

# 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 THIRTY-FIRST DAY OF MAY,

*IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED*

*AND NINE.*



CIVIL

# Government of Massachusetts.

FOR THE YEAR 1809—10.

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HIS EXCELLENCY

CHRISTOPHER GORE,

GOVERNOUR.

---

HIS HONOUR

DAVID COBB,

LIEUTENANT GOVERNOUR.

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## COUNCIL.

Hon. EDWARD H. ROBBINS,  
ARTEMAS WARD,  
THOMAS DWIGHT,  
EPHRAIM SPOONER,  
PRENTISS MELLEN,  
OLIVER FISKE,  
NATHANIEL DUMMER,  
WILLIAM PRESCOTT,  
DANIEL DEWEY.

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WILLIAM TUDOR, *Secretary of the State.*

JOSIAH DWIGHT, *Treasurer and Receiver General.*

## SENATE.

---

Hon. HARRISON G. OTIS, Esq. *President.*

*County of Suffolk,*

Hon. Harrison G. Otis,  
William Spooner,  
John Phillips,  
Peter C. Brooks,  
John Welles.

*County of Essex,*

Hon. Enoch Titcomb,  
John Heard,  
John Phillips,  
Nathaniel Thurston,  
Israel Thorndike,  
Samuel Putnam.

*County of Middlesex,*

Hon. Samuel Dana,  
Amos Bond,  
J. L. Tuttle,  
Matthew Bridge.

*County of Hampshire,*

Hon. Ezra Starkweather,  
Hugh Mc Clallen,  
Eli P. Ashmun,  
S. Lathrop.

*County of Bristol,*

Hon. Edward Pope,  
Samuel Fales.

*County of Plymouth,*

Hon. Nathan Willis,  
Seth Sprague.

*County of Barnstable,*

Hon. Joseph Dimmick.

*Dukes County and Nantucket,*

Hon. Walter Folger, jun.

*County of Worcester,*

Hon. Salem Town,  
Elijah Brigham,  
Thomas Hale,  
Jonas Kendall.

## SENATE.

*County of Berkshire,*

Hon. Timothy Childs,  
Azariah Eggleston.

*County of Norfolk,*

Hon. John Howe,  
Samuel Day.

*County of York,*

Hon. John Woodman,  
Alexander Rice.

*County of Cumberland,*

Hon. Lothrop Lewis,  
James Means.

*Lincoln, Hancock, and }  
Washington Counties,*

Hon. William King,  
Francis Carr.

*County of Kennebeck,*

Hon. Joshua Cushman.

---

Nathaniel Coffin, *Clerk,*  
Samuel F. M'Cleary, *Assistant Clerk.*

# HOUSE OF REPRESENTATIVES.

---

Hon. TIMOTHY BIGELOW, Esq. *Speaker,*

## SUFFOLK.

<i>Boston,</i> William Smith,	Benjamin Buffley,
Samuel Cobb,	John Parker,
William Brown,	Joseph Head,
Jonathan Hunnewell,	Ebenezer T. Andrews,
William Sullivan,	Charles Jackson,
William Phillips,	Francis D. Channing,
Francis Wright,	William H. Sumner,
Simon Elliot,	Ephraim Thayer,
Benjamin Russell,	Josiah Knapp,
Daniel Sargent,	Benjamin Weld,
Thomas W. Sumner,	Oliver Keating.
John Callender,	David West,
Benjamin Whitman,	Nathan Webb,
John T. Apthorp,	Daniel Messinger,
Charles Davis,	William Walter,
James Robinson,	Warren Dutton,
Jacob Welsh,	George G. Lee,
William Hammatt,	Joseph M'Kean.
Thomas Dennie,	

*Chelsea,*

## ESSEX.

<i>Salem,</i> William Cleveland,	John Bailey,
Joshua Ward,	Afa Hooper,
Joseph Story,	Joshua Prentiss, jun.
Joseph Winn,	William Story.
Joseph Sprague,	<i>Lynn &amp; Lynnfield,</i> Jos. Fuller, 3d.
Benj. Crowninshield,	Aaron Breed,
Moses Townsend,	Henry Hallowell,
George S. Johonnot,	Joseph Johnson, jun.
Nathl. Frothingham,	Caleb Downing.
John Hathorne, jun.	<i>Danvers,</i> Samuel Page,
Joseph Sprague, jun.	Nathan Felton,
<i>Marblehead,</i> John Prince,	Squires Shove.
Nathan B. Martin,	<i>Beverly,</i> Thomas Davis,
Phillip Befom,	Abner Chapman,

## HOUSE OF REPRESENTATIVES.

Thomas Stephens,	David Little.
Isaac Rea,	<i>Newburyport</i> , Mark Fitz,
Robert Rantoul.	Andrew Frothingham,
<i>Wenham</i> , Samuel Blanchard.	Jonathan Gage,
<i>Hamilton</i> , John Safford.	Stephen Howard,
<i>Manchester</i> , Henry Story.	John Pearson,
<i>Gloucester</i> , Benj. K. Hough,	John Peabody,
Thomas Parsons,	Abner Wood,
John Somes, jun.	Joseph Dana.
John Manning,	<i>Bradford</i> , Samuel Webster,
John Tucker,	Thomas Savory.
Lonson Nash.	<i>Boxford</i> , Thomas Perley.
<i>Ipswich</i> , Nathaniel Wade,	<i>Andover</i> , Thomas Kittredge.
Jonathan Cogswell, jr.	<i>Middleton</i> ,
Joseph Farley.	<i>Topsfield</i> , Nathl. Hammond.
<i>Rowley</i> , Moody Spafford,	<i>Salisbury</i> , Jonathan Smith.
Thomas Gage.	<i>Amesbury</i> , Christopher Sargent.
<i>Newbury</i> , Josiah Little,	<i>Haverhill</i> , Leonard White.
Silas Little,	<i>Methuen</i> , Benjamin Osgood.
John Osgood,	

## MIDDLESEX.

<i>Charlestown</i> , David Goodwin,	<i>East Sudbury</i> , Jacob Reeves.
Peter Tufts, jun.	<i>Natick</i> , Moses Fisk.
Timothy Thompson,	<i>Sherburne</i> , Calvin Sanger.
John Kettell,	<i>Holliston</i> , Jason Chamberlain.
David Devens.	<i>Hopkinton</i> , Walter M'Farland.
<i>Cambridge</i> , John Mellen,	<i>Framingham</i> , John Fisk,
Samuel P. P. Fay.	John Frowbridge.
<i>West Cambridge</i> , Sml. Butterfield.	<i>Marlborough</i> , Ephraim Barber,
<i>Brighton</i> , Samuel W. Pomeroy.	Daniel Brigham.
<i>Malden</i> , Jonathan Oakes.	<i>Stow &amp; Boxboro'</i> Aug. Tower.
<i>Medford</i> , Timothy Bigelow.	<i>Concord</i> , Tilley Merrick.
Nathaniel Hall.	<i>Bedford</i> , William Webber.
<i>Newton</i> , Timothy Jackson,	<i>Burlington</i> ,
Samuel Murdock.	<i>Woburn</i> , Sylvanus Plympton.
<i>Watertown</i> , Jonas White,	<i>Stoneham</i> , John H. Stevens.
Thomas Clark.	<i>Reading</i> , Timothy Wakefield,
<i>Waltham</i> , David Townsend.	Daniel Flint.
<i>Westtown</i> , Ebenezer Hobbs.	<i>Wilmington</i> , James Jaquith.
<i>Lincoln</i> , Joshua Brooks.	<i>Billerica</i> , Joseph Locke,
<i>Lexington</i> , Nathan Chandler.	Dudley Walker.
<i>Sudbury</i> , William Hunt.	<i>Tewksbury</i> , William Simonds.

## HOUSE OF REPRESENTATIVES.

<i>Chelmsford</i> , William Adams,	<i>Dracut</i> , Daniel Varnum,
Jonathan Perham.	Solomon Ofgood.
<i>Carlisle</i> , Paul Litchfield.	<i>Dunstable</i> , Micah Eldredge.
<i>Westford</i> , Thomas Fletcher, jr.	<i>Tyngsborough</i> ,
<i>Acton</i> , Jonas Brooks.	<i>Shirley</i> , Nathaniel Holden.
<i>Littleton</i> , Edmund Foster.	<i>Pepperell</i> , William Hutchinson.
<i>Groton</i> , Joseph Moors,	<i>Townsend</i> , Abner Adams.
Oliver Prescott.	<i>Ashby</i> ,

## HAMPSHIRE.

<i>Springfield</i> , Moses Chapin,	<i>Northfield</i> , John Nevers.
Jonathan Dwight, jun.	<i>Warwick &amp; Orange</i> , Josiah Cobb.
Oliver B. Morris.	<i>Northampton &amp; Easthampton</i> ,
<i>Longmeadow</i> , Ethan Ely.	Afahel Pomeroy,
<i>Wilbraham</i> , William Rindge,	Thaddeus Clapp,
Augustus Bisson.	Isaac C. Bates,
<i>Monson</i> , Abner Brown,	William Edwards.
Abfalom Shaw.	<i>S. Hampton</i> , Lemuel Pomeroy.
<i>Brimfield</i> , Stephen Pynchon,	<i>Westhampton</i> , Sylvester Judd.
Philemon Warren.	<i>Westfield</i> , Ashbel Eager,
<i>South Brimfield</i> } J. Thompson.	Jedidiah Taylor.
<i>and Holland</i> , }	<i>West-Springfield</i> , Jona. Smith,
<i>Ludlow</i> , John Jennings.	Charles Ball,
<i>Palmer</i> , Jesse King.	Gad Warriner,
<i>Ware</i> , William Bowdoin.	Elias Leonard.
<i>Greenwich</i> , Reuben Colton.	<i>Southwick</i> , Enos Foote.
<i>Belchertown</i> , Eliakim Phelps,	<i>Granville</i> , Israel Parsons,
Joseph Bridgman, jun.	John Phelps.
Eldad Parsons.	<i>Blandford</i> , David Boies.
<i>Pelham</i> , Isaac Abercrombie.	<i>Russell</i> ,
<i>Granby</i> , Eli Dickenfon.	<i>Montgomery</i> ,
<i>Amherst</i> , Samuel F. Dickinson.	<i>Norwich</i> , Aaron Hall.
Simeon Strong.	<i>Chester</i> , Sylvester Emmons.
<i>Hadley</i> , Giles C. Kellogg.	<i>Chesterfield</i> , Thomas Mayhew.
<i>South Hadley</i> , R. Woodbridge.	<i>Middlefield</i> , Erastus Ingham.
<i>Sunderland</i> , Nathaniel Smith.	<i>Worthington</i> , Jona. Brewster.
<i>Leverett</i> , Roswell Field.	<i>Williamsburg</i> , John Wells.
<i>Montague</i> , Nathan Chenery.	<i>Hatfield</i> , Isaac Maltby.
<i>Wendell</i> , Joshua Green.	<i>Whately</i> ,
<i>Shutesbury</i> , William Ward.	<i>Deerfield</i> , Elijah Arms,
<i>New Salem</i> , Varney Pearce,	Afa Stebbins.
Samuel C. Allen.	<i>Conway</i> , John Williams,



## HOUSE OF REPRESENTATIVES.

Isaac Baker.	<i>Greenfield</i> , Eliel Gilbert,
<i>Gospen</i> , William White.	<i>Gill</i> , James Gould.
<i>Ashfield</i> , Ephraim Williams,	<i>Bernardston</i> , Geo. Alexander.
Thomas White.	<i>Leyden</i> , Hez. Newcomb, jun.
<i>Cummington</i> , Peter Bryant.	<i>Colrain</i> , David Smith,
<i>Plainfield</i> , John Cunningham.	Robert L. Mc Clallen.
<i>Hawley</i> , Edmund Longley.	<i>Charlemont</i> , Abel Wilder.
<i>Buckland</i> , Enos Pomeroy.	<i>Heath</i> , Roger Leavitt.
<i>Shelburne</i> , William Wells.	<i>Rowe</i> , John Wells.

## PLYMOUTH.

<i>Plymouth</i> , Zaccheus Bartlett,	Caleb Briggs,
William Davis,	Mooers Rogers.
Barnabas Hedge, jun.	<i>Wareham</i> ,
Nathaniel Spooner.	<i>Carver</i> ,
<i>Kingston</i> , John Thomas.	<i>Plimpton</i> , Elijah Bisbee.
<i>Duxbury</i> , Judah Alden,	<i>Halifax</i> , Zebediah Thompson.
Samuel Walker.	<i>Abington</i> , Samuel Niles.
<i>Marshfield</i> , John Thomas.	Nathan Gurney, jun.
<i>Pembroke</i> , Bailey Hall.	<i>Hanover</i> , John B. Barstow.
<i>Bridgewater</i> , Nahum Mitchel.	<i>Scituate</i> , Cushing Otis,
<i>Middleboro'</i> , Samuel Pickens,	Hayward Pierce.
Levi Pierce,	<i>Hingham</i> , Hawkes Fearing,
Thomas Weston,	Jonathan Cushing,
Peter Hoar.	Thomas Fearing.
<i>Rochester</i> , Gideon Barstow, jr.	<i>Hull</i> , Benjamin Cushing.

## BRISTOL.

<i>Taunton</i> , John W. Seabury,	<i>Berkely</i> , Apollos Toby.
Josiah King,	<i>Freetown</i> , Nathaniel Morton, jr.
Samuel Crocker.	William Rounsevelle.
<i>Dighton</i> , John Hathaway,	<i>New Bedford</i> , Alden Spooner,
George Walker.	Seth Spooner,
<i>Rehoboth</i> , Peter Hunt.	Samuel Perry,
<i>Swansey</i> , Daniel Hale,	Charles Ruffell,
Edward Mafon.	Thomas Nye, jun.
<i>Somerset</i> , William Read.	<i>Dartmouth</i> , Joel Packard,
<i>Attleborough</i> , Joel Read.	Caleb Slocum.
<i>Mansfield</i> , Solomon Pratt.	<i>Westport</i> , Abner Brownel,
<i>Norton</i> , Bryant Hall.	Sylvester Brownel.
<i>Eastown</i> , John Tifdale.	<i>Troy</i> , Robert Miller.
<i>Raynham</i> , Israel Washburne.	

## HOUSE OF REPRESENTATIVES.

### BARNSTABLE.

<i>Barnstable</i> , Jabez Howland,	<i>Harwich</i> , Ebenezer Weeks.
Joseph Bligh, jun.	<i>Brewster</i> , Elijah Cobb.
Job C. Davis.	<i>Chatham</i> , Richard Sears.
<i>Sandwich</i> , Benjamin Perceval.	<i>Orleans</i> , Jonathan Bascom.
<i>Falmouth</i> , Braddock Dimmick,	<i>Eastham</i> , Samuel Freeman.
James Hinkley.	<i>Wellfleet</i> , Beriah Higgins,
<i>Yarmouth</i> , John Eldridge,	<i>Truro</i> ,
James Crowel.	<i>Provincetown</i> ,
<i>Dennis</i> , Judah Paddock.	

### DUKES.

<i>Edgartown</i> , Martin Peafe.	<i>Chilmark</i> ,
<i>Tisbury</i> , John Hancock.	

### NANTUCKET.

<i>Nantucket</i> , Micajah Coffin,	Jedidiah Fitch,
Uriah Swaine,	Daniel Whitney,
Shubael Coffin,	George Cannon,
Archelaus Hammond,	Martin T. Morton.
Micajah Gardner,	

### WORCESTER.

<i>Worcester</i> , Edward Bangs,	<i>Mendon</i> , Joseph Adams,
Ephraim Mower,	Daniel Thurber.
Abraham Lincoln.	<i>Milford</i> , Samuel Jones.
<i>Leicester</i> , John Hobart.	<i>Upton</i> , Ezra Wood, jun.
<i>Spencer</i> , Benjamin Drury.	<i>Grafton</i> , William Lamb.
<i>Brookfield</i> , Dwight Foster,	<i>Sutton</i> , Jonas Sibley,
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Rufus Hamilton,	Estes Howe.
Simeon Draper.	<i>Oxford</i> , Abijah Davis,
<i>Western</i> , Joseph Field.	James Butler.
<i>Sturbridge</i> , Gerthom Plimpton,	<i>Ward</i> ,
Zenos L. Leonard.	<i>Shrewsbury</i> ,
<i>Charlton</i> , John Spurr,	Vashni Hemmenway.
Thaddeus Marble,	<i>Westborough</i> , Nathan Filher.
Ephraim Willard.	<i>Southboro'</i> , Jeroboam Parker.
<i>Dudley</i> , Aaron Tufts.	<i>Northborough</i> , James Keyes.
<i>Douglas</i> , Benjamin Craggin.	<i>Boylston</i> , James Longley.
<i>Uxbridge</i> , Benjamin Adams.	<i>West Boylston</i> , Ezra Beaman.
<i>Northbridge</i> ,	<i>Lancaster</i> , Eli Stearns,

## HOUSE OF REPRESENTATIVES.

<p>Jonas Lane.  <i>Harvard</i>, Jonathan Symonds,          Jonathan Wetherbee.  <i>Bolton &amp; Berlin</i>, Silas Holman,          Levi Merriman.  <i>Sterling</i>, Israel Allen,          Bartholomew Brown.  <i>Holden</i>, William Drury.  <i>Rutland</i>, William Dodd.  <i>Paxton</i>, Nathaniel Crocker.  <i>Oakham</i>, Abijah Cutler.  <i>New Braintree</i>,          Joseph Bowman, jr.  <i>Hardwick</i>, Timothy Paige,          John Hastings.  <i>Barre</i>, Nathaniel Jones.  <i>Hubbardston</i>, Jacob Waite.  <i>Petersham</i>, Nathl. Chandler,</p>	<p>Daniel Grofvenor.  <i>Princeton</i>, William Dodds.  <i>Leominster</i>, Abijah Bigelow,          David Wilder, jr.  <i>Lunenburg</i>,  <i>Fitchburg</i>,  <i>Westminster</i>, Jonas Whitney,          Abel Wood.  <i>Gardner</i>, Aaron Wood.  <i>Ashburnham</i>, Joseph Jewett.  <i>Winchendon</i>, Israel Whiton.  <i>Royalston</i>,          Joseph Easterbrooks.  <i>Templeton</i>, Leonard Stone.  <i>Athol</i>, James Humphries.  <i>Gerry</i>, Ithamar Ward.  <i>Dana</i>, Abiel Parmenter.</p>
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## BERKSHIRE.

