nature of the attempt can be equalled only by the extreme temerity, which could lead a few discontented individuals to expect to prevail by force against the collected strength of the Commonwealth. The rights of all the citizens depend on the submission of all to equal and permanent laws. Civil liberty and the rights of property, consist in the restraint imposed by law on the restless and unprincipled members of the community. Every good citizen is therefore promoting his private interest, as well as performing a publick duty, when assisting to enforce the free and regular administration of justice.

The people of this commonwealth are most deeply concerned in the change which has taken place in our national affairs, since the last session of this legislature. If the United States should be involved in war, it is obvious, that not only the sacrifices and privations occasioned by it, would fall most heavily on the

commercial states ; but also the resources to maintain such a war must be drawn principally from them. But however great might be the exertions and artifices required in a just and necessary war, we confidently trust that the people of this Commonwealth would always cheerfully sustain them ; and forgetting all party distinctions and local interests, would cordially unite to maintain the rights and vindicate the honour of the nation. In such a state of things, the administration will be encouraged and strengthened, by that approbation of their measures, which every patriotick citizen will readily bestow. But when on the other hand, the people are alarmed by the prospect of a war, the justice and necessity of which they do not clearly perceive ; it is their solemn duty as well as right to express these opinions frankly and unequivocally. With these impressions the House of Representatives cannot refrain from declaring their deep anxiety and concern at the late rupture of the negotiation with the minister of one of the belligerent nations. At the termination of even a prosperous war, we shall still have the present differences to be compromised and settled by amicable negotiation ; and it cannot be presumed that after a long and sanguinary conflict, either party will enter on the discussion with feelings more conciliatory than those which now actuate them. When therefore all that can be reasonably expected from successful war, seemed to have been attainable by treaty ; at the moment when the minister referred to was producing full powers from his Government, to settle amicably and permanently all the controversies between the two countries, it is in a high degree distressing to see the negotiation broken off, for causes which we are unable to comprehend.

We are far from imputing to our national rulers any intention or desire to involve us in war ; but the consequences of this rupture may not be under their control, and may lead unhappily to that calamitous issue. The subsequent acts and measures of the Government are not calculated to quiet these apprehensions, nor do they appear to us to promise a restoration of friendly intercourse. Invidious restrictions on the trade of foreign nations, with whom we are commercially connected, naturally tend to produce retaliation on their part ; and every act even of self-defence which they

may adopt, will, in this species of warfare, be considered as a new outrage and be represented as a new course of complaint. Thus although neither party may intend to provoke hostilities, and though there is confessedly no sufficient cause for war at present, yet in such a state of mutual irritation and accumulated collisions, this seems to be the inevitable result. In contemplating this gloomy prospect, it adds greatly to our alarm and apprehension, to consider that such a war would be waged against the nation which forms the only remaining barrier against the universal domination of a single power ; and still more that it would probably entangle us in an alliance with that power, whose friendship has proved fatal to the Independence of so many Republics and States.

The House of Representatives will readily concur in the exercise of all constitutional means to prevent the calamities which we have so much cause to apprehend, or to prepare to meet them in a becoming manner. In their deliberations on this subject, and on the other important concerns embraced in your Excellency's communication, they will constantly keep in view that candour and prudence, and that disinterested elevation above all party spirit, which your Excellency justly observes are indispensable in this portentous crisis of our affairs, to the safety of our dearest rights and best interests.

RESOLVES.

January 26, 1810.

LXII.

*Resolve for releasing John Hastings from prison, in Middlesex:
January 26, 1810.*

On the petition of Robert Murdock, of Newton, in the county of Middlesex, guardian of John Hastings, of said Newton, a non compos person, shewing that the said John Hastings, previous to the appointment of said guardian, recognized for one William Donelan, in the sum of one hundred dollars, for his appearance before the Justices of the Court of Common Pleas, for said County of Middlesex, to answer to the Commonwealth on a complaint of Eliakim Morfe, for threatening to do him some bodily harm, and in the mean time to keep the peace; but said Donelan did not keep the peace, but afterwards did threaten said Morfe, whereby the said recognizance was forfeited—Whereupon a scire facias issued against said Hastings, and at September term, 1809, judgment was given, and on the 24th October, 1809 execution issued against said Hastings, and on the eighteenth of December last, said Hastings was arrested by virtue of said execution and committed to the common gaol in Cambridge, in said county, and now remains in said gaol.

Resolved, That for reasons stated in said petition, the said John Hastings be discharged from the judgment rendered against him on the aforesaid recognizance; and the sheriff of the county of Middlesex, is hereby directed forthwith to release said Hastings from prison. *Provided*, There exists no other cause for his imprisonment, other than the execution which issued on the judgment aforesaid.

LXIII.

Resolve granting Ten thousand and twenty acres of land to the Trustees of Monmouth Academy. January 29, 1810.

On the petition of John Chandler and others, in behalf of the Trustees of Monmouth Academy, praying for a grant of land for the use of said Academy.

Resolved, That there be, and hereby is granted unto the trustees of Monmouth Academy, for the use and benefit of said Academy, Ten thousand and twenty acres of land out of any of the unappropriated lands of this Commonwealth in the District of Maine (except the ten Townships on Penobscot river purchased of the Indians, and excepting also the land contracted to be sold to Jackson and Flint, and which contract is now rescinded.) Said Ten thousand and twenty acres, to be laid out under the direction of the Commonwealth's Agents, upon the subject of eastern lands; *Provided however*, That the Agents aforesaid shall not proceed to lay out and assign the same, unless said trustees shall within two years from the passing of this Resolve, lodge in the Secretary's office, a certified list of the subscriptions and donations which have been made and secured to said Academy, and which shall amount to three thousand dollars, including all sums heretofore subscribed and secured to said Institution under its first corporate name of The Monmouth Free School.

LXIV.

Resolve on the petition of sundry inhabitants of the First Baptist Society in Wells. January 30, 1810.

On the petition of sundry inhabitants, of the first Baptist Society in the town of Wells, in the county of York, stating, that the justice of the peace, who, by their act of incorporation was authorized to issue his warrant directed to some member of said society, requiring him to notify and warn the members thereof, to meet for the purpose of choosing such officers as parishes are by law empowered to choose, did on the issuing his said warrant, neglect to put his seal to the same, which has rendered the doings of said society of doubtful validity—and praying that the proceedings of said society may be ratified and established.

Resolved, For reasons set forth in said petition, that the doings of said officers, and the proceedings of said society be ratified and confirmed, and shall be deemed and taken to be legal and valid in all respects, and in the same manner as they would have been, had the said justice duly sealed his said warrant.

LXV.

Resolve on the petition of Jonathan Mann, discharging him of forty dollars thirty-two cents, the amount of an execution issued against him in favour of the Commonwealth. January 30, 1810.

On the petition of Jonathan Mann, of Scituate, in the county of Plymouth, praying this General Court to remit to him the amount of an execution in favour of the Commonwealth, for the sum of forty dollars and thirty-two cents, recovered on his recognizance as surety for the appearance of Jonathan Mann, jun. of said Situate, before the Municipal Court holden in Boston, within the county of Suffolk, on the first Tuesday of November, in the year of our Lord 1808.

Resolved, That the sheriff of the county of Plymouth be, and hereby is, required to discharge said Jonathan Mann from the execution aforesaid.

LXVI.

Resolve on the petition of Josiah Mann, jun. discharging him of an execution for forty dollars thirty-two cents. Jan. 30, 1810.

On the petition of Josiah Mann, jun. of Scituate, praying this General Court to remit to him the amount of an execution in favour of the Commonwealth for the sum of forty dollars and thirty-two cents, recovered on his recognizance for his appearance before the Municipal Court holden in Boston, within the county of Suffolk, on the first Tuesday of November A. D. 1808.

Resolved, That the sheriff of the county of Plymouth be, and hereby is required to discharge said Josiah Mann, jun. from the execution aforesaid.

LXVII.

Resolve appointing Commissioners to examine and settle the accounts of Josiah Dwight, Esq. Treasurer and Receiver General. February 1, 1810.

Resolved, That Mr. Weld, Mr. Head, B. and Mr. Devens, with such as the Hon. Senate shall join, be commissioners to examine, adjust and settle the accounts of Josiah Dwight, Esq. Treasurer and Receiver General of this commonwealth, from the time of his entering on the duties of his office to the 30th day of June last inclusive, 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 has been redeemed by the Treasurer or his predecessors, and to report their proceedings this present session of the General Court.

LXVIII.

Resolve allowing Jacob Kuhn three hundred and fifty dollars, to purchase fuel, and other necessaries, for the General Court. February 2, 1810.

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 three hundred and fifty dollars to enable him to pay for fuel and other articles, purchased for the use of the General Court, together with the Governour and Council, Secretary's and Treasurer's offices, he to be accountable for the expenditure of the same.

LXIX.

Resolve on the petition of Thomas Currier and others, for raising a company of Light Infantry. February 2, 1810.

On the petition of Thomas Currier and others, praying for leave to raise a company of Light Infantry, in the towns of Amesbury and Salisbury, in the county of Essex.

Resolved, That his Excellency the Governour, with the advice and consent of the Council, be, and he is hereby authorized to raise by voluntary enlistment, a company of Light Infantry in the towns of Amesbury and Salisbury : *Provided*, The standing Companies in said towns shall not be reduced below the number of sixty four rank and file ; when so raised to be annexed to the fourth regiment, second brigade, second division of the militia of this commonwealth ; and to be subject to such rules, regulations and restrictions, as are or may be provided by law for governing the militia of said commonwealth.

LXX.

Resolve establishing the pay of the Council and Legislature. February 2, 1810.

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 a like sum for every ten miles travel from their respective places of abode to the place of the sitting of the General Court.

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

LXXI.

Resolve authorizing the Governour to appoint commissioners to ascertain the boundary line between this commonwealth and Rhode Island. February 2, 1810.

The Committee of both Houses to whom was committed a letter from his Excellency the Governour of this commonwealth, with a communication from his Excellency the Governour of the State of Rhode Island, accompanied by a resolution of the General Assembly of said State, appointing commissioners on their part to ascertain and settle the north line and boundaries of said State ; with a request that commissioners may be appointed on the part of this Commonwealth with

similar powers—having considered the same, ask leave to report the following resolves.

Resolved, That His Excellency the Governour with the advice and consent of Council, be, and he hereby is authorized and requested, to nominate and appoint three suitable persons as commissioners on the part of this commonwealth, to ascertain the boundary line between said commonwealth and the State of Rhode Island; being the north line and boundaries of said State of Rhode Island—and said commissioners are hereby authorized and empowered to unite with the commissioners already appointed by the General Assembly of the State of Rhode Island, in ascertaining and fully settling the aforesaid line, in such way and manner as shall be mutually agreed on by said commissioners; and in conjunction with them, to ascertain, run and mark such boundary line, through the extent aforesaid; and at the joint and equal expense of this commonwealth and said State of Rhode Island, to erect durable monuments at such places in said line, as they may judge proper and effectual to prevent future mistakes and disputes respecting the same; which line when so ascertained, shall forever afterwards, be considered, and held to be the true and just boundary line of jurisdiction between this commonwealth and the aforesaid state; and said commissioners on the part of this commonwealth, are hereby authorized and empowered to agree with the commissioners on the part of the State of Rhode Island, upon such principles, respecting the ascertaining and running said line, as from the best evidence they can obtain, may appear just and reasonable; and also employ such surveyors and chain-bearers, as they may think proper, to assist in duly ascertaining the line aforesaid.

Be it further Resolved, That there be paid out of the Treasury of this Commonwealth, to said commissioners, five hundred dollars, to enable them to defray the immediate expenses of running and establishing said line; said commissioners to be accountable to the General Court for the proper application of the same; and His Excellency the Governour is hereby requested to draw his warrant on the treasurer for the same.

Be it further Resolved, That that part of a Resolve which passed the fifteenth day of June one thousand eight hundred and one, granting five hundred dollars, to the commissioners appointed to ascertain, run, and settle the line between this commonwealth and the State of Rhode Island

(the same not having been expended) be, and the same is hereby repealed.

LXXII.

Resolve directing the Attorney and Solicitor General, to prosecute all violations of the act for the suppression of Lotteries. February 3, 1810.

The committee of both Houses appointed to examine and report what privileges exist under any act heretofore passed by the Legislature of this Commonwealth, for any lotteries or classes of lotteries—report the following state of facts.

An act authorizing a lottery for the purpose of completing Hatfield bridge, passed June 19, 1806, limited to two years. The time was extended afterwards for two years more, and expires June 10, 1810.

Leave was granted to sell tickets in Dixville lottery (state of New-Hampshire,) June 30, 1808, and expires June 18, 1810. all other acts for lotteries have expired.—The committee have also taken into consideration what further provisions may be expedient to prevent the sale of tickets in lotteries instituted without the state—

Report, That the provisions of an act passed February 28, 1801, appear to them sufficient, if carried into effect, and recommend passing a resolve, directing the Solicitor and Attorney General to prosecute all offences against said law, which they herewith report.

Which is submitted.

JOHN WELLES, per. order.

Resolved, That the Attorney and Solicitor General be, and they are hereby specially directed to prosecute in due course of law, for all offences and penalties which have or may accrue by virtue of the act of this commonwealth, for the suppression of lotteries, and to prevent the sale of lottery tickets, made and passed February twenty eighth, in the year of our Lord one thousand eight hundred and one.

Be it further resolved, That this resolve together with the original law, be published in all the newspapers in which the laws of this Commonwealth are published.

LXXIII.

Resolve on the petition of Ebenezer Brown, a soldier. February 3, 1810.

On the petition of Ebenezer Brown, a soldier in the second Massachusetts regiment, who served during the late American war with Great Britain, praying that he may be included in a resolve passed March the 5th, 1801, granting two hundred acres of land, or twenty dollars in money, to each non-commissioned officer and soldier of the Massachusetts line.

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 Brown the sum of twenty dollars, and his Excellency the Governour with the advice of council is requested to grant a warrant accordingly.

LXXIV.

Resolve for discharging John R. Goulding from prison in Worcester County. February 3, 1810.

On the petition of John R. Goulding, stating that he is a prisoner in gaol in the county of Worcester, on an execution in favour of the Commonwealth, on judgment against him as surety in a recognizance for the appearance of Joel Wesson, and that the principal had paid his forfeiture to the Commonwealth.

Resolved, For reasons set forth in said petition that the said John R. Goulding be discharged, and the sheriff of said county of Worcester is directed to discharge the said John R. Goulding from his imprisonment in said gaol, so far only, as he stands committed by virtue of said execution in favour of the Commonwealth, on condition of his paying the cost of court and commitment.

LXXV.

Resolve on the petition of Samuel Smith. February 3, 1810.

On the petition of Samuel Smith, praying for further relief that either of the executors or the legal representatives of

Henry Jackson might be authorized to transfer and convey to said Smith, one share in the Boston theatre, in conformity to a memorandum of agreement in writing, made by the said Jackson in his life time.

Resolved, That Elisha Sigourney and Judah Hayes, executors of the last will and testament of Henry Jackson, or either of them, and in case of their death, or resignation of said trust, then either of the administrators de bonis non of the estate and effects of said Jackson, be, and hereby are authorized and empowered to transfer and convey to the said Samuel Smith by a good and sufficient deed, one share in the Boston theatre, in conformity to the said agreement—which said deed so executed, shall be good and valid to vest in the said Smith the share aforesaid, and all emoluments thereon, in as full a manner as if a deed thereof had been executed by said Jackson in his life time.

LXXVI.

Resolve on the petition of James Newbury, granting him forty-eight dollars and a pension. February 3, 1810.

On the petition of James Newbury, of York, a private soldier in the sixth division of the militia of this Commonwealth, praying for compensation for a wound he received, while on military duty, on the twentieth day of September, 1809, in said York.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to the said James Newbury, in consequence of his having lost a part of his left hand while performing military duty, on the said twentieth day of September, 1809, the sum of forty eight dollars, to reimburse to him the several sums paid the doctors—likewise an annuity or pension of thirty dollars per year, during his natural life, or till the further order of the Legislature.

LXXVII.

Resolve on the petition of Thomas Walcutt—granting him fifty one dollars. February 3, 1810.

Resolved, That fifty one dollars be granted and paid out of the publick treasury to Thomas Wallcut, in full for writing

done by him, in the recess of the Legislature, according to his account herewith exhibited.

LXXVIII.

Resolve on the petition of Thaddeus Thompson, and granting him forty six dollars. February 7, 1810.

On the petition of Thaddeus Thompson, praying for the allowance of his expenses in defending a suit against a claim upon a confiscated estate, which had been guaranteed to him by the Commonwealth;

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Thaddeus Thompson, forty six dollars, in full for his expenses in defending a suit brought against a certain confiscated estate in Lenox, in the County of Berkshire, by the Widow of Elizur Dickenson; and his Excellency the Governor, by and with advice of council, is hereby authorized to draw his warrant upon the treasury accordingly.

LXXIX.

Resolve on the petition of Joseph Nurse, granting him three thousand three hundred and seventy three dollars and ninety four cents. February 7, 1810.

On the petition of Joseph Nurse, praying for an indemnity against a judgment, in an action of ejectment recovered against him, at the Circuit Court of the United States, for the first circuit, held at Boston, on the twentieth day of October last, by Daniel Murray, administrator, with the Will annexed, of John Murray, which judgment was founded on a mortgage of certain lands in Shrewsbury, made by Martha Symmes, to John Murray on the twenty fifth day of March, one thousand seven hundred and seventy three, the said Martha Symmes, having, on the twenty fifth day of May, one thousand seven hundred and eighty one, paid to the Committee appointed by this Commonwealth, all the money due on said mortgage, and taken their full discharge therefor according to the law, in that case made and provided, and the said Joseph Nurse now claiming said lands by legal conveyance from and under the said Martha Symmes;

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 Nurse, the sum of Three thousand three hundred and seventy three dollars and ninety four cents, in full indemnity and compensation for the said judgment, and of his expenses, in defending himself against the said suit, and of all claims on this Commonwealth, by reason of the premises.

LXXX.

Resolve on the petition of William Whittemore, Jun. Administrator of the estate of Francis Cutler, deceased. February 7, 1810.

On the petition of William Whittemore, Jun. of West Cambridge, in the county of Middlesex, administrator of the estate of Francis Cutler, late of that part of Cambridge, now said West Cambridge, labourer, deceased, intestate, praying that his affidavit of his proceedings relating to the sale of all the right and interest, which said intestate had in and to the reversion of the dower of Susanna Cutler, the widow of Samuel Cutler, late of Charlestown in said county, deceased, made, in the Probate Court for said County, on the sixteenth day of November last past, and recorded with one of the original notifications of said sale in the Registry of Probate in said County, may be valid in law, although not made within seven months after the day of said sale, as the law requires.

