

# MAINE STATE LEGISLATURE

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# RESOLVES

OF THE

## GENERAL COURT

OF THE

### Commonwealth of Massachusetts,

*PASSED AT THE SESSIONS, IN*

OCTOBER 1812, AND JANUARY 1813.



Published agreeably to a Resolve of January 11, 1812.



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BOSTON :

PRINTED BY RUSSELL AND CUTLER.

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# RESOLVES

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## General Court of Massachusetts,

*PASSED AT THEIR SESSION;*

COMMENCING ON THE TWENTY SEVENTH OF JANUARY, AND

ENDING ON THE TWENTY SEVENTH DAY OF

FEBRUARY, A. D. 1813.

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## GOVERNOR'S MESSAGE.

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REPRESENTATIVES' CHAMBER, JAN. 27th, 1813.

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

## MESSAGE :

*Gentlemen of the Senate,*

*And Gentlemen of the House of Representatives,*

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

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

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

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

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

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

CALEB STRONG.

*Council Chamber, January 27th, 1813.*

## RESOLVES

*Passed the Session commencing January 27th, 1813.*

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### CHAP. XCVI.

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

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

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

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### CHAP. XCVII.

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

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

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

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## CHAP. XCVIII.

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

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

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

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## CHAP. XCIX.

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

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

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

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CHAP. C.

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

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

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

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

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CHAP. CI.

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

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

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

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

CHAP. CII.

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

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

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CHAP. CIII.

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

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

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

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

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

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

CHAP. CIV.

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

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

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

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CHAP. CV.

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

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

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

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

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

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

## CHAP. CVI.

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

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

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

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

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

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

#### CHAP. CVII.

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

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

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

#### CHAP. CVIII.

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

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

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

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CHAP. CIX.

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

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

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CHAP. CX.

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

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

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

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CHAP. CXI.

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

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

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

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CHAP. CXII.

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

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

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

CHAP. CXIII.

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

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

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

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CHAP. CXIV.

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

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

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

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CHAP. CXV.

*Resolve granting \$100 for the purchase of a lot of Land in Hallowell, on which to erect a Gun House.*  
13th February, 1813.

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

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

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

### CHAP. CXVI.

*Resolve authorizing Moses Holden to prosecute the Administrator or Heirs of Hannah Ranger.*  
15th February, 1813.

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

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

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

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

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

## CHAP. CXVII.

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

15th February, 1813.

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

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

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

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### CHAP. CXVIII.

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

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

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

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### CHAP. CXIX.

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

On the petition of John Preble and Samuel Preble, setting

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

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

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### CHAP. CXX.

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

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

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

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

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### CHAP. CXXI.

*Resolve on the Petition of Edward E. Powars, establishing his Pay as Messenger to the Governor and Council.*

17th February, 1813.

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

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

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CHAP. CXXII.

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

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

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CHAP. CXXIII.

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

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

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

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

#### CHAP. CXXIV.

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

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

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

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

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

#### CHAP. CXXV.

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

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

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

#### CHAP. CXXVI.

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

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

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

#### CHAP. CXXVII.

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

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

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

CHAP. CXXVIII.

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

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

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

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

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

CHAP. CXXIX.

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

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

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

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

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

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

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CHAP. CXXX.

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

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

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CHAP. CXXXI.

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

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

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

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

### CHAP. CXXXII.

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

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

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

### CHAP. CXXXIII.

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

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

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

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

## CHAP. CXXXIV.

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

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

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

## CHAP. CXXXV.

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

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

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

CHAP. CXXXVI.

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

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

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

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CHAP. CXXXVII.

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

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

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

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CHAP. CXXXVIII.

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

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

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

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

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

CHAP. CXXXIX.

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

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

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

CHAP. CXL.

*Resolve on the Petition of Thomas Walcut and Grant, \$104. 23d February, 1813.*

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

## CHAP. CXLI.

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

23d February, 1813.

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

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

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

## CHAP. CXLII.

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

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

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

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

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### CHAP. CXLIII.

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

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

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

CHAP. CXLIV.

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

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

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

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CHAP. CXLV.

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

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

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CHAP. CXLVI.

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

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

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

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

### CHAP. CXLVII.

*Resolve on the Petition of Benjamin Lee, granting him \$119 25. 25th February, 1813.*

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

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

### CHAP. CXLVIII.

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

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

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

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

### CHAP. CXLIX.

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

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

### CHAP. CL.

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

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

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

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

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### CHAP. CLI.

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

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

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### CHAP. CLII.

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

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

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

## CHAP. CLIII.

*Resolve on the Petition of Samuel and Jonathan Hunt, Administrators on the Estate of Elisha Hunt, Esq. authorizing them to convey Land. 26th February, 1813.*

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

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

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

#### CHAP. CLIV.

*Resolve on the Petition of John Blake, Agent for the Penobscot Indians, and Grant, \$300. 26th February, 1813.*

On the petition of John Blake, Agent for and in behalf of the Penobscot tribe of Indians, praying that the Government of this Commonwealth would grant said tribe some further aid towards their support.

*Resolved*, for reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth to said John Blake, Agent as aforesaid, the sum of three hundred dollars, to be by him appropriated and applied towards the support and maintenance of said Indian tribe, he to be accountable to the Legislature of said Commonwealth for the same; and that his Excellency the Governor is hereby authorized to draw his warrant accordingly.

#### CHAP. CLV.

*Resolve on the Petition of Joseph Treat, authorizing Agents on Eastern Lands to convey Islands in Penobscot River. 26th February, 1813.*

On the petition of Joseph Treat, requesting the Legislature to confirm to him and his associates, the title of sundry

Islands in Penobscot River, which they purchased of Salem Towne, Esq. Agent for the sale of Indian Lands.

*Resolved*, for reasons set forth in said petition, that the Agents for the sale of Eastern Lands be, and they hereby are authorized to convey to the said Joseph Treat and his associates, all the Islands in Penobscot River, purchased by said Treat and his associates of Salem Towne, aforesaid, by two deeds, one dated the 31st day of May, 1804, the other dated the 17th day of June, 1805, excepting Islands No. 5, (called Shad Island) number 4 and 6 :

*Provided*, said Treat and his associates shall, on or before the first Wednesday of June next, remise, release, and quit claim to the Commonwealth, any and all claim to said Shad Island numbered five, and Islands numbered four and six, as per plan and deeds of said town, and the said conveyance to be made as aforesaid by the Agents for Eastern Lands, shall be considered as a full compensation for all the Islands in said river, purchased of said Towne, excepting the Islands above named, 4, 5 and 6.

*Be it further resolved*, That in compensation for the relinquishment of said Islands, Nos. 4, 5 and 6, there be paid out of the Treasury of this Commonwealth the sum of one hundred dollars, and also a further sum of one hundred dollars, for damages done the said Treat and his associates, by the Indians, in pulling down a fish store.

#### CHAP. CLVI.

*Resolve on the Petition of Sarah Huff, granting an Appeal in the Probate Court, County of York.*

26th February, 1813.

On the petition of Sarah Huff, of Arundel, in the County of York, widow of James Huff, the third, late of said Arundel, deceased, and heir to the estate of Francis Burnham, late of said Arundel, deceased, setting forth that one Ebenezer Huff, who married the widow of said Burnham, administered on his estate, and on the sixteenth day of April, in the year of our Lord eighteen hundred and four, by a decree of Edward Cutts, then Judge of Probate for the County of York, obtained the allowance of his account against said estate, to the amount of seventeen hundred and eighty

two dollars and ninety one cents, which allowance was wrong, and that by accident or mistake, she had neglected to appeal from said decree, and praying for liberty to appeal therefrom, and enter her appeal at the Supreme Court of Probate.

*Resolved*, That the said Sarah Huff is hereby authorized and empowered to appeal from said decree, and to enter and prosecute her appeal from said decree of said Judge of Probate, in the Supreme Court of Probate, in the County of York, in the same manner as she might have done, within thirty days next after said decree was made.

*Provided*, said appeal shall be entered in the said Supreme Court of Probate, within twelve months next after the passing this resolve, and that said Sarah Huff give notice to said Ebenezer Huff, in writing, served by an Officer qualified to serve civil process, of her intention to enter her appeal, fourteen days previous thereto.

#### CHAP. CLVII.

*Resolve authorizing the Treasurer to borrow Money of the Boston and Union Banks.* 27th February, 1813.

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

#### CHAP. CLVIII.

*Resolve on the Petition of Oliver Shead, Lieutenant-Colonel of the 3d Regiment, 2d Brigade, 10th Division.*  
27th February, 1813.

The Committee who had under consideration the petition of Col. Oliver Shead, have attended that duty, and re-

port : That soon after the commencement of hostilities, the third regiment of the second brigade, in the tenth division of the Militia, was ordered out, and stationed at Eastport, for the protection of the lives and property of the citizens until they were relieved by the detached Militia.

*Therefore resolved*, That there be allowed and paid out of the Treasury of this Commonwealth, to the said Oliver Shead, and the officers, non-commissioned officers, musicians, and privates, the pay and rations as established by law, that the pay rolls be referred to the Adjutant for examination, and that his Excellency the Governor be requested to draw his warrant on the Treasury of this Commonwealth, for the sums allowed by the Adjutant-General.

#### CHAP. CLIX.

*Resolve for Paying to John Perry and Warren Chase, \$1 per day each. 27th February, 1813.*

*Resolved*, That there be allowed and paid out of the public Treasury, unto John Perry and Warren Chase, Assistants to the Messenger of the General Court, one dollar per day each during the present session of the General Court, over and above the usual allowance to them, which was two dollars per day.

#### CHAP. CLX.

*Resolve for Paying Ward Lock, Assistant Messenger to the Governor and Council. 27th February, 1813.*

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

CHAP. CLXI.

*Resolve allowing Pay to the Clerks of the General Court.*  
27th February, 1813.

*Resolved,* That there be allowed and paid out of the Treasury of this Commonwealth, to Marcus Morton, Clerk of the Senate, and to Benjamin Pollard, Clerk of the House of Representatives, three hundred and fifty dollars each; and also to Robert C. Vose, Assistant Clerk of the Senate, and to Thomas Walcutt, Assistant Clerk of the House of Representatives, two hundred and fifty dollars each, in full for their services in said offices the present year.

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CHAP. CLXII.

*Resolve allowing Pay to Stephen H. Tower.*  
27th February, 1813.

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

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CHAP. CLXIII.

*Resolve for Paying the Chaplain of the Senate and the Chaplain of the House of Representatives.*  
27th February, 1813.

*Resolved,* That there be allowed and paid out of the Treasury of this Commonwealth, to the Rev. Dr. Thomas Baldwin, Chaplain of the Senate, and to the Rev. Horace Holley, Chaplain of the House of Representatives, sixty dollars each in full for their services in said offices the present year.

CHAP. CLXIV.

*Resolve granting \$300 to Theron Metcalf, Esq. Reporter of Decisions on Contested Elections of Representatives.*  
27th February, 1813.

*Resolved,* That there be allowed and paid out of the Treasury of this Commonwealth, the sum of three hundred dollars to Theron Metcalf, Esq. in full for his services in collating and superintending the printing for the use of the House of Representatives, agreeable to the order of said House, seven hundred and fifty copies of questions, documents and decisions on contested elections; and for his services as Reporter of decisions on contested elections, to the end of the present session of the General Court; and the Governor of this Commonwealth is hereby requested to draw his warrant on the Treasury in favor of said Metcalf, for that sum.

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CHAP. CLXV.

*Resolve authorizing William Smith, Esq. surviving Agent for the Sale of Eastern Lands, to fulfil Contracts, &c.*  
27th February, 1813.

*Resolved,* That William Smith, Esq. surviving Agent for the Sale of Eastern Lands, be, and he hereby is authorized and required until the further order of the General Court to fulfil and perform all the bargains and contracts which John Reed, Esq. lately deceased, and the said William Smith were required and empowered to do, by a resolve of the General Court, passed the 15th day of March, 1805, or that have been, or may be enjoined upon the Agents for the Sale of Eastern Lands, by any subsequent resolve.

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CHAP. CLXVI.

*Resolve providing for the Defence of Boston and other Places.* 27th February, 1813.

*Resolved,* That the Governor, with advice of Council, be, and he is hereby authorized to adopt such defensive mea-

tures, and to carry the same into immediate execution, as may be deemed necessary to protect the town of Boston, its harbor and vicinity, and the towns, ports and harbors of this Commonwealth, from the invasion of an enemy during the present war.

And for the purpose aforesaid, the Governor is hereby authorized to employ any officer, or officers, person, or persons skilled in the science of engineering and gunnery, also to mount such number of heavy cannon, mortars, and howitzers, on travelling or fort carriages, as may be deemed necessary, to provide munitions of war in sufficient quantities, and all the necessary apparatus for a powerful train of heavy artillery, to ascertain and designate the posts or places where said artillery can act with the greatest effect against the enemy's shipping entering or attempting to enter our ports and harbors, to cause batteries to be constructed, and breast works to be thrown up where it may be deemed necessary, with furnaces to heat shot.

And the Treasurer of this Commonwealth is hereby authorized and empowered to borrow of any Bank or Banks in this Commonwealth, a sum of money not exceeding one hundred thousand dollars, to be applied to the purposes aforesaid, and to be accounted for accordingly.

The aforesaid money to be borrowed in such sums as the Governor, with advice of Council, shall from time to time direct, and the Governor is hereby authorized from time to time to issue his warrants upon the Treasury for such sums as may be deemed necessary for carrying into effect the purposes of this resolve.

*And be it further resolved,* That the Governor be requested to apply to the Executive of the United States, and respectfully request such supply of muskets, belonging to the United States, as may be conveniently furnished, and as may be considered the proportion to which this Commonwealth may be entitled, to be apportioned and distributed to the several towns of this Commonwealth, for the use of the Militia thereof, in such manner as the Governor, by and with the advice of Council, may deem most for the public service.

CHAP. CLXVII.

*Resolve allowing Pay to Elijah H. Mills, a Member of the Legislature. 27th February, 1813.*

*Resolved,* That there be allowed and paid out of the public Treasury, to Elijah H. Mills, twelve dollars for six days attendance as a Member of the Legislature, at the last June session, which was omitted to be made up by the Committee on the pay roll.

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CHAP. CLXVIII.

*Resolve allowing Pay to the Committee on Accounts. 27th February, 1813.*

*Resolved,* That there be allowed and paid out of the public Treasury to the Committee to examine and pass on accounts presented against the Commonwealth, for their attendance on that service, during the present and last session, the sums annexed to their names in addition to their pay as Members of the Legislature :

Hon. Nathan Willis, thirty four days, thirty four dollars.

Hon. Silas Holman, thirty eight days, thirty eight dollars.

Hon. Joseph Whiton, thirty eight days, thirty eight dollars.

James Robinson, thirty eight days, thirty eight dollars.

George Crosby, thirty four days, thirty four dollars.

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

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CHAP. CLXIX.

*Resolve granting Benjamin Pollard, Esq. \$300. 27th February, 1813.*

*Resolved,* That there be allowed and paid out of the public Treasury, three hundred dollars to Benjamin Pollard, Esq. for his services during the recess, in examining, arranging and placing in proper order the Files of this House, from the year 1775, to the last year.

## CHAP. CLXX.

*Resolve allowing to Jacob Kuhn, Messenger to the General Court, \$200, in full for services to 31st May ensuing.*  
27th February, 1813.

*Resolved,* That there be allowed and paid out of the public Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of two hundred dollars, which, with the sum already allowed him, shall be in full for his services the present year, ending the 30th of May next.