<p><i>Sheffield &amp; Mount Washington</i>,          Silas Kellogg.  <i>New Marlboro'</i>, Benj. Wheeler,          Benjamin Smith.  <i>Sandisfield and Southfield</i>,          John Picket.          Jairus Barker.  <i>Bethlehem</i>,  <i>Loudon</i>,  <i>Tyrningham</i>, Adonijah Bidwell,          Joseph Wilton.  <i>Great Barrington</i>,          Thomas Ives,          David Wainwright.  <i>Egremont</i>, James Baldwin.  <i>Alford</i>,  <i>Stockbridge</i>, Henry Brown.  <i>West Stockbridge</i>,          Lemuel Moffit, jr.  <i>Lee</i>, Josiah Yale.  <i>Becket</i>, George Conant.  <i>Washington</i>, Gideon Demming.  <i>Lenox</i>, Oliver Belden,</p>	<p>William P. Walker.  <i>Richmond</i>, Noah Roffeter.  <i>Hancock</i>, Rodman Hazard.  <i>Pittsfield</i>, Simeon Grifwold,          John Churchill,          Joseph Shearer.  <i>Dalton</i>, John Chamberlain, jr.  <i>Hinsdale</i>, Thomas Allen.  <i>Peru</i>, Smith Phillips.  <i>Windsor</i>, Daniel Dana.  <i>Laneboro' &amp; New Ashford</i>,          Samuel H. Wheeler,          Richard Whitman.  <i>Cheeshire</i>, Jonathan Richardson,          Joseph Bucklen.  <i>Adams</i>, Elisha Wells,          Thomas Farnum.  <i>Williamstown</i>, Willian Towner,          Samuel Kellogg.  <i>Savoy</i>, Joseph Williams.  <i>Clarksburg</i>,  <i>Florida</i>,</p>
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## HOUSE OF REPRESENTATIVES.

### NORFOLK.

<i>Roxbury</i> , Joseph Heath, William Brewer, Gustavus Fellows, Jacob Weld, Abijah Draper.	Jonathan Richards. <i>Needham</i> , James Smith. <i>Medfield and Dover</i> , Johnson Mason. <i>Medway</i> , Moses Richardson. <i>Bellingham</i> , John Bates. <i>Franklin</i> , Joseph Bacon. <i>Wrentham</i> , Jairus Ware, Jacob Mann.
<i>Dorchester</i> , Perez Morton, Ezekiel Tolman, Phineas Holden.	<i>Walpole</i> , Daniel Kingsbury. <i>Foxboro'</i> , Seth Boyden. <i>Sharon</i> , Jonathan Billings.
<i>Brookline</i> , Stephen Sharp. <i>Milton</i> , David Tucker.	<i>Stoughton</i> , Lemuel Gay. <i>Canton</i> , Benjamin Tucker.
<i>Quincy</i> , Thomas Greenleaf. <i>Braintree</i> ,	<i>Randolph</i> , Thomas French.
<i>Weymouth</i> , Christopher Webb. <i>Cobasset</i> , Thomas Lothrop.	
<i>Dedham</i> , John Endicott, Samuel H. Dean,	

### YORK.

<i>York</i> , Elihu Bragdon. Jeremiah Clark.	<i>Alfred</i> , Lyman, John Low.
<i>Kittery</i> , Mark Adams, Samuel Leighton, William T. Gerrish.	<i>Phillipsburgh</i> , Abijah Usher. <i>Waterborough</i> , Henry Hobbs.
<i>Wells</i> , John Storer, Joseph Moody, Nahum Morrill, John U. Parsons.	<i>Shapleigh</i> , Jeremiah Emery, John Leighton. <i>Newfield</i> , <i>Parsonsfield</i> , James Bradbury, Noah Weeks.
<i>Arundel</i> , Thomas Perkins, 3d.	<i>Cornish</i> , Jonah Dunn.
<i>Biddeford</i> , Jeremiah Hill.	<i>Limerick</i> ,
<i>Berwick</i> , Joseph Prime, William Hobbs, Micajah Currier, Benjamin Greene.	<i>Limington</i> , David Boyd. <i>Buxton</i> , Samuel Merrill, William Merrill.
<i>Lebanon</i> , David Legro.	<i>Saco</i> , William Moody, Benjamin Pike.
<i>Sandford</i> ,	

### CUMBERLAND.

<i>Portland</i> , Joseph Titcomb, George Bradbury, Matthew Cobb, Joseph H. Ingraham,	William Jenks, Isaac Adams. <i>Falmouth</i> , John Jones, James Morrill,
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## HOUSE OF REPRESENTATIVES.

James Merrill,	John Angier Hyde.
Daniel Lunt.	<i>Brunswick</i> , Robt. D. Dunning,
<i>C. Elizabeth</i> , Sylvanus Higgins.	James Curtis, jun.
<i>Scarborough</i> , Benja. Larrabee,	<i>Harpwell</i> , Marlboro Sylvester.
George Hight.	<i>Durham</i> , Josiah Burnham.
<i>Gorham</i> , David Harding, jun.	<i>New Gloucester</i> , J. E. Foxcroft.
Dudley Folfom.	<i>Pejepscot</i> ,
<i>Standish</i> , Jonathan Philbrick.	<i>Poland</i> , Robert Snell.
<i>Windham</i> , Josiah Chute.	<i>Minot</i> , Seth Chandler,
<i>Gray</i> , Peter Whitney.	Asaph Howard.
<i>North-Yarmouth</i> , David Prince,	<i>Raymond</i> ,
Jacob Mitchell,	<i>Baldwin</i> ,
Elisba P. Cutler.	<i>Bridgetown</i> ,
<i>Pownal</i> , Josiah Lovell.	<i>Harrison</i> ,
<i>Freeport</i> , John Cushing,	<i>Otisfield</i> , Benjamin Patch.

## LINCOLN.

<i>Wiscasset</i> , Abiel Wood, jun.	<i>Warren</i> , Samuel Thatcher.
Moses Carlton, jun.	<i>Camden</i> , Moses Truffell.
<i>Woolwich</i> , David Gilmore.	<i>Hope</i> , Fergus McClain.
<i>Dresden</i> , George RamfdeU.	<i>Union</i> ,
<i>New Milford</i> , Moses Carlton.	<i>Palermo</i> , Daniel Sanford.
<i>Jefferson</i> , Jonathan Trask.	<i>Montville</i> ,
<i>New Castle</i> , John Farley.	<i>Georgetown</i> , William Lee,
<i>Edgumbe</i> , Stephen Parsons.	Lewis Thorp.
<i>Boothbay</i> , William M <sup>c</sup> Cobb.	<i>Bath</i> , Samuel Davis,
<i>Bristol</i> , William M <sup>c</sup> Clintock.	William Webb,
Samuel Reed.	Jonathan Hyde.
<i>Nobleboro'</i> , David Dennis.	<i>Topsham</i> , Benjamin Hasey.
<i>Waldoboro'</i> , Joseph Ludwig,	<i>Bowdoin</i> , Moses Dennet.
Benjamin Brown.	<i>Bowdoinham</i> , James Maxwell.
<i>Friendship</i> ,	<i>Lisbon</i> ,
<i>Cushing</i> ,	<i>Lewistown</i> , Joel Thompson.
<i>St. George</i> , Hezekiah Prince.	<i>Litchfield</i> , John Neal,
<i>Thomaston</i> , Isaac Bernard.	Jabez Robinson.
Ezekiel G. Dodge.	

## KENNEBECK.

<i>Augusta</i> , Samuel Howard.	<i>Monmouth</i> , Simon Dearborn, jr.
<i>Hallowell</i> , Samuel Moody,	<i>Greene</i> , John Daggett.
John Odlin Page.	<i>Leeds</i> , Daniel Lothrop.
<i>Gardiner</i> , Samuel Jewett.	<i>Winthrop</i> , Samuel Wood.

## HOUSE OF REPRESENTATIVES.

<i>Reedfield,</i>	<i>Temple,</i>
<i>Wayne,</i>	<i>Wilton,</i>
<i>Fayette,</i> Solomon Bates, jun.	<i>Pittstown,</i> David Young.
<i>Mount Vernon,</i> John Hovey.	<i>Vassalboro',</i> Abiel Getchel,
<i>Belgrade,</i> Moses Carr.	Samuel Reddington.
<i>Sydney,</i>	<i>Winslow,</i> Josiah Hayden,
<i>Waterville,</i> Elnathan Sherwin.	<i>Harlem,</i>
<i>Rome,</i>	<i>Malta,</i>
<i>Vienna,</i>	<i>Fairfax,</i> Nathan Haywood.
<i>New Sharon,</i> Thomas Fields.	<i>Clinton,</i> Andrew Richardson,
<i>Chester ville,</i>	<i>Unity,</i> Frederick Stevens.
<i>Farmington,</i>	

## OXFORD.

<i>Paris,</i> Elias Stowell.	<i>Porter,</i>
<i>Hebron,</i> Alexander Greenwood.	<i>Lovell,</i>
<i>Buckfield,</i> Enoch Hall.	<i>Waterford,</i> Hannibal Hamlin.
<i>Turner,</i> John Turner.	<i>Albany,</i>
<i>Livermore,</i> Simeon Waters.	<i>Bethel,</i> Eliphas Chapman.
<i>Hartford,</i> David Warren.	<i>Jay,</i> James Starr, jun.
<i>Sumner,</i>	<i>Dixfield,</i>
<i>Norway,</i> Luther Farrar.	<i>Rumford,</i>
<i>Fryeburgh,</i> John M'Millan.	<i>Gilead,</i>
<i>Brownfield &amp; Hiram,</i>	<i>Newry,</i>
Timothy Gibfon.	<i>East Andover,</i>
<i>Denmark,</i>	

## SOMERSET.

<i>Norridgewock,</i> John Ware.	<i>Emblen,</i>
<i>Canaan,</i> Bryce M'Clellan.	<i>Freeman,</i>
<i>Fairfield,</i> Amos Townfend.	<i>New Portland,</i>
<i>Anson,</i>	<i>Madison,</i>
<i>Starks,</i> James Waugh, jun.	<i>Cornville,</i>
<i>Mercer,</i>	<i>Solon,</i>
<i>Industry,</i>	<i>Athens,</i>
<i>New Vineyard,</i>	<i>Harmony,</i>
<i>Strong,</i>	<i>Palmyra,</i>
<i>Avon,</i>	

## HANCOCK.

<i>Castine,</i> Otis Little.	<i>Orrington,</i> John Farrington.
<i>Penobscot,</i>	<i>Ellsworth,</i> John Peters.
<i>Orland,</i>	<i>Surry,</i>
<i>Buckstown,</i> Stephen Peabody.	<i>Bluehill,</i> Ebenezer Floyd.

## HOUSE OF REPRESENTATIVES.

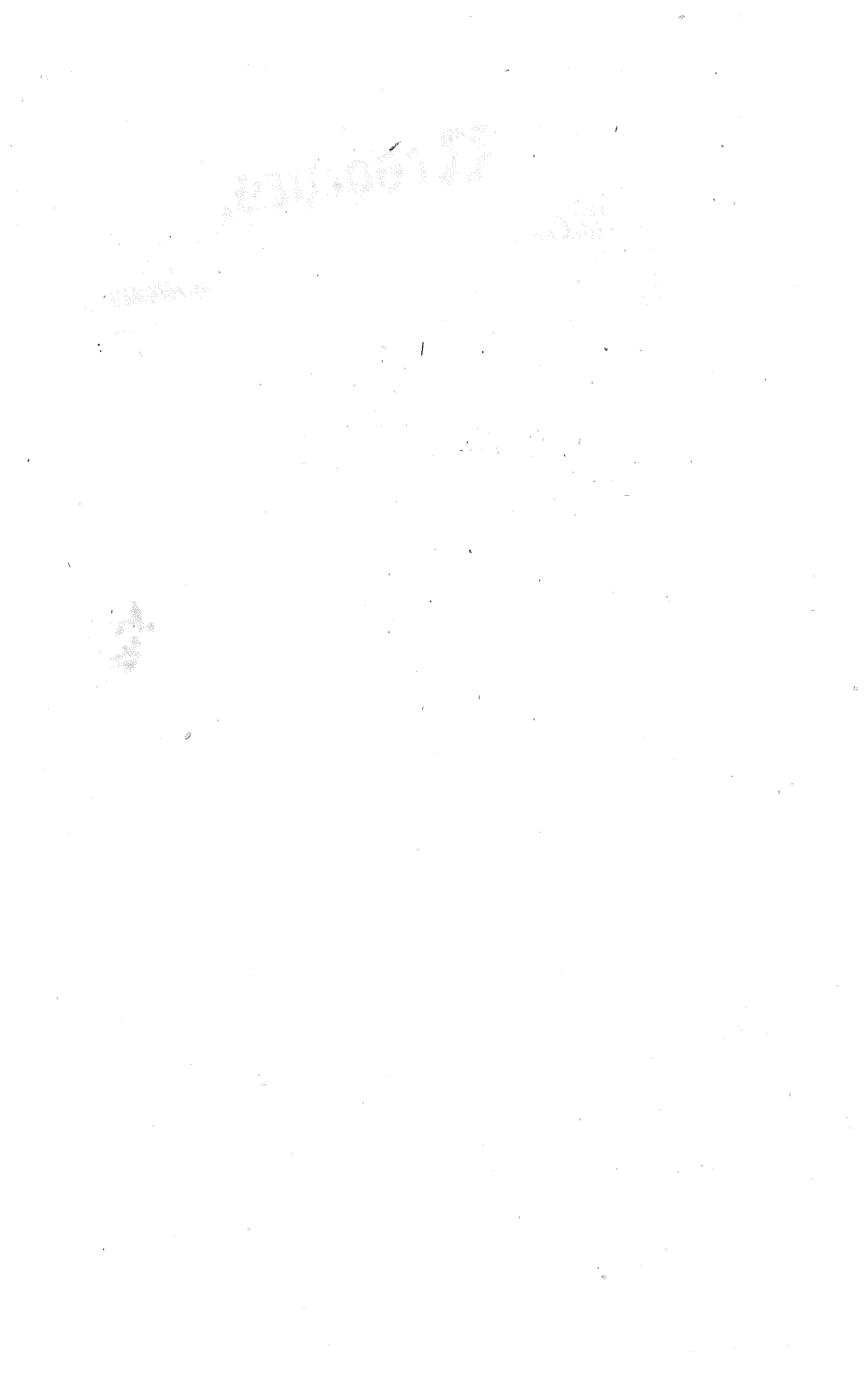
<i>Sedgwick</i> , Daniel Merrill.	<i>Lincolnvile</i> , Ephraim Fletcher.
<i>Trenton</i> ,	<i>Northport</i> ,
<i>Sullivan</i> ,	<i>Belfast</i> , Jonathan Wilson.
<i>Gouldsborough</i> ,	<i>Prospect</i> , Henry Black.
<i>Eden</i> , Cornelis Thompson.	<i>Frankfort</i> , Alexander Milliken.
<i>Mount Desert</i> , Davis Wadgatt.	<i>Hampden</i> , Seth Kempton.
<i>Deer Isle</i> , Pearl Spafford.	<i>Bangor</i> , James Carr.
<i>Vinalhaven</i> , William Vinal.	<i>Orono</i> ,
<i>Isleboro'</i> ,	<i>Dixmont</i> ,

## WASHINGTON.

<i>Machias</i> , Ebenezer Inglee.	<i>Columbia</i> ,
<i>East Port</i> , Oliver Shead.	<i>Harrington</i> ,
<i>Jonesboro</i> ,	<i>Steuben</i> ,
<i>Addison</i> ,	

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Nicholas Tillinghast, Esq. *Clerk*.