Resolved, That the prayer of the petition be granted, and that 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 sale, any law, usage, or custom to the contrary notwithstanding.

LXXXI.

Resolve on the Petition of William Whittemore, Jun. Administrator of the state of Thomas Whittemore, deceased. February 7, 1810.

On the petition of William Whittemore, Jun. of West Cambridge, in the county of Middlesex, administrator of the estate of Thomas Whittemore, late of that part of Cambridge, now said West Cambridge, yeoman, deceased, intestate, praying that

his affidavit of his proceedings relating to the sale of the whole of said intestate's real estate, except the dower of said deceased's widow in part of said real estate, made in the Probate Court for said county, on the sixteenth day of November last past, and recorded with a copy of one of the original notifications of said sale in the Registry of Probate in said county, may be valid in law, although not made within seven months after the day of said sale, as the law requires.

Resolved, That the prayer of the petition be granted, and that 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 sale, any law, usage or custom to the contrary notwithstanding.

LXXXII.

Resolve on the petition of John Wood, administrator on the estate of Jonathan Trask, deceased. February 7, 1810.

On the petition of John Wood, of Burlington, in the county of Middlesex, gentleman, administrator on the estate of Jonathan Trask, late of Lexington, in said county, yeoman, deceased, intestate, praying that his affidavit of his proceedings relating to the sale of the two thirds of said Trask's real estate which were not set to the widow of said deceased for her dower, made in the Court of Probate for said county, on the twelfth day of January now last past, and recorded with a copy of one of the original advertisements in the Registry of Probate, for said county, may be valid in law, although not made within seven months after the day of sale, as the law requires.

Resolved, That the prayer of the petition be granted, and that the Registry of the affidavit and copy of the original advertisement 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 sale, any law, usage, or custom to the contrary notwithstanding.

LXXXIII.

Resolve on the petition of Ebenezer Harnden, administrator of the estate of Thomas Hills, deceased. February 7, 1810.

On the petition of Ebenezer Harnden, of Malden, in the county of Middlesex, administrator of the estate of Thomas Hills, late of said Malden, yeoman, deceased, intestate, praying that he, the said Ebenezer, may have seven months from the above date, granted to him, in his said capacity, to make in the Probate Court for said county, his affidavit of his proceedings relating to the several sales of divers parcels of the real estate of said intestate, by him, in his said capacity, made at publick auction, and that said affidavit, including copies of the original notifications of said sales, if made, in said Probate Court, and recorded in the Registry of probate for said county, in due form, within said seven months, shall have the same effect and operation in law as his several affidavits of said sales, including copies of said notifications, would have had, had they been made in said Probate Court within seven months, as the law provides.

Resolved, That the prayer of the petition be granted, and that said affidavit, including copies of said notifications, if made in said Probate court, and recorded in said Registry, within seven months from the above date, shall be valid, and have the same effect and operation in law, as said administrator's several affidavits of said sales, including copies of said notifications, would have had, had they been made in said Probate Court, within seven months, as the law provides, any law, usage, or custom to the contrary notwithstanding.

LXXXIV.

Resolve on the petition of Simon Lord, of Belgrade, granting him fifty-five dollars. February 8, 1810.

Whereas Simon Lord, of Belgrade, in the county of Kennebeck, and constable of said town, while in the execution of the duties of his office, on the sixteenth day of August, 1808, had his horse killed by some person or persons, to him unknown, disguised as indians, and the said Lord having petitioned this court for relief,

DId

Therefore Resolved: That there be allowed and paid out of the treasury of this Commonwealth to the said Lord, the sum of fifty five dollars ; and the Governour with the advice of council, is hereby authorized and empowered to draw his warrant in favour of said Lord on the treasurer for said sum.

LXXXV.

Resolve on the petition of Benjamin Swett, discharging him from the sum of ninety-nine dollars. February 9, 1810.

On the petition of Benjamin Swett, collector of the town of Orrington, for the year 1808, stating the loss of ninety-nine dollars in the wreck of a vessel in which it was sent by capt. Rich, to be paid into the treasury of this Commonwealth, being so much of the state tax, committed him to collect—praying relief.

Resolved, for reasons set forth in said petition, That the treasurer of this Commonwealth be, and he is hereby directed to discharge the said Benjamin Swett, the said sum of ninety-nine dollars.

LXXXVI.

Resolve granting the Massachusetts Medical Society a Township of Land. February 10, 1810.

Whereas the Massachusetts Medical Society have incurred expences, and have devoted a considerable portion of their time, to the promotion of the laudable objects of their institution, and have petitioned this Legislature for some pecuniary aid, to enable them to erect a suitable building in the town of Boston, for the use of said society—Wherefore,

Be it Resolved, that there be, and there hereby is appropriated for the use and benefit of the Massachusetts Medical Society, one township of land, to contain six miles square, and to be surveyed, located and assigned from any of the unappropriated lands belonging to this Commonwealth in the district of Maine, (excepting the townships lately purchased of the indians, and lands contracted for by Jackson and Flint,) under the direction of the agents for the sale of eastern lands, at the expence of the said society : *Provided*, said location be made within

three years, a plan whereof to be lodged in the land office ; and the agents aforesaid, are hereby authorized and directed to give good and sufficient deed or deeds of the same to the trustees of said society, or their assigns, subject to the usual reservations and conditions of settlement.

LXXXVII.

Resolve appointing a Committee to enquire into the doings of the Northampton Bank. February 10, 1810.

Resolved, That the Hon. George Blifs, Esq. Josiah Dwight, and Joseph Lyman, Esquires, be a committee to enquire into, and report to this Legislature as soon as may be, respecting the doings of the Northampton Bank, and the present state thereof—that said committee be instructed to enquire whether the said corporation have exceeded the powers granted them, or failed to comply with any of the rules, restrictions and conditions required by their act of incorporation. That they, or any two of them, have power to examine the books and vaults of the said corporation, and to send for such persons and papers as they shall deem necessary to effect the object of their appointment.

LXXXVIII.

Resolve appointing a Committee, to enquire into the doings of the Berkshire Bank. February 10, 1810.

Resolved, That Josiah Dwight, John C. Williams, and Thomas Allen, Esqs. be a committee to enquire into, and report to this Legislature as soon as may be, respecting the doings of the Berkshire Bank, and the present state thereof; that said committee be instructed to enquire, whether the said corporation have exceeded the powers granted them, or failed to comply with the rules, restrictions, and conditions, required by their act of incorporation ; that they, or any two of them, have power to examine the books and vaults of the the said corporation, and to send for such persons and papers as they shall deem necessary to effect the object of their appointment.

LXXXIX.

Resolve appointing a Committee to enquire into the doings of the Penobscot Bank. February 10, 1810.

Resolved, That Nathan Reed, Phineas Ashman, and John Davis, Esqs. be a committee to enquire into the doings of the Penobscot Bank, and report the state thereof on the second Wednesday of the first session of the next General Court; that said committee be instructed to enquire whether the corporation have exceeded the powers granted them, or failed to comply with the rules, restrictions and conditions, required by their act of incorporation—That they, or any two of them, have power to examine the books and vaults of the said corporation, and to send for such persons and papers as they shall deem necessary to effect the object of their appointment.

XC.

Resolve on the petition of Edward Bangs and others. February 10, 1810.

On the petition of Edward Bangs, and others,

Resolved, That the guardian to the minor heirs of such of the devisees in the will of Benjamin Bangs, as are deceased, be, and they are and shall be fully authorized and empowered in behalf of their wards respectively, to join with the living devisees and heirs of age of devisees deceased, in making sale and conveyance of the real estate of the said Benjamin Bangs, deceased, or in appointing an agent or agents, with power to sell and convey the same; that the value and proceeds thereof may be divided instead of the lands—Or to join with the said devisees and heirs of devisees in any amicable and equitable division of said real estate, making proper allowance for what each devisee has received already in personal estate, so that each devisee's share may be less or more in real estate, in proportion as it may appear that they have received less or more of the personal estate, according to the spirit and meaning of said will, as well as in adjusting all claims, or allowances to be made by any of said devisees, for use of monies received, or benefit, use and occupation of any of said personal or real estate; and to make deeds of release and acquittance accord-

ingly : *Provided*, That the respective guardians of the minors aforesaid, shall first give bonds to the respective Judges of Probate who granted their respective letters of guardianship, conditioned that they shall faithfully execute the trust hereby by reposed in them, and shall also account to their respective wards for all monies, or other estate, they shall receive for them by sale of said lands, or in any other way by virtue of the powers given them by this resolve, and also for the interest or profits thereof, after deducting such sums for their expences and services as to said Judges respectively, shall appear just and reasonable, whenever said minors shall arrive to the age of twenty one years, or sooner if cited by said Judge or Judges of Probate.

XCI.

Resolve on the petition of Jacob Stevens. February 12, 1810.

On the petition of Jacob Stevens, praying Anna Stevens, administratrix on the estate of Ezra Stevens, may be authorized to make and execute, to him the said Jacob, a deed of certain land therein described.

Resolved, That Anna Stevens, widow, and administratrix of Ezra Stevens, late of Machias, in the county of Washington, yeoman, deceased, and also guardian of all the children of the said deceased, be, and she hereby is empowered, in pursuance of an agreement, made between the petitioner and the deceased, to make and execute, in her said capacity, to the said Jacob Stevens, his heirs and assigns, a good and lawful deed of conveyance, of the northerly half, of a certain tract of land, lying in said Machias, and bounded as follows, viz. west-erly by the waters of East River, northerly by land of William Simpson, easterly and southerly, by lands late of the estate of James Gooch, deceased, and containing one hundred and twenty five acres, in the whole, including a small Island of four acres, lying in front of the same, one half of which is also to be conveyed, as described in the petition ; for which half, in pursuance of said agreement, the said Jacob, has paid the said Ezra, and now occupies, and lives on the same : and such conveyance, when made, shall have all the force and effect, any deed to have been made, by the said Ezra, of the premises would have had, to vest said estate, in the said Jacob, his heirs or assigns.

XCII.

Resolve extending the time prescribed for surveying and locating half a township of land, granted for Monson Academy February 12, 1810

On the petition of Abner Brown and Joel Norcross, in behalf of the trustees of the Monson Academy praying that the time limited, in and by a resolve passed January 31st 1807, granting them a half township of land, of three years for surveying, locating and returning a plan, be extended.

Resolved, For reasons set forth in said petition, that the term of three years mentioned in the proviso of said resolve, be and hereby is continued and extended for the further term of three years, from and after the thirty first day of January last past.

XCIII.

Resolve granting forty dollars to Owen Clark. February 15, 1810.

Resolved, That forty dollars be granted and paid out of the publick treasury, to Owen Clark, in full compensation, for his time, service, and expenses, in apprehending Elijah Barton, and others, suspected of the murder of Paul Chadwick ; and his Excellency the Governor is requested to draw a warrant on the Treasurer for the payment thereof.

XCIV.

Resolve authorizing William Makepeace to remove a Gun House. February 16, 1810.

On the Petition of William Makepeace, Captain of a company of artillery, in the second Brigade and first division of the militia of this Commonwealth, praying that the place of Parade and Gun House of said Company be altered from Medway to the Common in Franklin, near the meeting house.

Resolved, That the place of Parade and gun house of said Company be altered and removed from said Medway to said

Common in Franklin, and that the said William Makepeace (at his own expence) be, and he hereby is authorized and empowered to remove said gun house accordingly.

XCV.

Resolve requesting the Senators and Representatives from this State in Congress to apply to Congress for an alteration in the Post Office Law, and directing the Secretary to pay the Post Masters' bills quarterly. February 16, 1810.

Whereas in order to carry into effect with promptness the Laws and regulations for governing the militia, it is found necessary that communications should be constantly passing through the post office between the Adjutant General's office at Boston, and the Commanding officers of corps in every part of the commonwealth, and it appearing from the representation of the Post Master at Boston, that by the existing Laws regulating the Post Office Department, all such papers must be charged as Letters, which is a very great expence to the commonwealth. Therefore,

Resolved, That the Senators and Representatives in Congress from this State, be requested to make application to the Congress of the United States for an alteration in the Post Office Law, so as to allow all printed papers, and papers partly printed, and partly written, relating to the militia, to pass through the Post Office to and from the Adjutant General's office, subject only to the same postage by the sheet as newspapers.

Resolved, That the Secretary be and he hereby is directed to pay the account of the Post Master in Boston, for the postage of letters for the Commonwealth quarterly. And His Excellency the Governour, with the advice of Council, is hereby authorized and empowered to draw his warrant on the treasurer in favour of the secretary for the payment of said accounts.

XCVI.

Resolve establishing the pay of the Officers and Soldiers who were called out and served in the apprehended insurrection in the county of Kennebeck. February 16, 1810.

The committee of both houses, to whom was referred His Excellency the Governor's communication relative to the apprehended insurrection in the county of Kennebeck, in the months of October and November last, with all the papers and documents accompanying the same.

Report, That there be allowed and paid to the Officers and Soldiers who were called out on that occasion, the several sums following, viz. to a Major, fifty dollars per month as wages, and one dollar and sixty cents per day for rations; to a Captain, forty dollars per month as wages, and for two extra rations sixty cents per day; to a Lieutenant, thirty six dollars per month as wages, and for one extra ration thirty cents per day; to an Ensign, thirty two dollars per month as wages, and for one extra ration thirty cents per day; to a Sergeant seventy five cents per day as wages; to Corporals, Drummers, and Fifers, seventy cents per day as wages; to Privates sixty seven cents per day as wages; to a Captain of artillery, forty two dollars per month as wages, and sixty cents per day for two extra rations; to a Lieutenant of Artillery, thirty eight dollars per month as wages and thirty cents per day for one extra ration; to a Serjeant of artillery, seventy eight cents per day as wages; to a Corporal of artillery, seventy-four cents per day as wages; to Drummers, Fifers and Mattroses, seventy cents per day as wages. The Committee find that it will be necessary for the Legislature to establish the pay for the several grades of officers and soldiers who were called upon to perform Services in this apprehended insurrection, before they can complete the business of their appointment. They find that the pay rolls for the several companies who were called out, are made and completed in an accurate manner, except entering the sums allowed per day and carrying out the sum total to each officer and soldier's name, which can be done with ease and precision when the sum to be allowed per month and per day, shall have been established. Your Committee have endeavoured to investigate this subject with care and caution, and are of opinion, that the several sums reported to be allowed to the several grades of officers and soldiers who performed the service will not be

too much to compensate them for the sacrifices made at the particular time they were called upon, and the nature of services performed.

Which is respectfully submitted

HUGH McCLALLEN, per order.

Resolved, That each Officer and Soldier of the militia of this Commonwealth, who were called out and served in the apprehended insurrection in the county of Kennebeck, in the months of Oct. and Nov. 1809, be allowed and paid for their wages and rations, the sums affixed and specified in the foregoing report, and that the said committee be and hereby are directed to have the pay rolls for the several Companies who served as aforesaid made up and completed accordingly.

XCVII.

Resolve on the petition of Mary Child, in behalf of herself, children and others. February 19, 1800.

On the petition of Mary Child, in behalf of herself, and the children of her late husband, Thomas Child, deceased, and William Stephens and James Barrett, praying that this Commonwealth would defend and indemnify her and them, against certain suits, brought against them, and now pending in the Court of Common Pleas, for the county of Cumberland, by Alexander Wolcot and his wife, to recover possession of certain lots of land, in Portland, in the county aforesaid, and which were conveyed by this Commonwealth, to the husband of said Mary, with warranty.

Resolved, That the Solicitor General be, and he is hereby authorized and requested to appear in said suits, on behalf of this Commonwealth, to examine into the title of the said Wolcot and his wife, whereon he founds his claim to the possession of said lots of lands, and to defend against the said title and claims, if the Solicitor General shall think it expedient, and not otherwise.

And be it further resolved, That the said Solicitor General be, and he is hereby authorized to substitute any other person or persons, to do. and perform all or any of the foregoing matters and things in his stead, as he may find it necessary or convenient: and that his Excellency the Governour, with

the advice and consent of the Council, be, and he is hereby requested to draw a warrant on the treasury of the Commonwealth, in favor of said Solicitor General, for such sum of money, as the said Solicitor General may request, not exceeding one hundred dollars, to enable him to defray the necessary expence of said suits, he to be accountable for the expenditure of the same.

XCVIII.

Resolve on the petition of Samuel Parkman, allowing further time to settle half a township of land. February 19, 1810.

On the petition of Samuel Parkman, praying for further time to settle half a township of land, situated in the county of Washington, formerly grant to Portland Academy, February 19, 1810.

Resolved, for reasons set forth in said petition, That the further time of four years from the first of June next be allowed to Samuel Parkman, his heirs and assigns, to complete the settlement of ten families on said half township. And if said Parkman, his heirs or assigns, shall settle within said time the said number of families, including those already settled on the same, that then the estate, right, and title of said 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 deed given of said half township, by the committee of the General Court to sell and convey the unappropriated lands in the district of Maine, had been fully and seasonably complied with: *Provided nevertheless*, That the said Samuel Parkman shall, on or before the first day of June next, give bonds to the treasurer of this Commonwealth, with sufficient sureties, to the satisfaction of the agents for the sale of eastern lands, conditioned that the number of families required in the original deed to be settled on said lands shall, within the term of four years from the first of June next, be settled on said half township of land, or for the payment of thirty dollars for each family which shall then be deficient.

XCIX.

Resolve rendering valid the doings of the town of Limington. February 19, 1810.

On the petition of the inhabitants of the town of Limington, in the county of York, stating that the selectmen of said town, neglected notifying the inhabitants to assemble at town meetings in manner as the law directs, and doubts have arisen, whether the doings of said town, at their several town meetings are legal, and praying that their several town meetings held in said town, since the date of their incorporation act may be rendered valid, the aforesaid neglect of the selectmen notwithstanding. Therefore,

Resolved, That the several town meetings held in said town of Limington, as aforesaid, be, and they are hereby rendered good and valid, as though the selectmen had notified the several town meetings in way and manner as the law directs, and all proceedings had at the several town meetings aforesaid, be, and they are hereby fully ratified and confirmed, as though the same meetings had been notified according to law: *Provided however*, That this shall not effect any case now pending before any Judicial Court.

C.

Resolve on the petition of Mary and Joseph Johnson. February 20, 1810.

On the petition of Mary Johnson and Joseph Johnson.

Resolved, That the said Mary Johnson, administratrix, on the estate of her late husband, Squire Johnson, be, and she is hereby empowered to give and execute a good and lawful deed, to him the said Joseph Johnson, of one moiety of the land mentioned in the said petition, according to the prayer thereof.

CI.

