

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE THIRTEENTH DAY

OF NOVEMBER, AND ENDED ON THE FOURTEENTH

OF DECEMBER, 1816.

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



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1816.



Commonwealth
of Massachusetts.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 13th NOVEMBER, AND ENDED ON

THE 14th DAY OF DECEMBER, A. D. 1816.



GOVERNOR'S SPEECH.



REPRESENTATIVES' CHAMBER, NOVEMBER 13th, 1816.

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

SPEECH :

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

THE special purpose of your convening at this season, being the choice of Electors of President and Vice-President of the United States, agreeably to a resolve that passed on the thirteenth day of June last, no suggestion of mine will be necessary to induce you to enter upon the execution of that important duty with all the deliberation which a due regard to the national interests and the honor of Massachusetts, can demand. The duty is not only important, as the

ultimate result of it may respect individuals, but as the continuance of the national government depends upon the choice of Electors, the obligation to perform it is imperative. The mode indeed, being optional, a diversity in practice among different states, and in the same state at different times, may be expected. But while the great, the imperative demand of the Constitution, in this particular, is fulfilled by the State Legislatures, agreeably to the dictates of their best judgment, there can be but little ground for the apprehension of mischief, in a discretionary selection of a constitutional mode.

Among the subjects which may probably solicit your attention, at the present time, the question respecting the separation of the District of Maine, may not be viewed as the least important. The people of the two sections of the State, between whom the question of separation is pending, were generally derived from the same origin, and were educated in the same principles of civil and religious liberty; and they and their fathers freely commingled their blood in combatting for their country's independence; and with one accord, united in framing the existing Constitutions of government. And while they have been highly respectable as a whole, they have been mutually satisfied and happy in the relation of members and brethren of the same family. May no root of bitterness spring up to alienate their affections, whether united or separate. Judging from the ingenuous and dispassionate manner in which the subject has been hitherto discussed in your respective houses, we may confidently hope that wisdom will mark its future progress. Influenced, as you undoubtedly will be, by a due respect for the interests and happiness of the people in both sections of the Commonwealth, and under the guidance of a spirit of candor and moderation, there can exist no cause to awaken our apprehensions of an inauspicious result.

A resolve that passed the Legislature on the fifteenth of June last, authorized and requested the Governor, with the advice of Council, to appoint one or more persons, at his discretion, and at such time, and in such manner as he might deem expedient, to present the accounts and claims of this Commonwealth, for military services rendered, supplies and munitions of war furnished, labor performed, and expenses incurred, during the late war with Great Britain, and arising in consequence thereof, to the government of

the United States, for allowance ; and to settle and adjust the same.

The subject of this resolve was, immediately after it had passed, submitted to the Council, and after due consideration, a postponement of the appointment of an Agent or Agents, for the purposes expressed in the resolve, was advised. The advice of Council was understood to be grounded upon the opinion, that some special legislative provision of the national government was prerequisite to the settlement of our accounts at the War Office. If I mistake not, the report of the then Secretary of War, made to Congress in March last, is decisive on this point. The correctness of the advice of Council has since been supported by a coincident opinion of all the members of Congress whom I have had an opportunity of consulting upon the subject under consideration. That you may be fully possessed of the measures which had been adopted prior to the passing of the resolve of the fifteenth of June last, the Secretary will lay before you a copy of the proceedings of the Council the last year, resorted to with the design of having the amount and the items of our accounts and claims against the United States, brought into the view of the general government.

It will now rest with your wisdom, gentlemen, to allow the subject to progress in the course contemplated by the resolve last mentioned, or give it some other direction, which you may deem more eligible.

I have received from the Honorable James Monroe, Esquire, Secretary of State, a letter, dated the twenty-fifth of October last, communicating the agreeable information, that lands belonging to some of the citizens of Massachusetts, on Moose Island, which had been withheld from them by the orders of the Governor General of Canada, had recently, by the interposition of the National Executive, been restored to them. A copy of the letter I have instructed the Secretary to lay before you.

I have, at the same time, the satisfaction of communicating to you, Gentlemen, a copy a letter I have received from the Ordnance Department of the United States, by which I am informed, that where arms and equipments may be found due to a State, on the apportionment of its quota according to law, the Ordnance Department is desirous, and will be prepared, to supply the same without delay. According to a

return made to me by the Quarter-Master-General, I find that the Commonwealth has received only thirty-one hundred muskets, without any equipments, since the law of the United States, appropriating two hundred thousand dollars annually for arming and equipping the whole body of the militia, was passed on the twenty-third day of April, 1808. We may therefore, I apprehend, confidently look forward to the period when we shall not only receive the number of arms now due to us, but when the ranks of our militia may be relieved from the present burden that falls heavily upon a large proportion of them, of furnishing their own arms and equipments for the public defence. The balance due to Massachusetts I am unable to ascertain, as the data upon which the ratio is to be deduced, are not within my control. But the necessary measures are in train for ascertaining and receiving the amount. While on this subject, I would suggest for your consideration, the propriety of authorizing and directing the Quarter-Master-General to cause all the muskets belonging to the State, to be designated by an appropriate mark or stamp.

The annual return of the militia, made by the Adjutant-General, and four returns from the Quarter-Master-General, marked No. 1, 2, 3, and 4, will be laid before you by the Secretary. In referring to the return of the militia, I am led to mention to you, Gentlemen, that in the course of the past autumn, I have had an opportunity of seeing a considerable number of the regiments and brigades of the militia of this Commonwealth; and it is but doing justice to them to observe, that their arms were efficient, and in good order, that the appearance of the men was generally highly martial, and their movements correct. It is likewise due to the liberality and wisdom of the Legislatures of several former periods, to observe, that much of the regularity of the militia, of the uniformity of their discipline, and of the intelligence of the officers, is to be ascribed to the system of discipline, and other means of information, that have been placed, at the public expense, at different times, in the hands of the officers.

In conclusion, I avail myself, of the occasion, Gentlemen, to felicitate you upon the continuance of peace, upon the prevalence of good order, the restoration of public credit, and the general aspect of prosperity, contentment and happiness, which our country exhibits. Commerce, if not ex-

empt from restrictions, which other times and different conditions of the world did not impose, employs an immense capital, and demands and circulates all the surplus products of our country.

Immunity from pecuniary embarrassments at the termination of a war unequalled in modern times in duration, that had subverted the principles of social order, of political economy and regular commerce, through a great part of the civilized world, was utterly impossible. After such an arduous and dreadful conflict, time is necessary to tranquilize the world ; to allow the faculties of men duly to estimate the new relations that peace has produced among nations ; and for individuals to accommodate their feelings, views and habits to the actual state of things. Happy will it be for us, if we learn wisdom from experience : if from the force of circumstances, we are taught the value of circumspection and economy, of industry and moderation.

Wishing you, Gentlemen, all the satisfaction that can result from faithful endeavors to render your constituents happy, I only add a tender of any facilities in my power to aid your efforts.

J. BROOKS.

Council Chamber, Nov. 13, 1816.

ANSWER OF THE SENATE.

May it please your Excellency,

THE Senate have received with the respect due to the Chief Magistrate, the communication which your Excellency has been pleased to make at the opening of the session; and trust, that in the discharge of the duty for which the Legislature have more especially convened, they have been governed by the principles which your Excellency has recommended, and which a due regard to the "national interests, and the honour of Massachusetts," required them to observe.

The right of the Legislature to appoint, at their discretion, Electors of President and Vice-President, is, we presume, no longer questioned; and the Senate entertain no doubt, that the mode which has been adopted, is proper in itself, and most convenient, and least expensive to the Commonwealth.

The Senate of Massachusetts cannot view the result of the election as it "may respect individuals," with indifference, or consider it unimportant, on whom the suffrages of the State may be bestowed. Yet the salutary lessons which calamity has inculcated, and the recent adoption of those measures, by which the earliest operations of the federal government were so successfully distinguished, afford pledges, we hope, that the peace of the country will not be rashly sacrificed, or its commerce abandoned; whoever may be elevated, by the will of the people, to the supreme authority.

The subject of the separation of the District of Maine, so important in the consequences that may result from it; and the deep interest which it has excited, will receive our earliest attention. With the people of that portion of the Commonwealth, we have long lived as brethren. They are generally derived, as your Excellency has been pleased to observe, from the same origin, and have been educated in the same principles with ourselves. The liberality and

moderation which your Excellency considers the Legislature to have evinced, in past measures on the subject, will, we have no doubt, continue to be manifested. If we are yet to remain united, we trust that union may continue to be a blessing to us ; and if separated, that we may not therefore *be divided against each other* ; that as we have lived in harmony, they may part from us in peace, and that instead of bitterness and reproach, the wisdom from above, which is *pure and peaceable*, may influence and guide them.

The claim of Massachusetts on the general government, for expenses incurred during the late war, is so equitable in itself, that we cannot doubt, that a speedy provision of the national legislature on this subject, will facilitate its adjustment : and that no local or party feelings will be permitted to usurp the place of that liberal and magnanimous policy, which renders *equal and exact justice to all*, and is alone worthy of the dignity and character of the national councils. In the measures which may be deemed expedient, in bringing this important subject to a conclusion, your Excellency may rely on every aid, in the power of the Senate to afford.

We participate in the satisfaction expressed by your Excellency, at the restoration of a part of the property, of which our citizens were deprived during the late war ; and in the prospect, that this State will shortly receive its proportion of arms and equipments from the Ordnance Department.

The improved and improving state of the militia throughout the Commonwealth, is a subject of pride and congratulation. They are the ornament and defence of the land ; and while their present order and discipline is to be attributed as well to the wisdom of past legislatures, as to the energy and intelligence of their officers, we trust that every necessary aid and encouragement will continue to be given to them. We are happy also, that their exertions the present season have been rewarded by the approbation of one, who has himself exemplified, how illustrious is the union of valour with virtue, and how graceful are the laurels which encircle the sword of the patriot.