# Resolves,

*Of the General Court of Massachusetts,*

PASSED AT THE SESSION BEGAN AND HOLDEN AT BOSTON,  
ON THE THIRTY-FIRST DAY OF MAY,  
IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINE.

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## GOVERNOUR'S SPEECH.

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REPRESENTATIVES' CHAMBER, JUNE 7.

*At the hour assigned, 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,

**C**ALLED to the office of Chief Magistrate of this great and important Commonwealth, by the free suffrages of my fellow citizens, permit me to embrace the earliest opportunity to express the deep and respectful sense I entertain of their confidence, and of the solemn obligations it has imposed, for the exercise of all my powers to secure their rights, advance their interests, and increase their happiness, by all the means which are afforded by the constitution and the laws of the land.

Educated at a time when the principles of civil liberty were investigated and discussed by the sages and heroes, who conceived and accomplished our glorious revolution, my strongest and earliest impressions were in favour of that well regulated freedom, which is secured by our excellent constitution. An absence of eight years in the service of our common country, by the op-

portunity it afforded of remarking the circumstances of other nations, served to confirm and, if possible, increase the respect and reverence I had previously imbibed for the religious and civil institutions of my native state. A comparison of our condition, with that of any other people, must convince every one of the enviable situation, in which we are placed, and of the superiour means afforded to us, for enjoying all the blessings of which social life is capable. While this consideration cannot fail to inspire us with profound gratitude to the Almighty Ruler of the universe, it ought to awaken us to a sense of the awful responsibility we are under, to transmit unimpaired to our successors, this valuable inheritance, derived, through the providence of God, from the toils and sacrifices of our pious ancestors.

To perform this first of duties, to preserve the advantages of liberty, and to maintain a free government, we must follow their example in a constant adherence to the precepts of piety, justice, moderation, temperance, industry and frugality," and must sacredly regard the fundamental principles of our constitution, of which none are more evident, none more explicitly asserted, nor more frequently recognized, than that all power resides in the people, and that government is instituted for their protection, safety, prosperity and happiness.

Their substitutes or agents, entrusted with the administration of government, cannot, then, in their own immediate acts, nor in the appointment, nor continuance in office of others, rightfully suffer themselves to be influenced by any considerations, but such as promote these just and declared objects.

All citizens, who possess the requisite information, talents and integrity, have fair claims to publick confidence, whatever may be their sentiments on the political doctrines which are discussed in the community. And so long as men in office perform the duties assigned them, with adequate skill, fidelity and impartiality; their political sentiments ought not to be the ground of removal.

While I entertain no doubt of the soundness of this opinion, I am equally well satisfied, that when persons in office do not execute their duties with fidelity, or conduct themselves in a manner

that is injurious to the reputation of government and to the interests of the people, or become otherwise disqualified, they who are entrusted with the administration of government, are bound in good faith to their country, to remove them, undeterred by the fear, that such act may be imputed to political prejudice, or to any improper motive.

To adopt a rule, that no man is to be selected for office, unless he be of the particular sect or party of those, who administer the government, or subscribe to their political creed, is to establish a principle, not only not recognized by, but directly repugnant to the constitution. It is moreover highly unjust to the people, as it narrows the choice for office, and may frequently exclude from their service, the purest integrity, the highest capacities, and best dispositions. It is considering government as instituted, not for the *common good*, but for the exclusive advantage of an association or party of men.

Should they, to whom is deputed the authority of the commonwealth, surrender themselves to such motives, they would descend from the distinguished elevation of rulers of a free people, to the level of a faction, disposing of the honours and employments of the publick, as bribes to augment their party and perpetuate their power. When creeds and opinions unknown to the constitution are rendered necessary to employment, they very soon become the only qualification required; and supply the place not only of talents, for the performance of the highest duties, but, even of common honesty, necessary to the discharge of all. Already, we have had but too much reason to deplore the violence and animosity of party spirit. It has gone far to destroy social intercourse, and all the endearing charities of life, between ancient friends and neighbours, and to substitute political opinions for virtue, intelligence, and patriotism. Already the wise and good, of all parties, entertain apprehensions, lest the interests of the people, and the duties of government might be forgotten in the solicitude for party power and the hatred of political opponents. They see and lament not only the evils, at present experienced, but they have a dread of evils still greater; even the destruction of our free government, as a necessary consequence of party passion, unless assuaged by a

temper of conciliation, of mutual forbearance, of candour and respect for each other, and by the unqualified surrender of every interest and every desire, to the pre-eminent claim of country in those, who have been selected by the citizens to guard their rights and advance their prosperity. Let us then, gentlemen, trustees for the publick good alone, of the power and authority of a just and enlightened community, by the candour and liberality of our own conduct, endeavour to set the example so much desired, by deliberately weighing and justly appreciating the measures and motives of each other, and by pursuing, within the circle of our respective duties, unbiassed by any prejudices, or prepossessions, the happiness and prosperity of the people, and the security of their rights. Such an example from the government, we might safely trust, would be followed by our fellow citizens, and would afford the best prospect of continuing the freedom and glory of the country.

Our forefathers, from the first settlement of the country, judged it necessary to provide for the religious instruction of the society, and to enjoin on all the members thereof, the worship and adoration of the Supreme Being, the beneficial effects of which have been felt at every stage of our political existence, in the good order of society and preservation of civil government, in the peculiar happiness, and prosperity of the people, and in the most signal instances of divine interposition in behalf of our highly favoured land.

While the people of this Commonwealth peremptorily insist on the rights of conscience, and guarantee, to every man, perfect freedom, to worship the great Creator and preserver of the universe, according to the dictates of his own mind, they, also, invest the Legislature with power, and render it their duty to authorize, and require the citizens, in their several corporate capacities, to make suitable provision for the institution of the publick worship of God, and for the support and maintenance of publick Protestant teachers of piety, religion and morality, if it be not done voluntarily—and also to enjoin, on all the subjects, an attendance upon the instructions of such publick teachers, if there be any, on whose instructions they can conscientiously and conveniently attend.

The principle, adopted by the people, is, evidently, not to impose articles of faith on the conscience ; but to declare their own obligation, and that of the Legislature, to enjoin and promote the means of instruction, and the maintenance and communication of the protestant religion, of piety and morality, as essential to the happiness of the citizens.

The least reflection on the relations of civil society, and the limited power of government, will manifest the great temporal advantage, to be derived from promoting the worship of God in spirit and in truth.

The power of government does not extend beyond that class of duties, which result from positive law and perfect obligation, nor to punishment, for the breach of such, unless the same be proved, according to certain established and known rules.

All those duties, which are not of positive law, but of imperfect obligation, such as gratitude, love to our neighbour, hospitality, parental and filial affection, and offences against the same, are not the subject of human laws. These and numerous others, which are inculcated, taught, or forbidden, by the precepts of that holy religion, which is acknowledged by our constitution, are neither prescribed, nor prohibited, nor even determined upon by the law of the state. Yet no man can doubt, that a firm belief in their truth, promotes the happiness of society, and that an exact performance of the duties, not subject to human control, but enjoined by christianity, renders the citizen a better member of the community, and dispenses with the necessity of multiplying laws and increasing forfeitures. Society cannot deter from committing crimes, by inflicting punishment for their commission, unless the same be fully proved. It therefore has no hold on one, who can perpetrate wickedness in secrecy and preclude all testimony of his guilt ; but religion teaches that the omniscient judge of crimes pervades every recess of human concealment, and that from his all-piercing eye, it is impossible to keep secret aught that the hand can execute or the mind conceive.

Hence, we may justly conclude, that in complying with the requisitions of our fundamental laws, as regards the worship of God, and publick instruction in piety, religion and morality,

we commit no offence against the rights of conscience, we promote the progress of truth, the peace and happiness of society, and preservation of government.

It cannot escape the observation of a wise Legislature, that for most of the duties, which are of positive law, religion affords sanctions, stronger than can be created by any human power—that while it makes us better citizens and happier in this world, it affords the only solid hope of purer enjoyment and higher rewards in another.

The constitution enjoins on the Legislature, and Magistrates, in all periods of the Commonwealth, to cherish the interests of literature and science, and all seminaries, especially the University in Cambridge, publick schools, and grammar schools in towns. A recollection, that this duty is founded upon the principle, that the diffusion of wisdom and knowledge, as well as virtue, among the people, is necessary for the preservation of their rights and liberties, will claim, from this assembly, a continuance of that attention and regard, which it has received from past Legislatures.

Agriculture, whether considered as the immediate source of human subsistence, or as the honourable and happy employment of a great portion of our citizens, may be justly deemed of the first importance, and its improvement cannot fail to reflect blessings on every member of the community, as well as on the Commonwealth at large. It therefore merits, and will doubtless receive from this enlightened Assembly, all the encouragement of which it is susceptible.

The mode suggested in the constitution, for the promotion of this branch of industry, by rewards and immunities, and by the encouragement of private societies and publick institutions, hath been prosecuted with success. It has already occasioned the collection and diffusion of much knowledge, and excited a general spirit of improvement through the state. From the experience of other nations as well as of our own, it is probable that the distribution of such funds, as the Legislature shall think advisable to appropriate to this object, may be more advantageously applied through societies established under the countenance of government, than in any other way.

Manufactures and commerce promote agriculture, as they offer the most liberal reward for all its productions. So far, then, as the interests succeed, agriculture is promoted and advanced, and not only persons immediately occupied in manufactures, and in the vast and various scenes of commercial enterprize, are benefited by their encouragement, but the proprietors and cultivators of the soil are deeply concerned in whatever tends to their security and increase.

It is true that the principal means of fostering these great interests are confided exclusively to the government of the Union, yet peculiarly interested as is this Commonwealth, in their advancement, a wise Legislature will ever be vigilant to adopt all such as are within their authority, to assist a discreet and laudable spirit of enterprize in such important objects. Among these, may be reckoned the making and executing just and practicable laws of inspection on manufactured articles, the encouragement of societies, where necessary, for carrying on any particular manufacture, under suitable restrictions and limitations, and the rendering communication, between all parts of the Commonwealth, easy, safe and economical. These, with every other branch of industry, and every other source, from which human happiness and the means of enjoyment may be presumed to flow, are most effectually supported, protected and increased, by enforcing honesty and punctuality in the performance of contracts, by an inviolable regard to the rights of property, and a sacred respect to all the principles of justice.

But, as in a nation greatly commercial, the utmost prudence and sagacity cannot always secure from misfortune those, whose occupations are, in their very nature, subject to hazards, there is no doubt that the government may and will, so far as it can be done, consistent with the rules of the constitution, relieve the unfortunate from those embarrassments into which they have been plunged by circumstances not under their control, and restore to them the opportunity of providing for themselves and serving the community by honest industry.

On the wisdom of the Legislature the people repose with confidence, for good and wholesome laws, and all the necessary provision for the impartial interpretation of these laws, and the administration of justice.

The constitution instructs us and experience confirms its propriety, that it is not only the best policy, but for the security of the rights of the people, and of every citizen, that the Judges of the Supreme Judicial Court should have honourable salaries established by standing laws :—what salaries are of this character must always rest with the sound discretion of the Legislature to decide. Whenever they can ascertain the amount, that meets this description, they will have no hesitation in establishing the same, by law.

The business of this court is so extensive, various and important, that it can be properly performed, and with sufficient despatch by none, but the ablest men, and can leave to upright judges no leisure for attention to distinct concerns, or to provide for the support of their families, by other means than their salaries.

The Militia of the Commonwealth is, at all times, a subject of the deepest interest, as on its organization and discipline, the peace and safety of the state greatly depend.

For a remedy of such defects in the system, as experience shall have discovered, and the confirmation of such arrangements, as have proved suitable, the citizens look to their Legislature, and sure I am, gentlemen, that the intelligence and zeal, contained in this assembly, will satisfy their just expectations.

The fiscal concerns of the Commonwealth will always claim your serious attention. To draw from the citizens the amount necessary to discharge, with punctuality, the obligations of the State, in a manner the most equal, and least burthensome to those, who are to pay, will be the first aim of a wise government. —To secure the money against loss after it is collected from the people, is an object no less important. This was supposed to have been provided for, by rendering the choice of the Treasurer dependant on those, who, in common with their constituents, must suffer from any waste of the publick funds, by taking bonds for the faithful performance of the duty and by frequent settlement of the Treasurer's accounts.

Although it is expected, that the sum, which may eventually be received from the bondsmen of the late Treasurer, will not



be less than the amount in which his account was deficient, yet the inconvenience and derangement of the Treasury, from want of the money, at the time when it was supposed to be at command, and the injury to the character of the State, always in some degree implicated in the conduct of officers, so distinguished, as the head of the treasury, are of sufficient importance to claim the deliberate wisdom of the Legislature, in devising the best means to prevent like evils in future.

We are seriously admonished by the circumstances, in which the treasury was left, by the predecessor of the present Treasurer, that the checks contained in the system were not sufficient to secure the community against unfaithfulness in an officer. Several other States, prior to the revolution, suffered frequent losses, by a defect in this department of their government. In altering their State Constitutions, they thought to remedy the evil, by assigning the appointment of their Treasurer to the Legislature. The result has shewn this remedy not to be effectual, and in several instances, they have altered their system, by adding to the officers, entrusted with the care of the revenue, one, in the character of Comptroller.

Should the Legislature turn their attention to the providing further security in this department, this mode may not be altogether unworthy their notice.

The regulations of such an office might operate, as checks on the Treasurer, by rendering the Comptroller's sanction necessary to the settlement of all accounts, to the payment and receipts of all monies to or by the Treasurer, and to drawing the same from the Bank, where by law it is kept. A system that should afford in the Comptroller's office, a particular account with each of the debtors and creditors of the State, and also an exact account with the Treasurer, which would, at all times, exhibit precisely the balance of his account, might be found to contain greater security, against misapplication of the publick money, than that under which our pecuniary concerns have been managed.

I trust, gentlemen, that we may sincerely and heartily congratulate each other, and every individual in our country, that the political year commences with the promise of reviving com-

merce, and the restoration of our citizens to the exercise of their faculties, and their industry, and to the right of acquiring and possessing property, asserted in our Declaration of Rights to be essential and unalienable. We have great reason to indulge the hope of realizing these views, from the prompt and amicable disposition, with which it is understood, the present federal administration met the conciliatory overtures of Great Britain — A disposition which is entitled to, and will certainly receive, the hearty approbation of every one, who sincerely loves the peace and prosperity of the nation.

While we sincerely rejoice at the prospect open to the United States of returning prosperity, and plenty, this Commonwealth has great reason for self gratulation, on the patience and firmness, displayed by her citizens, under privations the most painful, and restrictions the most irreconcilable to the spirit of freemen. While the acts, enforcing these privations and restrictions, were submitted to, by individuals, with a resignation, that evinced the most exemplary love of order, and respect for the constituted authorities of the nation, the wisdom and temperate firmness displayed by the Commonwealth, in their Legislature, their persevering attachment to the union, their correct estimate of their own rights, and their prudent and constitutional measures for relief, must always redound to its highest honour.

The history of the United States and of this State has ever shewn Massachusetts submitting with cheerfulness to the most important sacrifices, for supporting the common cause and general interests of the union, and this without the smallest disposition to dictate to the other members of the confederacy. Under the distressing circumstances of the last year the Legislature did what duty rendered indispensable, and it surely did no more.

To prevent an adoption, in future, of measures so fatal to the occupations, industry and subsistence of the people of this State, cannot fail to be a subject of momentous concern, to a Legislature, entrusted with guarding the rights of the citizens, and the independence of the Commonwealth.

It may be thought advisable to attempt this, by a declaration, to be proposed as an amendment to the constitution of the United States, providing, that its powers shall never be so con-

frued, as to authorize Congress, in any case to enact a general prohibition, or restriction of maritime commerce, to operate for a longer time than the session in which it may be enacted, and to a certain early day of the next succeeding session. Whether a purpose so desirable can be effected by this, or any other mode, must rest with the wisdom of the Legislature to decide. Although some difference of opinion may exist as to the means, I cannot persuade myself there will be any, as to the importance of securing us against a return of the like distress, which, in times less auspicious to peace and good order, might produce convulsions, disastrous to the harmony, if not to the union of the States, to preserve which, according to its original intent, cannot cease to be the first object of every friend to the independence and prosperity of the country.

GENTLEMEN,

The observations which have been submitted principally relate to our mutual duties, as they arise under the constitution of the State, and are sanctioned by the usage of former times, and the relation that our constituents have been pleased to create between us.

The reflections which I have presumed to offer, on the effect of a blind attachment to party, you will, I trust, think not altogether unsuitable to the occasion, the time, nor the circumstances under which we are convened. They are dictated by a pure and disinterested zeal for the happiness of the whole people, and are drawn from me, by a thorough conviction, that unless we can prevail on ourselves to soften our asperities, to yield a portion of our prejudices to the common good, we put at imminent hazard the morals and the prosperity of the citizens, the safety and freedom of the Commonwealth.

Entertaining no doubt, that wisdom and candour will preside over all your deliberations, and that they will be guided by a single regard to the best interests of the country, permit me to assure you that these shall not languish for want of a cordial co-operation on the part of the Executive, nor shall they suffer so

far as depends on me, from that temper which I have attempted to describe, and which, I am sure, is at war with the sacred rights and essential happiness of the people.