Resolve granting eighty dollars thirty-four cents, to Elizabeth Churchill, for so much due to Joshua Totman, her former husband, who was a serjeant in the second Massachusetts regiment, February 20, 1810.

On the petition of Elizabeth Churchill, widow of Joshua Totman, late a Quarter-master-serjeant in the second Massachusetts regiment, commanded by Col. John Bailey, in the late revolutionary war.

Resolved, That eighty dollars and thirty-four cents be granted and paid out of the publick treasury, to the said Elizabeth Churchill, in full compensation for the services of her late husband, Joshua Totman, as Quarter-master-serjeant in the said second regiment, being a balance, due to the said Totman, on a settlement of the army accounts; and his Excellency the Governour, with the advice of the council, is requested to issue a warrant on the treasury, for the payment of the said sum accordingly.

CII.

Resolve on the petition of Jane Sketup, an Indian woman. February 22, 1810.

On the petition of Jane Sketup, an Indian woman,
Resolved, for the reasons set forth in the said petition, That Ezekiel Luce, Esq. of Fishbury in the county of Dukes county, be, and he is hereby authorized, after due notice, to sell at publick auction, and to convey the real estate of the said Jane, an Indian woman, the said Luce giving bonds to the Judge of Probate, for the said county, conformably to a law, entitled, "An Act directing the settlement of the estates of persons deceased, and for the conveyance of real estate in certain cases."

CIII.

Resolve on the petition of Ebenezer Clifford and Samuel Palmer, authorizing the Quarter-master-general to purchase cannon of them. February 22, 1810.

On the petition of Ebenezer Clifford and Samuel Palmer. *Resolved*, That the Quarter-master-general, be, and he is hereby directed, to purchase of the said Clifford and Palmer, thirty-six pieces of cannon, and one brass howitzer, and several tons of cannon balls, recovered by them, by the use of their diving bell, from the bed of Penobscot River, if the said several articles of ordnance, or any of them, are wanted for the use of the Commonwealth, and can be had at a reasonable price.

CIV.

Resolve allowing fifty dollars to the Preacher of the Election sermon. February 22, 1810.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, the sum of fifty dollars, to the gentleman who shall preach the Election sermon, on the last Wednesday of May next.

CV.

Resolve on the petition of the town of Chester. February 22, 1810.

Upon the petition of the inhabitants of the town of Chester, praying for aid in building and maintaining a bridge across Westfield river at Falley's Village, so called.

Resolved, for reasons set forth in said petition, That the county of Hampshire be directed to aid and assist the said town of Chester in building and maintaining said bridge, for the term of ten years; and the Justices of the Court of Common Pleas for said county, are hereby authorized and directed from time to time, to insert in their estimate for a county tax, such sum or sums of money as may be thought necessary for defraying one half the expence of building and maintaining

said bridge for and during the time aforesaid, to order payment of the same, out of the county treasury, whenever they shall deem it necessary—and to appoint an agent or agents to superintend the expenditure thereof.

CVI.

Resolve discharging Eli Whitcomb from a judgment of the Court of Common Pleas, county of Hancock. February 22, 1810.

On the petition of Eli Whitcomb.

Resolved, for reasons set forth in said petition, That the said Whitcomb, be, and he hereby is discharged from a judgment recovered against him in favor of this Commonwealth at the Court of Common Pleas, holden at Castine, in and for the county of Hancock, in June last, for fifty dollars and costs.

CVII.

Resolve on the petition of the Chappaquidick Indians and grant to. February 22, 1810.

On the petition of a number of natives of Chappaquidick.

Resolved, for reasons set forth in said petition, That there be allowed and paid to said natives the sum of twenty-five dollars, out of the treasury of this Commonwealth, and his Excellency the Governour by advice of Council is hereby requested to issue his warrant upon the treasurer for the payment of the same accordingly.

CVIII.

Resolve on the petition of the selectmen of the town of Rochester. February 22, 1810.

Resolved, for reasons set forth in said petition, That the assessors of said town of Rochester for the year of our Lord one thousand eight hundred and nine, be, and they hereby are authorized and empowered to make out a warrant in due form of law to the collector of said town, for the year aforesaid, and deliver the same to said collector, and such warrant

shall be as good and effectual to all intents and purposes as if the same had been duly committed with the assessment for the year aforesaid to the said collector.

CIX.

Resolve on the petition of the original proprietors of the town of Sullivan. February 22, 1810.

Upon the petition of the committee of the original proprietors of the town of Sullivan, praying that the selectmen of that town may be empowered to make and execute deeds to said proprietors of fifty acres of land each, granted them by a resolve passed March 8, A. D. 1804, (the time having expired which was limited in said resolve for executing said deeds.)

Resolved, That the said selectmen be, and they hereby are authorized and empowered to make and execute deeds to all said original proprietors or their legal representatives, who are entitled by virtue of said resolve to fifty acres of land each, and have made their application and claim thereof, to said selectmen prior to the first day of April, A. D. 1806—upon their paying the money and complying with all the conditions mentioned in said resolve, which deeds shall have the same force and effect as if they had been executed within the time therein mentioned : *Provided*, The same shall be made and executed prior to the first day of April, A. D. 1813.

CX.

Resolve on the petition of John P. Shaw and others for raising a company of Cavalry. 3rd Regiment, 1st Brigade 8th Division. February 22, 1810.

On the petition of John P. Shaw and others, praying for liberty to raise by voluntary enlistment, a Company of Cavalry in the 3d. Regiment 1st. Brigade and 8th. Division of the Militia of this Commonwealth.

Resolved, That his Excellency the Governor, with the advice of the council, be and he is hereby authorized and empowered to raise by voluntary enlistment a company of Cavalry within said third Regiment, first Brigade, and eighth Division of the Militia of this Commonwealth ; *Provided*, the standing compa-

nies in said Regiment, are not reduced thereby below the number prescribed by law. Said company of Cavalry when raised to be attached to the Squadron of Cavalry in said first Brigade and eighth Division, and subject to all such rules, and regulations as are or may be provided by law for governing the Militia of this Commonwealth.

CXI.

Resolve rendering valid the assessment of taxes in several towns, districts and parishes. February 22. 1810.

Whereas, it appears that in many of the Towns, Districts, and Parishes of this Commonwealth, the assessors have neglected to lodge in the clerk's office the invoice or valuation, or a copy thereof, from whence the rates or assessments were made. Therefore,

Resolved, That the assessment of taxes made in the several towns, districts and parishes in this Commonwealth, be, and the same are hereby rendered valid and effectual in law, the aforesaid neglect of the assessors notwithstanding.

CXII.

Resolve granting Timothy Hildreth twenty two dollars, for services mentioned. February 22, 1810.

On the petition of Timothy Hildreth, praying compensation for his time and expences in apprehending and prosecuting William Hagget, for passing counterfeit money.

Resolved, for reasons set forth in said petition, That there be allowed and paid out of the treasury of this Commonwealth, to the said Timothy Hildreth, the sum of twenty two dollars, in full compensation for his services as set forth in his petition, and his Excellency the Governor, with the advice of the council, is requested to draw his warrant on the treasury therefor.

CXIII.

Resolve granting Oliver Bray and others, leave to raise a company of Rifle-men in Portland. February 22, 1810.

On the petition of Oliver Bray and others, praying for leave to raise a company of rifle-men in the town of Portland, and county of Cumberland, in the sixth regiment of the second brigade and sixth division of the militia of this Commonwealth.

Resolved, That his Excellency the Governour, with the advice of Council, be, and he is hereby authorized to raise by voluntary enlistment a company of riflemen, in the town of Portland, in the county of Cumberland, in the sixth regiment, second brigade, and sixth division of the militia of this Commonwealth, which company shall be annexed to the said regiment, and be subject to all the rules, regulations and restrictions, which are or may be provided by law, for regulating and governing the militia of this Commonwealth.

CXIV.

Resolve granting to the Superintendant of the State's Prison, the balance of his account D15481,96, and appropriating D10,000 to meet the expences of that institution. February 23, 1810.

The Committee of both Houses appointed to examine the accounts of the State's Prison, report that they have attended to the duties assigned to them, and believe the accounts to be correct. They find that the whole expence of that institution from December, 1808, to December, 1809, amounted to D37,386,46, and that the receipts by the sale of manufactured ties, &c. amounted in that year to D8904,50. They also find that the Legislature in their last winter session granted to the support of this institution D10,000, and in their June session D3000, and that there are now demands against the prison of D15481,96.

Your Committee would also further represent, that there were on hand on the first day of December, 1809, manufactured articles appraised at
 and raw materials valued at

D11772 4

1277 90

13049 94

Your Committee ask leave to submit the following resolutions.

WILLIAM SPOONER, per order.

Resolved, That there be allowed and paid out of the treasury of this commonwealth to Daniel Jackson, Esq. superintendant of the State's Prison, the sum of fifteen thousand for hundred and eighty one dollars and ninety six cents, being the balance of his account to the first day of December, one thousand eight hundred and nine ; and his Excellency the Governour, by and with the advice of council, is hereby authorized to issue his warrant accordingly.

Be it further resolved, That his Excellency the Governour, by and with the advice of council be, and he is hereby authorized to draw warrants upon the treasurer of this commonwealth in favor of the superintendant of the State's Prison for such sums, at such periods as may be deemed expedient by the Governour and Council, not exceeding ten thousand dollars, to enable said superintendant to perform his contracts, and defray the expences of said prison the present year, he to be accountable for the same.

CXV.

Resolve for establishing a Light Infantry Company in Minot. February 23, 1810.

On the petition of Chesley Hatch and others, for leave to raise a Company of Light Infantry.

Resolved, That his Excellency the Governour with the advice of the council is hereby authorized and requested to establish a Company of Light Infantry by voluntary enlistment in the town of Minot, and to be subject and attached to the fifth regiment, in the third brigade, in sixth division of the Militia. *Provided*, That the forming and embodying the said company doth not reduce the established Militia Company in the said town, below the number required by law.

CXVI.

Resolve on the petition of Gad and Betsey Warriner. February 24,
1810.

On the petition of Gad Warriner, and Betsey Warriner, of West Springfield, in the county of Hampshire, guardians to Norman Warriner, Lewis Warriner and Betsey Warriner, the only surviving heirs of Lewis Warriner late of said West Springfield, deceased, stating that the said Lewis Warriner deceased, and Benjamin Day, late of said West Springfield deceased, agreed to exchange certain lands which they owned, situate in said West Springfield, and that the heirs of said Lewis will be exposed to great loss unless the agreement can be carried into effect.

Resolved, For reason set forth in said petition that the said Gad Warriner, and Betsey Warriner be, and they hereby are authorized and empowered to release to Heman Day, one of the devisees in the will of the said Benjamin Day deceased all the right and title which Norman Warriner, Betsey Warriner and Lewis Warriner, children and heirs of the said Lewis Warriner, deceased, have in and to the following pieces of land, lying in said West Springfield, to wit, one piece containing twenty acres, be the same more or less, on Pickle-hill (so called) bounded west on a ditch and on land lately belonging to John Beach, south, east and north on a ditch; also one other piece of land, containing seventeen acres and an half on Pickle-hill, being the south side of the grant to Mr. Holyoke, and is bounded west on a ditch, and to run on the ditch from John Barber's land northerly thirty rods, southerly on John Barber's land, eastwardly on a ditch, and running northlery on the ditch from John Barber's land twenty two rods and one fourth of a rod, northerly on land which the said Benjamin agreed to convey to the said Lewis, which deed shall be effectual in law to convey to the said Heman Day all the right and title of the said Norman, Betsey and Lewis, in and to lands above described: *Provided,* That the said Heman Day shall deliver to the said Gad and Betsey, to be recorded, a certain deed executed and acknowledged on the seventeenth day of April, in the year of our Lord one thousand seven hundred and ninety seven, by the said Benjamin Day, deceased, by which he conveyed to the said Lewis Warriner, deceased, the following tracts of

land lying in said West Springfield, at a place called Pickle-hill, to wit, one piece containing twenty acres lying on the said hill, bounded west on a ditch, and south on a ditch, east on a ditch running between this twenty acre lot, and the grant to Mr. Holyoke, then bounding north on an ancient highway on the top of the hill, reserving to himself his heirs and assigns a right of way across the same; also one other piece of land containing seventeen acres and an half, being part of the fifty acre lot granted to Mr. Holyoke, beginning at the northwest corner of the lot which said Lewis agreed to convey to the said Benjamin on the ditch, and running east eleven degrees and thirty minutes south, on the north side of the land which the said Lewis agreed to convey to the said Benjamin to the ditch at the corner of said land, one hundred and twenty rods, thence running northward on said ditch, nineteen rods, then west near fifteen degrees north one hundred and thirty four rods to a ditch at the west end, then southwardly on the said ditch twenty seven rods; provided also, that the said Heman Day shall release to Jabez Kirkland, the tenant in possession, all the right and title which he the said Heman may have in and to the two tracts of land last mentioned.

CXVII.

Resolve authorizing John Dickinson to reconvey a certain piece of land in Machias. February 24, 1810.

On the petition of John Dickinson executor of the last will and testament of Levi Fairbank, late of Machias in the county of Washington, Esq. deceased,

Resolved, That for reasons forth in his said petition, John Dickinson, of Machias, in the county of Washington, executor of the last will and testament of Levi Fairbank, late of said Machias, deceased, be and he hereby is authorized and empowered to reconvey by deed, duly executed, to John Babcock Hilliard, of said Machias, a certain piece of land situated in said Machias and bounded as follows, viz. southerly and westerly by the eastern branch of Machias river, northerly by Wallace Finlanfon's land, and easterly by Aaron Hanscom, junr's land, containing about four acres and one half an acre of land, together with the buildings thereon, and also one eighth part of the saw, of the double saw mill (commonly called None-such) situated on the said eastern branch of Machias river, being the

same land and eighth part of a saw mill mentioned and conveyed in said Hilliard's deed to said Fairbank, on the thirteenth day of November, in the year of our Lord one thousand eight hundred and six : *Provided*, The said Hilliard shall before the execution of the deed herein above provided for, pay and satisfy his just proportion of the debts due from the late firm of Fairbank and Hilliard, of which the said Hilliard and Fairbank were members. *Also resolved*, That said Dickinson be and he hereby is empowered and authorized to reconvey to said Hilliard, one fourth part of a certain saw mill and privilege situated in Steuben in the county of Washington, on Tunck stream so called, which mill is commonly known by the name of Tunck Mill being the same which was conveyed by said Hillard to said Fairbank on the first day of December, in the year of our Lord one thousand eight hundred and six : *Provided*, The said Hillard shall before the reconveyance of said mill to him, procure a discharge of said Fairbank, his heirs and assigns, from all demands on account of any promissory notes signed by said Hilliard and endorsed for him by said Fairbank as surety for the payment thereof.

CXVIII.

Resolve on the petition of Joseph Wales, authorising the Judge of Probate of Worcester County to allow his account. February 26, 1810.

On the petition of Joseph Wales, praying that the Judge of Probate for the county Worcester, may be authorized to allow his account for repairs made on the estate set off to Mary Willard as her dower in the estate of Abijah Willard, deceased.

Resolved, for reasons set forth in said petition, That the Judge of Probate, for the county of Worcester, be, and he hereby is authorized and empowered to allow to the said Joseph Wales so much of his account for the repairs made on the estate set off in dower to Mary Willard, the widow of Abijah Willard, previous to the sale thereof, for the benefit of the creditors, as under all the circumstances of the case shall to the said Judge appear just and reasonable.

CXIX.

Resolve abating the town of York, a fine on certain conditions. February 26, 1810.

On the petition of the inhabitants of the town of York, in the county of York, by their agent,

Resolved, for reasons set forth in said petition, That the inhabitants of the town of York be discharged from paying a fine of one hundred dollars, awarded by the Supreme Judicial Court holden at Alfred, in said county, on the last Tuesday of October, 1809, on account of bad roads, on condition that the said sum of one hundred dollars be faithfully expended on the road and bridge over a creek as lately laid out between the meeting house and the lower bridge over York river by the first day of August next, under the direction of the selectmen in addition to the sum that is usually raised by said town for the repairs of highways the ensuing year, the said inhabitants producing satisfactory evidence of such expenditure to the Supreme Judicial Court next to be holden at Alfred, within said county, and paying costs of said prosecution.

CXX.

Resolve authorizing Samuel Brooks to apply for a jury to estimate damages he has sustained. February 26, 1810.

On the petition of Samuel Brooks, stating that he has failed to make application to the late Court of Sessions for a jury to estimate damages done him by having a road laid out through his land, and praying that he may still have liberty to make such application.

Resolved, for reasons set forth in said petition, That Samuel Brooks, of Worcester, in the county of Worcester, be, and he is hereby authorized to make application to the Court of Common Pleas, next to be holden at Worcester, in and for the county of Worcester, for a jury to estimate the damages he has sustained by the laying out and opening a road through his land, which road begins near the dwelling house of Mrs.

Chadwick, and coming out near the dwelling house of Nathaniel Flagg, in said Worcester, and said Court of Common Pleas are hereby authorized to sustain the said applica-

tion and grant the same, in the same manner the Court of Sessions then existing might have done, had the application been made within the time prescribed by law, and the jury so to be appointed shall have the same powers and duties that any jury seasonably appointed by said Court of Sessions would have had.

CXXI.

Resolve on the petition of Phineas Gleason and others. February 26, 1810.

On the petition of Phineas Gleason and others, praying for leave to raise a company of light infantry in the second regiment, second brigade, and seventh division of militia of this Commonwealth.

Resolved, That his Excellency the Governour, with advice of Council, be, and he is hereby authorized, to raise by voluntary enlistment a company of light infantry, in the second regiment, second brigade and seventh division of militia of this Commonwealth, which company shall be annexed to the said regiment, and be subject to all the rules regulations and restrictions, which are or may be provided by law for regulating and governing the militia of this Commonwealth.

CXXII.

Resolve granting Deliverance Bennet thirty two dollars twenty six cents. February 26, 1810.

On the petition of Deliverance Bennet, setting forth that he was a private soldier in the late revolutionary army of the United States, and in the regiment commanded by Col. Thomas Marshall, and that there remains on the books of said Regiment a small balance in his favour which remains unpaid.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the publick treasury to the said Deliverance Bennet the sum of thirty two dollars and twenty six cents in full of said balance.

CXXIII.

Resolve authorizing the Governour with advice of Council to establish a Company of Light Infantry in the town of Haverhill. February 26, 1810.

On the petition of Joseph Hovey praying that he may be permitted to raise a Company of Light Infantry in the town of Haverhill.

Resolved, That the Governour, by and with the advice of the Council, be and he hereby is authorized and empowered to establish a company of Light Infantry in the town of Haverhill, which company, when raised, is to be annexed to the fifth regiment, second brigade, and second Division of the militia of this commonwealth, *Provided*, the forming of said company shall not in its operation reduce the established militia companies in said town of Haverhill below the numbers prescribed by law.