## CHAP. CLXXI.

*Resolve on the Petition of Daniel Hart, of Townsend, and Grant, \$100.* 27th February, 1813.

On the petition of Daniel Hart, praying for relief by reason of a wound he received on the seventh day of October, A. D. 1812, while doing his duty as a private in a Company of Infantry, under the command of Captain James Adams, Jun. in the 2d Regiment, 2d Brigade and 3d Division of the Militia of said Commonwealth.

*Resolved,* for reasons stated in said petition, that there be granted and paid out of the Treasury of this Commonwealth, to the said Daniel Hart, one hundred dollars; and his Excellency the Governor, with the advice of the Council, is hereby requested to issue a warrant on the Treasury for the payment of said sum to the said petitioner.

## CHAP. CLXXII.

*Resolve directing the Clerks of the Supreme Judicial Court for Suffolk County, to arrange and file the Papers and Records of their Office.* 27th February, 1813.

*Resolved,* That the Clerks of the Supreme Judicial Court in the County of Suffolk, be, and they are hereby authorized and directed to file and arrange the records and papers of said Court, which records and papers belonged to said

Court when the records of all its proceedings in the several Counties in this Commonwealth were deposited in the Clerks' office of said Court in Boston, and that said records and papers be so filed and arranged in such order as to be accessible to persons having lawful occasion to resort thereto.

*Be it further resolved,* That said Clerks make an account of the expences arising from effecting the purpose of this resolution, which account being examined and certified by one or more of the Justices of the Supreme Judicial Court, the same shall be laid before the Committee on Accounts, for allowance.

### CHAP. CLXXIII

*Resolve for Paying sundry Accounts for Supplies to the detached Troops at the Eastern Frontiers.*

27th February, 1813.

The Committee who had under consideration the petitions of the Selectmen and others, of several towns in the District of Maine, for compensation for supplies for the drafted Militia, have attended that duty, and report the following resolve :—

*Whereas,* by a General Order of the Commander in Chief, dated the 5th day of August last, a part of the Militia detached in compliance with a law of the United States, passed the 5th day of April last, were drawn out and stationed at Eastport, in the District of Maine, and sundry expences have thereby accrued.

*Therefore resolved,* That by virtue of the 24th section of a law of this Commonwealth, passed on the 6th day of March, A. D. 1810, there be allowed and paid out of the Treasury of this Commonwealth to the following named towns, plantations and persons, the sums affixed to their names respectively, the items of which have been examined and found duly vouched, viz :—

To the Selectmen of Bangor, the sum of	\$126 09
Brewer and Eddington,	146 32
Blue Hill,	85 89
Samuel Woods' Account,	13 25
Selectmen of Corinth,	17 32
“ Dixmont,	45 87
Plantation of Lee,	56 52

Plantation No. 2, 1st Range,	38 65
Selectmen of Ellsworth,	22 67
“ Exeter,	17 01
“ Frankfort,	180 83
“ Hampden,	100 15
“ Orono,	53 38
Assessors No. 2, 2d Range,	39 03
Town of Calais, certified by Major Ulmer,	309 93
Captain Chamberlain’s Account, Commander of one of the Companies,	447 94
Trawbridge and Bisco’s Account, certified by Col. Ulmer,	382 32
Whitney and Dorr’s Account, by do.	568 35
Captain Thomas George’s Account,	119 88
Town of Orrington,	116 38
	.....
	\$2887 78

And that his Excellency the Governor be requested to draw his warrant on the Treasurer of this Commonwealth for the same sums accordingly.

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CHAP. CLXXIV.

*Resolve authorising the Governor to draw his Warrants in favor of the Warden of the State Prison.*

27th of February, 1813.

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

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CHAP. CLXXV.

*Resolve for Compensating Generals Sewall and Blake for services in detaching Militia for the Eastern Frontier.*

27th February, 1813.

The Committee who had under consideration the petition

of Major General Sewall and Brigadier General Blake, have attended that duty, and report : That by a General Order of the Commander in Chief, dated the 5th day of August last, said officers were directed to call out and station at Eastport, a part of the Militia of this Commonwealth, in obedience to a law of the United States, that in the execution of that duty, they have been at great expence of money as well as time, and that a sum equivalent to their actual expences ought to be allowed them.

*Therefore resolved,* That there be allowed and paid out of the Treasury of this Commonwealth to Major General Henry Sewall, the sum of seventy dollars, and also to Brigadier General John Blake, the sum of seventy dollars, as a compensation for their services ; and that his Excellency the Governor be requested to draw a warrant on the Treasury of this Commonwealth for the above sums.

#### CHAP. CLXXVI.

*Resolve granting \$120 to Captains Chamberlain and George for travel to obtain Pay for the troops detached for the Eastern Frontier. 27th February, 1813,*

The Committee who had under consideration the petition of Captain Joshua Chamberlain, and Thomas George, report : That in consideration of the expence which they have incurred in travelling from the District of Maine, a distance of about 300 miles, to obtain payment of wages and supplies for the Companies detached and stationed at Eastport, under their command, by order of Major General Sewall, a reasonable compensation ought to be made.

*Therefore resolved,* That there be allowed and paid out of the Treasury of this Commonwealth, to Captain Joshua Chamberlain, the sum of sixty dollars, and to Captain Thomas George, the sum of sixty dollars, as a full compensation for the above mentioned service, and that his Excellency the Governor be requested to draw his warrant on the Treasury for the above sums.

CHAP. CLXXVII.

*Resolve appointing Commissioners to collect and arrange the Accounts of Pay to the Militia ordered out to the Frontiers of this State. 27th February, 1813.*

*Resolved, That the Adjutant General and the Treasurer of the Commonwealth, for the time being, be, and they are hereby appointed Commissioners to collect and arrange the accounts of pay, subsistence and expences of the Militia of this Commonwealth which have been ordered to march to the frontiers of this State, in the years 1812 and 1813, and which have been paid from the Treasury of this Commonwealth, and to request and receive from the General Government of the United States, the reimbursement of all such sums, and to give the proper receipts or discharges therefor; and the same when so received to pay into the Treasury of this Commonwealth.*

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CHAP. CLXXVIII.

*Resolve on the Petition of Shubael Bell, fixing the Rate of Rent he is to Pay for Estate Leased to him. 27th February, 1813.*

On the petition of Shubael Bell, of Boston, in the County of Suffolk.

*Resolved, for reasons set forth in said petition, that said Bell pay to the Treasurer of this Commonwealth, for the term of two years, five hundred dollars rent for each year, for the premises described in said petition, from the first day of December, eighteen hundred and twelve, should his lease continue so long, otherwise in that proportion during his occupancy, which shall be in full for the rent reserved by said lease.*

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CHAP. CLXXIX.

*Resolve on the Petition of Jacob Welsh, allowing him Pay for Lands with a proviso. 27th February, 1813.*

On the petition of Jacob Welsh, praying to be indemni-

fied for the breaches of the covenants, contained in a certain Deed made by the Agents of the Commonwealth to said Welsh, in the year 1781.

*Resolved*, for the reasons set forth in the foregoing petition, that the said Welsh shall be allowed and paid out of the Treasury of this Commonwealth, the sum of fifteen hundred and twenty six dollars and seventy five cents, being the value of the lands mentioned in said petition, and also such sum as shall be taxed for the demandant's costs in the several suits mentioned in said petition, in the Circuit Court of Common Pleas, in the County of Middlesex, and that the Certificate of the Clerk of said Court of the amount of said costs, shall be evidence to authorize his Excellency the Governor to issue his warrant therefor, and there shall also be allowed to the said Welsh, the further sum of eighty eight dollars to indemnify him for his expences and trouble in defending said suits :

*Provided*, however, that the said Welsh, before he shall receive any of said sums, shall make and execute upon an attested copy of the deed of said Agents to said Welsh, a release and discharge of all the covenants contained in said deed, and shall file the same release in the office of the Secretary of this Commonwealth.

## CHAP. CLXXX.

*Resolve for Paying the Selectmen of Eastport, Calais and Robbinston, and Chase and Hills, their Accounts of Supplies to the Troops, &c.* 27th February, 1813.

The Committee to whom was recommitted the petitions of the Selectmen of Eastport and others, for supplies for the local Militia, report the following resolve :—

*Resolved*, That by virtue of the 24th section of a law of this Commonwealth, passed on the 6th day of March, A. D. 1810, that there be allowed and paid out of the Treasury of this Commonwealth, to the towns and persons herein after named, the sums affixed to their names respectively, the items of which have been examined and found duly vouched

To the Selectmen of Eastport,	\$ 1056 50
“ Calais,	350 00
“ Robbinston,	447 00

Chase & Hills, for Storage, as certified } by Quarter Master Jones, }	15 00
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Making the sum of	..... \$ 1568 50
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And that his Excellency the Governor be requested to draw warrants on the Treasury of the Commonwealth accordingly.

CHAP. CLXXXI.

*Resolve for Paying the Rolls of Captains Chamberlain and George, for services of detached Militia at Eastport.*  
27th February, 1813.

The Committee appointed to consider the petition of Captains Joshua Chamberlain and Thomas George have attended that duty, and report in part: That in obedience to a General Order of the Commander in Chief, dated the 5th day of August last, one Company of the detached Militia, under the command of Captain Joshua Chamberlain, and one other Company of said detached Militia, under the command of Captain Thomas George, were stationed at Eastport, in the District of Maine, that their term of service commenced on the eleventh day of August, and expired on the last of December, making the term of four months and twenty days. Their services were not accepted by the President of the United States, until the first day of September, from which time they received pay from the United States, but that from the eleventh of August to the first of September, they have received no compensation.

*Therefore resolved,* That there be allowed and paid out of the Treasury of this Commonwealth, to the officers, non-commissioned officers, musicians, and privates, under the command of Capain Joshua Chamberlain, the sum of three hundred and sixty-two dollars, eighty-five cents, on account of wages, from said 11th day of August to said 1st day of September, twenty days, it being after the rate allowed by the United States, which sum shall be distributed agreeably to the pay roll accompanying, also to Captain Chamberlain, for twenty days rations at 3 rations per day, making 60 rations at 20 cents per ration,

Lt. Peter Newcomb, 2 rations per day, making 40 do.	8
Ensign Freeman, do.	do. 8

Also to the officers, non-commissioned officers, musicians, and privates of the Company commanded by Captain Thomas George, the sum of \$259 84, for payment of wages during said twenty days; to be distributed in like manner, making the sum of \$650 69; and that his Excellency the Governor be requested to draw his warrant on the Treasury of this Commonwealth for the above sums.

CHAP. CLXXXII.

*Resolve in favor of the Commissioners, appointed to adjust the Accounts of Ebenezer Bridge, Esq. late Treasurer of the County of Middlesex. 27th February, 1813.*

*Resolved,* That there be paid out of the Treasury of this Commonwealth, to Abiel Heywood, Esq. the sum of thirty-seven dollars and fifty cents; to John Walker, Esq. fifty-seven dollars; to Asahel Stearns, Esq. the sum of seventy-six dollars and fifty cents, in full for their services and expences as Commissioners appointed by the Court of Common Pleas, for the County of Middlesex, pursuant to a resolution of the Legislature of the twenty-eighth of February, A. D. 1811, to audit the accounts of Ebenezer Bridge, Esq. late Treasurer of the County of Middlesex, and of John L. Tuttle, Esq. the present Treasurer of said County, as to all monies received by them for the use of this Commonwealth.

ROLL No. 68.....February, 1813.

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

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

NATHAN WILLIS, *per order.*

PAUPER ACCOUNTS.

Town of Ashburnham, for supplies to Sukey Franklin, up to March 1st, 1812,	89 00
Adams, for boarding, clothing and doctoring Susannah Camp, Lydia Dailey's two children, Freeman Blakely and Ann Wallen, to the time of her death, including funeral charges, to 9th January, 1813,	145 87
Attleborough, for supplies for Eliza and Peggy Taylor, to 18th January, 1813,	37 33
Andover, for boarding, clothing and doctoring Patrick Callahan, Sukey Hornsby, to 14th February, 1813,	134 52
Amherst, for board, nursing and doctoring Andrew Blackburn, to the time of his death, including funeral charges,	52 48
Abington, for boarding, clothing and doctoring Thomas Seymore, to 21st February, 1813,	49 76
Boston, for boarding and clothing sundry Paupers, to the 1st December, 1812,	6233 46
Bradford, for boarding and doctoring Joshua L. Alsas, to 25th January, 1813,	60 00
Boothbay, for board and clothing Henry Green, a child, to 12th January, 1813,	33 50
Bristol, for board, clothing and doctoring William How, to 1st June, 1812,	62 25
Becket, for board, clothing and doctoring Sally and Hiram Leonard, to 26th January, 1813,	72 00

Bowdoinham, for board and doctoring Richard Clough, to the time of his death, including funeral charges,	20 00
Bridgewater, for board and clothing Frederick Bignor, William Badger and John Stocks, to 1st February, 1813,	90 17
Barnardston, for board and clothing Oliver Stevens, to 25th January, 1813; also Hugh Cary, including doctoring,	116 66
Baldwin, for boarding and clothing Daniel Hickey, to 1st January, 1813,	45 15
Bedford, for board and clothing James Cades, to 10th January, 1813,	44 79
Berwick, for board and clothing Samuel Woodworth, to 18th January, 1813,	43 40
Brimfield, for board, clothing and doctoring John Christian, to 27th January, 1813,	47 24
Biddeford, for boarding, nursing and doctoring Hendrick Johnson, and Cato, a black, to the time of their death, including funeral charges,	24 07
Berlin, for board and clothing John Hammah, to 25th January, 1813,	81 05
Beverly, for boarding and clothing sundry Paupers, to 1st February, 1813,	665 46
Boston Board of Health, for board, doctoring and nursing sundry Paupers, on Rainsford Island, to the 10th February, 1813, including repairs of the buildings, and allowance for wood and keepers' salary,	812 25
Bradford, Samuel, Keeper of the Gaol, in the County of Suffolk, for supporting sundry poor Prisoners, to 1st February, 1813,	601 05
Billerica, for board, clothing and doctoring Thomas Gerry, and supplies to James Ingals, to 9th February, 1813,	49 34
Carlisle, for boarding and clothing Robert Barber, to 23d January, 1813,	46 26
Cambridge, for boarding and clothing sundry Paupers and poor Prisoners, confined in gaol, to 27th January, 1813,	232 55
Cushing, for board and clothing James Walker, to 1st February, 1813,	41 50

PAUPER ACCOUNTS.