After so long a period of public calamity, prosperity seems to be returning to us ; and new channels are opened for the display of our former industry and enterprize. The Senate of Massachusetts rejoice with your Excellency, at the tranquillity which has succeeded to the commotions of

the last twenty years ; the restoration of public credit and commercial intercourse ; the liberal aids afforded to the cause of religion and charity ; and the increased brightness and diffusion of the light of literature and science. Time must indeed be allowed for individuals to accommodate their habits and pursuits to the revolution, which has changed all the political and commercial relations of the world. Yet have we not suffered in vain, if misfortune has taught us wisdom ; if we have learned the necessity of economy, and the vanity of profusion ; if, finally, we have reaped those precious fruits of experience, which will enable us to subdue the passions, and correct the vices, which have exposed us to our late evils and privations ; we shall then more justly appreciate the blessings we enjoy ; shall be more ardently engaged in preserving and communicating them, and in cherishing those ancient and venerable institutions of knowledge, morality and piety, which it is our truest interest to patronize and protect.

In the advancement of these measures, the Senate of Massachusetts tender to your Excellency assurances of their most zealous co-operation and support.

ANSWER

OF THE

HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE Legislature, at their last session, having exercised their discretionary power, of determining in what mode the Electors of President and Vice-President of the United States should be appointed, by resolving that they should be chosen by the joint ballot of both branches of the Legislature in convention, have performed that important duty, by the choice of two Electors at large, and of one resident in each congressional district in the State. This mode of appointment has twice before been adopted by us, and as most of the States in the Union have provided for the appointment of their Electors, either by a general ticket, or by the Legislature, thereby securing to themselves a representation of the undivided will of the majority, it was thought expedient that the will of the majority in this State, which is fairly represented in the Legislature, should also be expressed by us. As it had been determined to complete the usual business of the year at this session, their appointment in this manner, it was also considered, would be the least expensive. The sentiments of most of the Electors being known, and many of the candidates for the office, in various parts of the country, having pledged themselves to vote for such persons as had previously been designated, it is not expected, that the exercise of our privilege, at this time, will affect the result of the election. Our votes, even if given for the most prominent candidate, will not be requisite for his choice; and, if given for any other, will be unavailing: Yet, by our performance of the obligations imposed on us by the Constitution, under such circumstances, we evince an attachment to the Union of the States, our estimation of our rights, and our unwillingness to surrender our elective privileges. Having regard to the spirit of the Constitution, such judicious and discerning men have been appointed Electors, who, by their

residence in various parts of the State, their knowledge of the local interests of the people, and their acquaintance with the public sentiment, we doubt not will duly regard our own honor and the national interests.

The question of the separation of the two great sections of the State, inhabited by people who were, generally, "derived from the same origin, educated in the same principles of civil and religious liberty, and who, and their fathers, freely commingled their blood, in combatting for their country's independence, and united in framing the existing constitution of government," shall receive that ingenuous attention, and be discussed in that dispassionate manner, which the importance of the subject, and your Excellency's recommendation, require. Having a due respect for the interests and happiness of the people of both sections of the Commonwealth, and under the guidance of that spirit of candor, which you are pleased to say, has heretofore distinguished our proceedings; we trust that "no root of bitterness will spring up" to alienate the affections of a people from each other, who have been highly respectable as a whole; and "have been mutually satisfied and happy in the relation of members of the same family."

The subject of the resolve of the fifteenth of June last, making provision for causing "the claims of this Commonwealth, for the expenses incurred for the general defence, during the late war, to be presented to the government of the United States, for allowance," the House of Representatives will consider, with that attention, which the importance of the subject demands.

The Constitution of the United States having vested in Congress the power, "to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections and repel invasions," the Commander in Chief of this Commonwealth, by the advice of Council, and in concurrence with the opinion of the highest judicial tribunal of the State, exercised the power, which in their opinion, was constitutionally required of him, of determining, when any of the exigencies aforesaid existed. As in the early part of the war, the militia of Boston, Salem, and other populous places, were sufficient, it was not necessary that other troops should be detached for their defence; while those requested by the orders of the President, for the protection of our

eastern frontier, where the population was more scattered, and incursions might more easily be made, were detached, and stationed at Eastport and Robbinston, and placed in the service of the United States.

While the ships of the enemy, in the first year of the war, were, generally, cruising separately, for the purpose of making maritime captures, and no preparations were made for landing, the militia, already organized, armed, drilled, and well provided with amunition and military stores, by remaining at their several homes, on the seacoast, could more readily rendezvous at the place of alarm, and would form a more adequate defence of the whole, than if they were actually embodied in separate places, thereby inviting attack upon those left exposed.

It will, perhaps, be admitted as a general principle, that the inducement which an enemy's ship has to make a sudden attack on a town, or place, for the purpose of producing alarm among the inhabitants, will be increased in the ratio of the population of such place ; and in the ratio of our population is the strength of our militia. It was, therefore, the opinion of the Chief Magistrate, that by " detaching a part of the militia, and distributing it into small portions, the defensive power would be diminished." To guard against dangers, however, which were not apparent, soon after the declaration of war, a general order was issued, vesting every officer in the State with a discretionary power to call out the militia under his command, " in case of actual invasion, or whenever, in his opinion, there was such imminent danger of invasion, as would not admit of delay," without waiting for the particular order of the Commander in Chief, or or even those of his superior in command. The experience of a year afforded good evidence, both of the sufficiency and economy of this mode of defence. But in the latter part of the war, when the enemy's fleets appeared in force, with troops on board, prepared for invasion, then the militia from the interior of the State were called out, and embodied ; some of them detached for the service of the United States, were placed in their garrisons ; others, under the command of their own officers, and in the service of the State, were stationed in forts, which were either erected by the patriotic labors of our citizens, or at the expense of the Commonwealth, and the residue, in other situations of imminent danger, where they could most easily co-operate with those on

the coasts, who were still kept in reserve. Thus the whole extent of our maritime frontier presented to the enemy one general line of defence. While in many towns vast expenditures of money and labor for the erection of forts and for providing the means of defence, were made by the voluntary contributions and efforts of our citizens, in others, the troops of the State were employed in fatigue duty, and by them many of the United States' forts in Massachusetts Proper, and all of them in Maine were strengthened, and new works were erected to increase the means of protection and security. This State, which had already furnished more sailors for our navy, and more recruits for the army than any other, and which had been unwillingly involved in war, when the national credit was low, when public confidence had ceased, and when the Treasury of the United States was exhausted, opened its coffers, extended its credit, and employed all its resources for the general defence. Without the means thus furnished, it would have been impossible to have prevented a greater portion of it from being possessed by the enemy.

Can a claim for services thus rendered, and for expenditures thus made, the propriety and necessity of which were never doubted, be refused? Every principle of honor and justice represses the indulgence of such an apprehension.—The President's Message, at the opening of the last session of Congress, in which he says, that "there will probably be some addition to the public debt, upon the liquidation of various claims which are depending, and a conciliatory disposition on the part of Congress, may lead honorably and advantageously to an equitable arrangement of the militia expenses incurred by the several States, *without the previous sanction or authority of the government of the United States,*" authorizes different expectations. Such a refusal, by a government, whose duty it was to protect the several States from invasion, but which at this time had not sufficient means within its control, would tend to produce distrust and jealousy; to alienate the affections of the people from their government; to weaken their confidence in the justice of their rulers; and would eventually destroy that spirit of conciliation and harmony which happily prevails throughout our country. We indulge the fond hope, that the candor and moderation which now characterize the measures of the national government, will soon eradicate those prejudices against separate sections of our country, which were found-

ed in error or misinformation ; and which, so long as they are cherished, will prevent that hearty co-operation, in the means of self protection, which experience has proved to be more necessary in the States of a confederacy, than in a government of a more consolidated form.

Although we do not doubt the correctness of the advice of council, confirmed as it was by the coincident opinion of such of the Members of Congress from this State, as were consulted upon the subject ; yet we cannot refrain from expressing a confident belief, that when our claim supported by regular vouchers, shall be presented, it will be received and allowed, with the claims of other States, founded on the same principles.

We receive great satisfaction from the information your Excellency has communicated, that the Ordnance Department of the United States is prepared to supply the quota of arms and equipments, due to this State, under the Law of the United States of the 23d day of April, 1808, " appropriating \$200,000 annually, for arming and equipping the whole body of the militia." As Massachusetts is entitled to about one tenth part of the arms which have been contracted for or purchased by the sum of \$1,600,000, which has been appropriated for the purpose, we may confidently look forward to the period, " when the ranks of our militia may be relieved from the burthen, which falls heavily on a large portion of them, of furnishing their own arms and equipments for the public defence ;" and the State from the necessity of making such large appropriations, as have heretofore been deemed expedient for their purchase.

It is a subject of congratulation, that your Excellency has availed yourself of several opportunities of reviewing a number of the regiments and brigades of the militia, this autumn : and, " that their arms were efficient, and in good order ; the appearance of the men, generally, highly martial ; and their movements correct." Animated by the bright example of him, for whose former services they are grateful, and to whose experience in the highest military department of the State, their improvements may, in a great measure, be ascribed, we do not doubt, that under the direction of skillful officers, the militia will long continue to be the ornament and security of the State.

We cordially reciprocate your Excellency's congratulations, upon the " general aspect of prosperity, contentment

and happiness which our country exhibits." It could not be expected, that the people would immediately accommodate their feelings, views and habits, to such a sudden change, as was produced by the termination of a conflict, in which the whole world seemed to have been engaged. When those habits of frugality and temperance, necessary in the existing state of things, are established; when, by the extension of commerce, the enterprize of our merchants shall have discovered the most lucrative sources of trade; when our imports shall be reduced to the value of our exports and the demand for consumption, we may anticipate the enjoyment of most of the blessings resulting from a general peace. Yet, even then, the employment of our tonnage, which heretofore engaged the labour of a large part of our population, will not be increased; nor its value, which constituted so large a portion of our capital, be enhanced. Though the price of ships in every quarter of the globe has greatly diminished, the excessive reduction of ours must principally be imputed to the practical operation of our treaty with Great Britain; which, while it admits the prohibition on her part of the importation of any article of our own growth, produce or manufacture, in American ships, into her West-India colonies, authorizes the entrance into our ports of British ships with the produce of those colonies. Thus has she become the carrier of all articles which are the growth, produce or manufacture of both countries. May we not be permitted to anticipate, from the friendly relations existing between us, that some amicable arrangement will soon be made, by which our commercial operations with those colonies, shall better conform to those principles of reciprocity, upon which the treaty was intended to be founded.