*C. Gore.*

## ANSWER OF THE SENATE.

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MAY IT PLEASE YOUR EXCELLENCY,

THE Senate offer you their sincere congratulations upon your elevation to the office of Chief Magistrate of this Commonwealth. The suffrages of our free and enlightened citizens have called you to this important station. Past experience of your unshaken patriotism and preeminent talents is a sure pledge, that the rights, the interest and happiness of the people will be secured and advanced by all the means which the constitution and the laws have placed within your power.

We rejoice that the choice has fallen upon one of our native citizens, who has made the principles of civil liberty the study of his life, and who, in the various and important stations to which he has been called, has evinced an attachment to his native land, ability and zeal in defence of its rights, and respect and reverence for those civil and religious institutions on the support of which our security and happiness so essentially depend; —and which so remarkably distinguish this people from every other nation. While we acknowledge, with lively gratitude to to our Almighty Benefactor, the great and undeserved blessings we enjoy, may we duly feel the great responsibility imposed upon us of uniting our exertions with those of your Excellency, in preserving and transmitting unimpaired to our posterity the fair inheritance, which has descended to us from our pious and venerable ancestors.

We unite with your Excellency, and with all the friends to the prosperity of our common country, in cordial congratulations upon the prospect of the revival of commerce. The prompt acceptance by the Federal Administration of the conciliatory overtures of Great Britain, which opened the door for the removal of those grievous embarrassments by which the industry and enterprise of our citizens have so long been paralyzed, meet the approbation and will insure the support of this Commonwealth.

We trust that a continuance of the same amicable spirit, in the rulers of each nation, will reconcile all the jarring and conflicting claims which have heretofore interrupted the harmony and prosperity of both.

The citizens of Massachusetts, from the first settlement of the country, have been signalized for their love of order, their ready submission to all the wholesome restraints of good government, and also for their firm and steady opposition to all encroachments upon their constitutional rights. By their patient submission to the unexampled privations and restrictions under which they have suffered for months past, they have fully evinced their firm and unshaken attachment to the Union ; by their respectful petitions and spirited remonstrances, they have displayed a knowledge of their rights, and a resolution to vindicate them at every hazard.

It affords the Senate much pleasure, that in the review of the proceedings of last year, relative to our national concerns, your Excellency can say—"The Legislature did what duty rendered indispensable, and it surely did no more." To guard against the recurrence of measures so hostile to the habits and fatal to the prosperity of the people of this State, is an object of momentous concern. We shall feel it our duty to take into our deliberate consideration the suggestions of your Excellency upon this subject, and to invite the other states to concur with us in the adoption of measures to prevent the return of like calamities.

We highly disapprove the principles so justly discarded by your Excellency, "that attachment to any political sect or party ought to be the only criterion, by which to test the qualifications of men for office"; and that the emoluments of office are to be held out as rewards to those who will exert themselves for the promotion of any man to power. Government is instituted for the common good. In an elective one the people have a right to the services of their best men. Talents, virtue, patriotism, and attachment to the principles of our republican constitutions, are the only requisites necessary to insure its faithful administration. When men possessing these qualifications, whatever may be their political opinion, are elected to the first pla-

ces in the government, and none but such are appointed to fill the various subordinate offices, the rights of the people will be secure, their prosperity and happiness will be promoted. Such men will administer the government, not for a party, but for the whole community.

We agree with your Excellency in deploring the violence and animosity of party spirit, which pervades the state and seems to threaten destruction to our free constitution. We should be happy to lend our aid, and unite our efforts with all good men, in endeavouring to assuage its bitterness and allay its heat. And may the Almighty Ruler of the Universe endue us and all the citizens of this Commonwealth "with a temper of conciliation, of mutual forbearance, of candour, and respect for each other, and enable us to surrender every interest and every desire to the preeminent claims of country."

The Senate reciprocate with perfect cordiality the sentiments advanced by your Excellency relating to the religious institutions of our country, and the importance of diffusing religious instruction among the people. No free government can long subsist without the general prevalence of virtue. This is founded in a knowledge of our duties to our Creator, to our fellow men and to ourselves. To extend this knowledge, publick instruction is necessary. Wisely therefore, did the framers of our constitution, in conformity with the uniform usage of our pious ancestors, render it the duty of the Legislature to require the citizens, in their several corporate capacities, to make suitable provision for the institution of the publick worship of God, and for the support and maintenance of publick protestant teachers of piety, religion and morality.

The interests of Literature and the Sciences in our universities, and the general diffusion of knowledge through our academies and schools, are entitled to and shall receive a continuance of that countenance and support which have been bestowed by former Legislatures.

The promotion and improvement of agriculture, the encouragement and extension of manufactures, and the protection and security of commerce, are objects highly interesting to the people of this Commonwealth. So far as their respective interests

are confided to the State Legislature, they deserve all the patronage and aid which the wisdom of the government and the funds of the State can afford.

We are very sensible that among a people so highly commercial, many of our worthy citizens may be brought to circumstances of embarrassment and distress by misfortunes not within their power to foresee or avoid. Some mode of relief to this description of our fellow men has been found necessary in most other governments; and could any plan be devised by which this object can be attained, consistently with the principles of the constitution and the general welfare, it shall readily be adopted.

The Senate feel the importance of a wise and impartial administration of justice, and the necessity and propriety of providing, by standing laws, honourable salaries for the Judges of the Supreme Judicial Court. The multiplied duties of their office require their whole time and services. If at any time it should appear that the salaries are inadequate to secure the talents of our ablest and best men, we trust the Legislature will not be reluctant to increase them.

The Militia constitute the defence of our country. To them we look for safety and protection when threatened with danger. In times of peace and tranquillity, therefore, it becomes our duty, by all suitable regulations and encouragements, to establish their complete organization and discipline.

The dilapidations upon the Treasury, by the predecessor of our present Treasurer, suggest the necessity of some further checks and restraints upon the officer who is at the head of that important department, and we feel it our duty to endeavour to find a remedy against the recurrence of the inconveniences and embarrassments which the State has experienced in consequence of his peculations.

The Senate rely with confidence on the cordial and zealous co-operation of your Excellency, in all measures calculated to promote the general peace, harmony and prosperity;—and we assure your Excellency that, with a single eye to those objects, we will endeavour to discharge the duties assigned us by the constitution.



ANSWER  
*OF THE HOUSE OF REPRESENTATIVES.*

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MAY IT PLEASE YOUR EXCELLENCY,

AT the commencement of the political year, permit us, the Representatives of the people, to express our sincere pleasure, that we meet your Excellency as the Chief Magistrate of this Commonwealth, and commence our political labours with the assistance of your councils. The deep interest which we feel in our civil and religious institutions affords the measure of our satisfaction, that the Executive department of government is confided to a citizen, educated at a time when the discussions of our sages, the struggles of our heroes, and the spirit of the people, combined to inspire him with the warmest attachment to the principles of civil liberty as secured by our excellent constitution. We are happy to learn that your Excellency, while abroad in the services of your country, by a comparison of our condition with that of the most highly favoured nations of Europe, has perceived new reasons to appreciate the peculiar blessings of our enviable situation. The House of Representatives join with your Excellency in sentiments of profound gratitude to the Almighty Ruler of the Universe, for the valuable inheritance derived through his providence, from the toils and sacrifices of our pious ancestors. We feel new confidence in the hope of transmitting it unimpaired to posterity, when our citizens, by their free suffrages, commit the administration of their government to those, whose claims to their confidence is founded on their observance of sound principles, the wisdom of their political councils, and the utility of their publick services.

The general principles of government, and the maxims of administration which your Excellency has adopted as the rule of your publick conduct, meet our cordial approbation. In their

effects we anticipate that social happiness, which can result only from the exercise of candour and magnanimity.

We feel sincere pleasure in the assurance of the observance, on the part of your Excellency, of those great fundamental principles of our constitution and of all republican governments, which ought never to have been denied in argument nor violated in practice. We rejoice in a recurrence to the first principles of the social compact ; that all power resides in the whole people ; the government is instituted for their “ protection, safety, prosperity and happiness,” and “ not for the profit, honour, or private interest of any one man, family, or class of men ;” in short, that offices of honour or emolument are not intended to strengthen the hands of party, but to promote the publick good. They ought not to be bestowed as bribes to induce or reward political fidelity or apostacy, but to place the publick interest in the charge of men, whose principles and feelings secure their interest in its support. At the same time, it is equally evident, that those who want integrity, or the talents and information requisite for the discharge of the duties of their offices ; that such as are disqualified by an abuse of power, a neglect of duty, or a prostitution of their offices to the purposes of party ; all such, in fact, as may conduct themselves in a manner “ that is injurious to the reputation of government, and to the interests of the people,” ought to be removed, without apprehension that calumny may impute such removals to improper motives. From an adherence to the maxims and principles expressed in your Excellency’s communication to the Legislature, we entertain no doubt that your Excellency will enjoy the confidence of the people in your administration, and the hearty support of the wise and good of all parties. Under their conciliatory influence, we predict that the violence of party spirit will be assuaged, and that we shall rest secure from the evils and dangers which naturally result from an unprincipled political proscription.

The early provision for the publick worship of God, and for the support of the gospel ministry, are among the most striking proofs of the wisdom as well as of the piety of our ancestors. These institutions have not only contributed essentially to individual happiness, but have had the most beneficial effects upon

the habits, the manners, and the character of the people of New England. That the happiness of a people, and the good order and preservation of civil government depend upon piety, religion, and morality, and cannot be generally diffused through a community, but by the support of learned and pious teachers, are truths, which every day's experience confirms. But the constitution, in providing for the maintenance of the christian religion, has happily prescribed no particular creed or mode of worship. Hence christians of every denomination are equally entitled to all the advantages to be derived from government, and can in no instance be subjected to pains or penalties for non-conformity. There can be no doubt that every wise Legislature will most sedulously promote the interests of morality and religion from a reference to this as well as to a future life.

The framers of the constitution, in making it "the duty of the Legislature, in all future periods, to cherish the interests of literature and the sciences," had in view the preservation of the rights and liberties of the people. The diffusion of knowledge has been an object dear to the Legislature from the earliest period of our government. The encouragement of colleges, academies and schools has produced the most important blessings to our country. To this source preeminently is to be traced the enlightened and refined state of society; and to this cause principally is to be imputed the enjoyment of our government, and all our civil privileges. The true glory of states, as well as of individuals, has been derived, in a great degree, from the patronage of the arts and sciences. A Legislature, then, which can be inattentive to their encouragement, must be equally insensible to the glory, and indifferent to the interest of their country.

Agriculture has been ranked among the most useful and honourable employments, by every civilized nation. The encouragement which has been afforded to this branch of industry by the establishment and exertions of different societies, has been highly honourable to these societies, and useful to the Commonwealth. Any measures within the power of the Legislature to adopt, which may tend to the improvement of our agriculture, shall receive the attentive consideration of the House of Representatives.

Your Excellency's observation, that "manufactures and commerce promote agriculture, as they offer the most liberal rewards for all its productions," has been strikingly verified, as far as it respects commerce, during the late suspension of foreign intercourse. If, amidst all the consequences, which have resulted from the late Embargo system, any thing of publick utility can be perceived, it is that the people of the United States have discovered the intimate and necessary connection between agriculture and commerce; that the prosperity or the decline of the one necessarily involves that of the other. In a country where land is procured at a moderate price, and where labour does not exceed the commands of cultivation, it is hardly to be expected that we should soon become an extensively manufacturing people. Yet there are certain manufactures of the first necessity, and others of great utility, which deserve the encouragement of the Legislature.

The misfortunes of individuals necessarily incident to an extended and enterprising commerce, to which your Excellency alludes, whilst they excite our commiseration, call for the serious attention of the Legislature. Whether any relief can be afforded by the government of this Commonwealth, to such of our own citizens as have suffered these misfortunes, will be a subject of anxious and diligent inquiry.

The House of Representatives is deeply impressed with the importance of supporting an able and independent Judiciary by honourable and permanent salaries. No subject can be of more extensive concern. This branch of our government was intended to be the strong hold of the people against the encroachment of power, the intrigues of faction, and the influence of corruption. Whilst justice shall be administered by men of the first talents, information and integrity; the constitution has an anchor which may save it in the severest storms; the people have a shield which may protect them in the worst of times. "The business of this Court," as your Excellency observes, "is so extensive, various and important, that it can be properly performed, and with sufficient despatch, by none but the ablest men." True economy, as well as common justice, therefore, demands that the salaries of the Judges of this court should be such, as not to leave

to men of this description, the alternative either to resign their places, or sacrifice their property in the publick service.

The Militia of this Commonwealth has at all times been considered a subject deserving the attentive consideration of the Legislature. It is the natural and principal defence of the country. The Militia laws, however, have many defects, which we trust may be remedied by their careful revision. The subject is before the Legislature. Whatever can be suggested to improve the system, or to encourage the Militia, shall receive the ready support of the House of Representatives.

The security of the Treasury from fraud and negligence is an object so important, that it will still command our attentive consideration. If any measures can be devised, in addition to those of the last year, to secure the publick money, they will certainly be adopted.

We most cordially reciprocate the congratulation of your Excellency at the prospect of reviving Commerce, and the renewal of all its attendant blessings. The present administration of the general Government has had the wisdom to discern, and the patriotism to commence a course of policy respecting our commerce and foreign relations, which is calculated to promote the prosperity, and to secure the peace and the independence of our country. So long as any administration shall pursue a system of measures directed to these great ends, it will command the gratitude and receive the approbation of the citizens of Massachusetts.

The patience and firmness discovered by the people of this Commonwealth, during the long continuance of a series of destructive measures unprecedented in the annals of a free country, must ever be a cause of gratulation, and reflect the highest honour upon those, who sustained these severe distresses rather than resort to violence, and hazard the peace, or the union of the States. We have abundant reason to be grateful to an over-ruling Providence which averted that ruin, which threatened to involve the country.

In reviewing the proceedings of the Legislature of the last year, we are happy to find that they exhibited the moderation and firmness of enlightened freemen. They contributed without

doubt, to produce the change of measures which has since so happily succeeded. But although this favourable change in our publick affairs has taken place, it becomes a wise and prudent people to devise and adopt measures to prevent the recurrence of similar evils. With this view, we conceive that an amendment of the constitution, which shall no longer leave it questionable whether Congress can constitutionally enact a perpetual Embargo law, is an object of the first importance. We therefore entertain a confident hope, that all parties will unite in explaining the constitution, that the power to regulate commerce will never again be construed to imply a power to authorize a permanent law for its suspension.

*MAY IT PLEASE YOUR EXCELLENCY,*

The House of Representatives pledge themselves to co-operate with your Excellency in the adoption of such measures as shall seem best calculated to promote the interests of the people, and they confidently hope that our joint efforts during the present year may contribute to the harmony, good order, prosperity and happiness of our constituents.

# RESOLVES.

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## I.

*Resolve on the petition of Nathan Adams, of Charlestown.*

*June 7, 1809.*

On the petition of Nathan Adams, of Charlestown, in the county of Middlesex, administrator on the estate of Joseph Carnes, late of Cambridge, in said county, Ropemaker, praying that his affidavit of his proceeding, relating to the sale of said Carnes's real estate, made in the Court of Probate on the twelfth day of May now last past, and recorded, together with a copy of one of the original advertisements in the registry of Probate in said county, may be valid in law, although not done within seven months after the day of sale, as by law provided should have been done :—

*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 sale of said Carnes's real estate; any law, usage or custom to the contrary notwithstanding.

## II.

*Resolve determining the pay of the Council and General Court.*

*June 7, 1809.*

*Resolved*, That there be allowed and paid out of the publick Treasury, to each member of the Council, Senate, and House of Representatives, two dollars per day, for each day's attendance, the present session, and the like sum for every ten miles travel, from their respective places of abode to the place of the sitting of the General Court.

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

## III.

*Resolve for releasing Ephraim Norris from a recognizance.*

*June 8, 1809.*

On the petition of Ephraim Norris, praying to be relieved from a recognizance by him entered into for the appearance of one Lemuel C. Allen :—

*Resolved*, For the reasons set forth in said petition, that upon the petitioner's paying all costs which have accrued, or may accrue, on any suit commenced on said recognizance, or on any judgment which may be recovered, or on any execution which may be issued thereon, that the said Norris be, and he hereby is discharged therefrom.