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Charlton, for board, clothing and doctoring Edward Madden, to 1st January, 1813,	43 39
Colraine, for board, clothing and doctoring Sally Lamonier, Richard Hynes and Rachel Hynes, to 16th January, 1813,	158 72
Cheshire, for doctoring Jane Dott, to the time of her death,	7 75
Cambden, for supplies to the family of Richard Conway, to 30th March, 1812,	20 00
Chester, for board and clothing Benjamin Powers, to 10th October, 1812, George Weden and family, to the time of his death, including funeral charges,	73 22
Concord, for board and clothing Case, a black, and supporting sundry poor Prisoners in gaol, to 15th February, 1813,	111 78
Cargil, Thomas, M. for nursing, bandages and rum, for poor Prisoners in gaol, to January, 1812,	15 00
Charlestown, for boarding and clothing sundry Paupers, to 11th February, 1813,	260 58
Chelmsford, for board and nursing Catharine M'Clenny, Charles and Eliza, children of Anna Peirce, Priscilla Reed and her Child, to 29th February, 1813,	139 15
Cape Elizabeth, for boarding James Ramsbottom, to 10th January, 1813,	52 50
Dunstable, for board, clothing and doctoring Margaret Lane, to the time of her death, including funeral charges,	67 75
Dogget, Samuel, Gaoler for the County of Norfolk, for the support of poor Prisoners, to 28th January, 1813,	115 94
Dedham, for support of Bristol, a negro, while in prison,	6 42
Dorchester, for boarding and clothing John Harrison, Thomas Wyman, Alexander Theophilus, to 30th January, 1813,	94 50
Dresden, for boarding and clothing John Cullen, to 31st January, 1813,	268 80
Dracut, for supplies to Richard Baker, to 11th February, 1813,	62 00

Danvers, for boarding and clothing sundry Pau- pers, 9th February, 1813,	729 23
Egremont, for boarding, clothing and doctoring Benjamin Randall, Mary Dailey, Joseph Dai- ley, and Eleazer Dailey, to 14th January, 1813,	345 34
Edgarton, for board and clothing Anthony Chad- wick and John Cole, to 20th January, 1813,	46 50
Elliot, for supplies to Asa Allen, to 8th February, 1813,	14 54
Falmouth, for board, clothing and doctoring Sam- uel Sheverick, to 19th January, 1813,	33 67
Fayettee, for board and clothing William G. Mar- tin, to 1st January, 1813,	62 37
Framingham, for board and doctoring Hugh McPherson, to 6th February, 1813,	60 20
Falmouth, (Cumberland County) for board, cloth- ing and doctoring Felician Sang, to 14th Janu- ary, 1813,	164 59
Gardner, for boarding and clothing Thomas Doyle, to 7th January, 1813,	19 87
Greenwich, for board and clothing sundry Paupers, to 14th January, 1813,	285 24
Granville, for board, clothing and doctoring George Taylor, Archibald Stewart, and Lucy Hall, to the time of her death, including funeral charges,	81 67
Groton, for board, clothing and doctoring John C. Wright and Wife, Elisha Hoyt, Eunice Ben- trott and Richard Brents, to 10th January, 1813,	273 52
Greenfield, for board, clothing and doctoring Eu- nice Stone, to 1st January, 1813, and supplies to a transient person,	75 20
Granby, for board and clothing Ebenezer Darvin, to 1st February, 1813,	57 40
Gill, for board, clothing and doctoring Sarah Ham- ilton and Samuel Lyons and Wife, to 23d Janu- ary, 1813,	131 57
Great Barrington, for board, clothing and doctoring Isaac Hoose, Catharine Hoose and Mary Hoose, John Whitty, Clarissa Londsey, Amy Rathborn and Lucy Porter, to 13th February, 1813,	396 23

Gorham, for board, clothing and doctoring Jacob Morse and Robert Gilfilling, to 10th February, 1813,	149 49
Gloucester, for board and clothing sundry Paupers, to 10th November, 1812,	775 00
Grafton, for board and clothing Phillis Jenks and her Children, until she left the town,	29 50
Goshen, for board and clothing Sarah Horsford, to 17th February, 1813,	50 00
Hadley, for board and doctoring Friday Allen and Rebecca, his Wife, to 6th January, 1813,	94 27
Hardwick, for board, clothing, doctoring and nursing John Howard, to the time of his death, including funeral charges,	58 08
Hodgkins, Joseph, Keeper of the House of Correction, in the County of Essex, for boarding and clothing Mary Adelaide Huldy Hicks, John Squires and Josiah Bennington, to 31st January, 1813,	238 85
Hope, for board, clothing and doctoring John Sullivan, to 22d November, 1812, when he left the town,	68 22
Hallowell, for boarding, and clothing Rachel Cummings, Judith Davis and her three Children, James Carruth, Samuel Palmer and James Flemming, to 31st December, 1812,	290 02
Huston, John, Keeper of the Gaol in Salem, for support of sundry poor Prisoners, to 31st December, 1812,	104 88
Hancock, for board, clothing and doctoring Rebecca Osborn, to 5th February, 1813, and Robert Hale, until he left the State,	80 74
Hebron, for board, clothing and doctoring John Germain, to 26th December, 1812,	9 92
Haverhill, for board and clothing William Tapley, to 1st January, 1813, and John Wilson, to the time he was sent out of the State,	67 20
Ipswich, for boarding and clothing sundry Paupers, to 1st February, 1813,	340 73
Kittery, for boarding and clothing Sarah Perkins, Deborah Perkins and her Child,	127 40
Lunenburg, for board and nursing Felix Todd, to 25th January, 1813,	62 00

Limington, for board and clothing John Organ, to 1st January, 1813,	67 60
Lincolnvile, for board and clothing Alexander White and Timothy Cox, to 21st January, 1813,	121 80
Lanesborough, for board, clothing and doctoring Jerusha Welsh, Clarissa Tracy's Child, and Ichabod Sherlock, to 1st June, 1812,	182 42
Lynn, for board and clothing sundry Paupers, to 8th February, 1813,	576 52
Litchfield, for boarding of Hannah Taylor and her Children, to 1st January, 1813, Daniel Howard and Wife, to the time of her death, including funeral charges,	144 18
Lenox, for boarding, clothing and doctoring Abraham and Augustus H. Palmer, and Tab Lewis, to 25th January, 1813, and Clarissa Dodge, and Jack, a negro, to the time they left the town,	207 25
Leyden, for board, clothing and doctoring Jedediah Fuller's Wife, Elizabeth Wagner and Ruth Abel, to 21st January, 1813, and Jedediah Fuller, to the time of his death, including funeral charges,	111 61
Littleton, for board and clothing John Putnam, to the 1st February, 1813, and Richard Croach, to the time of his death, including funeral charges,	72 63
Lincoln, for board and doctoring Thomas Poccock, to the time of his death, including funeral charges,	12 50
Lee, for board, clothing and doctoring Jonathan Blackman and Wife, Zuba Cain and Lucy Fuller, to 15th January, 1813,	113 38
Minot, for supplies for Philip Weeks, to 25th December, 1812,	25 00
Machias, for board, clothing and doctoring Moses Wheaton, a child, to 20th January, 1813,	27 25
Mendon, for board and doctoring John Williamson, to the time of his death, including funeral charges,	47 33
Manchester, for board, clothing and doctoring Thomas Douglas, to 2d February, 1813,	78 57
Methuen, for board and doctoring Nancy Hale, to 25th January, 1813,	80 00

Mansfield, for board and doctoring Hugh McPherson, to February, 1813,	9 24
Marblehead, for boarding and clothing sundry Paupers, to 6th February, 1813,	479 25
Marshfield, for boarding and clothing and doctoring Lemuel Little, to 12th January, 1813,	129 81
Medford, for boarding, clothing and doctoring John McLeod and Michael Farrell, to 6th May, 1812,	48 55
Middleborough, for boarding, clothing and doctoring John Fitzgerald, to 10th January, 1813,	137 02
Manning, Thomas, for doctoring sundry Criminals in Gaol, in the County of Essex, to 14th April, 1813,	21 00
Mount Vernon, for board, clothing and doctoring David Bresford, to 20th January, 1813,	34 52
Northfield, for board and clothing Richard Kingsbury, to 23d January, 1813,	70 75
Norwich, for board and clothing Daniel Williams, to 17th January, 1813,	48 74
Northampton, for board, clothing and doctoring sundry Paupers and poor Prisoners in Gaol, to 1st February, 1813,	424 47
Northborough, for board and doctoring Richard Grant, to the time of his death, including funeral charges,	45 25
North Yarmouth, for board, clothing and doctoring sundry Paupers, to 26th January, 1813,	109 50
Newburyport, for boarding and clothing sundry Paupers, to 31st December, 1812,	1853 96
Newbury, for boarding and clothing sundry Paupers, to 1st January, 1813,	810 19
Nantucket, for board, clothing and doctoring James Thomas and Michael Anthonio, to 19th January, 1813,	118 05
New Marlborough, for board, clothing and nursing Orke Ugene, to 6th February, 1813,	70 55
New Bedford, for boarding and clothing, doctoring sundry Paupers, to 20th January, 1813, including funeral charges for George Williams,	234 74
New Gloucester, for board and clothing George Gregory and John May, to 28th January, 1813,	129 10
Overseers of the Marshpee Indians, for supporting sundry Paupers, to 1st February, 1813,	456 10

Oxford, for boarding, clothing and doctoring Catharine Jordan and William Stiles, to 1st February, 1813,	84 82
Peru, for board and clothing James Robbins and his two Children Sally and Olive, to 20th January, 1813,	99 00
Palmer, for board, clothing and doctoring William Mendom and Wife, to 5th January, 1813,	126 05
Plymouth, for board and clothing sundry Paupers, to 31st January, 1813, and Joseph Young, until his death, including funeral charges,	281 33
Penobscot, for board and clothing Thomas Slack, to 12th June, 1812, including funeral charges,	41 61
Pittsfield, for board, clothing and doctoring sundry Paupers, to 1st January, 1813,	198 95
Prospect, for board and clothing Ann Hanes, to 1st January, 1813,	113 60
Portland, for board and clothing sundry Paupers, to 1st January, 1813,	1081 50
Quincy, for board, clothing and doctoring William Oliphant, Thomas Bailey, Thomas Johnson, Wife and three Children, to the time of his death, including funeral charges,	174 89
Reading, for boarding, nursing and doctoring Samuel Bancroft, to the time of his death, including funeral charges,	75 15
Rowley, for board, clothing and doctoring Benjamin Dow, Elle Collins and Jesse Kimball, to 1st January, 1813,	107 93
Readfield, for board, clothing and doctoring Edward Burgess, Abigail Richards and Daughter, to 22d January, 1813,	68 10
Rutland, for board and clothing William Henderson and John Cowland, to 1st February, 1813,	78 03
Rehoboth, for board, clothing and doctoring Elizabeth Snow, Lafer Mason and Child, to 1st January, 1813,	149 40
Roxbury, for board and clothing sundry Paupers, to 3d January, 1813, including funeral charges for D. C. French, William Nickerson and Thomas Hammage,	644 43

PAUPER ACCOUNTS.

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Rochester, for board, clothing and doctoring George White and Primus Scott, to the time of their death, including funeral charges,	84 09
South Hadley, for boarding and doctoring Peter Pendegrass, to the time of his death, including funeral charges,	73 63
Standish, for board, clothing and doctoring Olive Noble, to 6th January, 1813,	82 08
Shirley, for board and clothing Roderick McKinsey and Wife, Simon Cox, Mary Fare and James Mills, to 29th January, 1813,	161 75
St. George, for board and clothing Robert Hawes, to 2d February, 1813,	57 20
Sharon, for board and doctoring Stephen Flood, to the time of his death, including funeral charges,	8 20
Shelburne, for board, clothing and doctoring Mary Bates, to 14th January, 1813,	59 81
Sandisfield, for boarding, clothing and doctoring Mary Tryon, William Wallace, and supplies to Richard Dixon, to 25th January, 1813,	61 92
Shrewsbury, for board and clothing Leander Taylor, to 25th January, 1813,	39 00
Stockbridge, for board and clothing Mary Doud, John Morrison and Sally Peet, to 3d December, 1812,	219 88
Sherburne, for supporting Benjamin Houghton, to 29th January, 1813,	52 00
Sutton, for board, clothing and doctoring Isabella Santee and four Children, to 9th February, 1813,	81 54
Spencer, for board and clothing John Lander, to 6th January, 1813,	67 00
Swansey, for board and clothing Thomas Connelly, to 5th November, 1812, including funeral charges,	58 75
Sudbury, for board and clothing John Whiting, to 12th February, 1813,	72 70
Southwick, for board and clothing George Reed, to the 1st January, 1813,	75 00
Sterling, for board, clothing and doctoring Mary Pike, to 29th January, 1813,	111 52
Somerset, for board and clothing William Elliot, to 31st December, 1812,	27 37

Sandwich, for board and clothing Richard Crouch, to 3d January, 1813,	35 20
Salem, for board and clothing sundry Paupers, to 3d January, 1813,	1298 38
Topsham, for board, clothing and doctoring Wil- liam Proctor and John Dugan, to 28th January, 1813,	183 38
Tyringham, for board and clothing Ralph Wey, to 1st January, 1813,	60 50
Templeton, for board and clothing Esther Jack, to to the time of her death, including funeral charges,	34 00
Taunton, for board and clothing Edmund Shores, Emanuel Disnous and Hannah Goff, to 27th Jan- uary, 1813,	123 99
Theobald, Philip, for doctoring sundry Criminals in Wiscasset Gaol, to 26th January, 1813,	43 22
Uxbridge, for board and clothing David Mitchell, Phillis Jenks and Benjamin Catteral, to 1st February, 1813,	92 84
Windsor, for board, clothing and doctoring Henry Smith, to 20th January, 1813,	77 07
Worcester, for board and clothing sundry Pau- pers, to 1st January, 1813,	178 53
Warren, for board and clothing William Moor- man, to 4th January, 1813,	52 00
Winthrop, for boarding, clothing and doctoring William Gaskel, Olive Howard, Abigail Rich- ards, Thomas Taylor's Wife and six Children, to 4th January, 1813,	177 04
West Springfield, for board, clothing and doctor- ing James Aldridge, Hannah Shovey and Han- nah Felt, to 20th January, 1813,	92 91
West Stockbridge, for board, clothing and doctor- ing Lucy Lane and James C. Bigg, to the 1st January, 1813,	106 00
Walpole, for board, clothing and doctoring John Webb, to 26th January, 1813,	45 50
West Hampton, for board and clothing John Gay and Wife, to 1st January, 1813,	31 00
Williamston, for board, clothing and doctoring Peter Morrill, Rachael Galusha, John G. Hen- dergrass, Christopher Glover and Mary Blue, to 3d February, 1813,	220 48

MILITARY ACCOUNTS.