May no ambitious desire for the extension of our territory, and no exalted opinion of our strength, interrupt our enjoyment of peace, the greatest blessing of Heaven to a nation. And if war with any foreign power should unfortunately befall us, may it appear on our part to be founded on principles which shall render it both just and necessary. "Happy will it be for us, if we learn wisdom from experience: if from the force of circumstances, we are taught the value of circumspection and economy, of industry and moderation."

In the adoption of measures for the public happiness, the House of Representatives tender to your Excellency their most cordial co-operation.

RESOLVES.

NOVEMBER, 1816.

CHAP. LXXV.

Resolve authorizing the Circuit Court of Common Pleas for the Western Circuit, to receive returns of votes for a Register of Deeds, for the County of Worcester. November 18th, 1816.

Resolved, That the Justices of the Circuit Court of Common Pleas for the Western Circuit, at the term of said Court, next to be holden at Worcester, within and for the county of Worcester, on the second Monday of December next, may open and examine the returns of votes from the several towns in said county, for a Register of Deeds, made returnable to said Court; and in case of a choice may declare the same, and proceed in the same manner as if said term were a regular term, for the transaction of session business; and the said returns and proceedings thereon shall be valid; and in case there shall be no choice, the said Justices may then and at each successive term of said Courts of Common Pleas, until a choice is effected, proceed with regard to the election of Register in the same manner as any Courts for the transaction of session business are now by law authorized to do.

CHAP. LXXVI.

Resolve on the Petition of Nathan Noyes.
November 18th, 1816.

Resolved, That the Committee of Accounts be authorized to examine the account of Nathan Noyes, of Newburyport, in the county of Essex, physician, for medical aid, medicine, and attending to State paupers, and to allow the same, or any part thereof, if they think proper, notwithstanding said account is of more than two years standing; any Resolve to the contrary notwithstanding.

CHAP. LXXVII.

Resolve on the Petition of Ephraim Lincoln, authorizing the sale of the Estate of Minor Children of Metapher Chace, Esq. deceased. November 20th, 1816.

On the petition of Ephraim Lincoln, of Leominster, in the county of Worcester, guardian of Abigail and Louisa Chace, of said Leominster, minors and children of Metapher Chace, late of said Leominster, Esquire, deceased, setting forth, that as heirs of said Metapher, they are seized in common and undivided of one seventh part each of the reversion of two acres and fifty-eight rods of land, with a dwelling-house and barn thereon, situate near the meeting-house in said Leominster, bounded, beginning at a heap of stones near the house, and runs west twenty-three degrees north, thirty-one and a half rods by the road, then north thirty-one degrees east, twelve rods, by land improved by Jacob Hall, then east twenty-three degrees south, thirty-one and three fourths of a rod to the road leading to Lunenburg, then south thirty-three degrees west by said road twelve rods to where it began, being part of the land set off to their mother Maria Chace, as her dower in the estate of said Metapher deceased :

Resolved, For reasons set forth in said petition, that the said guardian be, and he is hereby authorized and empowered to sell all the right, title and interest of the said

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Abigail and Louisa, in the premises aforesaid, at private sale, to the inhabitants of the town of Leominster, or to such individual or individuals as the said Maria and the other children of said deceased, or their or either of their Assigns, may sell the same to, and upon such terms and conditions as the owners of the other five sevenths of the reversion of said premises, shall agree upon; and good and sufficient deed or deeds of conveyance thereof to make and execute, which deed or deeds, when duly acknowledged and recorded in the registry of deeds for the county of Worcester, shall make a complete and legal title of the right of the said Abigail and Louisa, in the premises to the purchaser or purchasers thereof: *Provided* the said Ephraim Lincoln first give a bond with sufficient sureties, to the Judge of Probate for the said county of Worcester, that the proceeds of such sale, after the payment of the just debts of the said Abigail and Louisa, taxes, and other legal expenses and incidental charges, shall be put on interest on good security, and that the same shall be disposed of agreeable to the rules of law.

CHAP. LXXVIII.

Resolve appropriating \$10,000 for the State Prison.
November 20th, 1816.

Resolved, That there be allowed and paid out of the public Treasury, for the use of the State Prison the sum of ten thousand dollars, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer for said sum accordingly.

CHAP. LXXIX.

Resolve authorizing the Treasurer to sell and transfer Stock to the Boston and Union Banks.
November 20th, 1816.

Whereas by the ninth section of the several acts incor-

porating the President, Directors and Company of the Boston Bank, and the President, Directors and Company of the Union Bank, the said Corporations are each held and obliged, after nine months notice, to purchase of the Commonwealth, it's share of the Capital Stock owned in the said Banks, or any part thereof, at par; *provided*, that not more than one half of said Stock shall be purchased at one time: And whereas, in pursuance of a Resolve passed the fifteenth day of February last, the Treasurer of this Commonwealth did, on the twentieth day of the same month, notify each of those Corporations to purchase the said Stock, according to the terms and conditions specified in their respective acts of incorporation, whereby the payment of one half of said Stock will become due and payable on the twentieth day of November instant:

And whereas the Corporation of the Boston Bank have signified their readiness to purchase the whole of the said Stock, at the same time at par, and make payment in the following manner, viz:

In notes issued by the Treasurer, for monies borrowed of the said Bank, for the use of the Commonwealth, to the amount of	32,000
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In Massachusetts six per cent stock, issued to the said Bank, for monies loaned to the Commonwealth, for defence,	183,000
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And in six per cent funded stock of the United States, now in the hands of said Bank, being the unredeemed balance of six hundred thousand dollars, originally deposited by the Commonwealth, at par, for the share of the Commonwealth's stock in said Bank,	113,136
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And the residue, in money payable in three months, with interest, being	271,864
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Making	600,000
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And the Corporation of the Union Bank having signified their readiness to comply with the requisition made on them to purchase the one half of the Commonwealth's stock in that Institution, at par, by paying therefor, as follows, viz:

Notes issued by the Treasurer, for monies borrowed of the said Bank, for the use of the Commonwealth, to the amount of	10,000
In Massachusetts six per cent stock, issued to said Bank, for monies borrowed for the use of the Commonwealth, for defence,	148,250
And the balance, in money payable in three months, with interest,	41,750
	<hr/>
Making	200,000

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and empowered, to sell and transfer to the President, Directors and Company of the Boston Bank, the whole of the capital stock belonging to the Commonwealth, on the terms and conditions stated in the foregoing preamble; and to sell and transfer to the President, Directors and Company of the Union Bank, one half of the capital stock belonging to the Commonwealth, on the terms and conditions stated in the foregoing preamble.

Resolved, That as soon as the said Boston and Union Banks shall have so purchased the capital stock belonging to the Commonwealth, as aforesaid, the capital stock in those Banks shall be reduced in the same proportion: *Provided*, however, that the said Banks shall each be holden to pay such tax as is, or may be required by law, in proportion to the capital which such Bank may respectively have. *Provided also*, that the Commonwealth shall never at any one time, stand indebted to said Banks without their consent, for a larger sum than twenty per centum of their capital stock, any thing in their acts of incorporation to the contrary, notwithstanding.

CHAP. LXXX.

Resolve on the proceedings of a Parish in Alfred.
November 23d, 1816.

On the petition of John Holmes, in behalf of the Congre-

gational parish, in Alfred, in the county of York, setting forth that the proceedings of said Parish, in the choice of parish officers, and in other respects, were irregular, and praying that they may be made valid :

Resolved, That the proceedings aforesaid be made valid and effectual, to all intents and purposes, said irregularities notwithstanding.

CHAP. LXXXI.

Resolve on the petition of Mary Dolbear and others, in an action with the heirs of Gibbs Atkins, deceased.

November 23d, 1816.

On the petition of Mary Dolbear, in her own right, and as Guardian to Nancy Dolbear, Joseph Dolbear, and Elizabeth Dolbear, minors ; Nathaniel Bell, Robert Farnum, and Thomas Edmonds, Guardian to John Farnum, a minor, praying for the assistance of this Commonwealth, in defence of a certain action brought by Elizabeth Gilbert et al. heirs at law of Gibbs Atkins, late of Boston, in the county of Suffolk, deceased, against said Nathaniel Bell, their tenant in possession, to recover possession of a certain messuage or parcel of land situated at the corner of Middle-street and Proctor's lane, in said Boston, which was conveyed by this Commonwealth to Nathaniel Hickman, late of said Boston, deceased ; under whom the said petitioners claim as heirs at law, by deeds of warranty :

Resolved, For reasons set forth in said petition, that the Attorney General, or Solicitor General of this Commonwealth be, and they, or either of them, are hereby authorized to appear on behalf of this Commonwealth, and take upon them the defence of said action, brought by said Elizabeth Gilbert et al. against said Nathaniel Bell, as the tenant in possession of said real estate, under the said petitioners ; or to prosecute any writ or writs of review in said action, and to examine into the title of Elizabeth Gilbert and others thereto ; or to commence and prosecute any suit or action in the name of the Commonwealth, for the benefit of the said Mary, and others, the petitioners herein mentioned, and at

their expense, which shall be necessary to determine the right and title to the premises.

CHAP. LXXXII.

Resolve authorizing Abner Fiske, as Administrator on the Estate of David Fiske, jun. of Holliston, to execute a deed. November 23d, 1816.