CXXIV.

Resolve authorizing the Governour, with advice of the council, to raise a Light Infantry Company in the town of Easton. February 27, 1810.

On the petition of Leonard Perry and others praying for leave to raise a Company of Light Infantry in the town of Easton, in the county of Bristol, in the fourth regiment of the second brigade and fifth division of the militia of this commonwealth.

Resolved, That his Excellency the Governour with advice of council, be, and he is hereby authorized to raise by voluntary enlistment a Company of Light Infantry in the town of Easton, in the county of Bristol, in the fourth regiment of the second brigade and fifth division of the militia of this commonwealth, which company shall be annexed to the said regiment and be subject to all the rules, regulations and restrictions which are or may be provided by law for regulating and governing the militia of this commonwealth.

CXXV.

Resolve respecting the Natick tribe of Indians, and for appointing a Guardian. February 27, 1810.

Whereas a resolve on the petition of the Natick tribe of Indians, was passed on the 21st February, 1809, and doubts have arisen as to the sufficiency of said resolve to effect the purposes intended. Therefore,

Resolved, That his Excellency the Governour, by and with the advice of council, be, and he hereby is authorized, from time to time, to appoint a guardian to the Natick tribe of Indians; under such restrictions and regulations as they may think necessary, and the same at pleasure to displace; and any former resolve appointing a guardian be and hereby is repealed after another guardian shall have been appointed in manner aforesaid.

CXXVI.

Resolve on the petition of Robert Green and Caleb Shattuck, discharging said Caleb from a recognizance. February 27, 1810.

On the petition of Robert Green and Caleb Shattuck, praying that the said Caleb may be discharged from a recognizance in which he recognized, together with the said Robert Green, as his security, before Abraham Lincoln, Esq. one of the Justices of the Peace for the county of Worcester, on the thirtieth day of March, in the year of our Lord one thousand eight hundred and nine, for the appearance of the said Robert Green at the next Supreme Judicial Court to be holden in and for the county, in the sum of two hundred dollars.

Resolved, That the said Caleb be discharged from the aforesaid recognizance, and that all proceedings thereon be stayed, upon the payment of all costs at the Supreme Judicial Court, next to be holden at Worcester, within and for the county of Worcester, which shall then have arisen upon the suit which has been commenced against the said Caleb on the recognizance aforesaid.

CXXVII.

Resolve making a grant to the Attorney General and Solicitor General. February 27, 1810.

Resolved, That there be allowed and paid out of the publick treasury to Barnabas Bidwell, Esq. Attorney General, and to Daniel Davis, Esq. Solicitor General, the sum of six hundred and thirty five dollars, in addition to their salary established by law, which shall be in full for their services and salary to the first day of March, 1810. And that from and after that time, the said Attorney and Solicitor General shall keep an accurate account of all the services which they shall do and perform for the Commonwealth ; and of all fees which they shall receive, or which may be due therefor, and also of all costs by them received, or taxed on suits by writs of scire facias in favour of the Commonwealth, and exhibit the same account to the next Legislature, at the second session thereof.

CXXVIII.

Resolve on the petition of Joseph Bemis, of Canton. February 27, 1810.

On the petition of Joseph Bemis, of Canton, in the county of Norfolk, stating that by a resolve of this Legislature, bearing date March 1, 1800, he was appointed guardian to a tribe of Indians, called the Punkapogue Tribe, and that by a resolve dated February 14, 1798, a committee, consisting of Elijah Dunbar, Esq. Benjamin Gill and William Beech, were appointed for the purposes therein mentioned, and that two of the said committee, viz. Benjamin Gill and William Beech, having since deceased, and praying this Legislature to appoint two other persons to fill up the vacancy

Therefore resolved, That Benjamin Tucker and Samuel Blackman be and they hereby are appointed to fill the vacancy in said committee with the same powers invested in the original committee.

CXXIX.

Resolve on the petition of Thomas Powers. February 28, 1801.

On the petition of Thomas Powers, praying that a further time may be allowed to the creditors of the estate of James Sloan, late of Greenwich, in the county of Hampshire, deceased, represented insolvent.

Resolved, For reasons set forth in said petition, that the Judge of Probate for the county of Hampshire be authorized to extend the commission of insolvency on the estate of said James Sloan, either by giving authority to the commissioners heretofore appointed, or by appointing new commissioners, as he shall judge proper, so far as to allow a further time of sixty days from the passing of this resolve, for any creditor or creditors to bring in their claims to said estate.

Provided, That the commissioners appointed under this resolve, give notice of the time and place of their meeting, by publishing the same in the Hampshire Gazette, printed at Northampton, in said county, and by posting the same in one publick place in the town of Greenwich, at least ten days previous thereto : *And provided also,* That all the expences arising under this resolve, be born by such creditor or creditors as shall prove new claims.

CXXX.

Resolve for paying the troops and others, for services and supplies in the late apprehended insurrection in Kennebeck. February 28, 1810.

The committee of both houses to whom was referred his Excellency the Governour's communication relative to the apprehended insurrection in the county of Kennebeck, in the months of October and November last, with all the papers and documents accompanying the same,

Ask leave further to report, That your committee have in compliance with the resolution which passed both branches of the Legislature, and was approved by the Governour of February 16, 1810, caused to be completed the pay rolls for the several companies of militia which were called out and served in said apprehended insurrection, agreeably to the instructions

to them in said resolutions given, and have accurately ascertained the total amount of each pay roll.—Your committee have also examined with care and attention the accounts of the several towns which furnished rations and other supplies for the troops of their several towns agreeably to law in the like cases provided.—Your committee have examined other accounts and documents for incidental charges during the whole of the time in which the troops were in service; such as expences for barracks, and other quarters for the troops, fire-wood, doctor's bills, horse hire, reconnoitring parties and such other things as necessarily became matters of charge; and have ascertained the amount thereof, which in the opinion of your committee should be allowed and paid. The amount of the sums contained and entered on the pay rolls of the several companies made out and footed agreeably to the aforesaid resolution, are as follows viz.

On pay roll No 1,	Samuel Cony, commanding officer of the detachment, for his wages and rations	\$238 66
On pay roll No. 2,	Containing the officers, non commissioned officers and soldiers of Cap. Reuel Howard's company of Augusta	669 43
On pay roll No. 3,	Containing the officers non-commissioned officers and soldiers of Capt. Benjamin Prescott's company of Hallowell	716 74
On pay roll No. 4,	Containing the officers, non commissioned officers and soldiers of Capt. Spencer Fenno's company of Hallowell	234 96
On pay roll No. 5,	Containing the officers, non commissioned officers and soldiers of Capt. William H. Page's company of artillery, of Hallowell	151 33
On pay roll No. 6,	Containing the officers, non commissioned officers and soldiers of Capt. Stephen Lovejoy's company, of Sidney	1121 66
On pay roll No. 7,	Containing the officers, non commissioned officers and soldiers of Capt. Levi Johnson's company of Readfield	960 50

On pay roll No. 8, Containing the officers, non-commissioned officers and soldiers of Capt. Elijah Davenport's company of Winthrop	654 59
On pay roll No. 9, Containing the officers, non-commissioned officers, and soldiers of a company commanded by Lieut. Elijah Snell, of Winthrop	318 69
On pay roll No. 10, Containing the officers, non-commissioned officers and soldiers of Capt. Joseph P. Chandler's company, of Monmouth	123 72
On pay roll No. 11, Containing the officers, non-commissioned officers and soldiers of Capt. Thomas Cofs's company, of Pittston	149 36
On pay roll No. 12, Containing the officers, non-commissioned officers and soldiers of Capt. Benjamin Palmer's company, of Fayette	694 53
On pay roll No. 13, Containing the officers, non-commissioned officers and soldiers of Capt. Jonathan Low's company, of Vassalborough	785 27
On pay roll No. 14, Containing the officers, non-commissioned officers and soldiers of Capt. John Stone's company of Gardiner	956 80
On a roll, No. 15, Containing sundry incidental charges, viz. for barracks, and other quarters for the troops, fire-wood, doctors' bills, horse hire, recon- oitring parties, and other matters and things as entered on said roll	411 00

 8187 24

Accounts examined, and proposed by the committee to be allowed to the towns which furnished rations and other supplies for the troops of their several towns agreeably to law, are as follows, viz.

To the town of Augusta, as per account allowed	No. 1	311	28
To the town of Sidney, as per do. do.	No. 2	438	33
To the town of Vassalboro,' per do. do.	No. 3	369	27
To the town of Pittston, as per do. do.	No. 4	46	92
To the town of Winthrop, as per do. do.	No. 5	354	69
To the town of Readfield, as per do. do.	No. 6	355	66
To the town of Monmouth, as per do. do.	No. 7	29	9
To the town of Hallowell, as per do. do.	No. 8	339	22
To the town of Gardiner, as per do. do.	No. 9	286	83
To the town of Fayette, as per do. do.	No. 10	237	25
The committee propose that there should be allowed and paid to Major General Henry Sewall, for his time, expences, and other attention, from the period the troops were called out until they were disbanded, the sum of			
		70	00

Total D11025 78

The sum total amounting to eleven thousand twenty five dollars, and seventy-eight cents.

Your committee further report as their opinion, that it will be advisable and necessary to authorize the Governour and council, to appoint some suitable person to receive the whole amount of the monies due on the several pay rolls, on accounts due the several towns, and on all other accounts, and cause the same to be transmitted and paid over to the persons and towns to whom it shall be due, at some convenient place in the county of Kennebeck, the person to be appointed to give bonds, or other satisfactory security in the opinion and judgment of the Governour and council, for the faithful discharge of the trust; and afterwards as soon as may be, to render an account and settle the same with the Governour and council. The committee find that there are sundry articles or property appertaining to the encampment, belonging to the commonwealth, such as barracks, boards, nails, &c. in said county of Kennebeck; they would propose that all such property should be sold at publick vendue, or otherwise, in such manner and by such person as the Governour and council shall direct and appoint; and for all the afore said services, such agent or pay master appointed as afore said, shall be entitled to receive a reasonable compensation for his services, in the opinion of the Governour and council. To carry into effect the objects contained in the foregoing report, your committee beg leave to submit the following Resolution: HUGH Mc. CLALLEN, per order.

Resolved, That there be allowed and paid, out of the treasury of this Commonwealth the several sums enumerated and specified in the foregoing report, for the sole use and benefit of the persons borne on the several pay rolls marked from No. 1 to No. 14 inclusive, as in said report mentioned, and to the treasurers of the several towns named in said report as per accounts marked from No. 1 to No. 10 inclusive, for the use of said towns, and to all the persons borne on a roll marked No. 15, for incidental and other charges as therein specified, and also seventy dollars to Major General Sewall, as reported by the Committee, amounting in the whole to eleven thousand and twenty five dollars and seventy eight cents, in full for the services done and performed by the several persons, and supplies furnished by the towns named in said pay rolls, and other accounts.

And be it further resolved, That the Governour, with the advice and consent of council, be and he hereby is authorized and requested to appoint some suitable person or persons to receive the whole amount of the monies due on the several pay rolls on the accounts due the several towns, and due on all other accounts specified in the above report, and cause the same to be transmitted and paid over to the persons and towns to whom it shall be due, at some convenient place in the county of Kennebeck; the person or persons thus appointed to give bonds or other security to the satisfaction of the Governour and council, for the faithful discharge of the trust; and afterwards as soon as may be, render an account, and settle the same with the Governour and council.

And be it further resolved, That the Governour, with advice of council, cause to be sold at publick auction or otherwise, all the property belonging to the Commonwealth appertaining to the encampment as specified in said report, by such person as they shall appoint.

And for all the aforesaid services, such agent or agents, appointed as aforesaid, shall receive such reasonable sum as compensation, as in the opinion of the Governour and council, shall be equitable, such person or persons to account for all monies which may come into their hands as aforesaid.

And be it further resolved, That his Excellency the Governour with advice and consent of the council, be and he hereby is authorized and requested to draw his warrant on the Treasury (in favour of such person or persons as may be appointed to

receive the same as aforesaid) for the sum of eleven thousand and twenty five dollars and seventy eight cents.

CXXXI.

Resolve granting Jonathan Munroe six hundred and one dollars and forty-four cents to satisfy a judgment recovered by Daniel Murray. Feb. 28, 1810.

On the petition of Jonathan Munroe, stating that he had purchased lands subject to a mortgage to John Murray, one of the conspirators named in the act, commonly called the Conspirators act, and had paid the full amount of the mortgage money to the committee appointed by the legislature to receive all monies due on estates mortgaged to conspirators, and took from them a discharge of said mortgage according to law; and that in the circuit court of the United States for this district, in October last, Daniel Murray, administrator with the will annexed, of the said John Murray, recovered judgment against him upon the said mortgage, for possession of said lands, unless he should pay him the sum of four hundred and twenty-four dollars and ninety cents, and costs, as in cases of mortgage; and praying this court to enable him to discharge said judgment, and compensate him for his trouble and expences.

Resolved, for reasons set forth in said petition, that there be paid out of the treasury of this commonwealth to the said Jonathan Munroe, six hundred and one dollars and forty-four cents, to enable him to discharge said judgment, and disincumber his said lands, and to compensate him for his trouble and expences in defending his said suit.

CXXXII.

Resolve determining the line on the northwesterly side of Baldwin. March 1, 1810.

Whereas the General Court on the eighth day of February, A. D. 1774, passed a resolve granting to Samuel Whittemore and others, a certain township of land on the east side of Saco river, late the plantation of Flintstown, but now incorporated by the name of Baldwin; and whereas in the confirmation of said grant, by another resolve passed on the sixteenth

day of June, A. D. 1780, there does appear to have been errors in describing some of the lines on the northwesterly side thereof. Therefore,

Resolved, That the line on the northwesterly side of said township, beginning at the northwardly corner thereof, where the same in said confirmation is described as running south-west fifteen hundred and eighty four rods, for the future be considered and understood to run southwesterly on the lines of Bridgetown and Denmark, about fifteen hundred and eighty four rods to the line of Brownfield ; thence south thirty degrees east, about one hundred and fifty rods to the eastwardly corner of said Brownfield ; thence south sixty degrees west, about three miles on said line of Brownfield to Prescott's grant (so called) ; thence south thirty degrees east about three hundred and sixty one rods on said Prescott's grant to the eastwardly corner thereof ; thence south sixty degrees west about five hundred and one rods by said grant to Saco river, any act or resolve to the contrary notwithstanding.

CXXXIII.

Resolve on the petition of Henry Van Schaick and others. March 2, 1810.

On the petition of Henry Van Schaick and others, sureties of Simon Larned, Esq. Sheriff of the county of Berkshire, praying that they may be released from their responsibility after the fifteenth day of April next.

Resolved, That for the causes set forth in said petition, the prayer thereof be granted, and that the said Henry Van Schaick, John C. Williams, and Thomas Gould, for themselves, and Mary Strong, as executor to the last Will and Testament of Ashbel Strong, Esq. shall be and they hereby are released from the performance of the condition of their bond respecting any Laches or misfeasance of the said sheriff happening after the fifteenth day of April next ; and the secretary of this commonwealth is hereby directed to cause a copy of this resolve to be sent to the clerk of the court of common Pleas for the said county, that he may lay the same before the justices of that court in order that they may call on the said sheriff to give such further surety as they may judge the Publick safety may require.

Hhh

CXXXIV.

Resolve on the petition of Samuel Prince. March 2, 1810.

On the petition of Samuel Prince, praying that a judgment recovered against him upon a recognizance to the Commonwealth for the appearance of one George Menzes, to appear before the Municipal Court in the town of Boston, may be remitted him.

Resolved, For reasons set forth in said petition, that upon the petitioner's paying all the costs and charges, which have arisen for the recovery of said recognizance, that the said Samuel Prince be and hereby is discharged therefrom.

CXXXV.

Resolve on the petition of the towns of Cambridge, Lexington, Brighton and West Cambridge. March 2, 1810.

Upon the petition of the towns of Cambridge, Lexington, Brighton, and West Cambridge.

Resolved, That for reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth to the Selectmen of the towns of Cambridge, Lexington, Brighton, and West Cambridge, to be expended in repairs upon the great bridge over Charles River between Cambridge and Brighton, the sum of one hundred dollars, being the amount of the fine paid by them pursuant to a judgment of the Court of Common Pleas, begun and holden at Cambridge, in the county of Middlesex, on Monday the nineteenth day of December, in the year of our Lord one thousand eight hundred and eight, upon an indictment found against them for not keeping said bridge in repair. And his Excellency the Governour, by and with the advice of council, is requested to grant a warrant on the treasury accordingly.

CXXXVI.

Resolve on the petition of Nehemiah Gitchel. March 2, 1810.

On the petition of Nehemiah Gitchel and others, praying that the executor of the last will and testament of William Goodwin, late of Charlestown in the county of Middlesex, deceased, may be authorized and empowered to make a deed to the said Gitchel, of a certain tract of land with the appurtenances, which the said William in his life time had agreed to convey to him the said Gitchel, upon his the said Gitchel, performing certain conditions, which the said Gitchel has always been ready to perform.

Resolved, For the reasons set forth in said petition, That Thomas Johnson, of Charlestown, in the county of Middlesex, Executor of the last will and testament of the said William Goodwin, be, and he hereby is authorized and empowered to make and execute to the said Gitchel a deed sufficient to convey to him all the estate, right, title and interest of which the said William died seized, in and to a certain tract and parcel of land, with the appurtenances, situate in the town of Clinton, in the county of Kennebeck, and on the easterly side of Sebastecook river, containing two hundred and twenty eight acres, bounded as follows, viz. beginning at the northwesterly corner of check lot number two, in the centre of the line of lot three; thence running on said line, west northwest, two hundred and thirty six rods, or so far as to embrace the quantity of land aforesaid; thence south southwest one hundred and fifty six rods, and until it comes to land reserved by the Plymouth company for a road; thence easterly by the same land until it comes to said check lot; thence northerly by said check lot until it comes to the place first mentioned; *Provided,* the said Gitchel makes and executes a good deed with warranty of a certain messuage and tract of land, with the appurtenances, situate in the town of Waterville and county of Kennebeck, containing seventy nine square rods, bounded as follows, viz. beginning on the northerly side of the river road, so called, at a stake and stones, about three rods westerly of the dwelling house occupied by William Millar; thence running westerly eleven rods to a stake and stones by land of Asa Redington; thence north twenty seven degrees east seven rods to a stake and stones; thence east south east twelve and an half rods to a

stake and stones on said road, by land belonging to Asa Redington and Jeremiah Kidder; thence westerly by said road to the bound first mentioned; sufficient to convey the said premises with the appurtenances, to some person or persons, in trust for the use of Abigail Goodwin, widow of the said William Goodwin, during her life, and from and after the death of the said Abigail, to the use of Mary Millar, wife of William Millar aforesaid, during her natural life, and from and after the death of said Mary, to the use of the children of the said William and Mary, and their heirs and assigns forever, being the same uses to which the tract of land first mentioned is conveyed by the last will of said William, and a deed made by the said Johnson as aforesaid, shall be as good and effectual to convey the tract of land, first mentioned, to the said Gitchel, as though it had been made by the said William in his life time.