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Westfield, for board and clothing John Newton and Wife, to 1st January, 1813,	77 96
Wiscasset, for board, clothing and doctoring sundry Paupers, to 20th February, 1813, including funeral charges, for Hector,	72 20
Westford, for boarding and clothing Christopher Shepard, to 1st February, 1813,	67 20
York, for board, clothing and doctoring sundry Paupers, to 8th February, 1813,	553 18
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Total Paupers,	32,306 35

*MILITARY ACCOUNTS.*

Curtis, Jared, for the expence of a Court of Inquiry, held at Great Barrington, 17th December, 1812, Col. Prentiss Williams, President,	20 25
Ashley, M. Robert, for travel and attendance upon a Court of Inquiry held at Lanesborough, August, 1811,	5 29
Brooks, John, Adjutant General, for the expence of a Court of Inquiry, held at Salem, July, 1812, Major General Nathaniel Goodwin, President,	216 73
Brooks, John, Adjutant General, for the expence of a Court Martial, held in Boston, in December, 1812, Major General Joseph Whiton, President,	488 83
Cummings, David, for the expence of a Court of Inquiry, held at Salem, in July, 1812, Major Samuel W. Phelps, President,	51 13
Foot, Alvan, for travel and attendance as a Member of Court of Inquiry to have been holden at Lanesborough, July, 1811,	2 77
Brooks, John, Adjutant General, for the expence of a Court Martial, held at Salem, in October, 1812, Major General Jonathan Davis, President,	518 94
Hubbell, Calvin, for the expence of a Court Martial, held 18th January, 1813, Col. Prentiss Williams, President,	96 88
Osgood, Francis, for the expence of a Court Martial, held at Portland, in October and November, 1811, Col. David Potter, President,	494 75

Punchard, John, for the expence of taking depositions relating to the election of Lt. Col. David Putnam, to be Brigadier General, by order of the Commander in Chief, (including the fees of Justice, officers and witnesses) in April, 1812,	70 01
Tilden, P. B. for the expence of a Court of Inquiry, held 14th December, 1812, Major G. G. Lee, President,	9 82
Sawtell, Richard, for the expence of a Court of Inquiry, held in Winslow, 25th January, 1813, Major Joseph Moore, President,	55 85
Wheeler, Thomas, for the expence of taking depositions relating to the election of Stephen W. Page, in November, 1812,	37 22
Whiting, John, for his travel and attendance upon a Court of Inquiry, held at Lanesborough, in 1811; also for his travel and attendance as a Member of a Court of Inquiry to have been holden at Worthington, in May, 1811,	19 94
Lyman, H. Jonathan, for his travel and attendance at Worthington, March, 1811, as a Member of a Court of Inquiry, General Hildreth, President,	5 90
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	2094 31

*Brigade Majors and Aid de Camps.*

Bates, Elkanah, to 8th January, 1813,	67 55
Bastow, Sumner, to 24th November, 1812,	64 49
Blish, Joseph, to 11th January, 1813,	116 02
Curtis, Jared, to 8th January, 1813,	44 95
Cochran, James, to 24th June, 1812,	28 50
Cummings, David, to 1st February, 1813	53 20
Clap, Ebenezer, to 1st January, 1813,	80 46
Dutch, Ebenezer, to 25th January, 1813,	148 43
Dunbar, William, to 1st February, 1813,	67 50
Fisher, Jacob, to 29th January, 1813,	55 27
Goodwin, Ichabod, to 1st January, 1813,	63 50
Gamwell, Samuel, to 6th January, 1813,	37 35
Gitchell, Ephraim, to 24th June, 1812,	82 95
Greenleaf, Samuel, to 15th October, 1812,	228 35
Goodwin, M. John, to 1st February, 1813,	100 76
Howard, Samuel, to 9th January, 1813,	169 71

## MILITARY ACCOUNTS.

171

Hubbell, Calvin, to 18th January, 1813,	83 90
Hight, William, to 1st January, 1813,	58 00
Hoyt, Epaphras, to 31st December, 1812,	66 63
Howe, Estes, to 3d February, 1813,	36 15
Hayward, Nathan, to 24th January, 1813,	129 50
Hubbard, Russell, to 20th October, 1812,	26 90
Knapp, L. Samuel, to 31st December, 1812,	48 40
Keith, Cyrus, to 1st August, 1812,	26 17
Mattoon, D. Noah, to 26th November, 1812,	88 91
Osgood, Francis, to 22d September, 1812,	85 12
Page, Samuel, to 10th February, 1813,	100 21
Russ, John, to 10th January, 1812,	121 00
Russell, Edward, to 16th October, 1812,	46 92
Sawtell, Richard, to 30th December, 1812,	87 02
Starr, James, jr. to 20th February, 1813,	24 55
Tilden, P. B. to 16th February, 1813,	84 20
Thayer, M. Samuel, to 19th February, 1813,	155 25
Thayer, Minot, to 20th February, 1813,	49 05
Weston, Samuel, to 6th July, 1812,	58 50
Woods, Sampson, to 14th January, 1813,	110 10
Wheeler, Barzillai, to 27th May, 1812,	74 30
Willis, F. Noah, to 25th February, 1813,	22 63
Whiting, Timothy, to 20th February, 1813,	108 11

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3100 51

*Brigade Quarter Masters.*

Boutell, Timothy, to 1st February, 1813,	31 50
Campbell, Archibald, to 1st February, 1813,	25 32
Garrett, Andrew, to 1st February, 1813,	15 96
How, Thomas, to 1st February, 1813,	29 79
Hobart, Thomas, to 1st February, 1813,	19 30
Morgan Archippas, to 1st February, 1813,	28 54
Peabody, Daniel, to 1st February, 1813,	9 76
Partridge, Samuel, to 1st February, 1813,	35 12
Pollard, Oliver, to 1st February, 1813,	16 73
Rosetter, Samuel, to 1st February, 1813,	17 62
Talmage, Joseph, to 1st February, 1813,	17 50
Thomas, Nathaniel, to 1st February, 1813,	9 16
Winchester, John, to 1st February, 1813,	9 82
Walker, Timothy, to 1st February, 1813,	28 68

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294 80

*Expences of Horses to haul Artillery.*

Alden, O. Peter, to 8th October, 1812,	5 00
Brewer, Daniel, to 8th October, 1812,	10 00
Bradbury, Jeremiah, to 4th October, 1812,	6 00
Barron, Isaac, to 1st October, 1812,	10 00
Bird, Seth, to 23d September, 1812,	17 50
Carter, Nehemiah, to 8th October, 1812,	5 00
Crosby, Abiel, to 15th January, 1813,	3 00
Clemence, Calvin, to 1st October, 1812,	5 00
Dyer, Ebenezer, to 17th October, 1812,	30 00
Eastman, Philip, to 21st September, 1812,	5 00
Holmes, Bartlett, to 27th September, 1812,	10 00
Harlow, Bradford, to 20th January, 1813,	5 00
Holland, John, to 8th October, 1812,	15 00
Harris, William, to 9th October, 1812,	20 00
Hastings, Samuel, to February, 1813,	30 00
Johnson, Peter, to 12th October, 1812,	10 00
Kendall, Loammi, to 1st October, 1812,	12 50
Lyon, John, to 5th October, 1812,	5 00
Lewis, James, to 1st September, 1812,	10 00
Lyman, D. Josiah, to 28th September, 1812,	5 50
Lincoln, Caleb, to 20th January, 1813,	10 00
Morrill, Jacob, to 21st October, 1812,	6 60
Park, Richard, to 16th October, 1812,	5 00
Prentiss, Caleb, to 12th October, 1812,	5 00
Patterson, David, to 3d September, 1812,	5 00
Pond, Benajah, to 3d October, 1812,	7 50
Prescott, L. John, to 17th September, 1812,	6 50
Ranlett, Samuel, to 14th January, 1813,	5 00
Rice, Joel, to 10th October, 1812,	5 00
Seaver, David, to 6th October, 1812,	6 25
Stebbins, Zenas, to 5th October, 1812,	5 00
Strong, Asahel, to 3d October, 1812,	5 00
Shaw, Joshua, to 23d September, 1812,	27 50
Sanderson, Henry, to 1st October, 1812,	10 00
Tillson, Nehemiah, to December, 1812,	5 00
Talbot, C. John, to 16th September, 1812,	25 00
Whitney, Harlow, to 9th October, 1812,	5 00
Warren, Moses, to 30th September, 1812,	7 50

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371 35

*Adjutants.*

Adams, Charles, to 18th January, 1813,	26 85
Arm, Plyny, to 17th October, 1812,	37 96
Adams, Moses, to 28th September, 1812,	111 77
Allen, C. Shobal, to 8th January, 1813,	73 25
Bliss, Theodore, to 14th August, 1812,	20 08
Blake, L. John, to 16th October, 1812,	57 05
Bodurtha, Harvey, to 3d September, 1812,	31 68
Brown, Benjamin, to 15th May, 1812,	18 26
Backus, Zenas, to 20th January, 1813,	68 09
Bates, C. Isaac, to 8th October, 1812,	41 62
Bird, Jonathan, to 3d January, 1813,	40 43
Bradley, Enoch, to 28th December, 1812,	17 01
Burnham, Enoch, to 1st January, 1813,	25 02
Burnham, Samuel, to 1st September, 1812,	35 03
Brewer, C. Caleb, to 28th September, 1812,	42 35
Barrell, George, to 10th February, 1813,	85 25
Brown, Abner, to 8th February 1813,	121 75
Beal, John, to 2d April, 1812,	8 74
Bigelow, Tyler, to 30th December, 1812,	104 36
Bartol, Barnabas, to 11th September, 1812,	39 02
Bliss, John, to 1st October, 1812,	6 54
Barry, William, to 1st July, 1812,	134 12
Burnham, Thomas, to 19th February, 1813,	18 73
Butterick, Tilley, to 3d March, 1812,	5 00
Callender, Benjamin, to 16th September, 1812,	28 69
Carter, Willis, to 2d December, 1812,	41 67
Crowell, Michael, to 12th November, 1812,	24 25
Cushing, Niel, to 18th December, 1812,	49 75
Chase, James, to 11th September, 1812,	21 10
Chamberlain, Thomas, to 13th November, 1812,	23 59
Cutts, William, to 5th January, 1813,	9 94
Curtis, Joseph, to 30th January, 1813,	21 49
Clerk, Joseph, to 8th January, 1813,	68 17
Champney, John, to 1st February, 1813,	97 00
Davis, Stephen, to 29th September, 1812,	12 85
Dana, Isaac, to 7th February, 1813,	40 25
Delano, Gideon, to 13th January, 1813,	12 01
Draper, William, to 6th February, 1813,	44 43
Eames, Theodore, to 1st November 1812,	12 13
Eell, Samuel, to 8th November, 1812,	165 14
Edgecomb, Nicholas, to 1st July, 1812,	6 05

Fisk, Ezra, to 20th September, 1812,	57 88
Field, F. Arthur, to 2d September, 1812,	19 32
Fairbanks, Stephen, to 10th February, 1813,	160 63
Fales, David, to 2d July, 1812,	18 95
Foot, Elisha, to 9th February, 1813,	21 10
Gilmore, Rufus, to 1st September, 1812,	20 95
Gates, Isaac, to 29th August, 1812,	23 28
Gray, John, to 13th February, 1813,	38 88
Gitchell, Ephraim, to 7th October, 1812,	108 44
Gillett, Daniel, to August, 1810,	46 38
Hilton, Joshua, to 6th December, 1812,	77 82
Huntoon, G. Jonathan, to 3d December, 1812,	22 51
Hodson, Isaac, to 1st October, 1812,	96 02
Hyde, Zina, to 1st January, 1813,	61 14
Harrington, Joseph, to 2d January, 1813,	85 05
Hamilton, Abiel, to 1st September, 1813,	21 13
Hayden, Charles, to 5th February, 1813,	25 34
Hasly, John, to 17th September, 1812,	20 38
Hinman, Ranson, to 6th February, 1813,	11 22
Jewett, Caleb, to 6th November, 1812,	97 64
Jesse, Jewett, to 10th January, 1813,	75 25
Ives, H. George, to 5th September, 1812,	15 28
Jones, Nathan, to 13th October, 1812,	8 45
Jaques, Henry, to 20th February, 1813,	120 18
Keith, Cyrus, to 27th January, 1813,	30 28
Kingman, Simeon, to 8th February, 1813,	99 66
Kellogg, C. Giles, to 3d February, 1813,	66 65
Libbey, Nathaniel, to 11th October, 1812,	57 58
Lewis, Philo, to 5th January, 1813,	55 29
Lane, Daniel, to 24th January, 1813,	16 01
Larrabee, William, to 8th January, 1813,	43 18
Low, Parley, to 3d September, 1812,	21 97
Lewis, Lyman, to 19th September, 1812,	32 08
Lee, William, jun. to 1st February, 1813,	6 64
Maston, Jonathan, to 20th November, 1812,	101 45
Morgan, Aaron, jun. to 16th October, 1812,	58 81
Munroe, William, to 1st January, 1813,	23 92
Nye, Joseph, to 14th October, 1812,	9 40
Niel, G. John, to 1st September, 1812,	60 64
Needham, Henry, to 1st October, 1812,	74 11
Northam, Eli, to 27th January, 1813,	44 42
Ordway, Nathan, to 12th October, 1812,	32 54
Orr, Hector, to 12th January, 1813,	136 20

MILITARY ACCOUNTS.

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Pike, T. Joseph, to 10th December, 1812,	7 47
Preston, Warren, to 2d September, 1812,	17 04
Page, Jesse, to 30th January, 1813,	31 66
Parker, Henry, to 21st October, 1812,	44 00
Parker, Joseph, to 5th November, 1812,	22 42
Pengree, Samuel, to 1st February, 1813,	21 58
Payson, Ebenezer, to 18th February, 1813,	5 13
Peck, George, to 6th February, 1813,	58 87
Richardson, Wyman, to 1st December, 1812,	69 75
Rogers, George, to 1st September, 1812,	19 33
Selsbee, Samuel, to 28th August, 1812,	36 50
Sears, Joseph, to 1st February, 1813,	13 37
Seuters, Isaac, to 28th May, 1812,	5 30
Spring, Josiah, to 12th December, 1812,	10 34
Salmon, William, to 25th August, 1812,	37 62
Stewart, Jotham, to 1st February, 1813,	33 43
Saylis, Richard, to 28th January, 1813,	40 50
Sawyer, William, to 1st November, 1812,	73 00
Smith, Henry, to 15th February, 1813,	13 24
Shattuck, Daniel, to 14th December, 1812,	42 87
Shaw, Ebenezer, to 14th February, 1813,	30 55
Trufant, Seth, to 12th October, 1812,	22 66
Tucker, Joseph, to 12th August, 1812,	20 47
Trail, Jo, to 6th November, 1812,	43 44
Thomas, B. John, to 22d December, 1812,	136 01
Thompson, Charles, to 13th January, 1813,	48 90
Turner, Thomas, to 1st February, 1813,	61 05
Toby, James, to 2d February, 1813,	32 39
Williams, John, to 20th September, 1812,	44 80
Weston, Samuel, to 27th June, 1812,	55 20
Waterman, George, to 23d October, 1812,	14 77
Winslow, Hezekiah, to 10th January, 1813,	9 11
Ward, William, to 19th September, 1812,	37 45
Williams, Jonathan, to 26th December, 1812,	71 18
Washburn, Cromwell, to 22d October, 1812,	47 05
Ware, Jason, to 15th February, 1813,	18 43
Wilder, David, to 15th November, 1812,	18 80
Wild, Jonathan, to 9th February, 1813, including \$35 44, omitted in his account for services ren- dered in 1810, through mistake,	181 90
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	5535 64
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Total Military,	\$11396 61

*SHERIFFS AND CORONERS' ACCOUNTS.*

Adams, Moses, Sheriff of Hancock, for returning votes for electors of President and Vice President and Representatives to Congress, to November, 1812,	102 86
Bridge, Edmund, Sheriff of Lincoln, for returning votes for electors of President and Vice President and Representatives to Congress, to December, 1812,	63 64
Crane, Elijah, Sheriff of Norfolk, for distributing warrants and returning votes for electors of President and Vice President and Representatives to Congress, to February, 1813,	17 29
Cook, Orchard, Sheriff of Lincoln, for returning votes for Governor and Lieutenant Governor, 1812,	13 36
Cooper, John, Sheriff, of Washington, for returning votes for electors of President and Vice President and Representatives to Congress, February, 1813,	132 46
Claffen, Noah, Sheriff of Bristol, for returning votes for Governor and Lieutenant Governor and Senators, May, 1812,	5 94
Crosby, William, Coroner of Barnstable, for inquisition on the bodies of two strangers and funeral charges on the same, January, 1812,	29 70
Folger, Charles, Sheriff of Nantucket, for returning votes for Governor, Lieutenant Governor and Senators, 1812,	10 80
Goodwin, Ichabod, Sheriff of York, for returning votes for Electors of President and Vice President, and Representatives to Congress, February, 1813,	31 45
Howard, Samuel, Sheriff of Kennebeck, for distributing precepts, and returning votes for Representatives to Congress, January, 1813,	47 10
Hunnewell, Richard, Sheriff of Cumberland, for returning votes for electors of President and Vice President and Representatives to Congress, January, 1813,	44 40
Kendall, William, Sheriff of Somerset, for returning votes for Governor and Lieutenant Governor, and serving a citation, 1812,	22 44