On the petition of Abner Fiske, Administrator of the estate of David Fiske, jun. late of Holliston, in the county of Middlesex, deceased, setting forth that the said David Fiske, jun. in his life time did contract with Timothy Fiske, of the same Holliston, physician, to exchange with him certain lands and premises described in said petition, and to pay him the sum of one hundred and five dollars, the estimated difference in the value of said premises, but died before the necessary deeds could be made and executed; and that it would be for the interest of the heirs of said estate and all concerned, to have said contract carried into full and complete effect: Therefore,

Resolved, That the said Abner Fiske, as he is Administrator of the estate of the said David Fiske, jun. deceased, be, and he is hereby authorized and empowered to execute a good and sufficient deed to the said Timothy Fiske of a tract of land lying in said Holliston and bounded as follows, viz. beginning at the south-west corner of the Cow-yard wall, belonging to the heirs of said estate; thence one hundred and twenty feet by said wall, northerly, to a stake and stones; thence westerly by said heirs' land one hundred and eighty-two feet to a stake and stones at Bogestow brook; thence down said brook one hundred and fifteen feet to a stump and stones in the brook; thence easterly on said Timothy's land one hundred and eighty feet as the wall now stands to the bounds first mentioned, containing one half of an acre, be the same more or less, together with the dairy house and sheds, and yard room contiguous south, and bounded, beginning at a stone set up on end at the Cow-yard at the north east corner of the premises; thence south-erly, eighty feet to a stone at the town way; thence west-

erly by said way to the brook; thence up said brook to a stone and stump in the brook; thence easterly, southerly and easterly to the bounds first mentioned. And also to pay to the said Timothy Fiske the sum of one hundred and five dollars, from the estate of said deceased: and the Judge of Probate for the county of Middlesex, is hereby authorized to allow said sum to said Administrator in the settlement of his account of administration: *Provided nevertheless*, that previous to the delivery of said deed, and the payment of said sum of money, the said Timothy Fiske shall execute and deliver to Betsey Fiske, Timothy Fiske, Hannah Fiske, Reuben Eames Fiske, and William Fiske, the children and heirs at law of the said David Fiske, jun. deceased, a good and sufficient deed of the following tract of land with the buildings thereon, to wit, bounded, beginning at the south east corner of the house; thence through said house to the north west back door; thence northerly eighty-two feet on land of said heirs to a small pear-tree at the wall; thence sixty-three feet south westerly to a corner in the Cow-yard wall; thence westerly fifty-seven feet in a line with said wall to a stone set up on end in the ground, thence southerly eighty feet to the road leading from Holliston to Sherburne, at a stone set up on end in the ground; thence easterly by said road until it meets the wall on said road at the east end of said house; thence to the bounds first mentioned, containing one fourth of an acre, more or less, together with all the privileges thereto belonging, except the privilege of the well of water on said premises: *Provided* the said Timothy shall set out and convey to Hannah Fiske, the widow of the deceased, her dower in the premises so conveyed by the said Timothy, by such deed or assurance as shall entitle her to hold the same as a good estate for life, having all the incidents and appurtenances of dower on her releasing to the said Timothy her dower, in the premises, conveyed to him by said Administrator.

CHAP. LXXXIII.

Resolve on Petition of Edward Mitchell, jun. authorizing him to sell Indian lands. November 23d, 1816.

On the petition of Edward Mitchell, jun. of Bridgewater,

in the county of Plymouth, Guardian of the Indians in said town, and over all the Indian lands situated therein, praying that he may be authorized to sell by public auction, the land of one Robert Pegin, an Indian, late of said Bridgewater, deceased, for the payment of said Pegin's just debts:

Resolved, That the said Edward Mitchell, jun. Guardian as aforesaid, be, and he hereby is authorized and empowered to sell by public auction, all the real estate lately belonging to Robert Pegin, late of Bridgewater, in the county of Plymouth, Indian man, deceased, and of which he died seized and possessed; and to make and execute good and sufficient deed or deeds thereof to the purchaser or purchasers; and the proceeds thereof to appropriate to the payment of the said Pegin's just debts and funeral charges, so far as may be necessary for these purposes, and the remainder, if any, to hold in trust for the use and benefit of the heirs at law of the said Pegin, or otherwise account for and pay over said remainder or surplus, if any, as the law may at any time require: *Provided* that the said Guardian first give bonds, with sufficient sureties, to the Judge of Probate for said county of Plymouth, to observe the duties enjoined upon him by this resolve, and that he give previous notice of the sale, by posting up notifications thereof in the same manner as Guardians, Executors and Administrators are required by law to do, when authorized by the Judicial Courts to sell real estate, and to take the same oath which they are by law required to take previous to such sale: *And provided also*, that the said Guardian present an account of his doings herein under oath to the said Judge of Probate, within six months after the sale of such real estate, who is hereby authorized to receive, allow and settle the same.

CHAP. LXXXIV.

Resolve granting John Whitcomb a new State note.
November 23d, 1816.

On the petition of John Whitcomb, praying for the renewal of a State note:

Resolved, For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he is hereby di-

rected, to issue to the said John Whitcomb a new State note of the same tenor and date as the note destroyed; that is, a note, number one hundred and fifty—of date July the sixth, one thousand eight hundred and ten—for ninety-six dollars and seventy cents, and to endorse thereon the interest that has been paid; he, the said Whitcomb, first making affidavit before some Justice of the Peace, to the truth of the facts stated in his petition, and giving bond to the Treasurer of the Commonwealth, in the penal sum of two hundred dollars, with one or more sureties, to secure the Commonwealth against any loss that may happen in consequence of the renewal of said note.

CHAP. LXXXV.

Resolve authorizing the Secretary of the Commonwealth to subscribe for Maps of the United States.
November 23d, 1816.

Resolved, That the Secretary be directed to subscribe for three copies of Samuel Lewis' Map of the United States of North America, for the use of the Governor and Council, and the two Branches of the Legislature of this Commonwealth; and for two copies of Shelton and Kensett's Map of the United States, one for the use of the Adjutant General's office, and the other for the use of the Quarter Master General's office of this Commonwealth.

CHAP. LXXXVI.

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

The quantity of ordnance, small arms, accoutrements and camp equipage in possession of the Quarter Master General, requiring much larger buildings than belong to the Commonwealth, the Legislature have passed, at sundry times, resolves making appropriations for erecting a competent number of arsenals for their accommodation: that the Legislature may be fully acquainted with the state of that business, I have instructed the Secretary to lay before

you a report of a committee of Council, to whom the subjects of those resolves have been referred, together with a communication touching the same, recently made to me by the Quarter Master General.

JOHN BROOKS.

Council Chamber, Nov. 23d, 1816.

CHAP. LXXXVII.

Resolve on the petition of the Executors of the Will of Mungo Mackay, authorizing the sale of Real Estate.
November 25th, 1816.

Upon the petition of Ruth Mackay, John Mackay, and Samuel Parkman, the Executors of the last will and testament of Mungo Mackay, late of Boston, in the county of Suffolk, merchant, deceased, testate, stating that the said testator, in and by his last will and testament, did order and direct, that after paying his just debts, and legacies, and the proportion of his estate left at his decease given to his children, and to his wife during her natural life ; the residue of his estate, both real and personal, be sold or divided between his sons and daughters, and his grand daughter, Sally Mackay Hunt, as in his said will is set forth ; and also stating, that said residue of said testator's real estate consists of two dwelling houses, one of them situated in Hancock-street, in said Boston, and the other is situated in Cambridge-street, in said Boston, and are incapable of any division in manner as mentioned in said will ; and praying for authority to sell and convey the said residue of said real estate, according to the intention of said testator :

Resolved, That the prayer of said petition be, and it is hereby ; granted and the said Executors, or either of them, are hereby authorized and empowered to make sale of said residue of said real estate, consisting of two dwelling houses, one of which is situated in said Hancock-street, and the other is situated in Cambridge-street, in said Boston, with the land under, and adjoining the same, being part of the real estate of said testator, either at public or private sale, as the said Executors, or either of them shall judge most beneficial ; first, however, receiving the written approbation of the Judge of Probate for the county of Suffolk, and to be

recorded in the Probate Office ; and giving bonds, with sureties to the said Judge, to his satisfaction, conditioned to appropriate the proceeds of the sale of said estates according to law, and the directions in said will expressed : and said Executors, or either of them are hereby authorised to make, execute and deliver to any purchaser or purchasers as good sufficient deed or deeds of conveyance therefor, as the said testator would have done, if living.

CHAP. LXXXVIII.

Resolve directing the Quarter Master General to cause to be marked all small arms, which do, or may belong to the State. November 25th, 1816.

Resolved, That the Quarter Master General be, and he is hereby authorized and directed to cause an appropriate mark to be affixed to all the arms now belonging to the Commonwealth, or that may hereafter be received in his department as such.

CHAP. LXXXIX.

Resolve on the petition of Jeduthan Wellington, directing the Solicitor General to ascertain the fee of certain land in West Cambridge. November 26th, 1816.

Resolved, That the Solicitor General be directed to examine and inquire, whether the fee of the land, mentioned in the petition of Jeduthan Wellington and others, lying in West Cambridge, is now vested in this Commonwealth ; and that he report a state of facts in relation to the same, to the next Legislature, on the first week of the first session thereof.

CHAP. XC.

Resolve on the petition of George Robb, permitting him to transport certain pickled fish to New-Orleans, without inspection. November 26th, 1816.

On the petition of George Robb, lately of Leith, in the

county of Edinburgh, in Scotland, merchant, stating that he has shipped from Halifax in the Province of Nova Scotia, one hundred and thirty-two barrels of pickled Fish, and landed the same in Boston, in the United States, with a design to carry them to New-Orleans, in the United States, the place of his intended future residence, and praying that he may be authorized and allowed to ship the same on board some vessel bound to New Orleans aforesaid, without inspection, according to the laws of this Commonwealth, regulating the inspection of pickled fish: Therefore

Resolved, For reasons set forth in said petition, that the said George Robb be, and he hereby is authorized and allowed to ship the said barrels of fish on board any vessel bound to said New Orleans, and transport the same thither, without inspection, according to the laws of this Commonwealth; and the Inspector General of this Commonwealth is hereby directed to grant a certificate that the said barrels of fish are not liable to inspection.

CHAP. XCI.

Resolve confirming the Records and Assessments of the first parish in Pownal. November 26th, 1816.

On the petition of Edward Tompson, Josiah Lovell, and Benjamin Soule, a Committee in behalf of the First Congregational Parish in the town of Pownal, in the county of Cumberland, praying that the records and assessments of said parish may be confirmed and rendered valid in law:

Resolved, For reasons set forth in said petition, that the records and assessments of the said first parish shall be confirmed, and made valid in law, notwithstanding the omission, or neglect of the Officers thereof, in not taking the official oaths required by law in like cases.

CHAP. XCII.

Resolve making valid the doings of the town of Lisbon. November 26th, 1816.

On the petition of the Selectmen of the town of Lisbon,

in the county of Lincoln, praying that a resolve may be passed, confirming the doings of said town, in certain particulars set forth in said petition: Therefore

Resolved, That the doings of said town of Lisbon, in having their warrants for calling town meetings, posted up by their Selectmen, and in not recording their warrants, and in having them improperly signed, shall not hereafter make invalid or illegal any of the doings of said town; but the doings of said town in the same are hereby confirmed and made valid in law; any of the irregularities aforesaid notwithstanding.