CXXXVII.

Resolve on the petition of sundry persons, creditors of the late General Knox. March 2, 1810.

On the petition of sundry persons, representing that they were creditors of the late General Henry Knox, and were so at the time of his decease, and that they have, by accident, lost the benefit of claiming under the commission of insolvency, issued on the estate of said Knox, the same having been closed.

Resolved, That the Judge of Probate, in and for the county of Lincoln, be and he hereby is authorized and required to cause the commission on the estate of the said Henry Knox, to be further extended for the term of six months from the first day of March, 1810. And that all persons who have not exhibited their claims on the estate of said Henry, be and they hereby are authorized and empowered to exhibit the same to the commissioners; and that all persons, whose claims were not allowed by said commissioners, either in whole or in part, may appeal from their decision as though such appeal had been claimed within the time prescribed by law.

Resolved further, That if the commissioners heretofore appointed, shall have deceased, or they or either of them shall be incapacitated, or shall refuse to serve, the Judge of Probate is hereby authorized to appoint one or more other commission-

CXXXVIII.

Resolve on the petition of the Selectmen of Durham. March 2, 1810.

On the petition of the selectmen of Durham, for Legislative aid to authorize their Collector of taxes, for the year 1807, to complete the collection of his bills for that year,

Resolved, for reasons set forth in said petition, That the assessors of the ministerial tax in the town of Durham, (for the time being) be authorized and directed to sign the bills now in the hands of the said collector, for the year eighteen hundred and seven, and that the said collector may proceed in collecting the remainder of his bills for the said ministerial tax, and that his proceedings therein shall be as valid in law, as if the same bills had been signed by a majority of the assessors of said tax when committed to said collector.

CXXXIX.

Resolve on the petition of Daniel Cleaves, in behalf of the Saco Free Bridges Proprietors. March 2, 1810.

On the petition of Daniel Cleaves, chairman of the proprietors of the Saco Free Bridges, praying for Legislative aid to enable them to build a bridge over the eastern branch of Saco river, from Indian Island to the shore in Saco, said proprietors having already built a good and substantial bridge over the western branch of said river, from Biddeford to said Indian Island, agreeable 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 herein after mentioned) to 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 the eastern lands, who upon receiving a certificate from the treasurer of this Commonwealth that a bond has been given to him as herein after mentioned, are hereby authorized and directed to make and execute a good and suffi-

cient deed of the same to Daniel Cleaves, Jeremiah Hill, Ichabod Fairfield, Nathaniel Goodwin, and Edmund Coffin, proprietors of said bridges, in trust to and for the use and benefit of the members of the said corporation or to their heirs and assigns : *Provided*, That they the said Daniel Cleaves, Jeremiah Hill, Ichabod Fairfield, Nathaniel Goodwin and Edmund Coffin, shall first give bonds to the treasurer of said Commonwealth, in the penalty of six 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 branch of Saco river, within two years from the first day of January last past, and that they also keep both of said bridges in good repair, for and during the term of twenty years from the said first day of January ; and all passengers are to pass and repass said bridges, free of toll during said term of twenty years, and that the said proprietors at the end of the said term shall leave both of said bridges in good repair.

CXL.

Resolve for granting a further time to the non commissioned officers and soldiers who enlisted in the late American army, during the war with Great Britain, to make settlements on the lands granted to them by a resolve of the General Court, passed March 5, 1801. March 2, 1810.

Resolved, That a further time of three years from the fifth day of May next, be and hereby is granted and allowed to the noncommissioned 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 March the fifth, one thousand eight hundred and one, and the several resolves respecting the same.

CXXI.

Resolve on the petition of William Cobb for lot No. 10. March 2, 1810.

On the petition of William Cobb, shewing that he is in possession of a lot of land number ten in the fifth range of lots in the town of Sumner, in the county of Oxford, the property of the Commonwealth, that he has been at great expence in purchasing and erecting mills on said lot for the accommodation of the inhabitants of said town, and praying that he may have said lot confirmed to him upon such terms and conditions as the Legislature shall think proper.

Resolved, That the agents of this Commonwealth upon the subject of eastern lands, be and they are hereby authorized to sell and convey the lot of land number ten, in the fifth range of lots in the town of Sumner to said William Cobb, his heirs and assigns, upon such terms and conditions as they shall think just and reasonable under existing circumstances.

CXXII.

Resolve on the petition of John L. Sullivan. March 2, 1810.

On the petition of John L. Sullivan, relative to the sale of certain real estate and the investment of the proceeds thereof.

Resolved, for reasons set forth in said petition of John L. Sullivan, That William Sullivan, and Jonathan Amory, Jun. of Boston, in the county of Suffolk, be and they hereby are authorized and empowered to make, execute, acknowledge and deliver in due form of law, any deed or deeds to convey any real estate of which Elizabeth, the wife of said John, is owner in fee simple, and of which the said John and Elizabeth are seized in her right, and also in like manner to make, execute, acknowledge and deliver any deed or deeds to convey all the right of dower of the said Elizabeth in any estate of which the said John is seized in his own right. *Provided nevertheless*, That the said William Sullivan and Jonathan Amory, Jun. before they shall have power and authority in virtue of this resolve to execute and deliver any deed or deeds as aforesaid, shall give bond to the Judge of Probate of Wills,

and for granting letters of administration within and for the county of Suffolk, payable to him or to his successors in office, in the penalty of thirty thousand dollars, to invest the proceeds of any estate of the said Elizabeth which the said William Sullivan and Jonathan Amory, Jun. may sell and convey in virtue of this resolve, or may have sold and conveyed in virtue of a former resolve, bearing date the 17th June, 1807, in personal estate in their names in trust, and to the survivor of them, and the heirs, executors and administrators of the survivor of them in trust to permit the said John L. Sullivan to take and have the income of such investments, and all interests and dividends thereon for and during the joint lives of the said Elizabeth and the said John. And to permit the survivor of them during his or her life as the case may be to have and take the said income, interest or dividends, and from and after the decease of the survivor of them, then to permit and authorize the heirs of the said Elizabeth, to have and take the said stock to their own use. That the said bond shall be conditioned also, that one third part of the purchase money which any estate may be sold for, in which said Elizabeth hath right of dower only, shall be invested in manner aforesaid, the income, interest, or dividends thereof, to be paid to the said John during the joint lives of the said John and Elizabeth; and in case the said Elizabeth should survive the said John, said income, interest or dividends, to be held to and for the use of said Elizabeth and her heirs; and in case he should survive her, then the said personal property which may have been purchased with said one third part of the purchase money as aforesaid, to be assigned or transferred to and held by the said John in his own right. *And provided*, That said bond be further conditioned to appropriate and hold the proceeds of any former sales for the like uses and purposes as herein provided concerning future sales.

And be it further resolved, That such parts of the resolve passed on the seventeenth day of June, 1807, as come within the purview of this resolve shall have no further force or effect after the date hereof.

CXLIIL.

Resolve authorizing the treasurer of the Commonwealth to borrow twelve thousand dollars at the Hallowell and Augusta Bank, to pay the detachment of the Militia, &c. in the county of Kennebeck. March 3, 1810.

Resolved, That the treasurer of this Commonwealth be, and he hereby is authorized to borrow at the Hallowell and Augusta Bank, a sum not exceeding twelve thousand dollars, for the payment of the detachment of militia, and of other expenses incurred in preventing the apprehended insurrection in the county of Kennebeck, as allowed by a resolve passed the twenty-eighth day of February, one thousand eight hundred and ten, or such part thereof as shall not be paid out of the treasury of this commonwealth.

CXLIV.

Resolve granting Hugh Mulloy forty dollars, for the loss of his horse. March 3, 1810.

On the petition of Hugh Mulloy, a deputy Sheriff of the county of Lincoln, praying for indemnity for a horse killed when in the execution of his duty as a deputy sheriff.

Resolved, for reasons set forth in said petition, That there be paid out of the treasury of this commonwealth to Hugh Mulloy, of Litchfield, a deputy sheriff in the county of Lincoln, the sum of forty dollars in full, for the loss of his horse, when in the execution of his duty as deputy sheriff of said county.

CXLV.

Resolve on the petition of William Webb, Guardian of the minor Children of Simeon Turner. March 3, 1810.

Whereas on the petition of William Webb, guardian of the minor children of Simeon Turner, sen. late of Bath, in the county of Lincoln, deceased, and administrator of the estate of Simeon Turner, jun. late of said Bath, deceased, it appears that the said Simeon Turner, sen. left a large real estate in said town of Bath, and by will devised the same to his widow during her life, and that Simeon Turner jun. one of the children and heirs of said Simeon, has lately deceased intestate, and the said William Webb has been appointed administrator on his estate, and in his capacity of administrator has obtained licence from the Court of Common Pleas in said county, to sell so much of said Simeon, jun.'s real estate as will pay the debts due from said intestate, amounting to two hundred dollars, and costs of administering ; and whereas it will be for the benefit of the heirs and all persons interested either in the estate of said Simeon, or Simeon, jun. to have a part of said real estate sufficient for the purposes aforesaid, sold by metes and bounds instead of selling an undivided proportion of said Simeon, jun.'s share in the same therefor, and whereas the widow of said Simeon, sen. and those of his children who are of age have, in order to enable the said administrator so to sell and convey, released their rights to him in the following described lots ; and whereas, in order to enable the said Webb to give a complete title to the said lots, it is necessary he should be empowered to sell and convey the right of the minor children of said Simeon, sen. to the same.

Therefore resolved, That said William Webb, guardian as aforesaid, be, and he is hereby empowered to sell and convey by deed duly executed, either at private sale or publick auction, as shall be most for the benefit of those interested in said estate, all the right, title and interest of the said Simeon's children for whom he is Guardian, in and to the following described lots of land, situated in said Bath, and bounded as follows, viz. Beginning at the northeast corner of land belonging to James W. Lemont, on Front-street, then running westerly by said Lemont's land, to land in possession of Dexter Brown ; then southerly by said Brown's land to Peleg Tallman's land, then

easterly by said Tallman's land to Front-street, then northerly by said street to the first mentioned bounds. Also one other small lot beginning at Peleg Tallman's northeast corner, bound and running easterly by the lot above described, about fifteen feet more or less, then southerly by said street to said Tallman's land, then northerly by said Tallman's land to the first mentioned bounds; and that the said Webb, as administrator as aforesaid, be and he is hereby authorized and empowered to convey in the same manner all the right of his said intestate and all the right he has acquired by deed from the other heirs, and the tenant for life of said estate, he to be accountable as administrator as aforesaid to the Judge of Probate of Wills, in said county, for the amount received for said lots.

CXLVI.

Resolve on the petition of Jacob Ulmer and others. March 3, 1810.

On the petition of Jacob Ulmer, Matthias Ulmer and John Ulmer, praying that Lucy Knox, executrix of the last will and testament of the late Henry Knox, Esq. may be empowered in her said capacity to make and execute to them deeds of conveyance of the two hundred acres of land in Thomaston, which their late father, John Ulmer, deceased, signed and subscribed for, on a certain memorandum or agreement made and signed on the seventeenth day of September, A. D. 1788, by which the said Henry Knox and Samuel Winslow and Isaac Winslow, jun. contracted to convey the said two hundred acres on certain conditions in said agreement mentioned.

Resolved, That the said executrix in her said capacity be, and hereby is authorized to make and execute deeds of conveyance of all the right and interest which the said Henry Knox had, at the time of his death, in and to the said two hundred acres (which were surveyed by James Malcom on the 21st June, A. D. 1798,) to the said petitioner, their heirs and assigns, in such proportions as may be agreed upon by said Lucy Knox; and the said petitioners, upon the performance of the conditions mentioned in said written agreement, relative to the payment for said land, and payment of legal costs of suit in any actions now pending against either of said petitioners for recovering seizen and possession of said land; the said executrix to be accountable to the Judge of Probate, for the county of

Lincoln, for whatever sum or sums she may receive for completing the payment for said land.

CXLVII.

Resolve on the petition of John Neal, granting him two hundred dollars. March 3, 1810.

On the petition of John Neal, praying for some remuneration for the loss of his barn, containing hay, grain, &c. burnt (as is supposed) in consequence of his surveying land, by some person or persons unknown.

Resolved, for reasons set forth in said petition, That there be granted and paid out of the treasury of this commonwealth, to the said petitioner, two hundred dollars; and that his Excellency the Governour, by and with the advice of the council, is hereby authorized to issue his warrant for the same accordingly.

CXLVIII.

Resolve appointing Charles Hammond to lay out a road from Kennebeck to Penobscot Rivers. March 3, 1810.

Whereas, as it is essentially necessary to the travel between the Kennebeck and Penobscot rivers, that a road should be cut and made through township number four, in the first range of townships north of the Waldo patent, and some encouragement should be given by the commonwealth to promote that object,

Resolved, That the committee of eastern land be, and they are hereby authorized and empowered to grant and convey to Benjamin Joy, of Boston, in the county of Suffolk, merchant, his heirs and assigns, forever, a lot of land containing three hundred and twenty acres, in township number four, in the first range of townships north of the Waldo patent, which was, at the time of the original grant of said commonwealth, reserved to the commonwealth: *Provided*, the said Joy shall, on or before the first day of July, in the year one thousand eight hundred and eleven, make a road through said township from west to east, in a direction that shall accommodate the travel from the south end of twenty-five mile pond (so called) to the county road in Dixmont, it being in the main road from Kenne-

beck river to Penobscot river ; the said road to be cut and cleared four rods wide, one rod of which shall be made passable for wheel carriages by cutting the stumps level with the ground, taking down the cradle-hills, and making all the necessary causeways and bridges for that purpose on the said road ; all which shall be done under the direction and to the acceptance of Charles Hammond, who is hereby appointed to lay out, examine and approve the same ; and whenever the said Joy, his heirs or assigns shall produce a certificate from the said Hammond, that he or they have, in all respects, complied with the conditions of this resolve, the said committee shall convey to the said Joy, his heirs, executors, administrators or assigns, the lot of land aforesaid.

CXLIX.

Resolve on the petition of Isaac Fisk, guardian to Emily Clark.
March 3, 1810.

On the petition of Isaac Fisk, guardian of Emily Clark, a minor, representing that he had been unavoidably prevented making affidavit that he had posted notifications of the sale of said minor's estate in a certain form according to law,

Resolved, for the reasons set forth in said Fisk's petition, That said guardian may make his affidavit before the Probate Court of the county of Middlesex, at any time within four months from the passing of this resolve, that he had duly posted notifications agreeably to law of the sale of said minor's right and estate in a certain farm in said Weston, and that his affidavit so made shall have the same force and effect as if the same had been made at said Probate Court within the time prescribed by law.

CL.

Resolve for paying the committee appointed to examine the Northampton and Berkshire Banks. March 3, 1810.

On the petition of Josiah Dwight, Esq. for himself and in behalf of George Bliss, Joseph Lyman, John C. Williams and Thomas Allen, Esq. a committee of the two branches of the Legislature appointed by a resolve of February ninth, 1810;

to examine into the state of the Northampton and Berkshire Banks, praying for compensation for their services.

Resolved, That there be paid out of the publick treasury

To Josiah Dwight, the sum of seventy-eight dollars.

To George Bliss, the sum of twenty dollars.

To John C. Williams, the sum of twelve dollars.

To Joseph Lyman, the sum of fourteen dollars.

To Thomas Allen, the sum of sixteen dollars.

In full for their respective services and expences as the committee afore said, and that the Governour, with the consent of Council, be requested to issue his warrants on the treasurer therefor.

CLI.

Resolve granting the Quarter-master-general two thousand and seventy-eight dollars eighty-four cents, to pay for cannon, &c. purchased of Clifford and Palmer. March 3, 1810.

Resolved, That the sum of two thousand seventy-eight dollars eighty-four cents be paid to Amasa Davis, Esq. Quarter-master-general, from the treasury of this Commonwealth, to enable him to carry into effect a resolve of the Legislature passed the 22d ult. authorizing and directing him to purchase for the use of the Commonwealth of Ebenezer Clifford and Samuel Palmer, several pieces of iron and brass ordnance and a quantity of cannon balls, for the application of which sum he is to be accountable; and that his Excellency the Governour be requested to issue his warrant on the treasury for the said amount, at such time and in such manner as his Excellency, with advice of Council, may deem expedient for the publick service.

CLII.

Resolve for paying the Committee for making the Tax Bill. March 3, 1810.

Resolved, That there be allowed and paid out of the publick treasury to the committee who was appointed to make and report a tax bill the present session of the General Court

for their services, the sums annexed to their names respectively in addition to their pay as members of the Legislature.

Nathan Fisher, ten days, ten dollars.

Henry Brown, five days, five dollars.

David Devens, four days, four dollars.

Joshua Green, two days, two dollars.

CLIII.

Resolve granting half a township of land, towards making a county road from Kennebeck to Penobscot river. March 3, 1810.

The committee of both Houses to whom was committed the petition of Samuel E. Dutton and others, praying for the aid of this Commonwealth in making the county road from the town of Unity, in the county of Kennebeck, to the head of navigation on Penobscot river, passable for wheel carriages, have attended the duty assigned them, and ask leave to report the following resolves—which is submitted.

LATHROP LEWIS, per. order.

Resolved, That there be, and hereby is granted, one half township of land of the contents of six miles square, to be laid out and assigned from any of the unappropriated lands belonging to this Commonwealth in the district of Maine, excepting the ten townships purchased of the Indians, and the lands contracted for by Jackson and Flint, for the purpose of aiding in making the county road passable for wheel carriages from the easterly line of the township number four, in the first range of townships north of the Waldo Patent, to the easterly line of township number two, in the same range, adjoining the town of Hampden.

Be it further resolved, That said half township of land shall be laid out under the direction of the agents upon the subject of eastern lands; the same to be vested in a commissioner, to be appointed by the Governour, with advice of council, to be holden by such commissioner with full power and authority to sell and dispose of the same in whole or in part, and in such way and manner, as in the opinion of said commissioner, will best effect the purposes and object of this resolve.

Be it further resolved, That the Governour, with the advice of council, be and he hereby is authorized and empowered to appoint a suitable person as commissioner, with full power to

carry into effect the purposes and intentions of this resolve ; which commissioner shall give bond to the treasurer of this commonwealth, with sufficient surety or sureties, to be approved of by said treasurer, in the sum of five thousand dollars, conditioned that he will faithfully discharge his duty as a commissioner under this resolve.