Kelley, William, Sheriff of Dukes' County for returning votes of Governour, Lieutenant Governour and Senators, 1812,	6 40
Lyman, Elisha, Sheriff of Franklin, for returning votes for Governour, Lieutenant Governour and Senators, Electors of President and Vice President and Representatives to Congress, January, 1813,	45 00
Lawrence, Jeremiah, Sheriff of Nantucket, for returning votes for Electors of President and Vice President and Representatives to Congress,	49 95
Leonard, Horatio, Sheriff of Bristol, for returning votes of Electors of President and Vice President and Representatives to Congress, February, 1813,	13 32
McMillen, John, Sheriff of Oxford, for returning votes for Electors of President and Vice President and Representatives to Congress, December, 1812,	44 80
Mattoon, Ebenezer, Sheriff of Hampshire, for returning votes of Electors of President and Vice President and Representatives to Congress, November, 1812,	35 15
Smith, Jonathan, Sheriff of Hampden, for returning votes for Electors of President and Vice President and Representatives to Congress, February, 1813,	37 00
Sawtell, Richard, Sheriff of Somerset, for returning votes for Governour, Lieutenant Governour, Electors of President and Vice President and Representatives to Congress, January, 1813,	99 00
Sumner, Joseph, Coroner of Worcester, for inquisition on the body of a stranger and funeral charges, January, 1813,	24 60
Ulmer, George, Sheriff of Hancock, for distributing precepts, returning votes for Representatives to Congress and Electors of President and Vice President, January, 1813,	117 70
White, Moses, Sheriff of Worcester, for returning votes for Governor, Lieutenant Governor and Senators, May, 1812,	4 48

Waterman, Samuel, Coroner of Plymouth, for inquisition on the body of a stranger and funeral charges, January, 1813,	17 90
Total Sheriffs and Coroners,	\$1016 74

*PRINTERS' ACCOUNTS.*

Adams & Rhodes, for printing to 15th October, 1812,	812 27
Allen, E. W. for printing to 1st August, 1812,	16 67
Allen, Phineas, for printing to 25th January, 1813,	16 67
Butler, William, for printing to 1st February, 1813,	16 67
Cheever, Nathaniel, for printing to 1st January, 1813,	16 67
Cushing, Thomas, for printing to June, 1812,	16 67
Edes, Peter, for printing to July, 1812,	9 00
Hiliard & Metcalf, for printing to February, 1813,	130 00
Munroe & Francis, for printing and book binding, to 12th February, 1813,	44 63
Russell & Cutler, for printing to 13th February, 1813,	2594 25
Shirley, Arthur, for printing to 1st January, 1813,	17 67
Watson & Bangs, for printing to 12th February, 1813,	3 00
Total of Printers,	\$3694 17

*MISCELLANEOUS ACCOUNTS.*

Apthorp, John, T for oil furnished June, 1812,	125 50
Boyle, John, for stationary, to 27th January, 1813,	106 87
Burditt, William & Co. for stationary, to 27th January, 1813,	424 14
Bradford & Reed, for stationary, to 17th February, 1813,	193 02
Chase, Warren, for services, to 27th February, 1813,	60 00
Durant, William, for glazing State House, to 15th February, 1813,	35 33
Guardians of Dudley Indians, for balance in full due them 25th May, 1812, which sum the Treasurer of the State is directed to charge said Indians with,	130 20

AGGREGATE ROLL.

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Gore, Samuel, for painting and sundries, to 8th February, 1813,	86 97
Harris, Josiah, for painting, to September, 1812,	65 78
Hunnewell, Jonathan, chairman of the committee of repairs on the State House, for balance as per account, up to the 10th February, 1813,	412 11
Lapham, Sylvanus, for services to the 27th February, 1813,	64 00
Larkin, Ebenezer, for stationary, to 19th January, 1813,	5 00
Ladd, John, for composition work, to April, 1812,	9 37
Neil, John, for surveying eastern land by order of Court, to 15th February, 1813,	900 00
Perry, John, for services, to 27th February, 1813,	64 00
Wells, John, Thomas Harris, Joseph Head and Benjamin Weld, Committee for examining the late Treasurer's accounts, June, 1812,	70 00
Wheeler, Josiah, for sundry repairs and alterations on the State House, to 10th February, 1813,	267 80
Total Miscellaneous,	..... \$3017 09

*Aggregate of Roll No. 68....February, 1813.*

Expences of State Paupers, .	32306 35
“ Military,	11396 61
“ Sheriffs and Coroners,	1016 74
“ Printers,	3694 47
“ Miscellaneous,	3017 09
Total,	..... \$51430 96

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

## AGGREGATE ROLL.

the sum of fifty one thousand four hundred and thirty dollars and ninety-six cents, the same being in full discharge of the accounts and demands to which they refer.

*In Senate, February, 27th, 1813.*

Read and passed, sent down for concurrence.

SAMUEL DANA, *President.*

*In the House of Representatives, February 27th, 1813.*

Read and concurred.

TIMOTHY BIGELOW, *Speaker.*

*February 27th, 1813....Approved,*

CALEB STRONG.

*Award of the Commissioners for determining the Rights of  
Claimants to Lands in the County of Lincoln, &c.*

BOSTON, 26th JANUARY, 1813.

**SIR**—We have the honor to enclose an award on the claims submitted to us under the resolve of the 20th of June, 1811, that it may be laid before the Legislature.

We are aware that a return was expected from us before this time, and till the nature of the claims were opened, we had, ourselves, calculated on fulfilling the expectation of the Legislature in this particular; we however assure you, Sir, that there has been no unnecessary delay; all that portion of our time which was not employed in the discharge of obligations previously contracted, has been devoted to the business of our appointment. Though we were certainly unapprized of the difficulties with which we had to contend, in executing the commission with which we have been honored, we are confident we have not mistaken the views of the Legislature in instituting this commission. It was to provide a tribunal which should, on just and equitable principles, decide on all the claims of the non-resident proprietors to an extensive tract of country, and by that means quiet the settlers in their possessions. It was therefore highly important that all the claimants, who are many, and live remote from each other, and from the lands in question, should have the fullest opportunity of exhibiting and proving their claims, and that the settlers should be fully prepared to state and prove the nature of their titles, and the length of their possessions; that every record and document which has any bearing on the questions submitted, should be produced, and that the Commissioners should, after all, have time sufficient to weigh the evidence and to decide on the questions which arise on the hearing. To have contented ourselves with a hasty and superficial examination of a case of this magnitude, would neither have comported with the liberal views, and enlightened policy of the Legislature, nor with that justice which we owed to those, whose interests were confided to us. Whatever opinion may be formed of the result, we have spared no pains in our endeavours to do justice to the parties. They had a right to a full and patient hearing on the

merits of their respective titles, and we trust they have had it. We could hardly expect to find credit for a true statement of the difficulties we have had to encounter. The claims were numerous; the deeds and evidences of title in many cases, very ancient, the description of the lands intended to be conveyed, extremely loose, and sometimes in the same instrument contradictory; and though we derived considerable assistance from the surveys and plans, laid before us by the parties, and especially from a very extensive survey made by our order, yet we found it necessary to repair to the lands in dispute, to examine for ourselves, and to give the settlers and claimants an opportunity of availing themselves of all the testimony in their power. In considering the grants and conveyances under which the parties claimed, and the manner of deducing their titles, we have not been disposed to require the most perfect regularity, nor to expect the same exactness as in the case of modern grants. Wherever a Court of Chancery could supply defects or give relief, we have overlooked such defects, and have considered ourselves as vested with power to give the same relief, and we have allowed the claimants the full benefit of their possessions. We are desirous that the Legislature should be apprised of the construction, we have put on the resolution, which is the foundation of our authority. It has been our intention to go as far in favour of titles, as a Court of Chancery could go in the rightful exercise of their peculiar powers. But we have not considered the words "power and authority to determine both in law and equity, whether a claimant under his claim, is entitled to any lands within the boundaries of his claim," &c. as vesting in us any authority, to award in favour of a claimant, whose title could neither prevail at law, nor avail the party with all the aid a Court of Equity could give; though such party might have merits which would entitle him to the favorable notice of the Legislature. We have not considered the authority delegated to us, as by any means so extensive even in relation to the parties in this cause, as that possessed by the supreme power of the State. We shall be understood by stating a case, which in substance has been made out before us, and we presume similar cases must have often occurred. An individual, conceiving that he had a title, or intending to obtain one, to certain lands, shall have expended several sums of money in cultivating and improving the soil,—in endeavors to settle,

and actually settling a frontier country—in defending it against Indian depredations, and in that way shall have afforded protection and security to other parts of the State, and perhaps shall have extinguished the Indian title; and shall, from some cause, have failed to realize a sufficient indemnification for his labour and expenditure, so beneficial to the public. In the case stated, it is manifest the public have been benefited at the expence of one of its citizens or subjects, but yet no title will be acquired either in law or equity, to any particular tract of land; the individual, however, has a meritorious claim on the supreme power of the State, for a grant of lands or some other compensation. The records of Massachusetts, it is believed, will furnish many instances from the first settlement of the State to the present day, of grants made on similar considerations, but to order such grants to be made, we believe exceeds our powers. We are to determine in law and equity, on the titles submitted to us; that is, whether certain persons under their claims are entitled to *certain lands*. If they have no legal or equitable title to these lands, we are bound to decide against them, whatever other claims they may have on the justice or generosity of the Commonwealth. Claims of this description have been urged before us, and it is possible the Legislature may have intended to give us authority to decide on them; under this impression, we have received and considered the evidence adduced, and have no hesitation in saying that the claimants against whom we have awarded, have (with a single exception) no claim, even on this broad ground. The exception to which we allude, is the claim under the late William Vaughan. We are satisfied that he performed services and expended monies of the nature of those stated, and if we had conceived that the case was within our powers, we should have awarded in favor of his heirs at law, that they should have a grant of half a township of the unappropriated lands belonging to the Commonwealth, in the District of Maine, to be laid out under the direction of the Agents for the sale of Eastern Lands, with the reservations, and on the conditions usual in grants; if in the opinion of the Legislature, our powers embrace claims of this description, they may then consider this a part of our award; otherwise, as a mere recommendation, which, whether complied with or not, will no way affect the enclosed award.

It may be useful perhaps to state, that the plans returned

by the settlers, as descriptive of their settlements and actual possessions, appear from the affidavits and other evidence in the case, to be generally correct, and may serve as some guide in case the Legislature should hereafter wish to distinguish between the settlers. These plans and papers are deposited in the Secretary's office.

We have not availed ourselves of the power given us of appointing a Clerk, believing that the benefit would not equal the expence.

Before we conclude, we pray your Excellency to be assured, that if in executing this commission, we shall have had it in our power to remove any of the causes which have hitherto retarded the improvement and prosperity of an important part of the Commonwealth, it will always afford us the most unfeigned satisfaction.

We have the honor to be, with the greatest respect,  
your Excellency's most obedient, and very  
humble servants,

JEREMIAH SMITH.  
WM. H. WOODWARD.  
DAVID HOWELL.

*His Excellency Governor* STRONG.

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WE, the Commissioners appointed pursuant to a resolve of the General Court of the Commonwealth of Massachusetts, made and passed the 20th of June, 1811, to determine both in law and equity, whether certain persons claiming lands in the towns of Bristol, Edgecomb, New-Castle, Nobleborough, Waldoborough, Jefferson and Boothbay, or either of them, under their respective claims, are entitled to any part of the lands lying within the boundaries of their respective claims, and what part they may be so entitled to, in opposition to the claims and rights of the possessors and occupants of said lands, and in opposition to the rights and claims of the Commonwealth," a copy of which resolve is hereunto annexed, and pursuant to a submission under the hand and seal of the Attorney General, in behalf of the Commonwealth, and under the hands and seals of the respective parties, whose names are thereto subscribed, dated the eighth day of November, 1811, which is also hereto annexed, accepted the trust, and having notified the Attorney

General, the possessors and occupants of the lands within the towns aforesaid, and the persons claiming to be proprietors thereof, and parties to the submission aforesaid, of the times and places of our meetings, to hear and determine the several matters and things submitted to us as aforesaid, all of whom attended, and having fully heard the Attorney General and the parties aforesaid, their several pleas, arguments and evidence, Do award, order and determine, that the proprietors of the Kennebeck purchase, from the late colony of New Plymouth, otherwise called the Plymouth Company, have both in law and equity a title to certain lands under their claim, and within the boundaries thereof, and situate within the towns aforesaid, in opposition to the claims of all persons and bodies politic whatever; and the said proprietors of the Kennebeck purchase having released and granted to the said Commonwealth all their right, title and claim to all the lands within the towns aforesaid, by a deed duly made and executed to the acceptance of the said Attorney General, and which deed is filed in the office of the Secretary of the Commonwealth—We do upon the principles in the said resolve, and submission mentioned, award, order and determine, that the said proprietors of the Kennebeck purchase, as a just equivalent for the lands to which the said proprietors at the time of said submission, had good title, and which they have released to the said Commonwealth as aforesaid, are entitled to have and receive from the said Commonwealth, a grant and conveyance of a tract of six miles square, of the unlocated lands belonging to said Commonwealth, in the District of Maine, (excepting the townships lately purchased of the Indians, and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on St. Johns and Chaudiere roads, which have been surveyed to defray the expence of opening said roads) to be taken, chosen and laid out by the said grantees in a body, next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformable to the lines run by Messrs. Maynard and Holland, and not interfering with any former location, and a plan and return of the field book to be laid before the agent or agents for the Commonwealth for the sale of eastern lands, reserving four lots of three hundred and twenty acres each for public uses,

viz. : one for the first settled minister ; one for the use of the ministry ; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be laid out near the centre of said tract, and to average in quality with the other lots therein, and on the condition that the grantees or their assigns, shall cause to be settled fifteen settlers on said lands, within fifteen years from the date of the grant.