## IV.

*Resolve empowering William B. Bradford to execute a deed of his Ward's land in Minot. June 8, 1809.*

On the petition of William B. Bradford, of Boston, in the county of Suffolk, and Commonwealth of Massachusetts, Tailor, as he is guardian of Joseph Nash Bradford, of Boston aforesaid, merchant, non compos mentis :—

*Resolved*, That the said William B. Bradford, be, and he hereby is authorized and empowered to make, execute and acknowledge, in his capacity aforesaid, sufficient deed or deeds to Nathan Woodbury, of Minot, in the county of Cumberland, Yeoman, of and in the following piece or parcel of land, "lying and being in said Minot, being the same land and premises the said Woodbury purchased of Daniel Cuth, and being the whole of the lot, except the piece Benjamin Lane sold to John Woodman, and also the potash near the said premises, standing on land owned by Josiah Little, said lot being number seventy three in the first division of lots in said Minot ; and all the buildings standing on the premises aforesaid, and being the same premises lately occupied by Daniel Cuth, and which said Woodbury purchased of him ;" of all the right, title, and estate which the said Joseph Nash Bradford had in and to the same by virtue of the said Nathan Woodbury's deed to him, bearing date the twenty fourth day of July, in the year of our Lord one thousand eight hundred and six, so as that all the title



to the said estate, which is now in the said Joseph Nash Bradford, may be reconveyed to the said Nathan Woodbury, as fully to all intents, as though he the said Nathan Woodbury, had never conveyed the same, saving to all other persons any rights in and to the premises, to which by law they are or may be entitled.

## V.

*Resolve authorizing the First Parish in Haverhill to sell Parsonage land. June 9, 1809.*

Whereas the inhabitants of the First Parish in the town of Haverhill represent, that the Parsonage lands appropriated for the use of the minister and his successors in said Parish are situated on the principal street in said town, and if a part of them were sold for houses and other purposes, it would accommodate the publick, ornament the town and enrich the parish :—

*Therefore Resolved*, that such committee as the parish may appoint, with the consent of the minister or his successors, are hereby authorized to sell and convey, in fee simple, so much of the lands aforesaid, as said Parish, at a legal meeting holden for that purpose, may from time to time direct : *Provided*, that the whole proceeds of said sales be kept forever as a fund, the interest or income of which shall be appropriated, exclusively, for the support of the minister or his successors in said parish, and be managed by trustees.

## VI.

*Resolve authorizing Mason Shaw, Esq. to call a meeting of the Proprietors of Fort Point Ferry, and confirming the doings of said proprietors. June 9, 1809.*

Whereas it appears that the proprietors of Fort Point Ferry failed to elect a Clerk, President, Treasurer and such other officers as might be necessary to carry into effect the object of said corporation, on the first Monday of January, A. D. 1808, as, by the act and bye-laws of said corporation, should be done, annually, and ought to have been chosen on that day : Therefore

*Resolved*, That Mason Shaw, Esq. be authorized to issue his warrant for the purpose of calling a meeting of said proprietors,

for the choice of officers, aforesaid, and such committees as may be necessary for managing the concerns of said proprietors.

*Resolved*, That the acts of said proprietors, transacted at meetings called and notified according to their bye-laws, since the first Monday of January aforesaid, be and hereby are confirmed.

## VII.

*Resolve authorizing William B. Bradford to execute a deed to Julia Ann Cushing and Mary Keith Cushing. June 9, 1809.*

On the petition of William B. Bradford, of Boston, in the county of Suffolk, and Commonwealth of Massachusetts, Tailor, as Guardian to Joseph Nash Bradford, of said Boston, merchant, non compos mentis :—

*Resolved*, That the said Wm. B. Bradford, be and hereby is authorized in his capacity of guardian to said Joseph Nash Bradford, to make, execute and acknowledge sufficient deed or deeds to Julia Ann Cushing and Mary Keith Cushing, minors, and children of John Cushing, late of said Boston, merchant, deceased, of his the said Joseph Nash Bradford's right, title, interest and estate of, in, and to a certain lot of land situated in Gray, in the county of Cumberland, and Commonwealth aforesaid, bounded as follows, viz. "Beginning at a stake standing at the southeasterly side of the road leading to New Gloucester, about five rods seven feet and a half; easterly of Joseph Mc. Lellan's store in said Gray, and running northeasterly adjoining said road, one hundred and fifty two rods; thence southeasterly adjoining a town road twenty-two and a half rods; thence southwestwardly adjoining David Jordan's land, sixty eight rods; thence southeasterly fourteen rods, adjoining said Jordan's land; thence southwestwardly adjoining said Jordan's land, forty seven rods; thence southwestwardly forty five rods adjoining the road leading to North Yarmouth; thence northwestwardly twenty eight rods, adjoining land owned by Stephen Firbush; thence southwestwardly adjoining land owned by Bucknam and Phelps, about eleven and a half rods, to the first mentioned bounds; containing forty two acres, more or less, together with a dwelling house and other buildings standing thereon," so that the same estate shall be absolutely vested in the said Julia Ann Cushing, and Mary Keith Cushing and their heirs, released from all the right,

title, claim and demand of the said Joseph Nash Bradford therein, *saving nevertheless*, to all other persons any rights in and to the premises, to which they are or may be by law entitled.

## VIII.

*Resolve on the petition of Joseph Wales, directing the Judge of Probate, for Worcester County, to cite certain persons. June 9, 1809.*

On the petition of Joseph Wales, of Lancaster, in the county of Worcester :—

*Resolved*, for the reasons set forth in said petition, That the Judge of Probate for said county be, and he is hereby directed to cite Jacob Bennet, Nathan Smith, Thomas Bennet, Timothy Smith, Catherine Willard, Samuel Ward, Timothy Paine, Peter Greene, Willard and Ward, Treasurer of Harvard College, Israel Atherton, Joshua Willard, Margaret Alford, Asahel Bush, Andrew Poor, David Hosley, Wm. Greenleaf, Robt. M'Kown, Jonas Cutler, Nathl. Balch, James Otis, Wm. Foard, Joseph Lee, and Miles Whitworth, original creditors to the estate of Abijah Willard, late of said Lancaster, an Absentee, deceased, their heirs or administrators, by publishing in the Worcester Spy, printed at Worcester, and in the Columbian Centinel, printed in Boston, a notification to said creditors, their heirs and assigns, setting forth the substance of said petition and of this resolve; the last publication to be thirty days before the time by said Judge appointed for the hearing; to appear and shew cause why the said Joseph Wales should not receive the benefit of said claims; and in case it shall appear to the said Judge, from the non-appearance of said creditors, their heirs, executors, administrators or assigns, or from a hearing of said creditors, their heirs, executors, administrators or assigns, that the said Joseph Wales is entitled to the benefit of said claims, that the said Judge be, and he is hereby directed, authorized and empowered, to make out his decree accordingly—and to direct the administrator of the estate of the said Abijah Willard, deceased, to pay to the said Joseph Wales the monies to which the said creditors, their heirs, executors or administrators would be otherwise entitled—and the said administrator is hereby directed and authorized to pay said monies to said Joseph Wales, whose receipt shall be a full discharge to said administrator therefor.

## IX.

*Resolve authorizing Samuel Parkman and William B. Bradford, to execute a deed to Nathan Woodbury. June 9, 1809.*

On the petition of Samuel Parkman of Boston, in the county of Suffolk, and Commonwealth of Massachusetts, merchant, as executor of the last will and testament of John Cushing, late of said Boston, merchant, deceased, and of William B. Bradford of said Boston, Tailor, as guardian to Joseph Nash Bradford, of said Boston, merchant, non compos mentis :—

*Resolved*, That the said Samuel Parkman and William B. Bradford be, and they hereby are authorized and empowered to make, execute, and acknowledge, in their respective capacities, aforesaid, sufficient deed or deeds to Nathan Woodbury, of Minot, in the county of Cumberland, yeoman, formerly of Paris, in the said county, trader, of “seven lots or parcels of land situate, lying and being in township number one in the county of Cumberland, on the north side of Androscoggin river, which said lots are number four in the eighth range, number fourteen in the same, number seventeen in the fourth range, number three in the fifth range, number sixteen in the sixth range, number six in the third range, and number eleven in the seventh range, James Taylor being the original proprietor,” of all the right, title, and estate which the said Cushing and Bradford had in and to the same by virtue of the said Nathan Woodbury’s deed to them bearing date the seventeenth day of August, in the year of our Lord one thousand eight hundred and two, so as that all the title to the said lots of land which is now in the heirs and devisees of the said John Cushing and in the said Joseph N. Bradford may be reconveyed to the said Nathan Woodbury as fully to all intents, as though he the said Nathan Woodbury had never conveyed the same, saving to all other persons any rights in and to the premises to which by law they are or may be entitled.

## X.

*Resolve granting the Hon. Theodore Sedgwick one hundred and ninety two dollars for prosecuting libels against absentees' estates in Berkshire. June 9, 1809.*

On the petition of the Hon. Theodore Sedgwick, Esq. :

*Resolved*, That there be paid out of the Treasury of the Commonwealth to the Hon. Theodore Sedgwick, the sum of one hundred and ninety two dollars in full compensation for his services for prosecuting to final judgment, twenty-four libels in favour of this Commonwealth, against the estates of Absentees in the county of Berkshire, at the Court of Common Pleas for that county, in the year of our Lord one thousand seven hundred and eighty-two.

## XI.

*Resolve granting Samuel Riddle, of Charlemont, fifteen dollars for procuring the apprehension of one Aaron Gould. June 10, 1809.*

On the petition of Samuel Riddle, praying for indemnification for time and money expended in detecting Aaron Gould in passing counterfeit money :—

*Resolved*, That there be allowed and paid out of the publick treasury to Samuel Riddle, the sum of fifteen dollars, in full satisfaction for his services and expenditures, as set forth in his petition.

## XII.

*Resolve on the petition of Samuel Smith, authorizing Executors of Henry Jackson, Esq. to convey one share in the Boston Theatre. June 12, 1809.*

On the petition of Samuel Smith, praying that the executors 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 an agreement in writing made by the said Jackson, during his life :—

*Resolved*, That Elisha Sigourney and Judah Hays, executors of the last will and testament of Henry Jackson, be and here-

by 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.

## XIII.

*Resolve discharging Abner Kellogg and Amos Kellogg from their recognizance, on condition. June 12, 1809.*

On the petition of Abner Kellogg and Amos Kellogg, pray for relief from their recognizance to the Commonwealth, in the sum of four hundred dollars, for the appearance of Ezra Kellogg before the Supreme Judicial Court, holden at Lenox in the county of Berkshire, on the first Tuesday of May last :—

*Resolved*, For reasons set forth in said petition, That, provided the said Abner and Amos Kellogg pay to the treasurer of the county of Berkshire for the use of the Commonwealth, the sum of two hundred dollars, being one half of the amount of their recognizance, together with all costs and charges thereon, the said Abner and Amos be discharged from the forfeiture of their said recognizance.

## XIV.

*Resolve rendering Town Meetings in Gilead valid. June 12, 1809.*

On the petition of the inhabitants of the town of Gilead, in the county of Oxford, stating that their town clerk has not been sworn into office as the law directs, and doubts have arisen whether the doings of said town at their town meetings, are legal, and praying that their several town meetings held in said town, from the twenty second day of October, 1804, to, and including the seventh day of March, 1809, may be rendered valid, the neglect of the town clerk to be sworn notwithstanding :—Therefore

*Resolved*, That the several town meetings held in said town of Gilead, as aforesaid, be, and they hereby are rendered good and valid, as though the town clerk had been duly qualified, and all proceedings otherwise legal, had at the sever-

al town meetings afore said, be and they hereby are fully ratified and confirmed, as though the town clerk had been sworn according to law.

## XV.

*Resolve on the petition of Crocker Wilder, granting him one hundred and fifty dollars and a pension. June 12, 1809.*

On the petition of Crocker Wilder, of Hingham, praying for compensation for a wound he received while on military duty on the seventh day of October, 1789, in said Hingham :

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to the said Crocker Wilder, in consequence of his having lost his left hand while performing military duty on the said seventh day of October, 1789, the sum of one hundred and fifty dollars, to reimburse to him the several sums paid doctors, nurses, and other expenses, an annuity or pension of five dollars per month, during his natural life, or till the further order of the Legislature, to commence from and after the thirty-first day of May, in the year of our Lord one thousand eight hundred and nine.

## XVI.

*Resolve empowering Simeon Fowler to convey to Cornelius Brown half an acre of land in Orrington. June 12, 1809.*

Resolve on the petition of Simeon Fowler and Dorcas Perry of Orrington, county of Hancock, praying that they may be authorized to make and execute a deed of conveyance of a certain lot of land situated in said Orrington, to Cornelius Brown :

*Resolved*, for reasons set forth in said petition, That the prayer thereof be so far granted, that the said Simeon Fowler, administrator on the estate of Isaac Perry, of said Orrington, deceased, be, and he hereby is authorized and empowered to convey to the said Cornelius Brown, about half an acre of land in said Orrington, and bounded in part by a road leading to said Brown's Ferry, and otherwise by land of the said Isaac Perry, —and to make and execute a good and sufficient deed, to pass the same which shall be valid in law to all intents and purposes, as if the said Isaac Perry had done the same in his life time ; the said administrator first giving bond with sufficient surety

to the Judge of Probate for the county of Hancock, to account for the monies arising from the same.

## XVII.

*Resolve on the petition of Ethan Ely, granting to the Hampshire Missionary Society one hundred and fifty dollars for the support of Lazau Williams. June 13, 1809.*

On the petition of Ethan Ely, praying for the further aid of the Legislature in the support and education of Lazau Williams, an Indian, a descendant of the late Rev. John Williams, formerly minister of Deerfield :—

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to the trustees of the Hampshire Missionary Society, the sum of one hundred and fifty dollars, for the purpose of supporting, clothing, and educating the aforesaid Lazau Williams, and for all expenses relating thereto, from the first day of June, one thousand eight hundred and six, to the first day of June one thousand eight hundred and nine; the said trustees to be accountable therefor : and his Excellency the Governour, by and with the advice of Council, is requested to grant a warrant on the treasury accordingly.

## XVIII.

*Resolve, authorizing the Attorney and Solicitor General respecting the votes given in Norridgewock for Governour and Lieutenant Governour. June 14, 1809.*

Whereas the return of votes from the town of Norridgewock, for the election of Governour and Lieutenant Governour, for the present year, was fraudulently forged and altered with an intention to affect the election of the aforesaid officers of Government :—

*Resolved*, That the Attorney General and Solicitor General be and they hereby are respectively ordered to take all proper measures to detect and bring to punishment the perpetrator or perpetrators of the alleged crime ; and that they be and hereby are authorized and empowered to offer a reward of five hundred dollars to whomsoever shall inform against the guilty in this offence, and obtain the necessary evidence



so that the perpetrator or perpetrators of said crime be thereof convicted.

And His Excellency the Governour is hereby requested and authorized to draw his warrant on the treasury of this Commonwealth for said sum, in favour of such person or persons, as the Attorney General or Solicitor General shall certify to His Excellency to be thereto entitled in virtue of this resolve.

## XIX.

*Resolve granting a tax for the counties of Bristol, Plymouth, Kennebeck, Lincoln and Oxford. June 14, 1809.*

Whereas the treasurers of the following counties, have laid their respective accounts before the Legislature for examination, which accounts have been examined and allowed ; and whereas the clerks of the Courts of Sessions for the said counties have exhibited estimates, made by the said Courts, of the necessary charges likely to arise within said several counties for the year ensuing ; and of the sums necessary to discharge the debt of the said county :—

*Resolved*, That the sums annexed to the following Counties, 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.

Bristol, two thousand dollars, - - -	2000
Plymouth, two thousand dollars, - - -	2000
Kennebeck, three thousand dollars, - - -	3000
Lincoln, thirteen thousand, seven hundred, } twenty one dollars and ninety one cents, }	13721 91
Oxford, thirteen hundred and thirty dollars,	1330

## XX.

*Resolve on the petition of Jacob Chamberlain, discharging him of an Execution. June 14, 1809.*

On the petition of Jacob Chamberlain, of an unincorporated place in the county of Hancock, called Old Town Falls, praying this General Court to remit to him the amount of an Execution in favour of the Commonwealth, for the sum of two hundred and fifty dollars recovered on his recognizance for his

appearance before the Justices of the Supreme Judicial Court holden at Castine, within the County of Hancock, on the third Tuesday of June, A. D. 1807 :—

*Resolved*, That the sheriff of the county of Hancock be, and hereby is required to discharge said Jacob Chamberlain from the execution aforesaid, on his paying all prison fees and all costs which have arisen in the prosecution of the recognizance aforesaid.

## XXI.

*Resolve on the petition of Jesse Robinson, granting him fifty dollars.*  
June 14, 1809.

Whereas Jesse Robinson, of Hallowell, in the county of Kennebeck, while passing through the town of Rome, on the twenty ninth day of August last, to execute the duties of his office, as a Deputy Sheriff, for said county, had his horse killed by the discharge of a musket loaded with three balls, by some unknown person, disguised as an Indian; and the said Robinson having petitioned this Court to afford him relief:—Wherefore,

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

## XXII.

*Resolve on the petition of Lieutenant Colonel Thomas Badger, respecting the Legionary Brigade under his command.* June 15, 1809.

*Resolved*, That the Governour be and he is hereby authorized, with the advice of Council, to issue his orders to the Major General or the commanding officer of the First Division, to have the number of Infantry Companies which now compose the Infantry of the Legionary Brigade in the town of Boston, including the company in Chelsea, augmented to twenty four or thirty two companies, and to have them formed into Regiments, and to be numbered from one to three or four in the Legionary Brigade.