CHAP. XCIII.

Resolve authorizing the Solicitor General to quit claim the Commonwealth's right and title to Joseph Stone's estate, in Harvard. November 26th, 1816.

On the petition of the Solicitor General of this Commonwealth, requesting direction respecting a compromise with the mortgagees of the estate of Joseph Stone, of Harvard, in the county of Worcester:

Resolved, For reasons contained in said representation, that the Solicitor General be, and he hereby is authorized to quit claim to the mortgagees aforesaid, all the right, title and interest the Commonwealth has to the farm and buildings of the said Joseph Stone, lying in Harvard, on which has been extended two warrants of distress in favor of this Commonwealth; *provided* the mortgagees aforesaid pay into the Treasury of this Commonwealth, the sum of one thousand dollars, the amount of the original judgments recovered.

CHAP. XCIV.

Resolve granting to the Solicitor General \$180, for expenses and services in survey of land in Hiram. November 27th, 1816.

On the petition of Daniel Davis, Esq. Solicitor General, praying a grant of a sum of money sufficient to defray the

expenses already accrued, and accruing, in the survey of the Commonwealth's land in the town of Hiram, and prosecuting two inquests of office in relation to the same:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Solicitor General, the sum of one hundred and eighty dollars for the expenses of said survey, payment of witnesses, and other expenditures, and his own services in the prosecution of said suits: The said Solicitor to account with the Treasurer of this Commonwealth for the said sum, upon a termination of the suits aforesaid.

CHAP. XCV.

Resolve on the petition of Ibrook Eddy, authorizing the Circuit Court of Common Pleas of the Third Eastern Circuit, or Supreme Judicial Court, to determine as to the right of the Commonwealth to lot No. 1, first division of lands in Eddington. December 2d, 1816.

On the petition of Ibrook Eddy, Administrator on the estate of the late Jonathan Eddy, deceased, praying that an inquest of office may be instituted, to determine and settle the title to lot numbered one, in the first division of lands lying in Eddington, in the county of Penobscot, a deed of which was executed in behalf of the Commonwealth, by William Smith, Esquire, late Agent for the sale of eastern lands, to the heirs of one Robert Mann, deceased, and for a part of which lot an action is now pending, brought by one Mary Nichols, who claims under the said deed, against one Henry Call, which deed the said Ibrook Eddy alleges to have been improvidently issued, and the Commonwealth deceived in its grant:

Resolved, That the Circuit Court of Common Pleas for the Third Eastern Circuit, in which the said action is now pending, or the Supreme Judicial Court, if the said action should be there carried by appeal or otherwise, be, and the said Courts respectively, hereby are authorized, with the consent of the demandant in the said action, to hear, decide and determine in the same, as to the right, title and interest of the Commonwealth in and to the said lot, (as well as of the parties in the said action,) in like manner and upon the

same principles as though an inquest of office or other process in behalf of the Commonwealth, had been instituted, and were pending for the determination of the title to the said lot. But if the demandant do not consent, as above-mentioned, then the Attorney General, or Solicitor General, is hereby directed to institute an inquest of office, or such process as he may think proper, to revest the Commonwealth in its title to the said lot: *Provided, however*, that the said Ibrook Eddy shall give a bond with sureties, to the acceptance of the Attorney General, or Solicitor General, conditioned to pay all the costs, expenses and charges, which may be incurred or sustained by the Commonwealth, by reason of the institution and prosecution of such inquest or process.

CHAP. XCVI.

Resolve on the subject of Compensation to the Members of Congress, agreeable to a late law. December 2d, 1816.

Resolved, As the sense of this Legislature, that the act of Congress which passed the nineteenth day of March last, changing the mode and greatly increasing the compensation of the Members of that honorable body, is an innovation upon the custom, and not congenial with the republican principles of our government.

Therefore, be it further resolved, That the Senators and Representatives of this Commonwealth in Congress, be, and they are hereby requested to use their influence to effect the repeal of the act aforesaid: And that his Excellency the Governor be requested to transmit to each of the Senators and Representatives of this Commonwealth in the Congress of the United States, an attested copy of the foregoing resolution.

CHAP. XCVII.

Resolve granting to the Executrix of the last will of Peleg Coffin, Esquire, deceased, \$150. December 2d, 1816.

On the petition of George W. Coffin, Attorney to the Executrix of the last will and testament of Peleg Coffin, pray-

ing for compensation for services rendered the Commonwealth by the late Peleg Coffin, Esquire, in selecting the private and special acts of said Commonwealth, and contracting for the printing of three volumes, pursuant to a resolve passed the 9th of February, 1803 :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to Eunice Coffin, Executrix of the last will and testament of Peleg Coffin, Esquire, the sum of one hundred and fifty dollars, in full consideration for his services performed, as one of the Committee under said resolve of the 9th of February, 1803.

CHAP. XCVIII.

Governor's Message. December 3d, 1816.

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

Major-General John Blake, of the tenth division of the militia of this Commonwealth, having resigned the command of that division, has been discharged, agreeably to his request.

J. BROOKS.

Council Chamber, Dec. 3d, 1816.

CHAP. XCIX.

Resolve requesting the Governor to appoint Agents to present the claims of this Commonwealth against the United States, for expenditures during the late war. December 3d, 1816.

Whereas by a resolve passed the first day of February, in the year of our Lord one thousand eight hundred and sixteen, the Governor, with the advice of the Council, was authorized to employ any person or persons he might think proper, to present, at such time as he might deem expedient,

the claims of this Commonwealth against the United States, for military services rendered, and supplies furnished, and expenses incurred, during the late war with Great Britain, to such authority as might be appointed to receive, examine and allow the same—But no such appointment by the government of the United States has yet been made:

Resolved, That his Excellency the Governor be, and hereby is authorized, and requested, with the advice of Council, to appoint one or more Agents, as he may think proper, to present the aforesaid claims and all accounts connected therewith, either to the Congress of the United States, or to any department of the government, as may be found expedient, and to present any petition, or make such application as may be thought proper, in behalf of this Commonwealth, to the government of the United States, to the end that legal provision may be made for the adjustment of said claims, and for the payment of the balance due thereon to the Commonwealth. And such person or persons as may be appointed Agent or Agents as aforesaid, are hereby fully authorized to act in behalf of the Commonwealth in all matters relative to said claim that may be found necessary and proper for the accomplishment of the object.

Be it further resolved, That it shall be the duty of the person or persons so appointed, to repair to the seat of government of the United States, with said claims and documents, during the ensuing session of Congress, and use their best endeavors to effect the object of their appointment.

Be it further resolved, That the Senators of this Commonwealth in Congress be instructed, and the Representatives requested, to afford to the person or persons appointed in virtue of these resolves, all the aid in their power for the accomplishment of the object of their appointment, and endeavor to procure all necessary provision for this purpose to be made by law.

Be it further resolved, That there be paid out of the Treasury of this Commonwealth, to the Agent or Agents appointed as aforesaid, such sum as his Excellency the Governor shall think necessary; such Agent or Agents to be accountable for the same: And his Excellency the Governor is requested to draw his warrant on the Treasury for the same.

CHAP. C.

Resolve granting John Jackson compensation for expenses incurred during sickness brought on him while on military duty. December 2d, 1816.

On the petition of John Jackson, praying remuneration for time lost and expenses incurred, in consequence of having been taken sick while doing military duty for the defence of the Commonwealth, in the county of Lincoln, in the autumn of 1814 :

Resolved, That there be allowed and paid out of the Treasury of the Commonwealth, unto John Jackson, the sum of seventy-five dollars in full for all the considerations mentioned in said Jackson's petition.

CHAP. CI.

Resolve on the petition of the Selectmen of Blandford. December 2d, 1816.

On the petition of the Selectmen of Blandford, in the county of Hampden, setting forth that they have furnished rations, and a baggage waggon, for a number of men detached for the defence of the seacoast, agreeably to general orders of the thirteenth of September, eighteen hundred and fourteen, for which they have received no allowance :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Selectmen of Blandford, for the use of said town, the sum of fifty-three dollars and seventy cents in full of their account.

Resolved, That the Secretary of the Commonwealth be, and hereby is directed to file in his office, the sum allowed to the Selectmen of Blandford, with the claims of this Commonwealth against the United States.

CHAP. CII.

Resolve granting Joseph H. Peirce \$75, for services in the War Office. December 3d, 1816.

On the petition of Joseph H. Peirce,

Resolved, That the sum of seventy-five dollars be allowed and paid to Joseph H. Peirce, in full for his services in the office of the late Board of War ; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer accordingly.

CHAP. CIII.

Resolve granting the President and Trustees of Williams' College further time to locate a township of land.
December 3d, 1816.

On the petition of the President and Trustees of Williams' College, praying further time to locate a township of land granted to them by a resolve dated February 20th, 1809:

Resolved, That for reasons set forth in said petition, further time of three years from this date, be allowed to the President and Trustees of Williams' College, to locate said township of land ; and the Agents for the sale of Eastern lands are hereby directed to govern themselves accordingly, any thing in said resolve to the contrary notwithstanding.

CHAP. CIV.

Resolve on the petition of Edward Clark, Jun. discharging him from prison. December 3d, 1816.

Resolved, For reasons set forth in said petition, that the said Edward Clark, Jun. be, and he hereby is discharged and fully released from a judgment recovered by the Commonwealth of Massachusetts against him, by the consideration of the Justices of the Supreme Judicial Court, holden at Worcester, within and for the county of Worcester, on the second Tuesday of April last ; on which judgment execution issued, and said Clark, by virtue thereof, was imprisoned in the gaol in said county of Worcester, and still remains a prisoner.—And the Sheriff of the county of Worcester is hereby authorized and directed to discharge said Clark from his said imprisonment ; *provided* he is not committed for any other cause : *Provided however*, that he first pay the expense of his board while confined in said prison.

CHAP. CV.

Resolve on the petition of Lois Haskell.

December 3d, 1816.

On the petition of Lois Haskell, of New Gloucester, widow, praying an allowance, in consequence of the sickness and death of her late husband, Ebenezer Haskell, which took place in the month of October, 1814, while he was detached as a soldier in the defence of the Commonwealth :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto Lois Haskell, widow of the late Eben. Haskell, the sum of fifty dollars, in full of all the considerations mentioned in said petition.