Be it further resolved, That said commissioner shall, on or before the 1st day of February, one thousand eight hundred and eleven, and at any other timewhen thereto required by the Governour and council, render a just and true account of his proceedings and doings under this resolve ; and the Governour and council be, and they are hereby authorized and empowered to allow to said commissioner out of the proceeds of said half township of land, such compensation for his services, as as they may think fit and proper.

Resolved, That if the proceeds of said half township of land shall be more than sufficient to make the road over the land aforesaid, that the surplus of the proceeds shall be expended in improving the road in such places in the towns of Unity and Hampden, as said commissioners may think best.

CLIV.

Resolve appointing agents to sell the United States stock, the property of the Commonwealth. March 3, 1810.

Resolved, That the Hon. Harrison Gray Otis, Timothy Bigelow and Josiah Dwight, Esquires, be and they are hereby appointed agents for and in behalf of this Commonwealth, to sell and transfer the ten certificates of six per cent. stock which are transferable and amount to seventy-six thousand six hundred and eighteen dollars and seventy-four cents, and are the property of the State : *Provided,* That they do not sell the same for less than one hundred and two dollars for one hundred dollars of said stock.

Resolved, That the said agents also sell and transfer the certificate of three per cent. stock, which is transferable, amounting to twenty-four hundred and sixty-eight dollars and ninety-five cents : *Provided,* The same be not sold for less than sixty-five dollars for one hundred dollars of said stock.

Resolved, That said agents be, and they are hereby authorized and empowered to sell the certificate of three per cent. stock

for two hundred and forty nine thousand seven hundred and sixty dollars and twenty cents, and to assign and convey the same in such manner as may be necessary and proper for this Commonwealth to do : *Provided*, That said certificate shall not be sold for less than sixty-five dollars for one hundred dollars of said stock.

Resolved, That whenever said agents shall sell all, or any part of the foregoing stock, they shall pay over to the treasurer the monies received therefor, who shall give his receipt for the same ; which monies shall be applied to the payment of the funded State debt, in such manner as the Legislature may direct ; and that the said agents shall receive for the performance of the duties herein proposed, at and after the rate of one eighth of one per centum on the monies so paid into the treasury.

CLV.

Resolve on the petition of Josiah Hayward, allowing an appeal.
March 3, 1810.

On the petition of Josiah Hayward, of Westford, in the county of Middlesex, praying that a sentence awarded against him, on the twelfth day of August last past, by Jeremiah Hildreth, one of the justices assigned to keep the peace, within and for said county of Middlesex, at a court holden before the said justice, on the same day, for a supposed larceny, in taking and carrying away a dunghill fowl ; and that he the said Hayward, may be authorized and empowered to enter his appeal from the sentence of the said justice at the Court of Common Pleas, next to be holden at Concord, within and for said county of Middlesex.

Resolved, for the reasons set forth in said petition, That the said Josiah be and hereby is authorized and empowered, to enter his appeal from the sentence of the said justice at the court of Common Pleas, next to be holden at Concord, within and for said county of Middlesex, and the said court are hereby authorized and empowered, to sustain said appeal and proceed, touching the same in all respects, as it would have been lawful for them to have done had the said Josiah claimed said appeal, at the time when said sentence was awarded, and had seasonably entered his appeal in the Court of Common Pleas for said county : *Provided*, The said Hayward gives notice to Samuel Stone, of

said Westford, on whose complaint the said conviction was had, by serving him with an attested copy of this resolve, seven days before the next session of said Court of Common Pleas, and shall recognize before said Court, with a sufficient surety, in such sum as they shall order, to prosecute his said appeal with effect: *And provided further*, That the complainant or any attorney, on behalf of said prosecutor, shall have liberty to amend the original complaint, or to file an entire new complaint for the same cause only as is stated in the original complaint; and it shall be lawful for the said court to proceed upon such amended or new complaint in the same way and manner they might have done upon the original complaint aforesaid. And in case the said Josiah Hayward, shall refuse to have such complaint amended or filed as aforesaid, then the said Court shall dismiss the process aforesaid, and no farther proceedings shall be had by said Court under this resolution.

CLVI.

Resolve on the petition of James Baldwin and others, Bondsmen of the late Treasurer, Thompson J. Skinner. March 3, 1810.

The committee of both Houses, to whom was referred the petition of James Baldwin and others, who were sureties for the late Treasurer of the Commonwealth, praying for an extension of time for the payment of the demand against them have given the subject all due consideration, and, after having seen the Attorney and Solicitor Generals, ask leave to report the enclosed resolve.

Which is submitted,

P. C. BROOKS, per order

On the Petition of James Baldwin and others, bondsmen of Thompson J. Skinner, deceased, late Treasurer of the Commonwealth, praying that Execution upon such Judgments as may be rendered against them, may be stayed.

Resolved, for reasons set forth in said petition, That the prayer thereof be so far granted, as that the Solicitor General be, and he is hereby authorized and directed to consent to the continuance of all the actions against said Sureties, for Judgment, which are now pending in the Supreme Judicial Court, in the County of Suffolk, from term to term, until March term of the said Supreme Judicial Court, which will be held at Boston,

in and for the county of Suffolk, on the second Tuesday of March, which will be in the year of our Lord, one thousand eight hundred and eleven: *Provided*, that interest upon the sums which shall be found due the Commonwealth upon both the bonds of the said Treasurer Skinner, shall be added to the said sums, and paid by the said sureties, up to the time when final judgments shall be rendered in the aforesaid actions.

Resolved, that the Treasurer of this Commonwealth be and hereby is authorized to receive of the bondsmen of said treasurer Skinner, or of the administrators on said Skinner's estate, any sum or sums of money which may be offered him, or not less than one thousand dollars, at a time, in part payment of the balance due from said Skinner, as treasurer, and to give such receipts therefor, as that such payments shall not operate against any suit or suits which have been commenced by the commonwealth against said Skinner, as their late treasurer, and his bondsmen; or prevent the obtaining of judgment thereon for the recovery of the money due to the Commonwealth upon said Skinner's bonds: *Provided*, all payments be made either in specie or bills of the Boston Banks: *And provided also*, that interest upon such payments to be made as aforesaid shall be allowed the said sureties and deducted from the amount of the sums which may be finally recovered against them; any law or resolve of the legislature to the contrary notwithstanding.

CLVII.

Resolve for altering the term of the Supreme Judicial Court at Lenox, for the county of Berkshire. March 3, 1810.

Resolved, That the term of the Supreme Judicial Court, which by law is now to be holden at Lenox within and for the county of Berkshire, on the first Tuesday of May next, be, and the same hereby is directed to be holden for this year only, at said Lenox, within and for said county of Berkshire, on the second Tuesday of said May, any law to the contrary notwithstanding, and that all recognizances taken or to be taken, and processes returnable to the next term of said court to be holden within and for said county, shall be returnable to and have day and effect in said court, on the second Tuesday of May next, instead of the said first Tuesday, and the business of said court shall be transacted accordingly.

CLVIII.

Resolve for laying out a road from Kennebeck river to the River Chaudiere. March 3, 1810.

The committee of both houses, to whom was referred the petition of Nathaniel Dummer and others, praying that commissioners might be appointed to explore and mark out a road from Kennebeck river in a direction to Quebec, having considered the same, ask leave to report the following Resolves.

Which is submitted,

LOTHROP LEWIS, per order.

Whereas the laying out a road from the settlement on Kennebeck river, over the lands of the commonwealth, to the north boundary thereof, in a direction to the nearest settlement on the River Chaudiere for the purpose of opening a communication with Quebec, on the River St. Lawrence, would be of great publick utility. Therefore,

Resolved, That the Governour with the advice and consent of council, be, and he hereby is authorized, to appoint three commissioners for the purpose of exploring, and laying out a road four rods wide in the most convenient and direct route from Kennebeck river, to the north boundary of this commonwealth, in a direction to the nearest settlements on the river Chaudiere—And said commissioners shall have full power and authority to begin at such point on the river Kennebeck in the county of Somerset, as they may think proper, and from thence, to explore and lay out a road four rods wide in the direction aforesaid, and to return a correct plan thereof to the Governour and Council, as soon as they have completed the same, with a particular description of said road.

And said commissioners are hereby authorized to employ such surveyor and other assistants, as they may find necessary to effect the purposes aforesaid, and to lay their accounts before the General Court for allowance.

Resolved, That there be granted to said commissioners five hundred dollars to enable them to carry into effect the foregoing resolve, they to be accountable for the faithful expenditure thereof; and the Governour is requested to draw his warrant on the treasurer for the same.

CLIX.

Resolve for staying proceedings against settlers in the counties of Hancock and Washington. March 3, 1810.

Whereas by a resolve of the General Court of the commonwealth of Massachusetts, passed the third day of March, 1806, the attorney general was directed to reject certain settlers in the counties of Hancock and Washington, who should fail of completing the payments for the lots in which they settled respectively, on or before the third day of March, 1807, and by a resolve passed the twenty seventh day of February, 1809, a further time of twelve months has been allowed, which time has nearly expired. And whereas, it appears that the said payments are not yet fully completed. Therefore

Resolved, That the said Attorney General be directed to stay his proceedings relative to the same for the further time of twelve months from the passing of this resolve, and the agents for the sale of eastern lands are directed in the mean time to receive any monies which the said settlers may pay, and to make out the deeds of their respective lots in the usual manner, any thing in the said resolves to the contrary notwithstanding.

CLX.

Resolve authorizing the Governour to appoint a Superintendent of the Penobscot Indians. March 3, 1810.

The Committee of both Houses to whom were referred the letter of resignation and the accounts of Horatio G. Balch, Esq. superintendent of the Penobscot Indians, have attended to the duties assigned to them, and report, that it is their opinion the accounts are unreasonable, and ought not to be passed; but as the said Balch is not in this town, at the present time, your committee recommend that the further consideration of this subject be referred to the next Legislature. Your committee also ask leave to offer the following resolution.

WILLIAM SPOONER, per order.

Resolved, That his Excellency the Governour, by and with the advice of council, be and they are hereby authorized to appoint a superintendent of the Penobscot Indians, who shall be

invested with all the powers given to the superintendent by the Resolves of February 5, 1807, and June 19, 1807, and the said superintendent shall be subject to such other regulations as the Government and Council may think necessary.

CLXI.

Resolve granting half a Township of Land to the Trustees of Day's Academy. March 5, 1810.

On the petition of the trustees of Day's academy, in Wrentham, praying for the assistance of this Legislature in support of said academy,

Resolved, for reasons set forth in the petition, That there be, and hereby is granted one half of a township of land of the contents of six miles square, to be laid out and assigned from any of the unappropriated lands belonging to this commonwealth in the district of Maine, excepting the ten townships lately purchased of the Penobscot Indians, and the land formerly contracted for by Jackson & Flint; the same to be vested in said trustees and their successors forever; with full power and authority to sell, convey, and dispose thereof in such way and manner as shall best promote the interest of said academy; the same to be laid out under the direction of the committee for the sale of Eastern lands, at the expense of the said trustees: *Provided*, That there be reserved in said half township, four hundred and eighty acres; three hundred and twenty acres of which shall be for the use of the ministry, and one hundred and sixty acres for the use of schools in said township. *And provided*, That the trustees aforesaid, shall not proceed to lay out and assign the same, unless said trustees shall, within three years from the passing of this resolve, lodge in the secretary's office a certified list of donations which have been made, and which shall be made to said academy, and which shall amount to the sum of three thousand and five hundred dollars.

CLXII.

Resolve discharging the Hon. Salem Town, as Agent for the sale of Land at Penobscot. March 5, 1810.

The committee of both Houses, to whom was referred the accounts of the Hon. Salem Town, exhibiting a statement of the sales of a part of the nine townships of land on Penobscot river, and of his receipts of and securities for money paid into the treasury of this commonwealth, have considered the same, and ask leave to report the following resolves.

Which is submitted,

LOTHROP LEWIS, per order.

Whereas the Hon. Salem Town was appointed by a resolve of March the second, one thousand seven hundred and ninety-eight, and of June the twenty-second, one thousand seven hundred and ninety-nine, to make sale of the nine townships of land lying on both sides of Penobscot river, which was relinquished to this commonwealth, by the Penobscot Indians, in the month of August, one thousand seven hundred and ninety-six.

And whereas said Salem Town has exhibited a statement of the sales of land made by him under the resolves aforesaid, amounting to twenty-seven thousand six hundred and ten acres and one half, for the sum of twenty-five thousand eight hundred eighty-four dollars and fifty-eight cents; and has also exhibited his receipts for money and security for money, paid into the treasury of this commonwealth; and for money paid for advertisements, recording mortgage deeds, and for allowance of two and one half per centum for his commission in conducting the same; and also for his time and expense incurred under a resolve of June the nineteenth, one thousand eight hundred and nine, relating to certain settler's lots on a part of the lands aforesaid, which upon a careful examination appear to be well vouched and right cast, and amounting in the whole to twenty-five thousand eight hundred and fifty-one dollars and forty-two cents; leaving a balance due to the commonwealth of thirty-three dollars and sixteen cents. Therefore,

Resolved, that the Hon. Salem Town be, and he hereby is discharged of the sum of twenty-five thousand eight hundred and eighty-four dollars and fifty-eight cents, upon his paying

to the treasurer of this commonwealth the aforesaid balance of thirty-three dollars and sixteen cents.

Be it further resolved, That the Hon. Salem Town be, and he hereby is discharged from any further service as commissioner, under and by virtue of the resolves of March the second, one thousand seven hundred and ninety-eight, and of June the twenty-second, one thousand seven hundred and ninety-nine; excepting the power of fulfilling his contract with David Stopman, and William Lunt, their heirs and assigns.

Resolved, That said Salem Town be, and he hereby is directed to lodge all the plans, deeds, and papers of every kind whatever, relating to the lands aforesaid, in the land office of this commonwealth.

CLXIII.

Resolve granting County Taxes. March 5, 1810.

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 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	41,000
Essex, seven thousand dollars	7,000
Middlesex, nine thousand five hundred dollars	9,500
Worcester, five thousand dollars	5,000
Hampshire, three thousand dollars	3,000
Berkshire,	
Norfolk,	
Plymouth,	
Bristol,	

Barnstable, two thousand four hundred and seventy dollars	2,470
Dukes,	
Nantucket,	
York, four thousand dollars	4,000
Cumberland, seven thousand dollars,	7,000
Lincoln, nine thousand five hundred and twenty dollars	9,520
Kennebeck, nine thousand four hundred dollars	9,400
Oxford,	
Somerfet, one thousand one hundred and eighty dollars	1,180
Hancock, three thousand dollars	3,000
Washington, one thousand seven hundred and fifty dollars	1,750

CLXIV.

Resolve authorizing the Treasurer to borrow Fifty Thousand Dollars of the Boston and Union Baks. March 5, 1810.

Whereas the Treasurer of this Commonwealth has represented that the state of the Treasury may make it necessary for him to borrow fifty thousand dollars :

Be it therefor resolved, That the Treasurer of this commonwealth, be, and he is hereby authorized and directed, to borrow of the 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.

CLXV.

Resolve discharging the Quarter Master General of Fifteen Thousand Dollars, and making an appropriation of Fourteen Thousand Seven Hundred Dollars for his department. March 5, 1810.

Resolved, That Amasa Davis, Esq. Quarter Master General, be and he hereby is discharged from the sum of fifteen thou-

land dollars, which he expended, including his salary, office rent and clerk hire, amounting to one thousand dollars for one year, ending the seventh of January, one thousand eight hundred and ten, out of the sums he has received the last year by warrants on the Treasurer.

Be it further resolved, That the sum of five hundred and eighty nine dollars be paid to the said Amasa Davis, Esq. out of the Treasury of this commonwealth as the balance of his account with this commonwealth, on his returning to the treasury one hundred and fifty five dollars in uncurrent bills, the same having been received by him on warrant, for the purpose of paying the expences arising in the Quarter Master General's department.

And be it further resolved, That the sum of fourteen thousand seven hundred 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 Governour be requested to issue his warrant on the treasury for the amount, at such period and in such sums as his Excellency with advice of council, may deem expedient for publick service.

CLXVI.

Resolve for paying the Clerks of the Senate and Clerk of the House.

March 5, 1810.

Resolved, That there be paid out of the publick treasury to Nathaniel Coffin, clerk of the Senate, and to Nicholas Lillinghaast, clerk of the House of Representatives, three hundred and fifty dollars each, and also to Samuel F. McCleary, assistant clerk of the Senate, two hundred and fifty dollars in full for their services in their said offices, the present session of the General Court.

CLXVII.

Resolve granting Elizabeth Pierpont One Hundred and Fifty Dollars.

March 5, 1810.

Resolved, On the petition of Elizabeth Pierpont, widow of Nathaniel Pierpont, for herself, and her children, by power,

praying for the payment of fifteen thousand weight of bread delivered by her late husband, and his brother John Pierpont, for the use of the American army in the year 1775, by the direction of the commanders thereof; it appeared by the evidence produced before your committee, by the petitioner, that the flour from which the bread was made, was flour delivered to said Pierpont by an agent of the British government, to be baked for them, which was taken by order of General Heath and others, for the use aforesaid; and that said Pierponts were entitled only for the payment for the baking of said bread; your committee cannot find any resolve that passed for the payment thereof, although several applications have been made for payment for the bread; your committee are of opinion that it is just that payment should be made for the baking said bread. Therefore,

Resolved, That there be allowed and paid out of the Treasury of this commonwealth, to the said Elizabeth Pierpont, one hundred and fifty dollars, being the sum due, including the interest.

CLXVIII.

Resolve granting Jacob Kuhn, Sixty Dollars, for extra service.
March 5, 1810.

Resolved, That there be paid out of the Treasury of this commonwealth, the sum of sixty dollars to Jacob Kuhn, messenger of the General Court, in full for his services in superintending sundry repairs and improvements in and about the State House, agreeably to several orders and resolves of the Legislature, since March 12, 1808.

CLXIX.

Resolve for paying the Chaplain of the Senate and House of Representatives. March 5, 1810.

Resolved, That there be allowed and paid out of the publick treasury of this commonwealth to the Rev. Joseph S. Buckminster, Chaplain of the Senate, and to the Rev. John Lothrop, Chaplain of the House of Representatives, the sum of sixty dollars each, in full for their services respectively, during the present year.

CLXX.

Resolve for pay to Sylvanus Lapham, assistant messenger to the General Court. March 5, 1810.

Resolved, That there be allowed and paid out the Treasury of this commonwealth, unto Sylvanus Lapham, assistant messenger of the General Court, one dollar per day, during the present session of the Legislature, over and above his ordinary allowance.