## XXIII.

*Resolve on the petition of Samuel Parker, as administrator of the estate of Simon Gilson. June 15, 1809.*

Upon the petition of Samuel Parker, praying to be restored to the benefit of an act entitled, "an act for limiting the time within which suits may be prosecuted against executors and administrators, and for perpetuating the evidence of notice given by them and by guardians and others respecting the sale of real estate :—

*Resolved*, for the reasons set forth in said petition, That upon the said Parker's posting up in two or more publick places in Pepperell, in the county of Middlesex, due notice of his having been appointed administrator of the goods and estate of Simon Gilson, late of said Pepperell, deceased, and of his acceptance of said trust, and also inserting the same notice in the newspaper printed at Boston by Adams and Rhodes, three weeks successively, before the first day of September next, and upon his making and filing in the Probate Court for said county, before the first day of November next, an affidavit of his having given such notice, accompanied with an original notification or a copy thereof, of his having undertaken said trust, he the said Parker shall be entitled to all the benefits of the said act in as full and ample a manner, to all intents and purposes, as if notice had been given of his said appointment and affidavit thereof, filed in said Probate Court, within the time and in the manner limited and prescribed by the said act, except that no creditor of the estate of the said Simon, deceased, shall be barred by the provisions of the third section of the said act, from prosecuting any suit against the said administrator, which shall be commenced at any time within three years from the first day of November next.

## XXIV.

*Resolve authorizing the raising a company of Light Infantry out of the two companies of Artillery in Marblehead. June 15, 1809.*

On the petition of Joshua O. Bowden and others, praying for leave to raise a Company of Light Infantry in the town of Marblehead :—

*Resolved*, That for reasons set forth in said petition His Excellency the Governour, with the advice of Council, be and

he is hereby authorized and requested to raise by voluntary enlistment, a company of Light Infantry out of the two companies of Artillery, in the town of Marblehead, to be annexed to the battalion in said town, and subject to such rules and regulations as are provided by law for governing the militia of this Commonwealth.

*Provided*, that neither of the standing companies in said battalion, shall thereby be reduced to a less number than is required by law.

## XXV.

*Resolve on the petition of Hezekiah Wyman, of Bath, in the county of Lincoln. June 16, 1809.*

On the petition of Hezekiah Wyman, of Bath, in the county of Lincoln :—

*Resolved*, That Abiel Heywood, executor of the last will and testament of Jonathan Heywood, late of Boston, in the county of Suffolk, deceased, be and hereby is authorized to convey by deed to said Wyman, his heirs and assigns, all the right, title, and interest of which the said Jonathan Heywood died seized and possessed, in and to the following described lot of land, situate in said Bath, and bounded as follows viz :—Beginning on the north side of a lane leading from Washington Street, to the house of Jesse Russell, eleven rods and four links west from David Standish's west line ; thence running west four rods, then north six rods, then east four rods, and thence south six rods to the first bounds.

## XXVI.

*Resolve on the petition of Justin Ely, jun. of West Springfield. June 16, 1809.*

On the petition of Justin Ely, jun. of West Springfield, in the county of Hampshire, stating that his late wife Lucy Ely, now deceased, was owner of one undivided sixth part of a tract of land lying in Petersham, in the county of Worcester, bounded easterly on a highway, south on land of John Gates, west on land of Joel Bryant, John Gates, and Zarah Houghton, containing about seventy five acres, with a dwelling house standing thereon ; that in October 1806, the other owners of

faid land, having bargained with John Gates, of Peterham, to sell him their respective interests therein, he joined with them in a bond to the said Gates, that upon payment of the sum of fourteen hundred and fifteen dollars, which was the consideration for the whole farm, conditioned to convey to him the same by good and sufficient title ; that in January 1808, the said Lucy died, leaving three infant children ; that the said Gates has paid the principal part of the consideration : and praying that, upon payment of the residue, he may be authorized and empowered to convey said land to said Gates according to the tenor of said agreement :—

*Resolved*, That the said Justin Ely, jun. be and he hereby is authorized and empowered to convey to the said John Gates, all the right which his late wife Lucy Ely, now deceased, had in the tract of land above described : *Provided*, That he give bonds in such sum and with such security as the Judge of Probate for the county of Hampshire shall approve, that the money arising from the sale of said estate shall be placed upon interest for the benefit of his three infant children, Theodore Ely, Charles Ely, and Lucy Baron Ely.

## XXVII.

*Resolve on the petition of John Peirce, of Hinsdale, granting him thirty dollars. June 16, 1809.*

Whereas John Peirce of Hinsdale, in the county of Berkshire, has represented to this Court that in the month of March last, Thomas Wing, of said Hinsdale, was apprehended and committed to the Prison in said county, upon a charge of passing counterfeited bank bills ; and afterwards recognized with sufficient sureties for his appearance at the Supreme Judicial Court, which was holden at Lenox, in and for said county, on the first Tuesday of May last, to answer to the said charge, but did not appear ; whereby the amount of said recognizances, being twelve hundred and fifty dollars, have become forfeited to the government ; and that he the said John in detecting and procuring the commitment of said Thomas, spent much time and expended about twenty dollars :—

*Resolved*, That there be allowed to the said John Peirce, the sum of thirty dollars, to be paid him out of the monies which may be collected on the recognizances aforesaid, and not otherwise ; the payment to be made by the Attorney or Solicitor

General, or Treasurer of the county of Berkshire, whoever of them shall have received the same for the Commonwealth; and the receipt of said John Peirce. shall be a sufficient voucher to that amount, for said Attorney or Solicitor General, or county Treasurer, in his settlement of his account.

## XXVIII.

*Resolve on the petition of David Payson and others. June 16, 1809.*

On the petition of David Payson and Abiel Wood, jun. of Wiscasset, in the county of Lincoln, Esquires, shewing that the petitioners recognized in the sum of two hundred and fifty dollars each, as sureties for the appearance of one Artemas Wilder, a native of Vermont, before the Justices of the Supreme Judicial Court; and that at the Supreme Judicial Court holden at Wiscasset, on the first Tuesday of June, A. D. 1808, the said Wilder not appearing, his recognizance was forfeited and defaulted, and writs of scire facias have issued and are now pending against said Payson and Wood:—

*Resolved*, for reasons set forth in said petition, That the said David Payson and Abiel Wood, jun. be discharged from their respective recognizances as aforesaid, for the judgments rendered on said writs of scire facias, severally, and from the costs thereto appertaining.

## XXIX

*Resolve on the petition of Abigail Prescott. June 16, 1809.*

On the petition of Abigail Prescott, of Boston, widow of Ephraim Prescott, deceased:—

*Resolved*, for reasons set forth in said petition, That this Commonwealth does hereby release to the said Abigail Prescott, all right, title and interest which they have in seventeen lots of wild land in East Andover, in the county of York, formerly belonging to the said Ephraim Prescott, of which he died seized, and which for want of heirs, escheats to the Commonwealth.

## XXX.

*Resolve on the petition of Abraham Bazin, administrator on the estate of Peter Boyer, deceased. June 16, 1809.*

On the petition of Abraham Bazin, administrator on the estate of Peter Boyer, late of Boston, in the county of Suffolk,

merchant, deceased, intestate, stating that said Peter Boyer in his life time, being indebted unto John Buckley, late of said Boston, merchant, deceased, in the sum of five hundred ninety two dollars sixty three cents, promised said Buckley to convey to him towards the payment of said demand, his said Boyer's part of the real estate which descended to him in right of his honoured mother, Susanna Boyer, deceased, being one quarter of one sixth part of a certain dwelling house and land situate in Boston, aforesaid, bounded easterly on Fish-street, northerly on Wood Lane so called ; westerly on land of John Prout and others, and southerly on land of Martha Oliver ; but said Boyer died before he executed the deed thereof according to his promise, said Buckley has also since deceased, leaving Mary Hewes, wife of Richard B. Hewes, an only child and heir :—

*Therefore, Resolved*, That said Abraham Bazin, administrator as aforesaid, be and he is hereby authorized and empowered to make and execute a good and sufficient deed of said one quarter of one sixth part of said dwelling house and land, bounded as aforesaid, being said Peter Boyer's part of the real estate which descended to him in right of his mother Susanna Boyer, deceased, to said Mary Hewes, to hold to her, her heirs and assigns : which shall be considered as valid and effectual in law, as a deed thereof would have been if executed by said Peter Boyer to said John Buckley in their life time, according to said promise.

## XXXI.

*Resolve on the petition of John Tedder, of Marblehead.*

June 16, 1809.

Whereas Major John Tedder, of Marblehead, in the county of Essex, has petitioned the Legislature for compensation for the expenses he has been at in removing the Gun House in said Town :—

*Resolved*, for reasons set forth in said petition, That there be allowed and paid out of the treasury of this Commonwealth to said John Tedder, the sum of thirty dollars, to be in full for all the expenses he has been at in removing the Gun House in Marblehead.

## XXXII.

*Resolve granting pay to the Clerks in the Secretary's and Treasurer's offices. June 16, 1809.*

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to the first clerk in the Secretary's office, three dollars and eighty four cents per day, and to each of the other clerks in said office, three dollars per day, for each day they are respectively employed therein, for one year commencing the first day of the present month of June.

*And be it further Resolved*, That there be allowed and paid out of the treasury aforesaid, to each of the two clerks in the Treasurer's office, the sum of three dollars and eighty four cents, for each day they are respectively employed therein for one year, commencing the first day of the present month of June.

## XXXIII.

*Resolve appointing Commissioners to examine and settle the Accounts of the State Treasurer. June 17, 1809.*

*Resolved*, That Jonathan Jackson, Benjamin Weld and Samuel Brown, 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 thirtieth day of June instant, inclusively; and the said commissioners are directed and empowered to deface all notes, and due bills, orders, or other obligations, issued under the authority of this Commonwealth, by any officer thereof, which have been redeemed by the Treasurer or his predecessors; and to report their proceedings at the next session of the General Court.

## XXXIV.

*Resolve on the petition of Eben. Preble. June 17, 1809.*

On the petition of Eben. Preble, of Boston, in the county of Suffolk, merchant, representing that his father, Jedidiah Preble, late of Portland, in the county of Cumberland, deceased, in the year one thousand seven hundred and eighty one, in-



tended to convey to said Eben. a certain part of a lot of land, situate on Middle street, in said Portland, and that by mistake of the person employed to draft the deed in referring to former deeds for description, a part of said lot which the said Jedidiah had before conveyed, was described in the deed to said Eben. instead of the part intended to have been conveyed to said Eben.; and that the deed to said Eben. having been recorded before the preceding deed, his title became perfect to the land which the said Jedidiah had no intention to convey, and which the said Eben. had no intention to take; and that the said Eben. is desirous to obtain a conveyance of the land which ought to have been conveyed to him, and to release all right and title to that land which was sold to others; and further representing that such conveyance to him cannot be made by reason of the great number and dispersed situation of the heirs at law of said Jedidiah, and because there are among them many minors. And publick notice of said petition having been given according to the order of the Senate and House of Representatives, and no objection having been made to granting the prayer thereof:—

*Be it therefore Resolved*, that Enoch Preble of Portland, in the county of Cumberland, merchant, one of the sons of Jedidiah Preble, late of said Portland, Esq. deceased, be and he hereby is authorized and empowered, to make, sign, seal, and acknowledge in due form of law, a deed of conveyance to Eben. Preble, of Boston, in the county of Suffolk, merchant, of all the right, title, interest and estate of the heirs at law of Jedidiah Preble, Esq, late of said Portland, deceased, in and to a certain piece or parcel of land situate in said Portland, and described as follows, viz.—Bounding southeastwardly on Middle street, and there measuring three rods northwestwardly by land conveyed by John Barber to Enoch Knights, and by said Enoch to said Jedidiah by deed bearing date the twenty seventh day of April, 1765; northwestwardly by the lots which run southeastwardly from Backstreet; northeastwardly beginning on said Middlestreet, at the corner of Zachariah Nowell's house, and thence running northwestwardly nine rods and an half, to a fence and woodhouse; thence southwest by a stable twelve feet; thence northwestwardly by said stable and the garden fence ten rods and twenty links, to a fence at the northwestwardly end of the land to be conveyed. The afore described piece or parcel of land being the same which the said Jedidiah intend-

ed to convey to said Eben. and of which the said Eben. has been in possession ever since the year 1781.—*Provided always,*

That the said deed which the said Enoch Preble is hereby authorized and empowered to make, shall not be made, nor shall the same have any force or effect, until the said Eben. Preble shall have made in due form of law, conveyances by deed, of release and quit claim, with warranty against all persons claiming under him, of all the right, title, interest and estate which he hath, in the lands and tenements, conveyed to him by the deed of said Jedidiah Preble his father, through mistake as aforesaid, which deeds of release and quit-claim shall be made to such persons now claiming or in possession of the last mentioned lands and tenements, as would now have good right and title therein, if the deed of the said Jedidiah first executed as aforesaid, had taken effect according to the intention of the parties.

### XXXV.

*Resolve on the petition of Jesse Drake, of Union, county of Lincoln.  
June 17, 1809.*

On the petition of Jesse Drake, of Union, in the county of Lincoln, praying that Mary Gay, of said Union, administratrix on the estate of Josiah Gay, late of said Union, yeoman, deceased, and guardian to Sally Gay, Rachel Gay, Elijah Gay, and Richard Gay, and Melzar Thomas, guardian to Abiel Gay and James Gay, may be authorized and empowered to sell and convey to the said Drake, the right and title of the said minors in the following described piece of land :—

*Resolved,* That the said Mary Gay and Melzar Thomas, be and they are hereby authorized in their capacity of Guardians to the said minors, to sell and convey to the said Jesse Drake, all the right and title which the said minors have in and to the following described piece of land lying in said Union, bounded as follows, viz.—Beginning at a stake and stones at the road which runs through the lot on which the said Josiah Gay lived; thence north seven degrees east, sixty-two rods to a stake and stones; thence north thirty nine degrees west, six rods and twenty two links to a stake and stones; thence north sixty-one degrees east, twenty one rods and a half to a stake and stones; thence south one degree west sixty nine rods to a stake and stones to the said road; thence by the said road, south

seventy three degrees west twenty four rods, to the bounds first mentioned, containing eight acres and sixty five rods, more or less ; and to make, execute, and deliver good and sufficient deeds of the same ; *Provided*, the said Drake shall, at the time of said conveyance, pay or secure to the said guardians for the use of the said minors, twenty one dollars for each acre of said land, and in that proportion for a less quantity.

## XXXVI.

*Resolve on the petition of Lydia Tirrell and others. June 17, 1809.*

On the petition of Lydia Tirrell, and others, praying that she as administratrix of the goods and estate of John Tirrell, late of Weymouth, in the county of Norfolk, yeoman, deceased, may be authorized and empowered to convey certain real estate :—

*Resolved*, for reasons set forth in said petition, That she the said Lydia, administratrix as aforesaid, be and she hereby is authorized and empowered to convey to John Dale, one of said petitioners, by a good and sufficient deed or deeds duly executed, all the real estate which said Dale conveyed to said Tirrell, deceased, upon condition, that said Dale pay to said Lydia within six months from and after the passing of this resolve, the full sum due, for the security of which said estate was conveyed to said Tirrell, deceased, with legal interest thereon, and all reasonable costs, and that the same sum, when paid, be assets in the hands of the said Lydia as administratrix aforesaid, for which she is to account with the Judge of Probate for said county of Norfolk.

## XXXVII.

*Resolve granting Captain Horatio G. Buttrick forty dollars and forty-three cents, for land purchased for a gun house in Lancaster, and removing the gun house thereon. June 17, 1809.*

On the petition of Horatio G. Buttrick, praying compensation for land purchased for the Commonwealth to place a gun house on, in Lancaster, and removing the same :—

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to the said Horatio G. Buttrick,

the sum of forty dollars and forty three cents; and the Governour be authorized to draw a warrant therefor in favour of said Buttrick.

### XXXVIII.

*Resolve directing the Clerks of the Courts of Sessions to deliver records and files to the Clerks of the Courts of Common Pleas.*  
June 19, 1809.

*Resolved*, That the clerks of the several Courts of the General Sessions of the Peace, be and they are hereby directed to deliver to the several clerks of the Courts of Common Pleas, to which the jurisdiction of such Courts of General Sessions of the Peace, is transferred by virtue of an act, entitled, "an act to transfer the powers and duties of the Courts of Sessions to the Courts of Common Pleas, and for other purposes," the records and papers of said Courts.

*And be it further Resolved*, That the several clerks of the several Courts of Common Pleas be, and they are hereby directed to keep the records of the doings of the several Courts of Common Pleas, in those matters in which the jurisdiction of the Courts of General Sessions of the Peace is transferred, by the act aforesaid, to the Courts of Common Pleas, in separate and distinct books, and the papers shall also be kept in distinct and separate files from the books and files in which the records and papers were kept of such matters as the Courts of Common Pleas had jurisdiction of before the passing of the act aforesaid.

### XXXIX.

*Resolve on the petition of Benjamin Joy.* June 19, 1809.