CHAP. CVI.

Resolve granting Noah Lord, Jun. Twenty-five Dollars.

December 3, 1816.

On the petition of Noah Lord, Jun. of Lebanon, praying an allowance for having been wounded by the accidental discharge of a musket, while doing military duty on the first Tuesday of May last :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto Noah Lord, Jun. the sum of twenty-five dollars, in full for all the considerations mentioned in said petition.

CHAP. CVII.

Resolve discharging Samuel Waite, a prisoner in Worcester Gaol. December 3d, 1816.

On the petition of Samuel Waite, a prisoner in the Gaol in Worcester, in the county of Worcester, praying that he, the said Samuel Waite, may be discharged from a judgment of the Supreme Judicial Court, upon which he is detained in said prison :

Resolved, For reasons set forth in said petition, that the said Samuel Waite be discharged from said prison, and that the fine and prosecution against him be remitted ;

and that the keeper of said gaol be authorized to suffer him to go at large, immediately on his paying the expense of his board while confined in said prison: *Provided* the said Waite be not detained there for any other cause.

CHAP. CVIII.

Resolve making valid the doings of the town of Exeter.
December 4th, 1816.

On the petition of the Selectmen of Exeter, in the county of Penobscot, representing that, for sometime past, the Constables who have warned town meetings, have made insufficient returns of their doings; that the town records kept by the Clerk of said town, are consequently incomplete; that some town officers thereof having taken the requisite oaths before Justices of the Peace, no record has been made by the town Clerk, of such oaths having been administered to them, and that the town records of said Exeter, are defective in some other particulars, as to the time when town officers were sworn: Therefore

Resolved, For reasons set forth in said petition, that the records of the said town of Exeter be deemed and taken to be as valid to all intents and purposes, as if the said town officers had proceeded according to the laws regulating their proceedings in these particulars; and the said records and the doings of said town officers, are hereby confirmed, legalized, and in all respects made effectual, the aforementioned defects therein notwithstanding.

CHAP. CIX.

Resolve making compensation to the Electors of President and Vice President. December 4th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Electors of President and Vice President of the United States, who shall attend for the purpose of giving in their votes, the same compensation as is now allowed to members of the Legislature of this Commonwealth for travel and attendance: And his Excellency the Governor, with advice and consent of the Council, is requested to draw his warrant accordingly.

CHAP. CX.

Resolve on the petition of Horace Cook, authorizing the Administrator on the estate of Joseph Winter to make and execute a deed. December 4th, 1816.

On the petition of Horace Cook, of Granby, in the county of Hampshire, praying that Alpheus Winter, Administrator of the estate of Joseph Winter, late of Belchertown, in said county, deceased, may be authorized to make and execute a deed to the said Horace, of a certain tract of land situated in said Belchertown, containing about fourteen acres, bounded easterly on land of Timothy Pearl, southerly on land of Oshea Walker, and northerly on land of Jonathan Dwight; which the said Horace purchased of the said Joseph, and paid to him the purchase money in his life time, but no deed thereof was made:

Resolved, For reasons set forth in said petition, that the said Alpheus Winter, in his said capacity, be, and he hereby is authorized and empowered to make and execute to the said Horace Cook, (conveying to him in fee) a deed of the aforescribed premises—and such deed so made shall have the same operation and effect in law, as if the same had been made by the said Joseph in his life time, pursuant to his contract with the said Horace Cook, respecting the premises.

CHAP. CXI.

Resolve respecting Separation of Maine.
December 4th, 1816.

The Committee of both Houses, to whom were referred the Memorials and Documents presented to the Legislature, concerning the Separation of Maine, respectfully Report,

That by an act passed at the last session of this Legislature, concerning the Separation of the District of Maine, it was, among other things, provided, that the inhabitants of the towns, districts, and plantations in the District of Maine, qualified to vote for Senators, should in open town meeting, summoned for the purpose, give in their

written votes on the question—"Is it expedient that the District of Maine shall be separated from Massachusetts, and become an Independent State, upon the terms and conditions provided" in said act? And the votes thus taken, were to be sealed up, and transmitted in manner provided by said act, to a Convention, which was also instituted by said act; and if it appeared to said Convention, "That a majority of five to four at least, of the votes returned, are in favor of said District's becoming an Independent State aforesaid, *then, and not otherwise*, said Convention shall proceed to form a Constitution, as is provided in this act." Pursuant to this act, a Convention was formed and duly organized at Brunswick, in said District, on the last Monday of September last, and the following days; and a Committee appointed to examine the returns of votes, reported, that "The whole number of votes which the Committee thought proper to admit, (dispensing with some want of formalities in many of the returns,) was 22,316

"Those in favor of Separation, were 11,969

"Those opposed, were 10,347

"The whole aggregate majority of yeas, in the towns and plantations in favor was 6,031

"The whole aggregate majority of nays in the towns and plantations opposed, was 4,409

"Then as five is to four, so is 6031 to 4,825, the nays required. But the majority of nays is 4,409 only. Hence it appears, upon this construction of the act, there is a majority of five to four at least, of the votes returned, in favor of said District's becoming an Independent State."

This report and construction were in substance accepted, and adopted by the Convention, as appears by their journal, of which attested copies are before the Legislature; and they, thereupon, proceeded to pass divers resolutions, among others, one appointing a Committee to frame a Constitution, and another to apply to Congress for admission into the Union. The powers of these Committees are suspended only, until the result of an application to this Legislature, to confirm their doings, shall be known; and in order to ascertain this, the Convention stands adjourned to the third Tuesday of December next.

Upon this statement, the Committee have no hesitation in expressing their full conviction, that the Convention have misconstrued the act by which their powers were defined:

That the word "majority," refers to the majority of votes returned, and not to the aggregate of local and municipal majorities : That this is a self-evident position, resulting from a perusal of the act, and not susceptible of illustration or contravention by any argument : That, of consequence, contingency, provided by the act as prerequisite to the formation of a Constitution, and as a condition of the consent of this Legislature, to the Separation of Maine, has not occurred ; and that the powers of said Convention are at an end.

It is not less evident to the minds of your Committee, that this Legislature is not competent to enlarge, vary, or revive the powers of the Delegates to that Convention : These powers, though *defined* and *prescribed* by the Legislature, were vested in each Delegate, by his own immediate constituents. He was chosen to execute a special power, and in a certain event. To vary his authority, or provide for his acting upon another and different contingency, would be to render him the representative of this Legislature, and not of the people. Such an act would be repugnant to the elementary principles of a government by representation, and merely void.

Having disposed of this inquiry, your Committee have in the next place directed their attention to the several Memorials presented by the Deputies from the Brunswick Convention, and by a number of Senators and Representatives of the District of Maine. The object of these Memorials is either to obtain the consent of this Legislature to a Separation, upon the present majority, or to such further provisions as may be expedient for consummating that event. With respect to the first of these objects, a Separation on the present majority, it is respectfully suggested, that while the result of the votes returned to the Convention affords presumptive evidence of a disposition in a majority of those voters favorable to a Separation, without reference to the prescribed ratio ; yet this inference is by no means conclusive.—Those who voted in the affirmative on the question as stated in the town meetings, acted under an impression that unless those on the same side should amount to five ninths of the whole number, their votes would be ineffectual for the object of Separation. It is impossible to determine to what extent or in what number these voters may have been influenced by their reliance on this ratio as an indispensable preliminary to further measures. Probably in the estimation

of the greater number, possibly of all, it was a subordinate and insignificant consideration. But it may have been otherwise. It would then be a measure pregnant with hazard, to adopt as proof of the public opinion in Maine, in this important concern, a standard liable to error, when certainty is attainable. There could be no reparation for the consequence of mistake; no relief from the misfortune. The cord once broken could not be re-united; and the people of Maine might thus be transferred to a new government, under a misapprehension of their will, and against their consent.

There remained, therefore, to be considered by your Committee, the expediency merely of adopting some new measures to facilitate the expression of the sense of the people of Maine upon the great question.

In arriving at a result upon this point satisfactory to themselves, the Committee have excluded all considerations affecting the property or necessity of the Separation, viewed as an abstract or original proposition. They apprehend this question to be at rest with the present General Court. After consenting to relinquish the jurisdiction over Maine, upon terms satisfactory to Massachusetts Proper, her Senators and Representatives can feel on her account, no interest in the degree of unanimity with which it may be effected, and no desire to procrastinate the event from selfish considerations.

The Committee, therefore, have anxiously and deliberately endeavored to discern the course which it is incumbent on this Legislature to pursue, through respect to its own dignity and consistency, and to the claims of justice and equity from the respective parties in the District of Maine, coming before them as a tribunal which has once decided their cause.

It is then submitted as a fact familiar to recollection, that although the ratio of five ninths was not recommended by this Committee in the former report, which they had the honor to make, yet that principle was engrafted upon the act with the full approbation and consent of the advocates for Separation. It was at that time foreseen and acknowledged by them, that a majority of voters would indubitably be found in favor of the measure, but they were content to wave their pretensions to enforce it upon this foundation, and to abide by the issue of an experiment to be made up-

on a ratio which seemed to be little more than a necessary mean of ascertaining the fair and deliberate sense of an undoubted majority *de facto*, though nominally aiming at something more: While these proceedings on the part of those at whose request the act was passed, do not amount to a formal agreement, always to acquiesce in the correctness of this ratio, or to be perpetually concluded by the result; yet as there was a fair and equitable understanding between the parties with respect to the basis on which the experiment should be tried, and which had the sanction of this Legislature, it would be not easy to justify, at one session, a wide departure from principles established at another, without the pressure of some great emergency, or at least without some important variation of facts and circumstances, not anticipated, which should urgently demand a prompt and repeated interposition.

The Committee pretend to no accurate knowledge or information respecting the progress of opinion in the District, either for or against the measure. A comparison between the current of votes in May and September does not warrant the belief that the tide in favor of it has been greatly if at all augmented. Should the fact be otherwise, it will be displayed, and the people of the District will be in no danger of being baffled in the pursuit. Massachusetts will be anxious for no union which does not spring from mutual affection and a sense of common interest. But in the ordinary course of legislation, questions involving merely the division of a parish or a town, are rarely agitated more than once in the same political year. Should then the same Legislature which has once, and so lately adjusted the principles, and with great deliberation fixed the terms and conditions which appertain to the dismemberment of the State, revise the fundamental provisions of its act without any new occasion, they might be considered as betraying an undue solicitude to accelerate the partition, and as regardless of the feelings and interest of a large and respectable class of their fellow-citizens.