CLXXI.

Resolve on the report of the Committee for repairing the Colonnade of the State House. March 5, 1810.

Resolved, That John T. Apthorp, Jonathan Hunewell and Charles Bulfinch, Esqs. be authorized and empowered to cause a platform of hewn stone to be laid, as a floor to the gallery of the Colonnade of the State House, to extend from the body of the house over the arches of the lower story; and to make other such repairs as may upon examination, be found necessary; and that his Excellency the Governour with advice and consent of the council, be requested to draw a warrant on the treasurer for payment of the same, not to exceed the sum of fifteen hundred dollars.

CLXXII.

Resolve authorizing Nathan Dane, Esq. to make a statement of the sums charged by this State to the United States, in New Emission Bills, &c. March 5, 1810.

Resolved, That Nathan Dane, Esq. be, and hereby is, authorized and requested to make a statement of all the sums charged by this State to the United States in New Emission bills; and the value at which they were charged in the final settlement of accounts with the United States.

Also, an estimate of the deduction, if any, from the value charged,

And make a report thereof to the next General Court : *Provided*, the expence attending the making the said statement and estimate, shall be defrayed by the person or persons applying therefore.

CLXXIII.

Resolve for paying the Committee on Accounts. March 6, 1810.

Resolved, That there be allowed and paid out of the publick 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. Thomas Hale, thirty six days—Thirty six dollars.

Hon. Nathan Willis, thirty three days—Thirty three dollars.

Joseph Titcomb, thirty two days—Thirty two dollars.

Silas Holman, thirty six days—thirty six dollars.

CLXXIV.

Resolve to pay Thomas Wallcutt, as assistant clerk to the House. March 6, 1810.

Resolved, that two hundred and fifty dollars be granted and paid out of the publick Treasury to Thomas Wallcutt, in full for his services as assistant Clerk of the House of Representatives during the present Session of the Legislature.

CLXXV.

Resolve for the distribution of the Militia Law. March 6, 1810.

Resolved, that the Secretary of the Commonwealth be, and he hereby is directed to cause five thousand copies of the Act entitled, "An Act for regulating, governing, and training the Militia of this Commonwealth," to be printed as soon as may be, and that said Secretary transmit one of said printed copies to the Selectmen of each Town and District within this commonwealth, so soon as opportunity will admit, after the same are printed. And that he deposit the residue of said Copies in the office of the Adjutant General.

Be it further resolved, that his Excellency the Commander in chief be, and he hereby is requested to issue his orders to the Adjutant General to transmit, without delay, one copy of said Act to each officer, holding a Commission in the Militia of this State; in such way and manner, as in the opinion of His Excellency the Commander in Chief, will conduce to give to each Militia Officer the earliest information of said Act.

Be it further resolved, That his Excellency the Commander in Chief, be, and he hereby is further requested, to issue his orders to the Adjutant General, that in all cases, when a commission is issued from his office to any Militia Officer, that he the said Adjutant General, deliver or forward, with each and every commission, one printed Copy of the Militia Law or Laws of this State, which may be in force at the time such commission is issued, in order that every officer when he receives his commission, may at the same time receive a copy of the Militia Law or Laws of this State, which may be then in force.

CXXVI.

Resolve instructing the Senators, and Representatives of this State, in Congress, to endeavour to obtain a repeal of the present Military system of Discipline of the United States. March 6, 1810.

Whereas by an order of the Congress of the United States, passed on the 9th of March, 1779, the system of Discipline commonly known as Baron Steuben's regulations for the order and discipline of the troops of the United States, was adopted, and has ever since been the system of discipline for the Army and Militia; and whereas it is considered wholly inadequate to the communicating that knowledge to the Militia of the United States which might enable them to meet, on equal ground, an enemy skilled in the modern tactics and discipline of Europe. Therefore,

Resolved, That the Senators of Massachusetts in the Congress of the United States, be instructed, and the Representatives be requested, to take such measures as they may deem proper, to obtain a repeal of the said order of Congress; and for the introduction and practice of such system in lieu thereof, as Con-

gress may think adapted to the present state of the Militia and the defence of the Country.

CLXXXII.

Resolve for paying Nathaniel Coffin, for making an Index to the Senate Journals. March 6, 1810.

Resolved, That there be allowed, and paid out of the Treasury of this Commonwealth to Nathaniel Coffin, the sum of fifty dollars in full for his services in making an Index to the Senate Journals, from the year 1785 to 1789, both inclusive.

CLXXVIII.

Resolve for paying William Adams, Esq. of Chelmsford, member of the House of Representatives. March 6, 1810.

Resolved, That there be allowed, and paid out of the treasury of this Commonwealth to William Adams, seventy dollars in full for his travel and attendance as a member of the House of Representatives the last and present Sessions of the General Court, from the town of Chelmsford; and that the Treasurer of this Commonwealth, be directed to charge fifty eight dollars, part of said sum to said town of Chelmsford, to the end that the same may be included in the next State tax bill, as a part of the sum to be required of said town to pay.

ROLL No. 62....January, 1810.

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.

THOMAS HALE, *Per Order.*

PAUPER ACCOUNTS.

	D. C.
Town of Augusta, for boarding, clothing and doctoring Lydia Gordon, to 1st January 1810, D72 20, and for support of poor persons confined in gaol for debt, D138 86,	211 6
Adams, for boarding and clothing Freeman Blakeley Daly's two children, Anna Wallin, and Susan a Cramp, to 22d February, 1810, and John Senach to the time of his death, and funeral charges,	197 72
Andover, for boarding and clothing Patrick Callahan, to February 1st, 1810,	22 94
Attleborough, for supplies to Eliza Taylor and daughter, to 15th January, 1810,	22 94
Abington, for boarding and clothing Thomas Seymour, to 1st January, 1810,	37 50
Billerica, for boarding, clothing and doctoring Michael Taylor, and William Love and Wife, to 12th February, 1810,	188
Boxford, for boarding and clothing Mehitable Hall, to 2d January, 1810,	78 63
Barre, for boarding and clothing John C. Dandrich, to 26th January, 1810,	39 25
Brookfield, for boarding, clothing, nursing and doctoring Sarah Cook to 19th January, 1810, and Thomas Boyd to 1st January, 1810,	87 84
Beverly, for boarding, clothing and doctoring sundry paupers to 1st February, 1810,	752 46

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Buckland, for boarding, clothing and doctoring William Negus, to 1st February, 1810,	79 50
Becket, for boarding, clothing and doctoring Sally Leonard and Hiram Leonard, to 1st January, 1810,	67 60
Bowdoinham, for supporting Catharine and Terafa Devens, to 29th December, 1809,	68 72
Bridgewater, for boarding and clothing William Blakely, Frederick Bignor, and Michael Ryan, to 14th February, 1810, and Mrs. Place, and children to time of sending them out of the State,	186 9
Boston, for boarding and clothing fundry paupers to 1st December, 1809,	6428 2
Boston Board of Health, for boarding, nursing and doctoring fundry paupers on Rainsford Island, to 20th January, 1810,	308 75
Brimfield, for boarding, clothing and doctoring John Blakely, to the time of his death and funeral charges,	87 57
Blanford, for boarding and clothing Samuel Walker, to 1st May, 1810,	41 20
Bradford, Samuel, Keeper of the Gaol in Boston, for supporting poor debtors in Gaol to 23d February 1810,	841
Colerain, for boarding, clothing and doctoring Sally Leominster, Polly Gardiner's two children, and doctoring two children of Henry Rogers to 4th January, 1810,	138 51
Carlisle, for boarding, clothing and doctoring Robert Barber, to 20th January, 1810,	49 80
Cambridge, for board, clothing and doctoring John Wilkens, James Barker, and James Morfe and wife, to 27th January, 1810, and Enoch Herbert, Amos Flint, Jonathan Greely, Benjamin Howard Reuben Whittier, and Foster Temple, to the time they were discharged from jail,	249 57
Cape Elizabeth, for boarding and clothing Abram Birks, and James Ramsbottom to 13th January, 1810,	90 75
Chelmsford, for boarding, clothing and doctoring Cathrine Mc. Clenny to 1st January, 1810,	72 62
Charleton, for boarding, clothing and doctoring James Maddan to 1st January, 1810,	41

Chester, for supplies to Elias Leonard to 24th September, 1809,	15 9•
Charleston, for boarding and clothing fundry paupers to 21st January, 1810,	356 62
Cheshire, for boarding and clothing and doctoring Adonijah Webster, to the time of death and funeral charges	53 73
Deblois, George, keeper of the alms house in Boston, to 1st December, 1809,	418 16
Deerfield, for supplies to George Roberts, to 23d January, 1810,	14 17
Dunstable, for boarding and clothing and doctoring Margarette Lane to 20th January, 1810,	40 16
Dedham, for boarding, clothing and doctoring Eleanor Carroil, Peter Eager, and Anna Angel, to 1st January, 1810,	74
Dracut, for boarding, clothing and doctoring Lucy Jaquith and Richard Baker, to the 1st February, 1810, and Nancy Hale to the time of her going to Methuen,	156 22
Dogget, Samuel, under keeper of the gaol in Dedham, for boarding and clothing James Hatchel, and Squire Bristol to 3d February, 1810,	146 12
Danvers, for boarding and clothing Mary Duckinfield, Jane Duckedy, Ruth Parsons, Suky Honsby, Edward Furlong, George Campbell, James Lewis and James Leo, to 5th February, 1810,	272 95
Douglas, for boarding, clothing and doctoring Betty Trifle, to 16th February, 1810, and Ama Peters to the time of sending her out of the state,	73 96
Dorchester, for boarding, clothing and doctoring John Harrison, and Lydia Wyman's child to 3d February, 1810, and Lydia Wyman, to the time of her death, including funeral charges,	124 91
Eastport, for boarding, clothing and doctoring Edward Moratta, to the time of his death, and Elean Harris, to his removal to Boston,	241 02
Easthampton, for boarding and clothing John Hall, to 14th February, 1810,	38 08
Egremont, for boarding, clothing and doctoring Mary, Elizabeth, Joseph and Benjamin Daley to 7th January, 1810,	314 62
Easton, for supporting Edward Johnson to 31st January, 1810,	10 19

Falmouth, in the county of Barnstable, for boarding and clothing Edward Edwards to 19th January, 1810,	26
Fryburg, for boarding, clothing, nursing and doctoring Philip Corben to the time of his death and funeral charges,	103 57
Fayette, for boarding and clothing William G. Martin to 1st January, 1810,	63 37
Greenfield, for boarding, clothing and doctoring Eunice Converse and Nabby Leomineer to 22d January, 1810, and John H. Lefolt to the time of his death and funeral charges,	105 99
Gill, for boarding, clothing and doctoring Sarah Hambleton and Samuel Lyons and Wife to 25th January, 1810.	100 19
Granby, for boarding, clothing and doctoring John Murry to the time of his death and funeral charges, and Ebenezer Darwin to 29th January, 1810,	85 65
Greenwich, for boarding, clothing and doctoring John Howard, John Bailey and Wife, Elizabeth Harrington and William Rice to 22d January, 1810,	206 62
Gloucester, for boarding, clothing and doctoring fundry Paupers to 10th November, 1809,	1008 50
Granville, for boarding and clothing George Taylor and Archibald Stewart, to 1st January, 1810,	83 29
Groton, for boarding, clothing and doctoring John C. Wright and Wife, widow Bentrodt, and William Lepore and Wife to 10th January, 1810,	355 64
Gorham, for boarding and clothing Robert Gilfaling to 1st-February, 1810,	65
Great Barrington, for boarding and clothing Isaac, Catharine and Mary Hoose, John Wittie and Clarisa Lindsay to 26th December, 1809,	286 73
Hodgkins Joseph, keeper of the House of Correction in Ipswich, for boarding and clothing fundry Paupers to January 31, 1810,	249 52
Hutson John, Underkeeper of the gaol in Salem, for boarding fundry poor persons, confined in gaol for debt to 1st January, 1810,	394 93
Hiram, District of, for boarding, clothing and doctoring Daniel Hickey to 22d January, 1810,	59 10
Hallowell, for boarding, clothing and doctoring Ra-	

chel Comings, Lois and Almira Powers, James Carruth, widow Brown and child, widow Davis and children to 1st January, 1810, and Stephen Hinckley and David Brown to the time of their death and funeral charges,	730 76
Hingham, for boarding, clothing and doctoring George, a black man, and Jezra Crofts, to 1st February 1810, and Solomon Wilton, to the time of his leaving the state,	153 28
Hamilton, for boarding and clothing and doctoring Molly Moncrief, to 5th April, 1809,	65
Hancock, for boarding, clothing and nursing Rebecca Osborn, to 10th February, 1810,	167 56
Haverhill, for boarding, clothing and doctoring William Topley, and Henry Spoilit, to 1st January, 1810,	97 25
Hadley, for boarding, clothing and doctoring Fryday and Wife, and William Potter, to 1st January, 1810, and George Andrews, and Marfena Potter, to the time of their death and funeral charges,	241 3
Ipswich, for boarding, clothing and doctoring fundry paupers to 1st February, 1810,	282 70
Kittery, for boarding, clothing and nursing Sarah Perkins, and Deborah Perkins, and child to 1st January, 1810,	150
Limington, for boarding and clothing John Orian, to 1st January, 1810,	67 60
Lincolnvillle for boarding and clothing Timothy Cox, and Alexander White, to 12th January, 1810,	101 42
Lunenburg, for boarding and clothing Felix Tool, to 25th January, 1810,	59 13
Leyden, for boarding, clothing and doctoring Jedidiah Fuller, and wife, Ruth, Abel and Elizabeth Waggoner, to 13th January, 1810,	93 37
Leicester, for boarding and clothing Lydia Dunham, to 1st February, 1810,	44 67
Lincoln, for supporting and doctoring Hugh McPheron, to 25th January, 1810,	66
Littleton, for boarding, clothing and doctoring John Putnam, and Richard Crouch, to 11th February, 1810,	191 90
Lenox, for boarding, clothing and doctoring Abra-	

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ham Palmer, and child, Simeon Hanchet, and William H. Clark, to 20th January, 1810	206	54
Lancaster, for boarding and clothing William Sherer, to 4th April, 1809,	81	64
Lincoln, for boarding and clothing Thomas Pockock, to 1st February, 1810,	94	60
Lynn, for boarding, clothing and doctoring John Battes, Nancy Carter and child, Richard Neil, Peter Oulson, and Josiah Miller and wife, to 8th February, 1810,	301	36
Methuen, for supporting Thomas Pace, to 1st January, 1810,	75	36
Monmouth, for boarding and clothing Joseph Richards, his wife and child, to the time of their leaving this state,	63	
Marthfield, for boarding and clothing Phillis Mitchell, to 15th May, 1809,	44	24
Marblehead, for boarding, clothing and doctoring fundry paupers to 6th February, 1810,	744	85
Marlborough, for boarding, clothing and doctoring Joseph Waters, to 7th February, 1810, and Thomas Welsh, to the time of going away,	73	20
Manchester, for board, clothing and doctoring Thomas Douglas, to 2d February, 1810,	75	50
Milton, for board, clothing and doctoring Thomas Webster, Rebecca Welsh and two children to 23d February, 1810, and John Merry to the time of his death and funeral charges,	143	18
North Yarmouth, for board and clothing William Elwell, and William Campbell, to 1st January, 1810,	127	6
Nantucket, for board and clothing John Bell, John Baily, Elenor Jones and James Plato to 1st January, 1810, and Alexander Chaine to the time of his death and funeral charges,	139	49
Northfield, for boarding, clothing and doctoring Richard Kingsbury, to 26th January, 1810,	89	85
Newbury, for boarding, clothing and doctoring fundry paupers to 1st January 1810,	1390	50
Newburyport, for boarding, clothing and doctoring fundry paupers to 1st January, 1810,	1725	26
Newbedford, for boarding and clothing Martin Joseph and Gonosent, to 29th December, 1809, and John Gordon to the time of leaving the state,	45	90

Northampton, for boarding and clothing Caroline Robbins, and child, James Barry, William Welsh, Lemuel Culver, and family, Elizabeth Davis, and Samuel Dodge to February 1st, 1810, and Ransom Parker, Charles Butler, Peter Jackson and Joel Bartlet, poor prisoners in gaol for debt to the time of their going away,	320 87
New Gloucester, for boarding and clothing Joseph Gregory, and John May, to 11th February, 1810,	102 80
Oxford, for boarding and clothing Catharine Jordan, to 1st January, 1810,	62 34
Overseers of Marshpee Indians, for boarding and clothing Elizabeth Isaacs and Quash Bulkin to 6th February, 1810, and boarding, clothing and doctoring Thomas Caesar, to 27th February, 1810,	145 95
Peru, for supporting James Robbins, and family to 15th January, 1810,	71 12
Palmer, for boarding, clothing and doctoring William Mendem and wife to 5th January, 1810,	139 95
Portland, for boarding, clothing and doctoring fundry paupers to 1st January, 1810,	1363 83
Pittsfield, for boarding, clothing and nursing Peter Heon, to 8th February, 1810, and Jonathan Spear to 1st February, 1810	126 67
Quincy, for boarding, clothing and doctoring the wife and children of Dennis Bulkley, to the time of leaving the State, and William Oliphant to 6th February, 1810,	170 46
Rowe, for boarding, clothing and doctoring Azubah Porter to 14th February, 1810,	30 65
Reading, for boarding, clothing and doctoring Samuel Bancroft and Thomas Grant to 25th January, 1810, and Samuel Robinson to the time of his death and funeral charges,	323 7
Rutland, for boarding, clothing and doctoring William Henderfon, Boswell Farrer, a child, and John Cowling to 20th January, 1810,	144 48
Rowley, for boarding, clothing and doctoring Elle Collins to 1st January, 1810,	65 89
Roxbury, for boarding, clothing and doctoring fundry Paupers to 3d January, 1810,	486 46
Rehoboth, for boarding and clothing Elizabeth Crof-	

by and Lief Mafon and child to 30th January, 1810,	156 50
Standish, for boarding and clothing Allice Noble to 1st January, 1810,	58 82
Sandisfield, for boarding, clothing and doctoring Richard Dickson, wife and children, and Eliza Dandoo to 8th January, 1810,	99 88
Stockbridge, for board and clothing Mercy Dond, Sarah Hosford, Jeremy Elky and Seely Peet, to 5th December, 1809,	208 75
Somerset, for board, clothing and doctoring William Elliot to 1st January, 1810,	98 05
Sidney, for board, clothing and doctoring John and Henry Lyons to 1st January, 1810,	57 31
South Hadley, for supporting and doctoring Peter Pendergrafs to 6th January, 1810,	69 48
Stoneham, for supporting and doctoring John H. Clamrod to the time of his death and funeral charges,	42 58
Springfield, for boarding and clothing John Padley to 26th January 1810,	55 88
Southwick, for board, clothing and doctoring George Reed to 1st January, 1810,	87 83
Sherburne, for board, clothing and doctoring Benjamin Houghton to 29th January, 1810,	58 44
Sheffield, for board, clothing and doctoring William Mc. Gee, and Guy, a negro, to 1st January, 1810, Jack Brown to the time of leaving the town, and Henry Pond to the time of his death and funeral charges,	139 20
Salem, for boarding, clothing and doctoring sundry Paupers to 1st January, 1810,	1421 21
Swansey, for board and clothing Thomas Conally to 26th January, 1810,	50 22
Shirley, for supplies to Roderick Mc. Kinsey and wife, Simeon Cox and James Mills to 29th January, 1810,	135 18
Sturbridge, for supporting James Banton to 24th January, 1810,	42 41
Shrewsbury, for boarding, clothing and doctoring Sally Taylor and two children to 19th February, 1810,	58 07
Sudbury, for boarding, clothing and doctoring	