On the petition of Benjamin Joy, praying that Elifha Sigourney and Judah Hays, executors of the last will and testament of Henry Jackson, deceased, might be authorized and empowered to convey by deed one moiety of a certain piece of land, in pursuance of a memorandum of agreement in writing made by the said Jackson, during his life:—

*Resolved*, That the said Elifha Sigourney and Judah Hays, executors of the last will and testament of Henry Jackson,

be and they hereby are authorized and empowered to transfer and convey, by a good and sufficient deed, one moiety of a certain piece of land described in the said Joy's petition, in pursuance of the agreement made by the said Jackson in his life time, and in the manner and for the considerations therein mentioned; which said deed, executed in manner aforesaid, shall be good and valid to vest in said Joy the fee of said land, and give him as good a title to the same as if such deed had been executed by said Jackson in his life time.

## XL.

*Resolve granting Sylvanus Lapham twenty five dollars, for extra services as an assistant to the messenger of the General Court. June 19, 1809.*

*Resolved,* That there be allowed and paid out of the publick treasury of this Commonwealth, unto Sylvanus Lapham, assistant to the messenger of the General Court, for extra service, twenty five dollars, over and above his usual pay; in full for said service the present session of this Court.

## XLI.

*Resolve directing the Quarter Master General to furnish certain articles for the Hospital at Rainsford Island. June 19, 1809.*

On the representation of the Quarter Master General, that he had received a request from the Board of Health of the town of Boston, for the following articles, for the use of the state Hospital, viz. fifteen linen sheets, twelve pillow cases, one dozen of towels, two dozen of knives and forks, one dozen of stew-pans, six chairs, three close-stool pans, and two coffee pots, which by estimation amounts to one hundred and eighty-six dollars:—

*Resolved,* That the Quarter Master General be authorized and directed to supply the articles above enumerated, for the use of the said hospital; and that for defraying the expense of the same, there be allowed and paid out of the publick treasury, to the said Quarter Master General, a sum not exceeding one hundred and eighty six dollars, he to be accountable for the same. And His Excellency the Governour is hereby requested, with the advice and consent of the Council, to draw his warrant on the treasury for the same.

## XLII.

*Resolve for paying the Committee on Accounts. June 19, 1809.*

*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, fifteen days, fifteen dollars; Hon. Nathan Willis, fifteen days, fifteen dollars; Joseph Titcomb, fifteen days, fifteen dollars; Silas Holman, fifteen days, fifteen dollars; which sums shall be in full for their services aforesaid, respectively.

## XLIII.

*Resolve granting Jacob Kuhn, one thousand dollars, to purchase fuel, &c. June 19, 1809.*

*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 one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council, Secretary's and Treasurer's offices, he to be accountable for the expenditure of the same.

## XLIV.

*Resolve for paying the Clerks of the General Court. June 19, 1809.*

*Resolved*, That there be paid out of the publick treasury to Nathaniel Coffin, Esq. clerk of the Senate, and to Nicholas Tillinghast, Esq. clerk of the House of Representatives, one hundred and fifty dollars each; and also to Samuel F. McCleary, assistant Clerk to the Senate, and to Thomas Wallcott, one hundred dollars each in full for their services in their offices, the present session of the General Court.

## XLV.

*Resolve granting Azariah Egleston, Esq. four hundred dollars, for his service as paymaster and agent to the First Massachusetts Regiment. June 19, 1809.*

On the petition of Azariah Egleston, Esq. stating that he was a paymaster and agent to the first Massachusetts Regiment in the late war between the United States and Great Britain ; and praying for compensation for his services as such paymaster and agent ;

Whereas it appears that the said Azariah Egleston has never received any compensation for the services so rendered by him as afore said : Therefore,

*Resolved*, That the said Azariah Egleston be, and he is hereby allowed the sum of four hundred dollars, to be paid out of the treasury of this Commonwealth, in full for his said services. And his Excellency the Governour, by and with the advice of the Council, is hereby requested to issue his warrant upon the Treasurer for the payment of the sum afore said.

## XLVI.

*Resolve on the petition of John Barker and others. June 19, 1809.*

On the petition of John Barker and Aaron Tufts, praying to be compensated for land which has been taken from them to quiet the settlers, and that they may not be called on for the balance which is due on their bond until this matter can be adjusted :—

*Resolved*, That the Hon. Salem Town, Esq. be and hereby is authorized and empowered to ascertain the quantity and value of the land taken to quiet the settlers mentioned in said petition, and report to the next session of this General Court. And the Treasurer of this Commonwealth is directed to delay to demand the payment of their bond until the next session of this General Court.

## XLVII.

*Resolve confirming a deed of four hundred acres of land given by the Marshpee Indians for a parsonage. June 19, 1809.*

On the representation of the overseers of the Indian Plantation of Marshpee, in the county of Barnstable, stating in behalf of said Indians, that it would be conducive to their interests, that a certain grant and allotment of land therein described, formerly made by said Indians for the support of the Gospel Ministry among them, should be confirmed and rendered valid :—

*Resolved*, That a certain grant or allotment of land made by Lot Nye, Matthias Amos, Moses Pognit, Isaac Halfday, Joseph Amos and Ebenezer Dives, of the district of Marshpee, in the county of Barnstable, as appears by their deed by them signed, sealed and executed on the seventh day of January, in the year of our Lord one thousand seven hundred and eighty three, and recorded in the registry of deeds in and for the said county of Barnstable, in the fifty-fifth book thereof and one hundred and thirty ninth folio of said book, as attested by Ebenezer Bacon as Register on the back of said deed, said land being four hundred acres more or less, according to said deed, be, and the same hereby is confirmed and rendered valid to all the intents and purposes by them in their said deed expressed, and the said tract of land shall be and remain forever as a parsonage for the use and benefit of a congregational gospel minister, as expressed and declared in their said deed.

## XLVIII.

*Resolve on the petition of John Coffin Jones, Esq. June 19, 1809.*

On the petition of John Coffin Jones, of Boston, in the county of Suffolk, merchant, stating that he is creditor to the estate of James Scobie, late of said Boston, merchant, deceased, intestate, which has been duly represented insolvent by the administrator on said estate ; a commission issued thereon, and the commissioners reported a list of claims by them allowed ; upon which a dividend of forty cents and seven mills on the dollar was ordered to each respective creditor in proportion to his claim allowed ; but by accident and mistake



the said Jones neglected to present his claim for allowance, and the time allowed by law for exhibiting claims has expired. Therefore,

*Resolved*, That for reasons set forth in said petition the Judge of Probate for the county of Suffolk, be and he hereby is authorized and empowered to grant a new commission on said estate, or to allow such further time to the former commissioners on said estate, not exceeding three months, as he shall judge expedient, to receive and examine the claims of all those who have not already proved their claims against said deceased's estate: and that the said creditors who shall hereafter prove their claims under any commission that may be granted by virtue hereof, shall and may be entitled to receive from the said administrator on said estate, and from the monies that now are in his hands or which hereafter may be collected and received from said estate, on the amount of the claims respectively allowed, a dividend or dividends in respect thereof, so far as the same will extend equal with the other creditors of said deceased, who have already proved their claims under the said commission.

## XLIX.

*Resolve making a grant for repairs on Nick's-Mate, and appointing Tristram Barnard agent therein. June 19, 1809.*

Whereas it has been represented to the Legislature, by the agent for superintending Nick's Mate, in the harbour of Boston, that the monument erected thereon requires being repaired:—

*Resolved*, That Tristram Barnard, Esq. President of the Boston Marine Society, be and he is hereby appointed agent to cause the necessary repairs to be effected, and that His Excellency the Governour, by and with the consent of the honourable Council, be and he is hereby authorized and requested to issue his warrant on the treasury for such sum, not exceeding eight hundred dollars, as said agent shall apply for, to defray the necessary expenses of said repairs, and that said agent render his accounts to the Governour and Council of his doings herein.

## L.

*Resolve permitting Jacob Reeves to file an affidavit in the Probate Court of Middlesex. June 19, 1809.*

On the petition of Jacob Reeves, administrator on the estate of Ebenezer Staples, late of East Sudbury, deceased, setting forth that he the said Jacob, in his said capacity, was duly empowered by the Justices of the Court of Common Pleas, held at Concord, within and for the county of Middlesex, on the Monday next preceding the second Tuesday of September, in the year of our Lord one thousand eight hundred and seven, to make sale of, and pass deeds, to convey so much of said deceased's real estate as should raise the sum of three hundred and forty two dollars and twenty nine cents ; and that, in pursuance of the authority aforesaid, he the said Jacob, in due form of law, made sale of sufficient of said estate for the purpose aforesaid, and executed a good and sufficient deed thereof to Luther Glezen ; but through misapprehension, omitted to make his affidavit, within the time prescribed by law, to perpetuate the evidence of said sale, and praying that his affidavit relative thereto, may be made good and valid in law, as it would have been, had it been legally made within seven months from the time of said sale :—Therefore,

*Resolved*, That the prayer of said petition be granted, and that the affidavit of the said Jacob Reeves, taken before the Probate Court within and for the county of Middlesex, and there filed and recorded, shall have the same effect and operation in law, to all intents and purposes, as it would have had, had it been legally made within seven months next following said sale.

## LI.

*Resolve granting to Jacob Kuhn, messenger of the General Court, three hundred and fifty dollars in addition to his pay. June 19, 1809.*

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

## LII.

*Resolve for paying the Lieutenant Governour, Secretary, and Treasurer. June 19, 1809.*

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to His Honour the Lieutenant Governour thereof, the sum of five hundred thirty three dollars and thirty three cents, for his salary for one year, from the thirty-first day of May last.

Also, to William Tudor, Esq. Secretary to the Commonwealth, the sum of fifteen hundred dollars, for his salary for one year, from the third day of June current, he to be accountable at the end of the year for all the fees of office he shall have received: And to the Treasurer and Receiver General of this Commonwealth, the sum of two thousand dollars, for his salary for one year, from the third day of June current:— and that all the aforesaid salaries be paid in quarterly payments as they shall become due.

## LIII.

*Resolve on the petition of Benjamin Skinner, authorizing the partition of certain real estate. June 19, 1809.*

On the petition of Benjamin Skinner, praying that the administrators of the late Thompson J. Skinner, deceased, may be authorized and empowered to make partition of certain real estate of said deceased, which at the time of his decease was held by him and the said Benjamin as tenants in common:—

*Resolved*, for the reasons set forth in said petition, That the hon. Azariah Egleston and Samuel Dana, Esquires, administrators of said deceased, be and they hereby are authorized and empowered to agree with said Benjamin Skinner on a just and reasonable partition of all or any part or parcel of the real estate, whereof the late Thompson J. Skinner, Esq. died seized, situated in the county of Berkshire, and of which the said Benjamin Skinner is now tenant in common; or to agree on indifferent and discreet men to make such partition between the estate of the said deceased and said Benjamin; and to make and execute to the said Benjamin Skinner, such deed or deeds of release or conveyance as shall be proper and necessary to confirm the partition which may be so made as aforesaid;

and in their said capacity of administrators of said deceased, to receive from the said Benjamin a deed or deeds of similar effect, to the use and benefit of said estate. And such partition so made as aforesaid, shall be valid and effectual in law to all intents and purposes whatsoever. *Provided however*, that if it shall be necessary to sell the real estate of said deceased for the payment of debts, the estate which shall be set off to said administrators in the manner above provided, shall be sold and disposed of according to the law in such case made and provided.

## LIV.

*Resolve on the petition of Adam Hemmenway and Abel Eaton.*

*June 19, 1809.*

On the petition of Adam Hemmenway and Abel Eaton, praying that the treasurer of this Commonwealth be directed to receive in full satisfaction of an execution in favour of said Commonwealth, against one Ebenezer Hemmenway, their promissory note of hand, dated March 8, 1809, made to Josiah Dwight, Esquire, treasurer of said Commonwealth, or his successor in said office, for the sum of five hundred and ten dollars and fifty eight cents, on interest, payable in ninety days from the date of said note; and also praying for an extension of the time for the payment of said note:—

*Resolved*, for reasons set forth in the said petition, That the treasurer of this Commonwealth be, and he hereby is directed to receive the said note with sufficient surety, in discharge of the execution aforesaid, and that one moiety with the interest due on said note be paid into the treasurer's office within one year from the date of said note, and the other moiety with the remaining interest, be paid as aforesaid, within two years from the date aforesaid.

## LV.

*Resolve on the petition of Arthur Lithgow, Esq. and grant to.*

*June 19, 1809.*

On the petition of Arthur Lithgow, Esq. late Sheriff of the county of Kennebeck, praying to be compensated for his time and expenses, and for that of his deputies, who were opposed while in the regular discharge of their duty, by bodies of armed men in the disguise of Indians:—

*Resolved*, for reasons set forth in said petition, That there be allowed and granted unto said Arthur Lithgow, one hundred and sixty three dollars and seventy two cents, in full for his time and expenses; and for that of his deputies, in the service aforesaid. And his Excellency the Governour with the consent of Council, is requested to draw his warrant on the treasury for the same.

## LVI.

*Resolve authorizing the Quarter Master General to repair the wharf at Hospital Island. June 19, 1809.*

On the representation of the Quarter Master General, that the wharf on Hospital Island, is in a decayed state, and stands in need of effectual and speedy repairs to prevent its being totally lost :—

*Resolved*, That the Quarter Master General be authorized and directed to make such repairs of the said wharf, particularly by casing it with stone, as shall in his opinion be effectual for its preservation ; and that for defraying the expense of such repairs, there be allowed and paid to him out of the publick treasury, a sum not exceeding six hundred dollars, he to be accountable for the same ; and his Excellency the Governour is requested, with the advice and consent of the Council, to draw his warrant for the same.

## LVII.

*Resolve on the representation of the Boston Board of Health, respecting Rainsford Island, and appointing a Committee to examine the same. June 19, 1809.*

*Resolved*, That Jonathan Hunnewell, William Brewer and Thomas Greenleaf, Esquires, be a committee to examine the state of the property of this Commonwealth in Rainsford Island, and report at the next session of the General Court, what measures, in their opinion, are necessary to prevent the further destruction of the same, and to present an estimate of the probable expense thereof.

## LVIII.

*Resolve appropriating three thousand dollars for the State Prison.  
June 20, 1809.*

*Resolved*, That his Excellency the Governour, by and with the consent of Council, be, and he is hereby authorized to draw warrants upon the treasurer of this Commonwealth in favour of the superintendent of the State Prison, for such sums and at such periods as he may deem expedient, not exceeding three thousand dollars, to enable said superintendent to perform his contracts, make such improvements and accommodations as are necessary, and defray the expenses of said prison the present year, in addition to what was granted by a resolve of March second, eighteen hundred and nine, said superintendent to be accountable for the same.

## LIX.

*Resolve authorizing the Secretary and Treasurer to lease the Province House. June 20, 1809.*

*Resolved*, That the secretary and treasurer of this Commonwealth, be authorized to lease the Province House, so called, for one year from the expiration of the existing lease, which will be in July next ; and that they be fully empowered to examine, and finally adjust and allow the accounts of Joseph Bradley, for repairs made upon said house, during his occupancy of the same.

## LX.

*Resolve proposing an amendment of the Constitution of the United States respecting Embargo, and suspension of Commerce. June 20, 1809.*

*Resolved*, That the Senators of this Commonwealth in the Congress of the United States be instructed, and the Representatives thereof requested, to use their best endeavours to cause the following article to be proposed by the two Houses of Congress to the Legislatures of the several states, as an amendment to the Constitution of the United States, that is to say : No law shall be enacted for laying an Embargo, or for prohib-

iting or suspending Commerce, for a longer period than until the expiration of thirty days from the commencement of the session of Congress next succeeding that session in which such law shall have been enacted.

*Be it further Resolved*, That his Excellency the Governour be requested to transmit to each of the Senators and Representatives from this Commonwealth in Congress, an attested copy of this Resolution.

*And be it further Resolved*, That His Excellency the Governour be requested to inform the Chief Magistrates of the several states in the Union, of the doings of this Legislature respecting this subject, and request them to communicate the same to the Legislatures of the several States.