It is a source of great satisfaction to your Committee to reflect, that their views, if adopted, cannot prove detrimental to any party. If, at this moment, provision should be made for instituting a new Convention, nothing short of great precipitancy, not required by the occasion, and hostile to all hopes of wise and temperate counsels, would en-

able the people of Maine to become a State, with the consent of Congress, during the present session. The interval between this period and the next political year, will not have been lost. The public attention has been roused and attracted to the great question; arguments on both sides will have become familiar; truth will be separated from fallacy; men's judgments will be cleared, and their passions calmed; and both parties, being satisfied that no prejudice can arise from delay, will wait the event of things with that mutual forbearance which becomes those who are in any event destined to remain fellow-citizens.

Your Committee, therefore, recommend the following Resolves, which are respectfully submitted.

Per order,

H. G. OTIS, *Chairman.*

Resolved, That the contingency upon which the consent of Massachusetts was to be given for the Separation of the District of Maine has not happened; and that the powers of the Brunswick Convention to take any measures tending to that event, have ceased.

Resolved, That it is not expedient for the present General Court to adopt any further measures in regard to the Separation of the District of Maine.

CHAP. CXII.

Resolve discharging Samuel H. Wheeler, as one of Treasurer Skinner's bondsmen. December 5th, 1816.

Whereas the name of Samuel H. Wheeler, one of the sureties of the late Treasurer, Thompson J. Skinner, was accidentally omitted in the Resolve of the 13th June last: Therefore

Resolved, That Samuel H. Wheeler, one of the sureties of the late Treasurer, Thompson J. Skinner, be, and he is hereby released and discharged from all debts, obligations, judgments, executions, warrants of distress, and demands due or payable from him to said Commonwealth, for, or on account of said Skinner: *Provided nevertheless*, that nothing contained in this resolve shall prevent the Commonwealth from satisfying their judgment against said Wheeler,

out of any property heretofore conveyed, or secreted by him, for the purpose of defrauding the Commonwealth of said judgment.

CHAP. CXIII.

Resolve on the petition of Joseph Nixon, discharging him from an execution, after a confinement of five years.

December 5th, 1816.

Upon the petition of Joseph Nixon, of Waltham, in the county of Middlesex, stating that he has been confined in gaol in Cambridge, in said county, for five years last past, upon an execution in favor of John Henry, of Montreal, in Lower Canada, for seventy-nine dollars, with nine dollars and eight cents costs; and that he has an unsatisfied execution against said Henry, subsequently obtained, for one hundred and thirteen dollars and thirty cents, and thirteen dollars and fifty cents costs:

Resolved, For reasons set forth in said petition, that the said Joseph Nixon be discharged from the operation of the execution of the above named John Henry, by making an offset of said execution, against the amount of the execution which the said Nixon holds against the said Henry:—And that the Sheriff of the county of Middlesex be authorized and empowered to discharge said Nixon from confinement upon said execution, and to endorse the amount upon the execution of the said Nixon against the said Henry.

CHAP. CXIV.

Resolve granting \$500 for repairing the house of public worship, for the use of the Indians at Marshpee.

December 5th, 1816.

On the petition of the Marshpee Indians,

Resolved, That for reasons set forth in said petition, there be granted and paid out of the Treasury of this Commonwealth, five hundred dollars, for the purpose of repairing the house of public worship on the plantation of Marshpee, and that the Governor, with the advice and consent of

the Council, appoint two Commissioners to superintend said repairs, who shall account to them for all proceedings and expenditures.

CHAP. CXV.

Resolve granting Taxes to the counties of Worcester, Hampden, Franklin, and Middlesex.

December 5th, 1816.

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 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.

County of Worcester, four thousand five hundred dollars,	4,500 00
County of Hampden, three thousand five hundred dollars,	3,500 00
County of Franklin, three thousand two hundred dollars,	3,200 00
County of Middlesex, thirteen thousand nine hundred and seventy-three dollars and forty-six cents,	13,973 46

CHAP. CXVI.

Resolve extending the time for the performance of settlement duties, on lands in the District of Maine.

December 6th, 1816.

The Committee of both Houses, who had under considera-

tion the petition of Aaron Dexter and Ebenezer Preble, and who were further instructed to consider the expediency of some general provision upon the subject of settling duties, ask leave to report,

That various grants of land have been made by this Commonwealth to sundry literary and charitable institutions, and to individuals, upon condition to place upon the lands a certain number of settlers within limited periods: That the circumstances of the country and of the District of Maine have been such as to present great and insuperable obstacles to the performance of these settling duties: It must be obvious that the continuance of commercial restrictions, and the war which thereupon followed, were extremely unfavorable to the performance of those duties, and must in most instances have rendered it impossible to perform them.

The embarrassments and dangers to which the people of the District of Maine were exposed during these troubles, operated not only to deter settlers from coming into it, but to induce great numbers to emigrate from it; and this disposition to emigrate from it has been increased by the policy of other states, and the allurements of soil and climate which have been held out to adventurers.

The Committee presume that the object of the Legislature has always been to promote the settlement of the lands, by holding the purchasers and grantees to make every reasonable exertion for that purpose; and not to exact from them penalties for the non-performance of conditions, a compliance with which, without their fault, may have become impossible; and that it will be no more than equitable to allow them a further time which shall be equal, at least, to the period during which the obstacles to the performance of the condition of their bonds have continued to exist. They therefore report the following resolve, which is respectfully submitted by

MARK LANGDON HILL,

Per Order.

Resolved, That the time limited for the performance of settling duties on land sold or granted by this Commonwealth, shall be extended in favour of the grantees of such lands, and their assigns, for the term of five years from the first day of June next.

CHAP. CXVII.

Resolve on the petition of David Moore, authorizing him to execute a deed. December 6th, 1816.

Resolved, For reasons set forth in said petition, that David Moore, of Salem, Administrator on the estate of John Pratt, late of Salem, trader, deceased, intestate, be, and he hereby is authorized and empowered to make and execute a good and sufficient deed of a certain dwelling house and piece of land in said Salem, bounded westerly on Peirce's land, eight poles and thirteen links; southerly on said Pratt's land, one pole and eleven links; easterly on said Pratt's land, eight poles and thirteen links; and northerly on land of the heirs of Nathaniel Brookhouse, one pole and twelve links, to James Harvey, of said Salem, who has paid the consideration due for the same, agreeably to a written agreement made between said Harvey and said Pratt in his life time; and such deed, duly acknowledged and recorded, shall give as good a title to the said estate, to all intents and purposes, as if the same had been duly executed by said Pratt in his life time.

CHAP. CXVIII.

*Resolve on the petition of Joseph Russell, administrator de bonis non, of the estate of John Wright, deceased.
December 6th, 1816.*

Resolved, For reasons set forth in said petition, that the said Administrator be authorized to make his affidavit relative to the sale of the real estate of said deceased, and to file the same in the office of the Court of Probate, within and for the county of Middlesex, at any time within four months after the passing of this resolve; and that the same affidavit, so made and filed, shall be taken and held as good and valid in law, to all intents and purposes, as if the same had been made and filed in the same Probate Court within seven months from the time of the said sale, any law to the contrary notwithstanding,

CHAP. CXIX.

Resolve on the petition of Micah M. Rutter, making valid his affidavit as administrator on the estate of Thomas Rutter, deceased. December 6th, 1816.

On the petition of Micah M. Rutter, Administrator of the estate of Thomas Rutter, late of East Sudbury :

Resolved, That the affidavit of the said Micah M. Rutter, Administrator aforesaid, filed and recorded in the Probate Office, in the county of Middlesex, on the thirteenth day of November, eighteen hundred and sixteen, be, and the same hereby is rendered as valid in law, as if the same had been executed and filed within seven months from the time of his appointment as Administrator aforesaid, any law to the contrary notwithstanding.

CHAP. CXX.

*Resolve granting a tax to the county of Berkshire.
December 6th, 1816.*

Whereas the Clerk of the Court of Sessions for the county of Berkshire, has exhibited an estimate, made by said court, of the necessary charges which may arise within said county for the year ensuing, and of the sums necessary to discharge the debts of the said county :

Resolved, That the sum of six thousand dollars is hereby granted as a tax for said county of Berkshire, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

And be it further resolved, That the Treasurer of said county be, and he hereby is required and directed to present his account for the present year, to the General Court, at their next session.

CHAP. CXXI.

Resolve granting to Samuel Haley and his heirs, the northerly island of the Isle of Shoals, or Hog Island.

December 7th, 1816.

On the petition of Samuel Haley, of the Isle of Shoals, praying for a grant of one of said islands, called Hog Island:

Resolved, That there be, and hereby is granted to the said Samuel Haley, and his heirs, the northerly island of said Isle of Shoals, commonly called Hog Island; to be holden in fee simple by the said Haley and his heirs, free from any claim of the Commonwealth to the same: *Provided*, that the said Haley, his heirs or assigns shall, within four years after the passing of this resolve, erect a sufficient sea wall around the dock where the said Haley now lives; and shall, at all times hereafter, keep the same in repair for the accommodation of open fishing boats belonging to the citizens of this Commonwealth, free from expense of dockage: And if the said Haley, or his heirs or assigns, shall neglect to keep in sufficient repair the said dock for the space of two years at one time, then said island, so granted as aforesaid, and the title to the same, shall revert to said Commonwealth, on such neglect being ascertained, by process in the Supreme Judicial Court.

CHAP. CXXII.

Resolve on the petition of James McLeellan, in behalf of Luke Lambert, jun. December 7th, 1816.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth, to Luke Lambert, jun. thirty-two dollars for the use of his house, while occupied by the General Court Martial, on the trial of Lieutenant-Colonel Andrew Reed.

CHAP. CXXIII.

Resolve empowering the Treasurer to sell United States Treasury Notes. December 7th, 1816.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and empowered to sell twenty-eight thousand five hundred dollars of Treasury Notes of the United States, which are now in his office, and which were received for interest and reimbursement of principal on the debt due from the United States to this State, for the quarters ending the 31st December, 1814, and 31st March, 1815, pursuant to a resolve of the 20th of June last, for the highest price he can obtain therefor, and apply the proceeds thereof to the payment of the ordinary demands of the government, any thing in said resolve to the contrary notwithstanding.