John Weighton to 12th February, 1810,	73 24
Sharon, for boarding and doctoring John Fouchard to the 13th of May, 1809,	73 00
Taunton, for boarding and clothing Henry Ash, Edmund Shores, Manuel, Disnors and Hannah Goff to 27th January, 1810, and John Shores, to 24th February, 1809	285 04
Topsfield, for supporting Thomas Comerford to the time of going to Beverly,	46 00
Tyringham, for boarding and clothing for Ralph Wey to 1st January, 1810,	60 92
Troy, for boarding and clothing Francis Brown to 21st February, 1810,	101 00
Tilbury, for board, clothing and doctoring Joseph Alvarez to the time of removing him out of the commonwealth,	197 03
Uxbridge, for board, clothing and doctoring David Mitchell and Benjamin Cantiff to 1st February, 1810, and Patience Hazard to the time of her going out of the State,	90 08
Vassalborough, for boarding, clothing and nursing James Lester and Abigail Fairbrother to 20th January, 1810,	94 88
Wayne, for boarding, clothing and doctoring Sally Allard to 22d January, 1810,	62 4
Wells, for expence of taking up and burying the body of a Swede, drowned in January 1808,	6 24
Warwick, for boarding and clothing Samuel Grifeth, to 23d January, 1808,	54 8
Winthrop, for boarding, clothing, nursing and doctoring, Olive Howard to 15th January, 1810, and William Gaskell to 3d January, 1810,	120 6
West Stockbridge, for boarding and clothing Lucy Lane to 1st January, 1810,	56 80
Waldoborough, for boarding, clothing and doctoring James Collins to the time of his death including funeral charges,	72 00
Walpole, for boarding, clothing and doctoring Sally Davis to the time of her death and funeral charges, and Robert Clew to 1st January, 1810,	135 75
Williamstown, for boarding, clothing and doctoring Stephen Blew, Rachel Galuska, Charles Mc.	

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Carthy and Robert Morrell to 23d January, 1810,	194 5
Windfor, for boarding and clothing Henry Smith and wife to 9th January, 1810,	56 61
Westfield, for supporting and doctoring Elias Leon- ard to 26th April, 1809,	39 67
Warren, for supporting William Moorman to 4th January, 1810,	52 00
Woburn, for boarding and clothing John and Wil- liam Lynham to 12th February, 1810,	80 00
Worcester, for boarding, clothing and doctoring Pe- ter Willard, Henry Bratz, Sally Melvin and A- braham Fairfield to 1st January, 1810, and Jack Melvin to the time of his death and funeral char- ges,	196 74
West Springfield, for board, clothing and doctoring William Bell and James Aldrich to 21st January, 1810,	95 34
Washington, for board and clothing Phebe Clark to 2d February, 1810,	41 8
Westford, for board, clothing and doctoring Phil- lip Jackson and Christopher Shepard to 22d February, 1810,	101 40
Yarmouth, for supporting James Deagle to time of leaving the State,	31 97
York, for boarding, clothing and doctoring sundry paupers to 8th February, 1810,	734 98
Total Paupers,	33547 77

MILITARY ACCOUNTS.

Courts Martial and Courts of Inquiry.

Clapp, Jeremiah, for the expence of a Court Martial held at Charleston in February, and March, 1809, for the trial of Capt. Melzar Holmes, Col. Joseph Whitman, president,	358 19
Clapp, Jeremiah, for the expence of a Court of In- quiry held at Woburn, 19th July, 1809, Major Jonathan Lock, President,	13 17
Howard, Samuel, for the expence of a Court of In- quiry	

quiry held in July, 1809, Major Samuel Coney, President,	60 38
Howard, Samuel, for the expence of a Court of Inquiry held in August, and September 1809, Col. Thomas Phillebrown, President,	14 5
Hammat, William, for the expence of a Court of Inquiry held in March, 1808, B. Gen. Fearing, President,	36 41
Hammat, William, for the expence of a Court of Inquiry held in May, 1809, Major Caleb Howard, President,	19 23
Hammat, William, for the expence of a Court of Inquiry held in June, 1809, Major Caleb Howard, President,	25 52
Kettell, Jonathan, for the expence of a Court of Inquiry held on the 24th and 26th July, 1809, Major John Tedder, President,	11 81
Bass, George, as Brigade Major P. T. for the expence of a Court Inquiry held in Boston 26th October, 1809, Major Joseph Elden, President,	31 76

Brigade Majors and Aids-de-Camp.

Ayrs, James, to 10th February, 1810,	72 86
Bastow, Sumner, to 1st December, 1809,	47 70
Bates, Elhanah, to February, 1810,	59 83
Blish, Joseph, Jun. to 26th December, 1809,	43 38
Curtis, Jared, to 24th January, 1810,	13 18
Clapp, Jeremiah, to 11th February, 1810,	103 40
Fisher, Jacob, to 11th February, 1810,	36 34
Fairbank, John, to February, 1810,	20
Goddard, William, to 1st January, 1810,	107 15
Gamwell, Samuel, to 27th January, 1810,	11 50
Goodwin, Icabod, to 1st January, 1810,	34 70
Hoyt, Epaphras, to January, 1810,	51 92
Hayward, Nathan, to January, 1810,	45 15
Hayes, W. Samuel, to 6th October, 1809,	68 22
Hamlin, Hannibal, to January, 1810,	128 57
Howard, Samuel, for his services in the first and second Brigade, eighth Division, to January, 1810,	252 61
How, Estes, to January, 1810,	4 60
Hight, William, to 1st January, 1810,	95 33
Kettell, Jonathan, to 13th February, 1810,	65 26

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Lovejoy, P. John, to 12th February, 1810,	10 50
Mattoon, D. Noah, to 30th January, 1810,	7 50
Prince, John, to 1st July, 1809,	53 31
Rufs, John, to 1st January, 1810,	53
Thayer, M. Samuel, to 23d February, 1810,	108 75
Wheeler, Robert, to January, 1810,	40 5
Whiting, Timothy, to 21st January, 1810,	103 25

Adjutants.

Ames, Pliney, to 24th January, 1810,	20 27
Backus, Zeas, to 17th January, 1810,	57 41
Brien, O. Jeremiah, to 1st December, 1809,	31 52
Bucklin, Joseph, to 1st January, 1810,	27 94
Benson, John, to 1st January, 1810,	88 17
Beak, John, to 16th February, 1810,	53 18
Bates, Isaac, to 4th December, 1809,	21 75
Burt, Abner, Jun. to 14th September, 1809,	14 45
Bass George, to 21st February, 1810,	197 37
Cornell, Phillip, to 30th January, 1810,	49 5
Chandler, Benjamin, to 21st November, 1809,	18 76
Curtis, Joseph, to 14th January, 1810,	10 75
Cushman, James, to 1st January, 1810,	18 77
Clark, Joseph, to 16th January, 1810,	80 78
Cheever, Nathaniel, to 6th February, 1810,	48 77
Crain, Nathan, Jun. to 23d January, 1810,	12 77
Doanison, William, adjutant General, in full for his services for 1809,	1000
Dickenson, Frederick, to 1st February, 1810,	31 38
Frost, Timothy, to 21st December, 1809,	22 56
Fisk, Ezra, to 16th January, 1810,	54 15
Fettyplace, Thomas, to 20th February, 1810,	6 50
Fletcher, Samuel, to 20th January, 1810,	16 6
Foot, Elisha, to 20th September, 1809,	11 18
Gitchel, Ephraim, to 21st December, 1809,	96 25
Haggim, Benjamin, to 25th January, 1810,	19 62
Holmes, Bartlet, to 15th February, 1810,	13 98
Hayden, Samuel, to the 21st June, 1809,	12 43
Hinman, Ranson, to 1st September, 1809,	19 19
Hayden, Charles, to 8th September, 1809,	10 88
Jones, Amos, to 18th January, 1810,	8 64
Jaques, Samuel, Jun. to 17th February, 1810	121 59
Jewett, Jesse, to 28th January, 1810,	20 98

Kellogg, Giles, to 28th January, 1810,	49 48
Kettell, Jonathan, to 11th June, 1809,	14 75
Lane, Daniel, to 20th January, 1810,	6 44
Lyman, Lewis, to 1st January, 1810,	29 68
Marston, Jonathan, to 24th January, 1810,	51 41
Maxwell, Sylvanus, to 15th September, 1809,	25 89
Munroe, William, to 1st March, 1809,	26 5
Morgan, Aaron, to 31st January, 1810,	18
Northam, Eli, to 27th December, 1809,	15 35
Niel, John G. to 1st February, 1810,	18 4
Nye, John, to 18th January, 1810,	5 17
Orr, Hector, to 23d September, 1809,	33 23
Peck, George, to 1st November, 1809,	11 69
Page, Nathaniel, to 13th February, 1810,	18 58
Parker, Henry, to 23d February, 1810,	32
Pengree, Samuel, to 17th February, 1810,	42 75
Pope, Ebenezer, Jun. to 1st February, 1810,	8 85
Ripley, W. James, to 1st December, 1808,	38 79
Richardson, Wyman, to 3d October, 1809,	28 84
Kingman, Simeon, to 28th January, 1810,	10 59
Page, Jesse, to 30th January, 1810,	58 17
Pope, Edward, Jun. to 5th October, 1809,	21 23
Starr, James, Jun. to 30th January, 1810,	14 15
Sawyer, William, to 1st February, 1810,	43 33
Sprout, James, to 3d February, 1810,	37 69
Stebbins, Quarius, to 15th November, 1809,	40 39
Stebbins, Felix, to 21st November, 1809,	17 50
Sleeper, Menassah, to 4d September, 1809,	33 26
Smith, Henry, to 12th February, 1810,	
Shaw, Joseph, to 1st October, 1809,	5 25
Stewart, Jotham, to 1st February, 1810,	16 18
Thomas, B. John, to 3d January, 1810,	26 64
Tucker, Joseph, to 2d January, 1810,	62 94
White, Jonathan, to 16th January, 1810,	7 50
Washburne, Abiel, Jun. to 1st October, 1809,	23 26
Woodman, Ephraim, to 20th September, 1809,	19 51
Weston, D. Jonathan, to 1st January, 1810,	16 95
Winflow, John, Jun. to 20th February, 1810,	37
Wight, James, to 3d January, 1810,	24 57
Washman H. Philo, to 24th January, 1810,	14 40
Williams S. John, to 26th February, 1810,	60 5
Willington, Charles, to 23d January 1810,	110 82
Wild, Jonathan, to 7th February, 1810,	34 84

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Wade, Samuel, to 22d February, 1810, 8 27

Expences for Horses to haul Artillery.

Blanchard, Joshua, to 12th October, 1809,	8 0
Carlisle, James, to 16th January, 1810,	7 50
Chapman, Levi, to 6th February, 1810,	5
Cobb, David, to 1st January, 1810,	30
Davis, William, to 1st November, 1809,	4 50
Eaton, Jonas, to 21st September, 1809,	5
Hartshorn, Jeffee, to 15th January, 1810,	5
Hammon, William, to 1st January, 1810,	7 50
Harris, Elisha, to 6th October, 1809,	4 25
Hammon, C, to 1st November, 1809,	5
Harris, William, to 1st January, 1810,	20
Jenkins, Weston, to 1st January, 1810,	15
Lewis, James, to 30th January, 1810,	6
Little, Otis, to 1st January, 1810,	5
Makepeace, William, to 24th January, 1810,	5
Newhell, Aaron, to 1st February, 1810,	10
Page, William H. to 21st January, 1810,	10
Phelps, Samuel W. to 29th January, 1810,	10
Plummer, Addison, to 23d January, 1810,	8
Russell, John, to 12th February, 1810,	7 50
Sawyer, George, to 5th October, 1809,	6 50
Smith, George S. to 2d January, 1810,	10
Stafford, Ebenezer, to 29th December, 1809,	6
Thomas, Andrew, to 11th October, 1809,	7 50
Wheeler, Samuel, to 22d January, 1810,	10
Wells, Martin, to 25th October, 1809,	10
Wales, Stephen, to 14th October, 1809,	6 25

Total Military, 5939 51

SHERIFF'S AND CORONER'S ACCOUNTS.

Chandler, John, sheriff of Kennebeck county, for returning votes for Governour, Lieut. Governour and Senators for 1809,	14 40
Cutler, Benjamin, for returning votes for Governour, Lieut. Governour and Senators for 1809,	88
Dane, William, coroner, for expense of taking in-	

inquisition on the dead body of a stranger at Gloucester, 2d October, 1809,	6 20
Foltom W. John, for expense of taking inquisition on the bodies of William Jones, Lewis Marshall and another, name unknown, foreigners, to 23d February, 1810,	72 18
Hardy, Peter, coroner, for expense of taking inquisition of the body of Lazarus, a foreigner, at Isle of Hant, 19th November, 1808,	49 51
Leonard, Horatio, sheriff of Bristol county, for returning votes for Governour, Lieut. Governour and Senators for 1809,	11 20
Leonard, Zephaniah, late sheriff, for returning votes for Governour, Lieut. Governour and Senators for 1808,	3 20
Lithgow, Arthur, late sheriff of Kennebeck county, for returning votes for Governour, Lieut. Governour and Senators for 1807, omitted in former Roll,	16
Pomroy, William, coroner, for expense of taking inquisition on the body of Josiah Kofs, a foreigner, on 4th September, 1809,	26 96
Wynian, Isiah, coroner, for expense of taking inquisition and burial of the bodies of two persons unknown, 5th July, 1808,	31 18
Waite, Nathan, coroner, for expenses of taking inquisitions on the bodies of two persons, strangers, the 11th and 23d August, 1809,	25 30
Total Sheriff's and Coroner's Accounts,	257 1

PRINTER'S ACCOUNTS.

Allen, Phineas, for publishing acts and resolves to 13th February, 1810,	16 67
Adams & Rhoades, for publishing resolve respecting Norridgewock votes and acts regulating towns to 25th December, 1809,	10
Allen, E. W. for publishing acts and resolves to 1st August, 1809,	16 67
Allen, Brown William, for publishing acts and resolves to July, 1809,	16 67

RESOLVES, March 8, 1810.

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Cushing, C. Thomas, for publishing acts and resolves to June, 1809,	16 67
Dickman, Thomas, for publishing acts and resolves to 25th January, 1810,	16 67
Edes, Peter, for printing documents respecting treasurer Skinner—acts and resolves respecting Norridgewock votes to 1st January, 1810,	15
Parks, Benjamin, for newspapers for council chamber to June, 1808,	32
Russell, Benjamin, for newspapers for council chamber to 11th June, 1808,	28
Russell & Cutler for newspapers for General Court to 25th May, 1808,	32
Shirley, Arthur, for publishing acts and resolves to 1st January, 1810,	16 67
Strong, Titus, for publishing acts and resolves to January 1st, 1810.	16 67
Weeks & McKown for publishing report and documents respecting late treasurer Skinner's accounts,	12 50
Young & Minns for printing for secretary's and treasurer's offices, and the General Court, executed by Ruffel & Cutler and J. & A. W. Park, to 2d March, 1810,	1629 20
Total Printers,	1875 39

MISCELLANEOUS ACCOUNTS.

Blaney, Henry, for fundries repairs for the state house to 22d January, 1810,	69 39
Boyle, John, for Stationary for Adjutant General's Office to the 2d December, 1809,	146 25
Bridge, Matthew, John Wells, Benjamin Weld, Joseph Head and David Devens, Committee for examination and adjustment and settlement of Treasurer Dwight's, accounts with the commonwealth to 1st July, 1809,	70
Burdit, W. James, and Co. for fundries stationary for General Court and Secretary's office to 22d February, 1810,	355 98
Bradley, Samuel and David, for sandry articles fur-	

nished for the State House, to February, 26th 1810,	94 92
Durant, William, for cleaning windows and other work done in the State House to 26th February, 1810,	19 2
Hill, Aaron, for postage of letters for Governour Adjutant General, Secretary and Treasurer to 17th February, 1810,	275 49
Jackson, Jonathan, James Lloyd, Joseph Head, George Burrows, and Matthew Bridge, Committee for settling Treasurer Skinner's accounts with the commonwealth,	260
Lincoln, Amos, for materials and work done in the State House to 27th February, 1810,	135 46
Spear, Thomas, for his services in keeping the hospital at Rainsford, Island, to 14th February, 1810,	44 44
Sewall, Daniel, clerk of the Supreme Judicial Court, for the county of York, for dockets and record books to 1st February, 1810,	11 7
Smith, Ebenezer, for expences of himself and others attending the orders of House of Representatives on a complaint against Benjamin Bassett, Esq.	107 66
Wheeler, Josiah, for sundries, work and materials for State House to 22d February, 1810,	67 62
Lapham, Sylvanus, for assisting the Messenger to the General Court to 6th March 1810,	80
Chace, Warran, for assisting the Messenger to the General Court to 6th March, 1810,	70
Perry, John, for assisting the Messenger to the General Court, to 6th March, 1810,	76
Total Miscellaneous	1883 30

Aggregate of Roll No. 62—March, 1810.

Expense of State Paupers,	33,547 77
Do. Militia,	5,939 51
Do. Sheriff's and Coroners,	257 0
Do. Printers,	1,875 39
Do. Miscellaneous,	1,883 30
Total	43,504 98

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-three thousand, five hundred and two dollars and ninety-eight cents; the same being in full discharge of the accounts and demands to which they refer.

In Senate March 5th, 1810,

Read and accepted, and sent down for concurrence,

H. G. OTIS, *President*.

In the House of Representatives, March 5th, 1810,

Read and concured,

TIMOTHY BIGELOW, *Speaker*,

March, 6th 1810, Approved,

C. GORE.

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