And we do further award, order and determine, that Catharine Drown, Sarah Drown, Mary Drown, Samuel Flagg and Dorothy, his wife, in right of the said Dorothy, Henry Wilkins and Lucy, his wife, in right of the said Lucy, Nathaniel Kidder and Sarah, his wife, in right of the said Sarah, Samuel Green and Susannah, his wife, in right of said Susannah, Thomas Holler Condy and James Foster Condy, and if any of them be dead, the heirs or assigns of such person deceased, have both in law and equity a title to certain lands under their claim, and within the bounds thereof, and situate within the towns aforesaid, in opposition to the claims of all persons and bodies politic whatever ; and the said Catharine Drown, Sarah Drown, Mary Drown, Samuel Flagg and Dorothy, his wife, in right of said Dorothy, Henry Wilkins and Lucy, his wife, in right of said Lucy, Nathaniel Kidder and Sarah his wife, in right of said Sarah, Samuel Green and Susannah, his wife, in right of said Susannah, Thomas Holler Condy and James Foster Condy, having released and granted to the said Commonwealth all their right, title and claim to all the lands within the towns aforesaid, by a deed duly made and executed to the said Commonwealth to the acceptance of the said attorney general, and which deed is filed in the office of the Secretary of the Commonwealth—We do upon the principle in the said resolve and submission mentioned, award, order and determine, that the said Catharine Drown, Sarah Drown, Mary Drown, Dorothy Flagg, Lucy Wilkins, Sarah Kidder, Susannah Green, Thomas Holler Condy and James Foster Condy, as a just equivalent for the lands to which they at the time of the said submission had a good title, and which they have released to the said Commonwealth as aforesaid, are entitled to have and receive from the said Commonwealth, a grant and conveyance of a tract of eleven thousand five hundred and twenty acres of the unlocated lands belonging to the said Commonwealth in the District of Maine (excepting

the townships lately purchased of the Indians, and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on the St. Johns and Chaudiere roads, which have been surveyed to defray the expence of opening said roads) to be taken, chosen and laid out by the said grantees, in a body next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformably to the lines run by Messrs. Maynard and Holland, and not interfering with any former location, and a plan and return of the field book, to be laid before the agent or agents for the Commonwealth for the sale of eastern lands, reserving four lots of one hundred and sixty acres each for public uses, viz. : one for the first settled minister ; one for the use of the ministry ; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be located near the centre of said tract, and to average in quality with the other lots therein, and on condition that the grantees or their assigns, shall cause to be settled seven settlers on said lands within fifteen years from the date of the grant, to be holden by the said grantees, their heirs and assigns forever, as tenants in common, in the following proportions, to wit—the said Catharine Drown, Sarah Drown, Mary Drown, Lucy Wilkins and Dorothy Flagg, six sixtieth parts each ; the said James Foster Condry, Thomas Holler Condry and Sarah Kidder, five sixtieths each ; and the said Susannah Green, fifteen sixtieths.

And we do further award, order and determine, that as to all the other parties to the said annexed submission (the releases from whom, or some of whom, to the said Commonwealth, made and executed to the acceptance of the said Attorney General, have been filed in the office of the Secretary of the Commonwealth) neither they, nor any of them, nor the person or persons they or either of them represent, had at the time of said submission, or at any time since, have had either in law or equity, any title to any lands under their respective claims, and within the boundaries thereof, and situate within the towns aforesaid, or any of them.

Given under our hands and seals, at Boston, the 26th day of January, 1813.

JEREMIAH SMITH, (Seal)  
 WM. H. WOODWARD, (Seal)  
 DAVID HOWELL, (Seal)

*Commonwealth of Massachusetts.*

Whereas, certain non-resident claimants to lands lying within the towns of Bristol, Nobleborough, New-Castle, Edgecomb, Boothbay, Jefferson, and Waldoborough, have, through the Commissioners appointed by virtue of an order of both branches of the Legislature, passed the twenty-seventh day of February eighteen hundred and eleven, by mutual agreement among themselves, for the final adjustment of their respective claims, through the intervention and under the indemnity of the said Commonwealth, made certain propositions to the Legislature for that purpose, as by their agreement under their hands and seals, dated the tenth day of May one thousand eight hundred and eleven, now remaining in the Secretary's Office, reference thereto being had will appear. And whereas in conformity to the recommendation of the said Commissioners, the Legislature of said Commonwealth acceded to the said propositions, and thereupon on the twentieth day of June, in the year of our Lord one thousand eight hundred and eleven, the following proceedings and resolutions were had and passed by both branches of the Legislature, and approved by his Excellency the Governor, viz.

*Commonwealth of Massachusetts.*

Whereas certain persons claiming lands in the towns of Bristol, Edgecomb, New-castle, Nobleborough, Waldoborough, Jefferson and Boothbay, have offered to submit their respective claims to three Commissioners to be appointed by the Legislature of this Commonwealth, or his Excellency the Governor, under their authority, with the consent of the said claimants, which Commissioners shall have full power and authority to determine both in law and equity, whether said claimants, or either of them, under their respective claims, are entitled to any part of the lands lying within the boundaries of their respective claims, and what

part they may be so entitled to, in opposition to the claims and rights of the possessors and occupants of said lands, and in opposition to the rights and claims of the Commonwealth. And whereas said claimants have further stipulated and agreed to release and grant to the Commonwealth all their rights and claims to the lands they should be found entitled to respectively by the determination of said Commissioners, on condition that the Commonwealth shall grant and convey to said claimants respectively an equivalent in their unlocated lands in the District of Maine, for the lands to which they may be so found to be entitled, to be estimated as in a state of nature unconnected with any improvement made by the settlement of said towns, and the amount of such equivalent to be determined by said Commissioners.

*Be it therefore resolved,* That the Attorney General be, and he hereby is authorised, on the part of this Commonwealth, to submit with the persons claiming to be proprietors of all or any part of the aforesaid towns, their rights to three Commissioners, to be appointed in the manner hereafter provided, the report of whom, or the major part of them, made to the Legislature as soon as may be, shall be binding on all parties thereto. And the said submission shall be upon the principles and conditions in the preamble of this resolve before mentioned.

*Be it further resolved,* That his Excellency the Governor, by and with the advice and consent of Council, and with the assent of said claimants, be, and hereby is authorised to appoint three Commissioners for the purposes in said preamble mentioned.

*Be it further resolved,* That the said Commissioners shall notify the Attorney General, and the possessors or occupants of said lands, the persons claiming to be proprietors thereof, of their time and place of meeting, and they shall have power to appoint a Clerk, and to send for persons and papers, and to issue proper process for this purpose, and shall make a return of their doings to his Excellency the Governor as soon as may be, after their said business is performed.

*Be it further resolved,* That it shall be the duty of the Attorney General to attend the meetings of said Commissioners in behalf of the claims of the Commonwealth.

And whereas his Excellency the Governor, by and with the advice and consent of Council, and with the assent of said claimants, and in conformity to the authority vested in

him by the resolve aforesaid, hath appointed the Honorable Jeremiah Smith of Exeter, in the county of Rockingham, and State of New Hampshire, William H. Woodward of Hanover, in the county of Grafton, in the State of New Hampshire, and the Honorable David Howell of Providence, in the State of Rhode Island, to be Commissioners for the purposes aforesaid, who have accepted the trust.

Now therefore, to carry into full effect the proposal and agreement of the said non-resident claimants, and the aforesaid proceedings and resolutions of the Legislature aforesaid, it is hereby mutually covenanted and agreed between the subscribers, to wit, Perez Morton in his official capacity as Attorney General of this Commonwealth, by virtue of the power and authority delegated to him by the Legislature aforesaid, in the Resolve aforesaid, doth hereby covenant and agree on the part of the Commonwealth aforesaid, to and with each of the non-resident claimants, subscribers hereto, and with all and each of the persons whom they, or any of them lawfully represent, his and their respective heirs, executors, or administrators. And the said non-resident claimants, subscribers hereto, each for himself and for the persons respectively whom they or any of them legally represent, doth hereby covenant and agree to and with the said Perez Morton in his aforesaid capacity of Attorney General, and his successor in said office, for the use of said Commonwealth, to submit to the final award, report, and determination of the aforesaid Honorable Jeremiah Smith, William H. Woodward, Esq. and Honorable David Howell, or any two of them, the merits and titles of their respective claims, to wit: the title of the Commonwealth and the possessors and occupants on the one hand, and the respective titles of all and each of the said non-resident claimants on the other hand, in and to the soil and property of all and any of the lands lying within all or any of the towns of Bristol, Edgecomb, New-Castle, Nobleborough, Waldoborough, Jefferson, and Boothbay. And the said Perez Morton, in his capacity aforesaid, and by virtue of his power and authority aforesaid, in behalf of the Commonwealth aforesaid, hereby covenants and agrees to and with each of the non-resident claimants aforesaid, subscribers hereto, and to and with each of the persons whom they or any of them lawfully represent, his and their heirs, executors, or administrators, that the said last named Commissioners, or any two of them, after a full hearing of the parties by

all three, shall have full power and authority to determine, both in law and equity, whether said non-resident claimants, subscribers hereto, or those whom they lawfully represent, or any or either of them, under their respective claims are, or is entitled to any part of the lands lying within any of the towns aforesaid, and what part they, or any, or either of them are, or is, so entitled to, in opposition to the rights, titles, and claims of the possessors and occupants of said lands, and in opposition to the rights, titles, and claims of the Commonwealth; and that the said Commissioners, or the major part of them, provided they shall determine that the said Claimants, or any or either of them, or any or either of those whom they lawfully represent, are or is entitled to any part of said lands, shall have full power and authority to estimate the value of the lands to which they may be so found to be entitled, as in a state of nature, unconnected with any improvement made by the settlement of said towns, and shall award an equivalent for the same in the unlocated lands belonging to the said Commonwealth, in the District of Maine, and shall determine the amount of such equivalent: and that the Commonwealth aforesaid will abide by and fulfil the determination of the said Commissioners, or a major part of them, after a hearing by all three, and will grant and convey to such non-resident claimants, subscribers hereto, and to those whom they lawfully represent, or their heirs, the amount of such equivalent so awarded as aforesaid, in the unlocated lands of the said Commonwealth in the District of Maine, whenever there shall be lodged in the office of the Secretary of the Commonwealth, the grants and conveyances of all the rights, titles, and claims of any such non-resident claimants to the lands lying within their respective claims in the towns aforesaid, duly and legally executed. And in consideration of the aforesaid covenants of the said Perez Morton, in his capacity of Attorney General as aforesaid, in behalf of the Commonwealth aforesaid, the said non-resident claimants, subscribers hereto, each for himself, his heirs, executors or administrators, and for the persons they represent; and their heirs, executors or administrators, do hereby covenant to and with the said Perez Morton in his capacity of Attorney General aforesaid, and his successor in said office, for the use of the Commonwealth aforesaid, that the said Commissioners, or any two of them, after a full hearing of the parties by all three, shall have full power and authority to determine, both in law and equity, whether they the said claimants, subscribers

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hereto, or any or either of them, or any or either of the persons whom they legally represent, under their respective claims, are entitled to any part of the lands lying within the boundaries of their respective claims, and what part they, or any, or either of them are or is so entitled to, in opposition to the rights, titles, and claims of the possessors and occupants of said lands, and in opposition to the rights, titles, and claims of the Commonwealth aforesaid; and that the said Commissioners or the major part of them, provided that they shall determine that the said claimants, or any or either of them, or any or either of those whom they lawfully represent, are or is entitled to any part of said lands, shall have full power to estimate the value of the lands to which they may be so found to be entitled, as in a state of nature, unconnected with any improvement made by the settlement of said towns, and shall and may award an equivalent for the same in the unlocated lands belonging to the said Commonwealth in the District of Maine, and shall determine the amount of such equivalent. And that they, the said non-resident claimants, shall and will, each for himself, abide by, fulfil, and perform the award and determination of the said Commissioners, or a major part of them, after a hearing of the parties by all three, and that they and each of them, and all and each of the persons whom they represent, shall and will, on the day of the first meeting of the said Commissioners, and before the hearing and discussion of the merits of their claims shall be had before said Commissioners, lodge in the hands of said Commissioners their several and respective deeds of grant and release of all their estate, right, title, interest, and claim, in and to all the lands lying within any of the towns aforesaid, and within their respective claims, to the Commonwealth of Massachusetts, and to the acceptance of the said Perez Morton, Attorney General aforesaid, or his successor in said office, to the end that the same may remain in the hands of said Commissioners until they shall make their final award and determination, and be returned and filed in the office of the Secretary of the Commonwealth, by the said Commissioners, with their report.

In witness whereof, the parties to these presents have hereto mutually set their hands and seals, in their respective capacities aforesaid, this eighth day of November, in the year of our Lord one thousand eight hundred and eleven.

SUBMISSION OF CLAIMANTS OF E. LANDS. 193

Signed, sealed and delivered,  
in the presence of

- |   |   |   |
|---|---|---|
| Benjamin Homans,<br>Edward M <sup>c</sup> Lane, | { | Perez Morton, Attorney General of the Commonwealth of Massachusetts, in behalf of said Commonwealth, being hereto authorized. (Seal)  |
| Benjamin Homans,<br>Edward M <sup>c</sup> Lane, | { | Daniel W. Lincoln, Attorney to heirs of Samuel Waldo. (Seal)  |
|   | { | Daniel W. Lincoln, Attorney to heirs of Thomas Livingsworth. (Seal)   |
| Benjamin Homans,<br>Edward M <sup>c</sup> Lane, | { | Thomas Follensbe, (Seal)  |
|   | { | Thomas Follensbe, Attorney for the Tappan heirs (Seal)  |
| Benjamin Homans,<br>Edward M <sup>c</sup> Lane, | { | Samuel Flagg, Jun. Attorney for the Drowne claim. (Seal)  |
| Thomas B. Adams,<br>Benjamin Homans,            | { | James Noble, for himself & the heirs. (Seal)  |
| Jeremiah Smith<br>William H. Woodward,          | { | Thomas L. Winthrop, Reuel Williams, in behalf of the proprietors of the Kennebeck purchase from the late Colony of New Plymouth. (Seal)   |
| Elliot G. Vaughan<br>James Noble,               | { | For Estwick Evans, William Evans, Benjamin Evans, Eliza Passmore, Samuel Peirce, Elizabeth Thompson, Katharine Evans, and Elihu Dearing :—<br>Estwick Evans, their Attorney. (Seal) |
| Benjamin Homans,<br>Edward M <sup>c</sup> Lane, | { | Elliot G. Vaughan, Attorney to the heirs at law of Elliot Vaughan, deceased. (Seal)   |
|   | { | Elliot G. Vaughan, Attorney to Hon. William Gray, Esq. (Seal)   |
| Benjamin Homans,<br>Edward M <sup>c</sup> Lane, | { | Samuel Flagg, Jun. (Seal)   |
| Benjamin Homans,<br>Edward E. Powars,           | { | Daniel W. Lincoln, Attorney to heirs of Josiah Stone. (Seal)  |
|   | { | Barker Curtis, Attorney to the heirs of William Hilton (Seal)   |
| Robert McLintock,                               | { | Simeon Miller, Attorney to heirs of William Hilton and wife. (Seal)   |
| Benjamin Homans,<br>Edward E. Powars,           | { | Elliot G. Vaughan, Attorney to Thurston Whiting (Seal)  |
|   | { | Elliot G. Vaughan, Attorney to Stephen Calef. (Seal)  |
| Benjamin Homans,<br>Edward E. Powars,           | { | Daniel W. Lincoln, Attorney to the heirs of John Peirce & Geo. Peirce. (Seal)   |
|   | { | Daniel W. Lincoln, Attorney to heirs of Joseph Hendley. (Seal)  |

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Benjamin Homans, Edward M'Lane.	{	Thomas Capen.	(Seal)
Benjamin Homans, Edward M'Lane,	{	George Sullivan, Attorney to the heirs of Benjamin and John Hathorne.	(Seal)
Edward M'Lane, Joseph Balch,	{	George Choate, by Daniel W. Lincoln his Attorney.	(Seal)
	{	Jonathan Cogswell, by Daniel W. Lin- coln his Attorney.	(Seal)
Joseph Peirce, Elliot G. Vaughan,	{	William Frazer, by William A. Fales his Attorney.	(Seal)
Edward M'Lane, Richard B. Hewes,	{	Robert Howard, by Samuel Cony his Attorney.	(Seal)
	{	Arthur Lithgow, by Samuel Cony his Attorney.	(Seal)
James Noble, Estwick Evans,	{	Elliot G. Vaughan, Attorney to Wm. Wentworth and Samuel Whitney.	(Seal)
Perez Morton, Benjamin Homans,	{	William Gray.	(Seal)
Samuel Flagg, Jun., George W. Coffin,	{	Daniel W. Lincoln, Attorney to heirs Margaret Stilton.	(Seal)
	{	Joseph Peirce.	(Seal)
	{	Benjamin Lynde Oliver, by his Attor- ney Joseph Peirce.	(Seal)
	{	Benjamin Lynde Oliver, as he is Guardian to Andrew Oliver, a per- son non compos mentis, by his At- torney Joseph Peirce.	(Seal)
	{	Daniel Oliver, by his Attorney Joseph Peirce.	(Seal)
	{	Thomas Fitch Oliver, by Daniel Oli- ver, by his Attorney Joseph Pierce.	(Seal)
Benjamin Homans, Edward M'Lane,	{	Sarah Oliver, as she is Guardian of Sarah Pyncheon Oliver, and Eliza Digly Belcher Oliver, by her At- torney Joseph Peirce.	(Seal)
	{	Ezekiel Savage, as he is Guardian of Peter Oliver, a person non compos mentis, by his Attorney Joseph Peirce.	(Seal)
	{	Benjamin Lynde Oliver of Boston, by his Attorney Joseph Peirce.	(Seal)
	{	Francis Brinley, by Nathaniel Brinley, by his Attorney Joseph Peirce.	(Seal)
	{	Nathaniel Brinley, by his Attorney Joseph Peirce.	(Seal)
Arnold Wells, Thomas English,	{	Henderson Inches, Attorney to Han- nah and Abigail Waterhouse.	(Seal)

The following is a list of the persons, who, on the second day of July, A. D. 1812, by their Attorney, signed a sepa-

SUBMISSION OF CLAIMANTS OF E. LANDS. 195

rate and special instrument of submission, of their claims, to the decision of the aforementioned Commissioners, which instrument is recorded in a book kept in the Secretary's Office, entitled, "Treaties, Contracts, &c." at page 175.