*ROLL No. 61.....June, 1809.*

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 Ashfield, for boarding, clothing, nursing and doctoring James Wright, to the time of his death, and funeral charges,	20 53
Abington, for boarding and clothing Thomas Seymore to 1st June, 1809,	26 00
Adams, for boarding, clothing and doctoring Freeman Blakely, Lydia Daly's two children, Susanah Camp and Anna Wallin, to 22d May, 1809, and Benjamin Browning and wife and children, to 8th June, 1809,	128 70
Brookfield, for boarding and clothing Sarah Cook and George Bassington to 1st May, and Thomas Boyd to 1st June, 1809,	72 94
Buckland, for boarding and clothing William Negus to 25th May, 1809,	28 80
Bradford, for boarding, clothing and doctoring John L. Alfaffe to 1st June, 1809,	81 65
Barre, for boarding and clothing John C. Dandrich to 2d June, 1809,	22 75
Bristol, for boarding, clothing and doctoring William Howe to 1st June, 1809,	58 50
Bridgewater, for boarding and clothing William Blakely and Frederick Bignor to 14th June, 1809,	47 79
Boxboro', for supporting John Mc Coy to the 24th May, 1809, and doctoring John Canada in his last sickness,	68 43
Boston, for boarding and clothing fundry paupers to 1st June, 1809,	7747 91



Charlton, for boarding Edward Maden to 4th June 1809,	22 00
Cheshire, for boarding and clothing Ephraim Richardson and Clarissa Newcomb and child to 23d May, 1809,	91 86
Carlisle, for boarding, clothing and doctoring Robert Barber to 27th May, 1809,	24 41
Cape Elizabeth, for boarding and clothing James Ramsbottom and Abraham Birks to 27th May, 1809, and George Jehays to the time of his death, including funeral charges,	64 00
Concord, for supporting Thomas White, Noah Farewell, Robert Mc Conville, Francis Legrofs, and George Black, poor debtors in gaol, to the 5th June, 1809,	89 79
Douglas, for boarding, and clothing Betty Trifle to 18th May, 1809,	19 8
Dartmouth, for boarding, clothing and doctoring Emanuel Just and John Quanuel to 20th May, 1809,	238 51
Dunstable, for boarding, clothing and doctoring Margaret Lane to 1st June, 1809,	19 54
Dorchester, for boarding, clothing and doctoring Timothy Mars, John Harrifon and Lydia Wyman to 1st June, 1809, and Nancy Homans, to the time of her going out of the Commonwealth,	219 90
Danvers, for boarding and clothing Jane Duckedy, Ruth Parsons, John Brown, William Redde, and Mary Dunkinfield and Richard Neal to 5th June, 1809,	91 96
Deblois, George, keeper of the Alms House in Boston, to 1st June, 1809,	540 29
East Hampton, district of, for boarding and clothing John Hall to the 1st June, 1809,	17 00
Granby, for boarding and clothing Eben. Darwin and John Murry to 30th May, 1809.	50 5
Gill, for boarding, clothing and doctoring Sarah Hambleton to 31st May, 1809,	20 70
Greenwich, for boarding Elizabeth Harrington and child, and John Hayward to 29th May, 1809, and William Rice to 7th April, 1809,	61 31
Granville, for supplies to George Taylor and Archibald Stewart to 1st June, 1809,	32 47
Gorham, for supporting Robert Gilfilling to 29th May, 1809,	25 50

Gorham, John, for doctoring State paupers in the alms house in Boston, to 14th May, 1809,	400 00
Gloucester, for boarding, clothing and doctoring sundry paupers to 10th May, 1809,	1128 15
Hodgkins, Joseph, keeper of the house of correction in Ipswich, for boarding and clothing Mary, a black woman, Aidelaide Huldah Hicks, John Squires, and James Calhoun to 6th June, 1809, and allowance made by the Court of Sessions to 4th April, 1809,	380 38
Hopkinton, for supplying James Roach and Sarah Freeman to the time of their death, including funeral charges,	40 40
Hartthorn, Oliver, keeper of the gaol in Boston, for supporting sundry poor debtors confined in said gaol, to 21st May, 1809,	141 00
Hudson, John, keeper of the gaol in Salem, for supporting sundry poor debtors confined in said gaol, to 27th May, 1809,	293 20
Hadley, for boarding, nursing and doctoring Edward Kneeland to 24th May, 1809,	64 22
Hiram, District of, for boarding, clothing and doctoring Daniel Hickey to 21st May, 1809,	40 00
Hingham, for supporting and doctoring George, a black man, to 1st June, 1809,	77 10
Linconville, for boarding, clothing and doctoring Alexander White to 12th June, 1809,	32 60
Lanesboro' for boarding, clothing and doctoring Dent Harrison and Jerusha Welsh to 1st June, 1809,	132 86
Leyden, for boarding, clothing and doctoring Jedidiah Fuller and family and Elizabeth Waggoner to 19th May, 1809,	68 62
Lenox, for boarding, clothing and doctoring Abram Palmer and child, and Polly Tuttsen to 20th May, 1809,	64 28
Leicester, for boarding, clothing and doctoring Lydia Dunham to 1st June, 1809,	54 00
Middleborough, for boarding, clothing and doctoring William Pike to 10th April, 1809,	61 28
Montague, for supplies and doctoring Joshua Searle to 17th May, 1809,	53 36
Monmouth, for supporting and doctoring Joseph Richards, his wife and child to 4th April, 1809,	27 24

Marblehead, for boarding and clothing fundry paupers to the 5th June, 1809,	601 35
Milton, for boarding, clothing, nursing and doctoring Thomas Webster, John, Murrey and Widow Welsh and children to 8th June, 1809,	105 00
Machias, for boarding, clothing and doctoring John Hambleton, William Henry and John Rothwell to the time of leaving the State,	126 13
New Salem, for supporting two children of Olive Bedient to 4th April, 1809,	46 80
Norton, for boarding, clothing and doctoring Joseph Pratt to the time of his death, including funeral charges,	133 75
Northfield, for boarding, clothing and doctoring Richard Kingsbury to 26th May, 1809,	43 81
Nantucket, for supporting James Plato and Elenor Jones to 25th May, 1809,	59 64
Newburyport, for boarding, clothing and doctoring fundry paupers to 1st June, 1809,	1365 65
Newbury, for boarding and clothing fundry paupers to 1st June, 1809,	633 82
Needham, for supporting and doctoring John Rice to the time of his death and funeral charges,	30 70
Northampton, for boarding, clothing and doctoring William Welsh, James Aldrich, John Padley, and Samuel Culver and family to 24th May, 1809,	195 77
Peterham, for supplies to John Howard to the time he removed to Greenwich,	15 25
Portland, for boarding, clothing and doctoring fundry paupers to 1st June, 1809,	1537 62
Prospect, for boarding and clothing Anna Haynes to 30th April, 1809,	40 50
Russell, for supplies to John Newton and wife to 29th May, 1809,	4 94
Richmond for supporting Thomas Waterman to 14th March, 1809,	5 58
Rowe, for boarding and clothing Betsey Carpenter to 2d May, 1809,	26 83
Randolph, for supplies to John Coal to 6th April, 1809,	28 70
Readfield, for boarding, clothing and doctoring Edward Burgefs to 17th May, 1809,	33 83

Swansea, for boarding and clothing Thomas Connolly to 19th May, 1809,	19 66
Springfield, for boarding, clothing and doctoring William Johnson, Thomas Fornes, and David Kelly to the time of their going away,	29 35
St. George, for boarding and clothing Robert Hawes, Eleanor Matthews and William Benfon to 2d June, 1809,	76 50
Sheffield, for boarding, clothing and doctoring William Mc Gee and Guy, a negro man, to 10th April, 1809,	88 19
Salem, for boarding and clothing fundry paupers to 1st June, 1809,	3035 68
Sharon, for boarding and clothing Stephen Flood to 1st June, 1809,	80 30
Tisbury, for boarding, clothing and doctoring Joseph Alvarez to 3d April, 1809,	44 00
Topsham, for boarding and clothing William Proctor to 2d April, 1809,	28 16
Topsfield, for supporting Thomas Comeford to 8th June, 1809,	57 74
Vassalborough, for boarding and clothing James Lester, to 22d May, 1809, and Abigail Fairbrother to 1st May, 1809,	125 82
Washington, for boarding and clothing Phebe Clerk, to 25th May, 1809,	32 00
Williamstown, for boarding, clothing and doctoring Stephen Blue, Robert Morrill, Charles Mc Carthy and Rachel Galusha to 23d May, 1809, and Morris Fowler to the time of his death, and funeral charges,	142 1
Windlor, for boarding and clothing Henry Smith, and wife to 24th May, 1809, and supporting Royal Simmons to the time of his death including funeral charges,	69 29
Western, for boarding and clothing Thomas Boyd to the time he went to Brookfield,	23 50
Westford, for boarding and clothing Phillip Jackson, Christopher Shepherd, and Phylis Gardner's children to 6th June, 1809,	47 40
Warwick, for boarding and clothing and doctoring Samuel Griffeth to 30th May, 1809,	32 15
Worcester, for boarding, clothing and doctoring Pe-	

ter Willard, Henry Bratz, John Melvin and wife, Samuel Whittier, Alexander Wesly and John Sampson to 1st June, 1809,	163 23
Westspringfield, for boarding and clothing William Bell and James Aldrich, to 21st May, 1809,	32 75
Wrentham, for boarding, clothing and doctor- ing Comfort Lawton, and Elizabeth Taylor and daughter to 10th June, 1809, and David Blifs to the time of leaving this state, and Henry Oneal to the time of his death and funeral charges,	173 87
Wiscasset, for boarding clothing and doctoring Hen- ry Andrews John O Conner, John Brown, Do- nald Frazier, Joel Guaganos, William Staples and Nicolas Webber to 9th January, 1809, and Mrs. Andrews and Jack Gould, to the time of their death including funeral charges,	424 75
Total Paupers,	<hr/> 227 53 8

## MILITARY ACCOUNTS.

*Brigade Majors and Aid-de-Camps.*

Goodwin, Ichabod, to 1st January, 1809,	60 50
Gamwell, Samuel, to 17th February, 1809,	10 70
Rufs, John, to 30th May, 1809,	71 00
Tinkham, Seth, to 2d February, 1809,	105 37
Talbot, Peter, to 1st January, 1809,	122 11

*Adjutants.*

Allen, Elifha, to 19th April, 1809,	39 50
Appleton, James, to 17th May, 1809,	13 99
Blossom, Alden, to 1st January, 1809,	20 55
Burt, Abner, jun. to January, 1809,	38 32
Boyd, William, to 7th June, 1809,	78 50
Bayley, Libbius, to 9th June, 1809,	51 35
Curtis, David B. to 1st January, 1809,	35 75
Dana, Isaac, to 26th February, 1809,	32 27
Fisk Ezra, to 1st May, 1809,	28 50
Field, Seth, to 27th May, 1809,	44 52
Green, William E. to 1st June, 1809,	28 54
Hofmer, Rufus, to 4th June, 1809,	36 75

Jewett, Caleb, to June, 1809,	53	7
Knox, Alanfon, to 30th May, 1809,	29	98
Lane, Daniel, to January, 1809,	13	92
Lambert, John, to 13th June, 1809,	53	13
Lothrop, Thomas, to March, 1809,	34	74
Ormesbe, Abraham, to 1st January, 1809,	37	22
Partridge, Samuel, to 28th January, 1809,	11	39
Payfon, Ebenezer, to 21st March, 1809,	20	79
Sears, Joseph, to 26th May, 1809,	52	51
Thomas, John B. to June, 1809,	41	29
Ware, Jafon, to 25th May, 1809,	26	70
Washburn, Philo H. to 24th May, 1809,	41	89
Ward, William, to 6th January, 1809,	49	29
Weston, Jonathan, to 1st May, 1809,	21	99
Dickinson, Frederick, to 26th April, 1809,	39	77

*Expenses for horses to haul Artillery.*

Brick, John, to January, 1809,	10	00
Curtis, Samuel, to 22d September, 1808,	7	50
Dillingham, Cornelius, to 13th January, 1809,	6	25
Eaton, Jonas, Jun. to May, 1809,	5	00
Matthers, John, to June, 1809,	10	00
Page, William, to 29th September, 1808,	7	50
Sawyer, George, to 5th October, 1808,	4	50
Thatcher, Ebenezer, to 6th May, 1809,	30	00
Wiggins, Joseph, to 10th May, 1809,	12	50
Wales, Stephen, to 1st June, 1809,	6	25

Total Military, 1445 40

SHERIFF'S AND CORONER'S ACCOUNTS.

Bridge, Edmund, for returning votes for Governour, Lieutenant Governour and Senators to 1st June, 1809,	14	56
Cook, Thomas, Jun. for returning votes for Gover- nour Lieut. Governour and Senators, for mem- bers of Congress and order of notice to Benjamin Basset, to 23d May, 1809,	39	63
Folsom, John W. Coroner, for the expense of taking inquisitions on the dead bodies of three persons, strangers, to 11th April, 1809,	53	29

Lawrence, Jeremiah, Sheriff of Nantucket County, for returning votes for Governour and Senators to 24th May, 1809,	16 80
Learned, Simon, Sheriff of Berkshire County, for returning votes for Governour and Senators, and members of Congress to 1st June 1809,	50 40
Mattoon, Ebenezer, Sheriff of Hampshire County, for returning votes for Governour and Senators and members of Congress to 1st June, 1809,	25 20
Mason, William, Coroner, for expense of taking inquisition on the body of a stranger at Somerset, 22d June, 1808,	17 37
Partridge, George, Sheriff of Plymouth County, for returning votes for member of Congress and Governour, and Senators to 1st June, 1809,	29 90
Smith, Jonathan, Coroner, for expense of taking inquisition on the body of Eli Field, a foreigner, on the 26th October, 1808,	16 60
Ulmer, George, Sheriff of Hancock County, for re- turning votes for Governour and Senators to June, 1809,	18 96
Waite, John, Sheriff of Cumberland County, for returning votes for Governour and Senators to 1st June, 1809,	10 40
Total Sheriff's and Coroner's Accounts,	287 11

## PRINTER'S ACCOUNTS.

Benjamin Russell, for supplying the House of Rep- resentatives, with the Columbian Centinel to the 4th March, 1809,	90 56
John Denio, for publishing acts and resolves for the year 1808,	33 33
Isaac Adams, for publishing acts and resolves to 1st January, 1809,	33 33
Peter Edes, for publishing acts and resolves to 1st June, 1809,	16 67
E. W. Allen, for publishing acts and resolves to 1st August, 1808,	16 67
Herman Mann, for publishing acts and resolves to 1st March, 1809.	16 67
J. Park, for supplying Repertorys for the Council chamber to 1st June, 1808,	40 40

Thomas Dickman, for publishing acts and resolves to 1st of January, 1809,	16 67
Pool and Palfry, for publishing acts and resolves to May, 1809,	16 67
Young and Minns, for printing for the Secretary's Adjutant General's and Treasurer's office and General Court to 15th June, 1809,	2561 84
Francis Douglas, for publishing reports and documents on the late Treasurer Skinner's accounts in the Eastern Argus, 29th March, 1809,	12 50
Arthur Shirley, for publishing reports and documents on the late Treasurer Skinner's accounts, 29th March, 1809,	12 50
Adams and Rhodes, for publishing General order for a detachment of Militia, 24th November, 1808, by order of Adjutant General, and for advertizing the penalty for persons taking stones or gravel from Nicks Mate, by order of Secretary of the Commonwealth,	11 50
Total Printers,	2879 31

## MISCELLANEOUS ACCOUNTS,

William Durant, for repairing and cleaning of windows in the State House to 7th June, 1809,	44 79
William Gale, messenger to the Governour and Council, in full for a balance due him on his account to 20th May, 1809, after deducting two hundred dollars, granted himself 14th January, 1807,	3 29
Guardians of the Dudley Indians, due them in full to the 24th May, 1809, which sum the Treasurer is directed to charge said Indians with, and to be deducted from the sum due them from the Commonwealth,	122 68
John Howe, for fundry articles furnished for the State House to 27th May, 1809,	44 88
John Davis and Joseph Story, for preparing and superintending the printing of the third volume of the publick acts and making an Index for the three volumes,	150 00
William Spooner, chairman of the Committee of arrangements, for fundry expenses opening and cleaning the meeting house in Brattle Street, on the day set apart by the Legislature, for humiliation and prayer, February, 1809,	25 25



Henry Blaney, for fundrys work and materials for the State house, and mending the flagging and paving in the yards to 29th May, 1809,	76 75
To the committee appointed by the General Court to sit in the recess, to consider the subject of the Militia agreeable to an order passed June 1808, viz.	
Hon. Salem Town,	20
Hon. John L Tuttle,	20
Isaac Maltby,	22 50
Charles Davis,	25
Charles P Sumner, for his services in preparing and superintending the printing the journals of the House of Representatives of June Session, 1807, and January Session, 1808, by order of the House,	87 50
Jacob Kuhn, for a balance due him on the 16th June 1809, over and above three grants made him by the General Court, viz. one of seven hundred dollars the 10th June, 1808, and one of two hundred dollars in November, 1808, and one of three hundred and fifty dollars the 28th day of January, 1809,	58 00
Sylvanus Lapham, for assisting the messenger of the General Court to 17th June 1809,	115 92
John Perry, for assisting the Messenger of the General Court to 17th June 1809,	40 00
Warren Chase, for assisting the messenger of the General Court to 17th June, 1809,	36 00
	34 00
Total Miscellaneous,	839 24

*Aggregate of Roll No. 61—June, 1809.*

Expense of State Paupers,	22,753 8
Do. Military,	1,445 40
Do. Sheriffs and Coroners,	287 11
Do. Printers,	2,879 31
Do. Miscellaneous,	839 24
Total,	28,204 14

*Resolved*, That there be allowed and paid out of the publick treasury to the several corporations and persons mentioned in this Roll, the sums set against such corporations and person's names respectively, amounting in the whole to the sum

of twenty eight thousand two hundred and four dollars and fourteen cents, the same being in full discharge of the accounts and demands to which they refer.

*In Senate, June 19th, 1809,*

Read and accepted, and sent down for concurrence,  
H. G. OTIS, *President.*

*In the House of Representatives, June 19th, 1809,*

Read and concurred,  
TIMOTHY BIGELOW, *Speaker.*

June 19, 1809, Approved,

G. GORE.

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