Daniel W Lincoln, and seal.  Signed, and sealed in presence of us. Benjamin F. Robb.	For and behalf of the heirs and claimants whose names are hereto annexed, by virtue of their special letter of Attorney for that purpose.	Thomas Johnson, and Sarah Johnson his wife. Samuel Jordan, and Lydia Jordan his wife. Jonathan Somes, Agnes Jones, William Grover, Jacob Davis.	} Heirs of Jn. Brown under Agnes Dooliver.
		George Denning, Alexander Campbell, and Mary his wife, Reuben Chandler, and Hannah his wife, Simeon Dennen, Thomas Moor, and Sarah his wife, Abigail Harlow.	} Heirs of John Brown, under Emma Demming.
		John Cousins, Levi Bartlett, Nathan Woodbury, Stephen Phelps, William Clark Whitney, Samuel Brown, Davis Woodward, Bial L. Rollins, Zebedee Cushman.	} Grantees of Heirs of Emma Demming.

Whereas some of the lines and boundaries of the claims exhibited under the foregoing covenant of submission extend into other towns than those mentioned in the said submission, but contiguous thereto, and other claims extend to islands, islets, and other places, not included within the bounds of any of the said towns : now therefore it is further covenanted by the said Attorney General, on behalf of the said Commonwealth, and the subscribers to this additional covenant, for themselves, and all those whom they lawfully represent, that the power and authority of the aforesaid Commissioners shall extend to extinguish in favor of the Commonwealth, in the manner mentioned in said covenant, the whole extent of the claims of the subscribers, non-resident claimants, within the boundaries of their respective claims,

196 SUBMISSION OF CLAIMANTS OF E. LANDS.

*Witnesses.*

Jeremiah Smith,  
William H. Woodward,

William H. Woodward,  
David Howell.  
Edward M<sup>c</sup>Lane,  
F. H. Wright.

Alden Bradford,  
D. W. Lincoln.

Joseph Peirce,  
Elliot G. Vaughan.

Samuel Flagg, Jun.  
Joseph Peirce.

Estwick Evans,  
Samuel Flagg, Jun.

Arnold Wells,  
Thomas English.

Perez Morton Attorney General for the Commonwealth. (Seal)  
 Daniel W. Lincoln, Attorney to the heirs of Samuel Waldo. (Seal)  
 Daniel W. Lincoln, Attorney to the heirs of Thomas Levensworth. (Seal)  
 Daniel W. Lincoln, Attorney to the heirs of Josiah Stone. (Seal)  
 Daniel W. Lincoln, Attorney to the heirs of George Peirce. (Seal)  
 George Choate, by his Attorney Daniel W. Lincoln. (Seal)  
 Jonathan Cogswell, by his Attorney Daniel W. Lincoln. (Seal)  
 Daniel W. Lincoln, Attorney to the heirs of Emma Denning. (Seal)  
 Daniel W. Lincoln, Attorney to the heirs of Margaret Siltton. (Seal)  
 Samuel Flagg, Jun. Attorney for the Drowne Claim. (Seal)  
 Samuel Flagg, Jun. (Seal)  
 Elliot G. Vaughan, Attorney to the heirs of E. Vaughan. (Seal)  
 Elliot G. Vaughan, Attorney to Wm. Gray, Esq. (Seal)  
 Elliot G. Vaughan, Attorney to Thurston Whiting. (Seal)  
 Elliot G. Vaughan, Attorney to Stephen Calc. (Seal)  
 James Noble, for himself and the heirs of Arthur Noble. (Seal)  
 Daniel W. Lincoln, Attorney to the heirs of John Atwood. (Seal)  
 Benjamin Homans, for the heirs of Thomas Homans late of Pownalboro'. (Seal)  
 Bachelder Bennett, by his Attorney William Jones. (Seal)  
 Mary Bennett, by her attorney William Jones. (Seal)  
 William Frazer, by William A. Fales his Attorney. (Seal)  
 Estwick Evans Attorney as before. (Seal)  
 Elliot G. Vaughan, Attorney to Wm. Wentworth and Samuel Whitney. (Seal)  
 Henderson Inches, Attorney to Hannah and Abigail Waterhouse. (Seal)

The additional submission contained in the two preceding pages, we have not regarded in making our award of this date, the same not being authorised by the Legislature.

JEREMIAH SMITH,  
WM. H. WOODWARD,  
DAVID HOWELL.

*Commonwealth of Massachusetts.*

Secretary's Office, January 22d, 1813.

A list of Deeds of release of lands in Nobleborough, Waldoborough, New-Castle, Edgcomb, Boothbay, Bristol, and Jefferson, to the Commonwealth, in conformity to a resolve of the Legislature, passed June 20th, 1811, with the names of the Releasers and of their Attornies, together with a statement of the names of the Claimants whose rights and titles are released and granted to the Commonwealth by said Deeds deposited in the Secretary's Office of said Commonwealth.

*Names of the Grantors and of their Attornies.*

*Names of Claimants whose rights or claims are released.*

- |  |   |   |
|--|---|---|
| Deed from James Noble, dated January 21st. 1812  | } | Brown Right, his claim to which, and all others is released.          |
| James N. Lithgow, Mary Davidson, and Charlotte Lithgow, by their Attorney, Arthur Lithgow, June 20th, 1812.  | } | Brown Right, his claim to which, and all others is released.          |
| Arthur Lithgow, January 17th, 1812.  | } | Releases and quit claims all his own right and title.                 |
| Charlotte Harrison, George Noble, Thomas and Jane Capen, Francis Noble, David Weatheren and Mary his wife, By James Noble their Attorney, January 1st, 1812. | } | They release their right and title under Brown claim, and all others. |
| William Vaughn, Sarah Rindge, Ammi R. Wise, Jane Wise, James Bail, Sally R. Bail, by Elliot G. Vaughn their Attorney, January 21st, 1812.                    | } | Whose title is founded on the Brown claim, and which is released.     |
| Elizabeth J. Vaughan, a minor, by her Guardian Elliot G. Vaughan.  | } | Whose title is founded on the Brown claim, and which is released.     |
| William Gray, by Elliot G. Vaughn Attorney. January 21st, 1812.  | } | Whose title is founded on the Brown claim, and which is released.     |
| Thurston Whiting, by Elliot G. Vaughn, Attorney. January 21st, 1812.   | } | Whose title is founded on the Brown claim, and which is released.     |
| Samuel Hilton, by D. W. Lincoln Attorney. January 20th, 1812.  | } | Whose title is founded on the Brown claim, and which is released.     |
| Elizabeth Fitzgerald by D. W. Lincoln Attorney. January 20th, 1812.  | } | Whose title is founded on the Brown claim, and which is released.     |

198 RELEASES BY CLAIMANTS OF E. LANDS.

*Names of the Grantors and of their Attornies.*      *Names of Claimants whose right of claims are released.*

- Alexander and Lucy Wolcot, by D. W. Lincoln, Attorney, March 11th, 1812. { Releases all right to Brown's claim and all others.
- Lucy Knox, March 24th, 1812. { Releases all right to Brown's claim and all others.
- Samuel Whitney, by E. G. Vaughn Attorney. June 29th, 1812. { Release all right to Brown's claim and all others.
- Abial (or Bial) Rollins, Stephen Benson, January 13th, 1812. { Release all right to Brown's claim and all others.
- Samuel and Lydia Jordon, Agnes Jones, January 8th, 1812. { Release all right to Brown's claim and all others.
- Samuel and Judith Morgan, February 22d, 1812. { Release all right to Brown's claim and all others.
- John Dewy, March 18, 1812. { Releases all right to Brown's claim and all others.
- Johnathan Cogswell, jr. January 20th, 1812. { Releases all right to Brown's claim and all others.
- George Choate, January 20th, 1812. { Release all right to Brown's claim and all others.
- John Cousins, Stephen Phelps, Henry Jackson, Zebedee Cushman, William C. Whitney, Levi Bartlett, January 13, 1812. { Release all right to Brown's claim and all others.
- Nathaniel Brown, June 26th, 1812. { His right to lands in said towns and on Muscongus Island.
- Robert Howard, January 17th, 1812. { His right.
- William Frazer, for himself and as Attorney to Alexander Frazer. November 24th, 1812. { Brown claim, and Pierce claim.
- Thomas Hilton, by D. W. Lincoln, Attorney. January 20th, 1812. { Brown claim, and Hathorne claim.
- Timothy Davis, William Preston, by D. W. Lincoln Attorney. February 25th, 1812. { Brown claim.
- Samuel Storer for Mary Lear, Sally Porter, and heirs of Hannah Mead, Zebulon Durgin, Hannah Leathers, and Polly Longly, by Zebulon Durgin. { Brown claim.
- William Jones.
- Samuel Jones, by William Jones and Hannah Clark's thirds.

RELEASES BY CLAIMANTS OF E. LANDS. 199

<i>Names of the Grantors and of their Attornies.</i>	<i>Names of Claimants whose right or claims are released.</i>
Benjamin Jones, Robert Neal. John Bodge. Margaret Shortridge by Robert Niel, jun. William Stilson. William Stilson for John and Lettice Stilson. Samuel Balsh for Mary Smith and William Seavey and wife. Mary Furnald, Abigail Trefethen, Guardians of Abram Trefethen William Furnald. Joseph Clark for James Trefethen, James Treadwell. William Trefethen, Polly and Lucretia Stuart, and heirs of Abram Trefethen, by William Trefethen. Thomas M. Shaw for Lucretia Shaw Samuel Batson for Anna Batson. Abram Trefethen, Joseph Ela. May 11th, 1812.	} Brown claim.
Thomas Tewksbury, Thomas Woodbury, Joseph Peale, by Simon Millar, Attorney. March 20th, 1812.	} Brown claim.
Mary Lufkin, Guardian to William and Louisa Lufkin, by Simon Millar, Attorney, Mary Peale by said Millar, Attorney. March 20th, 1812.	} Brown claim.
Proprietors of Kennebeck Purchase by their Committee, Thomas L. Winthrop, Robert G. Shaw, and Robert Hallowell. December 1st, 1812.	} Their own right and claim in said towns.
Joseph Peirce in his own right, and for Benjamin L. Oliver and for said Oliver, as Guardian to Andrew Oliver, for Daniel Oliver, Thomas F. Oliver, Sarah Oliver, as Guardian to Sarah P. Oliver, and Eliza D. Oliver, Ezekiel Savage Guardian to Peter Oliver. March 10th, 1812.	} Brown and Peirce claim.
Joseph Peirce, Francis Brinley by Nathaniel Brinley, and Nathaniel Brinley—by their Attorney, Joseph Peirce. March 18th, 1812.	} Drown claim by deed from Shem Drown.
Hannah Waterhouse, Abigail Waterhouse, by their Attorney, Henry person Inches. March 21st. 1812.	} Their title to lands at or near Bristol or Pemaquid and in said towns

200 RELEASES BY CLAIMANTS OF E. LANDS.

<i>Names of the Grantors and of their Attornies.</i>	<i>Names of Claimants whose right or claims are released.</i>
Thomas Capen, March 17th, 1812.	Their title to lands at or near Bristol or Pemaquid and in said towns, and all title derived from Pemaquid Proprietors.
Samuel Flagg, jun. January 22d, 1812.	Their title to lands at or near Bristol or Pemaquid and in said towns, and all title derived from Pemaquid Proprietors.
Samuel Flagg, Dolly Flagg, Thomas H. Condy, Nathaniel Kidder, Sarah Kidder, James F. Condy, Catharine Drown, Mary Drown, Samuel and Susanna Green, Henry and Lucy Wilkins, Sarah Drown, by their Attorney, Samuel Flagg, jun. January 27th, 1812.	Their title to lands at or near Bristol or Pemaquid and in said towns, and all titles derived from Pemaquid Proprietors, and power Shein Drown.
Thomas O. Selfridge and Susan G. Selfridge, Maria Condy, by their Attorney Samuel Flagg, jun. April 13, 1812.	Their title to lands at or near Bristol or Pemaquid and in said towns, and all title derived from Drown, and Pemaquid Proprietors.
Thomas Follensby, Joshua Follensby, Ebenezer Felton. January 1st, 1812.	Tappan claim, derived from William Philips and through him from Sachem Josle and Son, from Erle Douglas, and Witenose, said land lying in said towns.
Benjamin Follensby, Joshua Follensby. July 1st, 1812.	Their right and title to said lands, derived through Joseph Carleton to said Joshua Follensby.
Sam'l Thompson, Guardian of Eliza Thompson, a minor. June 24, 1812.	Brown claim, and also all other claims.
Katharine Evans, Estwick Evans, William Evans, and Benjamin Evans. June 20th, 1812.	Brown claim, and also all other claims.
Batchelor Bennet, and Mary Bennet, November 2d, 1812.	Brown claim.
Elihu Deering, June 20th, 1812.	Brown claim.
Thomas Lee, by his Attorney, D. W. Lincoln. April 20th, 1812.	Hathorne claim.
John McCutcheon, Ebenezer McCutcheon, John A. McCutcheon, Elizabeth McCutcheon, William H. McCutcheon, Mary H. Taylor, Michael O. Brine, Hitable O. Hathorne,	Hathorne claim.

*Names of the Grantors and of their Attornies.*      *Names of Claimants whose right or claims are released.*

Jonathan Symonds,  
Lucy S. Hathorne,  
Hannah H. Wyer,  
Mary Taylor,  
Hannah Parker,  
Betsey Townshend,  
William Hill,  
Lucy Symonds,  
Hitty Giles,  
by D. W. Lincoln, Attorney.  
March 18, 1812.

Hathorne claim:

Stephen Calef, by his Attorney,  
January 25th, 1812.

Allen claim and all others.

Hannah Smith, Samuel M. Thayer,  
Hannah Thayer, Rebecca T. Calef,  
by E. G. Vaughan, their Attorney.  
July 6th, 1812.

Allen claim and all others.

Thomas Johnson and Sarah Johnson,  
his wife, Samuel and Lydia Jordan,  
Jonathan Somes, Agnes Jones,  
William Grover, Jacob Davis,  
George Dennen, John Cousins,  
William C. Whitney, Nathan Woodbury,  
Stephen Phelps, Samuel Brown,  
Levi Bartlett, Davis Woodward,  
Bial L. Rollins, Zebedda Cushman,  
Abigail Harlow, Reuben and Hannah Chandler,  
Thomas and Sarah Moor, Alex and Mary Campbell,  
Simeon Denner, by their Attorney, D. W. Lincoln.

All right and title to lands in said towns, derived from a deed given by two Indian Sachems, Somerset and Unongoit, to John Brown, in 1625.

July 2d, 1812.

William Raymond in his own right,  
and as Guardian to William Raymond,  
Elizabeth Raymond and Benjamin Raymond,  
by D. W. Lincoln, Attorney. November 23d, 1812.

Brown claim or by any other person.

Thomas and Elizabeth Passmore.  
June 25th, 1812.

Brown or Peirce claim.

Hannah Dow, Joseph and Elizabeth Horsham,  
Isaac and Rebecca Allen, Amme Leach,  
Hannah Leach, Jacob Tewksbury and Hannah,  
his wife, Merian Leach, Benjamin and Hannah Hill,  
Benjamin Hill, Margaret Hill, Benjamin Hilton,  
Nabby Hilton, Amos Hilton, Charles Adams,  
Apphia Adams, Wm. and Peggy Girdler,  
Anna Storey, Anna Jones, Molly Neal, John Emerson.

Brown claim.

*Names of the Grantors and of their Attornies.*

*Names of Claimants whose right or claims are released.*

Molly Carrico, Sally Hill, Mary Cross, Joseph Hilton, William Hilton, Joseph Hilton, Jonathan and Molly Merritt, Israel and Sally Woodberry, John and Nancy Lynn, Richard Hilton, John and Anna McCurdy, Thomas and Elizabeth McCurdy, Jonathan and Jenny Peaslee, Benjamin and Lydia Hilton, Joseph and Susannah Linscott, Abraham and Peggy Hilton, Samuel and Ruth Waters, Samuel Hilton, Kenney Stanley and Elizabeth, his wife, Stilson Hilton and Louisa, his wife, Stilson Hilton, 3d.

Brown claim.

John and Anna Lendall, Thomas and Hannah Leach, Thomas Leach, Andrew Masters, and Susanna his wife.

Benjamin Leach, Amos Hilton, George Cross, John Cross, Nathaniel Hilton, Josiah Hartshorne Benjamin and Sarah Jones, Amos Hill, William and Rebecca Tuck.

John and Sarah Woodberry, Isaac and Annis Gallup, by their Attorney, Simeon Millar.

March 20, 1812.

*BOSTON, JAN. 25th, 1813.*

I hereby Certify, that the Deeds of which the foregoing is a correct List, have been severally examined by me, and are found to be satisfactory, and they have been by my direction, recorded in the office of the Secretary of the Commonwealth, in a book appropriated for that purpose.

PEREZ MORTON,

*Attorney General.*

*Secretary's Office, January 25th, 1813.*

Examined,

ALDEN BRADFORD,

*Secretary of Commonwealth.*

*Resolve for quieting Settlers on Lands in Bristol, Edgecomb, &c. in the County of Lincoln. February 25th, 1813.*

*Whereas*, certain persons claiming lands in the towns of Bristol, Edgecomb, New-Castle, Nobleborough, Waldoborough, Jefferson and Boothbay, have, pursuant to a resolve passed the eighteenth day of June, in the year eighteen hundred and eleven, submitted their claims to certain Commissioners, and released to the Commonwealth their respective rights and titles to the lands within said towns, and it is expedient that measures be adopted for quieting certain actual settlers upon said lands from the claims of this Commonwealth, on principles applicable to such actual settlers, but which are not to be considered as furnishing a precedent for any other cases.

*Therefore resolved*, That all persons, and their heirs and assigns, who, before the first day of January, in the year of our Lord one thousand seven hundred eighty-nine, went on any tract or lot of land within said towns for the purpose of clearing and cultivating the same, and making it the place of his settled abode, and actually resided on such lot by himself, or some person under him, before the said time, and cleared fit for mowing and tillage at least one acre of land, and built a dwelling house thereon, and still continues to reside on the same, and who shall produce satisfactory evidence thereof, in manner hereafter provided, to the persons appointed to receive the same, shall be quieted in the possession of such tract or lot, not exceeding two hundred acres to each settler, so as best to include his separate improvements, and not interfere with the actual possessions of others. Provided, that such actual settlers, their heirs or assigns, shall pay at the time and in manner hereafter described, at and after the rate of five dollars for each hundred acres of land to them respectively conveyed, with interest thereon, from the first day of June, in the year one thousand seven hundred and eighty-nine, and shall also comply with the other provisions of this resolve.

*Resolved further*, That all other persons, and their heirs and assigns, being actual settlers conformably to the foregoing description, shall be quieted in possession of the lots or tracts by them respectively claimed and possessed, not exceeding two hundred acres to each settler, so as best to include his separate improvements, and not interfere with the

actual possessions of others. Provided, that such actual settlers, their heirs or assigns, shall pay, at the time and in the manner hereafter described, at and after the rate of thirty cents for each acre to them respectively conveyed, and shall also comply with the other provisions of this resolve.

*Resolved further,* That his Excellency the Governor, with the advice of Council, be authorised to appoint two disinterested persons residing within a convenient distance from said towns, to be Agents in behalf of the Commonwealth, to make, execute and deliver to the persons respectively entitled to receive the same, deeds of release of the right and title of the Commonwealth to the lots or tracts to which such persons may be entitled, pursuant to the true intent of this resolve. And it shall be the duty of said Commissioners to appoint such times and places of meeting, within some one of said towns, as they may see fit ; the last of which appointments shall be within one year from the time of passing this resolve, of which notice shall be given by public advertisement, to be posted up in each of said towns, at least thirty days before the time of each meeting ; and at any of said meetings, the said Agents may proceed to examine the claims of said settlers, and in the name and behalf of the Commonwealth, to make, execute and deliver to them, severally, deeds of the lots or tracts to which they shall be found to be entitled, according to the true intent and meaning of this resolve, upon receiving from such settler the sums of money which shall be due and payable, in conformity with this resolve, and upon paying the further sum of seventy-five cents, which shall be in full for the making and taking the acknowledgment of each deed.

*Resolved further,* That the said Agents may make, execute and deliver any deed or deeds to such settlers, at any time when they may be ready to receive and pay for the same, and at any place which said Agents and said settlers may agree upon to receive the same.

*Resolved further,* That before any settler in either of said towns shall be entitled to receive his deed, a survey of such town, and of the lots and tracts claimed by such settlers, respectively, made by some sworn surveyor, and certified by the selectmen of such town, shall be produced and exhibited to the said Agents ; and in case of any controversy or dispute among said settlers, or any of them, respecting bounds or possession, the said Agents shall omit to make deeds of the

lots or tracts which shall be the subject of such controversy, and make a statement and report thereof to the Legislature.

*Resolved further,* That each of said Agents shall give bonds, with one or more sufficient sureties, to the Treasurer of this Commonwealth, to be approved of by the Governor, with condition to pay over from time to time, and without delay, into the Treasury, all monies by them respectively received in pursuance of this resolve, deducting therefrom two and one half per cent for receiving and paying the same.

*Resolved further,* That no deed to be made and executed pursuant to this resolve, shall effect the rights or claims of any actual settlers, claiming lands under any title not derived from the Commonwealth, or by possession merely, against each other; but all such claimants may pursue their legal remedies, as if no such conveyance had been made; and no such deed shall contain any covenant of warranty except against the claims of the Commonwealth.

*Resolved further,* That the said Agents shall make return of their doings, from time to time, to the Legislature; and in their final return, shall distinguish all those settlers, who, within one year from the passing of this resolve, shall not have paid for their lands, and received their deeds, so that legal process may be instituted against them for revesting in the Commonwealth its title to the same.

*Resolved further,* That the Agents aforesaid shall ascertain, and make return to the Legislature, of the quantity of land in said towns, belonging to the Commonwealth, to which no persons, being actual settlers, shall be entitled, conformably to this resolve.

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*Resolve authorizing the Agents for the sale of Eastern Lands, to execute a Deed to the Proprietors of the Kennebeck purchase. February, 27th, 1813.*

The Committee to whom was referred the report of the Commissioners appointed pursuant to a resolve of June 20th, 1811, to determine both in law and equity upon the claims of certain persons "claiming lands in the towns of Bristol and other towns," respectfully report the following resolves:

*Resolved,* That the Agents for the sale of Eastern Lands

be, and hereby are authorized to make, execute and deliver a good and sufficient deed, conveying to the Proprietors of the Kennebeck purchase (as a just equivalent for the lands, the title to which they have released to the Commonwealth) a tract of land, six miles square, of the unlocated lands belonging to the Commonwealth, in the District of Maine (excepting the townships lately purchased of the Indians, and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on St. Johns and Chaudiere roads, which have been surveyed to defray the expense of opening said roads) to be taken, chosen and laid out by the said grantees, in a body next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformably to the lines run by Messrs. Maynard and Holland, and not interfering with any location, which shall have been made prior to the location, which said Proprietors may make, and that a plan and return of the field book shall be laid before the Agent or Agents for the Commonwealth, for the sale of Eastern Lands, reserving four lots of three hundred and twenty acres each for public uses, viz. : one for the first settled minister ; one for the use of the ministry ; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be laid out near the centre of said tract, and to average in quality with the other lots thereon, and on the condition that the grantees or their assigns, shall cause to be settled fifteen settlers on said lands, within fifteen years from the date of the grant. Provided, however, that the said Proprietors of the Kennebeck purchase, shall, before the execution of the said deed, make and execute a good and ample letter of attorney under their seal, to be approved of by Governor and Council, with covenants not to revoke the same, constituting the Attorney and Solicitor Generals, jointly and severally, and their successors in office, their Attornies, in the name of said Proprietors, but for the use of the Commonwealth, to recover any of the lands which have been released as aforesaid, from all persons occupying the same, in as full and ample a manner as the said Proprietors themselves might have done before the execution of their said deeds of release. Provided, also, that the said Kennebeck Proprietors shall, within three years

from the passing of this resolve, locate said tract and cause the same to be surveyed into lots.

*Resolve authorizing the Agents for the sale of Eastern Lands, to execute a Deed to Catharine Drown and others.*

February 27th, 1843.

*Resolved,* That the Agents for the sale of Eastern Lands, be, and hereby are authorized to make, execute and deliver a good and sufficient deed, conveying to Catharine Drown, Sarah Drown, Mary Drown, Dorothy Flagg, Lucy Wilkins, Sarah Kidder, Susannah Green, Thomas Hollis Condy and James Foster Condy, (or if any of them be dead, the share of such deceased person to his or her heirs, as a just equivalent for the lands the title to which has been released to the Commonwealth) a tract of eleven thousand five hundred and twenty acres of the unlocated lands belonging to the Commonwealth in the District of Maine (excepting the townships lately purchased of the Indians; and lands contracted for by Messrs. Jackson and Flint, and excepting also the townships on the St. Johns and Chaudiere roads, which have been surveyed to defray the expence of opening said roads) to be taken, chosen and laid out by the said grantees, in a body next adjoining to lands now granted or surveyed, and in such a manner that the lines may be parallel with the townships already surveyed, and if located on the eastern boundary line of the Commonwealth, the survey is to be made conformably to the lines run by Messrs. Maynard and Holland, and not interfering with any former location, and a plan or return of the field book to be laid before the Agents for the sale of Eastern Lands, reserving four lots of one hundred and sixty acres each, for public uses, viz. : one for the first settled minister; one for the use of the ministry; one for the use of schools within the said tract, and one for the future appropriation of the General Court, to be located near the centre of said tract, and to average in quality with the other lots therein, and on condition that the grantees or their assigns, shall cause to be settled seven settlers on said lands, within fifteen years from the date of the grant, to be holden by the said grantees, their heirs and assigns forever, as tenants in common, in the following proportions :—  
The said Catharine Drown, Sarah Drown, Mary Drown;

Lucy Wilkins and Dorothy Flagg, six sixtieth parts each, the said James Foster Condy, Thomas Hollis Condy and Sarah Kidder, five sixtieths each, and the said Susannah Green, fifteen sixtieths. Provided, however, that the said grantees shall before the execution of the said deed, make and execute a good and ample letter of attorney, to be approved of by the Governor and Council, with covenants not to revoke the same, constituting the Attorney and Solicitor Generals, and their successors in office, jointly and severally to be their Attornies in their names, but for the use of the Commonwealth to recover any of said lands, which have been released as aforesaid, from all persons occupying the same. Provided, also that the said Proprietors shall, within three years from the passing of this resolve, locate said tract, and cause the same to be surveyed into lots.

---

*Resolve authorizing the Agents for the sale of Eastern Lands, to execute a deed to the heirs of the late William Vaughan.*

February 27th, 1813.

*Resolved,* That the Agents for the sale of Eastern Lands, be, and they hereby are authorized, to make, execute and deliver to the heirs of the late William Vaughan, (as an equivalent for services performed) one half of a township, six miles square, of the unlocated land belonging to the Commonwealth, in the District of Maine, excepting the lands excepted in the resolve, authorizing the grant to the proprietors of the Kennebeck purchase, herewith reported, to be laid out in the same manner, and subject to all the reservations, restrictions and conditions, provided in the said resolve, authorizing the said grant to the proprietors of the Kennebeck purchase, in the same manner as if the same were herein specially recited.

---

*Resolve for Paying the Commissioners on Eastern Land Claims.* February 27th, 1813.

*Resolved,* That there be paid out of the Treasury of this Commonwealth, to Jeremiah Smith, Esq. one of the Commissioners appointed by a resolve of the General Court of the 20th June, A. D. 1811, to settle the claims of certain persons to lands in the District of Maine, the sum of twenty dollars,

due to him for the balance of his expences, and the sum of eleven hundred dollars, in full for his services. Also, to David Howell, Esq. another of said Commissioners, the sum of eight hundred eighty-four dollars, which, with the sum of sixteen dollars due from him, shall be in full for his services. Also, to William H. Woodward, another of said Commissioners, the sum of eighty-two dollars, seventy-two cents, due to him for the balance of his expences, and nine hundred dollars in full for his services. Also, to Perez Morton, Esq. Attorney General, for his services upon the said Commission, the sum of two hundred dollars, and one hundred thirty-nine dollars, twelve cents, balance due of his expences ; and the Governor, with advice of Council, is hereby authorized to draw his warrants on the Treasury, in favor of those persons, respectively, for the several sums to them hereby granted.

COMMONWEALTH OF MASSACHUSETTS.

.....

*Secretary's Office, May 24th, 1813.*

By this, I certify, that the printed copies of the Resolves, (contained in this Pamphlet) passed by the General Court, at their Sessions in October, 1812, and January, 1813, have been examined, and compared, in the Office, with the Originals, and appear to be correct.

ALDEN BRADFORD,

*Secretary of the Commonwealth.*

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