CHAP. CXXIV.

Resolve directing the Treasurer to notify the President, Directors and Company of the Union Bank, that they purchase the stock of the Commonwealth therein.
December 7th, 1816.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and empowered to give notice forthwith to the President, Directors and Company of the Union Bank, that the Legislature of this Commonwealth do order and direct the said President, Directors and Company of the Union Bank, after nine months from the notice given aforesaid, to purchase of the Commonwealth the whole of capital stock owned in said Bank, according to the terms and provisions specified and contained in the act of incorporation of said Bank.

And be it further resolved, That the said Treasurer of this Commonwealth be also authorized and directed to receive from said Bank any proposition relative to the purchase of said stock, and to report the same, with his opinion touching the interest of this Commonwealth, at the first session of the next General Court.

CHAP. CXXV.

Resolve authorizing the Register of Deeds, for the county of York, to keep his office at Alfred. December 7th, 1816.

Resolved, That the Register of Deeds of the county of York be, and he hereby is authorized and empowered to hold and keep his office, and the records and papers thereof, in Alfred, any law or resolve to the contrary notwithstanding.

CHAP. CXXVI.

Resolve on the petition of Benjamin Plumer, jun. December 7th, 1816.

On the petition of Benjamin Plumer, jun. Adjutant of the second Regiment, second Brigade, and eleventh Division of the Militia of this Commonwealth, praying that he may be paid for certain services performed by him in said office, in the year eighteen hundred and twelve :

Resolved, For reasons alleged in said petition, that the Committee on Accounts be authorized to receive, examine, and allow such part (if any) of the account mentioned in said petition, as they may think just and reasonable, any thing in the law to the contrary notwithstanding.

CHAP. CXXVII.

Resolve authorizing the Selectmen of Charlestown to appoint additional Engine Men. December 7th, 1816.

Resolved, That the Selectmen of the town of Charlestown be, and they hereby are authorized and empowered to nominate and appoint any number of engine men, not exceeding fifteen, in addition to the number now allowed by law, for all the engines in said town, who shall be apportioned among the said engines, as the Selectmen aforesaid may direct; And the engine men so appointed, or any part thereof, at the discretion of the Selectmen aforesaid shall, under the direction of the Firewards of said town, attend

fires therein with axes, firehooks, fire sails and ladders, and do such further duty as the said Selectmen shall from time to time prescribe: And all engine men, appointed in pursuance of this resolve, shall continue in office during the pleasure of the Selectmen of said town, and shall be entitled to all the privileges and exemptions to which other engine men are, or may hereafter be, by law entitled.

CHAP. CXXVIII.

Resolve on the petition of Samuel Pickens, Attorney to Margaret Booth, granting her \$16 90, due her late husband, Luke Perkins. December 7th, 1816.

On the petition of Samuel Pickens, of Middleborough, in behalf of the widow Margaret Booth, setting forth that there is a balance due from this Commonwealth to her first husband, Luke Perkins, for services rendered:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto the widow Margaret Booth, of said Middleborough, sixteen dollars and ninety cents, being a balance due to Luke Perkins, the former husband of said Margaret Booth, for his services in the revolutionary war, who died in the service of his country.

CHAP. CXXIX.

Resolve on the petition of David York, granting him \$64, as a witness in the case of Thomas Keeler, Esq. December 7th, 1816.

On the petition of David York, setting forth that in the winter of 1810, he, by order of the House of Representatives, attended as a witness before the Honorable House, on a complaint against one Thomas Keeler, and praying to be allowed a reasonable compensation:

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

CHAP. CXXX.

Resolve on the petition of Samuel Thaxter and Robert H. Thayer, authorizing the sale of the estate of certain minors. December 7th, 1816.

On the petition of Samuel Thaxter and Robert H. Thayer, Guardians of Elizabeth H. Thayer, Maria H. Thayer, and Charles W. Thayer, minors, praying that they, the said Guardians, may be authorized to sell at private sale, the estate of the said minors, being three undivided seventh parts of a certain piece of land situate in Congress-street, in Boston, and adjoining the Exchange Coffee House, of which the said minors are possessed as heirs of the late Amasa Thayer, of said Boston, deceased :

Resolved, For reasons set forth in said petition, that the said Samuel and Robert be, and they hereby are authorized and empowered to sell the said estate of said minors at private sale, and to make to the purchaser or purchasers a good and sufficient deed or deeds thereof; *Provided*, the said Robert and Samuel can obtain therefor a price proportionally equal to the price given by the proprietors of the Exchange Coffee House, for the remaining part of said land; *and provided also*, that the said Robert and Samuel first give bond to the Judge of Probate, of the county of Suffolk, with sufficient sureties, to account for the proceeds of the sale, according to law.

CHAP. CXXXI.

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

The Secretary will lay before you the report of the Commissioners appointed by a resolve of the Legislature, passed on the 25th January last, to ascertain the practicability of a navigable canal to unite Connecticut and Merrimac rivers, together with a report of the Honorable Thomas Stephens, Honorable Silas Holman, and Benjamin Weld, Esquires, a Committee appointed by the Governor and Council on the 6th of February last, by virtue of a resolve of the Legislature, passed on the 5th of the same month, to make such

contract as they might think just and reasonable with the Commissioners above mentioned. The surveys of the Commissioners, their account, the contract made with them by the Committee, and sundry other documents connected therewith, will accompany the report.

J. BROOKS.

Council Chamber, Dec. 7th, 1816.

CHAP. CXXXII.

Resolve authorizing Job Sibley and Henry Brigham to execute a Deed of quit claim to Samuel Hunt.

December 9th, 1816.

On the petition of Job Sibley and others, stating that Samuel Hunt, of Oakham, in the county of Worcester, on the first day of January last, conveyed to Warren Sibley, of Barre, in said county, a certain tract of land situated in said Oakham, on the northerly side of the county road leading from Barre to Rutland, containing half an acre, with a dwelling-house and barn thereon, and received from the said Warren Sibley, a promissory note of hand for the sum of nine hundred dollars, as payment for the same, no part of which note is yet paid; that the said Warren Sibley has since deceased, and that it now appears that said Hunt had sold the same premises to one Eleazer James, Esq. previous to his deed to said Warren Sibley, and had, therefore, no right or title again to convey the same, whereby the estate of said Sibley is liable to the payment of said note, without title to, or possession of said land and buildings: Therefore

Resolved, That Job Sibley and Henry Brigham, jun. Administrators on the estate of Warren Sibley, late of Oakham, deceased, be, and they are hereby authorized and empowered to give to Samuel Hunt a release and quit claim of the before described land and buildings, upon the relinquishment by the said Hunt, of the said note of hand.

CHAP. CXXXIII.

Resolve making valid the doings of the Assessors of the second parish in Roxbury. December 9th, 1816.

Resolved, That the doings of the Assessors of the second parish in Roxbury be, and the same are hereby confirmed and rendered good and valid in law, any defect in the record of their being chosen and sworn, to the contrary notwithstanding.

CHAP. CXXXIV.

Resolve granting half a township of land to Amherst Academy. December 11th, 1816.

On the petition of the Trustees of Amherst Academy, praying for a grant of Eastern lands :

Resolved, That there be, and hereby is granted to the Trustees of Amherst Academy, their successors in said office or assigns, for the sole use and benefit of said Academy, one half of a township of six miles square, from any of the unappropriated lands, belonging to the Commonwealth, in the District of Maine, except the ten townships on the Penobscot river, purchased of the Penobscot Indians, and to be subject to all the reservations usual in grants of this kind: The same township to be vested in said Trustees, their successors in said office, and assigns forever, for the sole use and benefit of said Academy ; reserving four hundred acres, one half for the use of schools, and the other half for the use of the ministry therein ; the same half township to be laid out under the direction of the Commissioners for the sale and settlement of Eastern lands, at the expense of said Trustees, as soon as satisfactory evidence shall be produced to them that the sum of three thousand dollars has been subscribed and secured to said Trustees, towards a permanent fund for the use and benefit of said Academy, in addition to their buildings: *Provided,* the said Trustees, within five years from and after the laying out and location of the same half township aforesaid, cause ten families to be settled thereon: *And provided also,* that said Trustees give bond to the Treasurer of the Commonwealth, faithfully

to apply the proceeds and avails of said half township, to the sole use and benefit of said Academy.

And be it further resolved, That the said half township of land shall be located agreeably to the foregoing provision, within two years from the first day of June next, otherwise this grant shall be void.

CHAP. CXXXV.

Resolve directing the loan of Books, Maps, and Documents, &c. to the Agent of the United States on Eastern Boundary Line. December 11th, 1816.

Resolved, That the Secretary of the Commonwealth be authorized to loan to the Agent of the United States, under the fourth article of the Treaty of Ghent, any books, maps, or documents, which are or may be in his possession, relative to said boundary, and as the said Agent shall request, he giving his receipt therefor; and the said Agent shall have free access to all the records of the Commonwealth, and have the right of taking copies of the same, and to have the same duly authenticated.

CHAP. CXXXVI.

Resolve granting taxes to the counties of Cumberland, Bristol, York, Norfolk, Barnstable and Essex.
December 11th, 1816.

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

Resolved, That the sums annexed to the several counties, contained in the following schedule be, and the same are hereby granted as a tax for each county respectively, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

336 GRANT TO COMMISSIONERS.—Dec. 11, 1816.

County of Cumberland, nine thousand seven hundred and eighty dollars	9,780 00
County of Bristol, seven thousand five hundred dollars	7,500 00
County of Norfolk, five thousand five hundred dollars	5,500 00
County of Barnstable, one thousand two hundred and fifty dollars	1,250 00
County of Essex, seventeen thousand five hundred dollars	17,500 00
County of York, four thousand dollars	4,000 00

CHAP. CXXXVII.

Resolve granting compensation to the Commissioners for ascertaining the practicability of a navigable canal to unite the Connecticut and Merrimack Rivers.

December 11th, 1816.

The Committee of both Houses, who had under consideration the Message of his Excellency the Governor, accompanying the report of the Commissioners, appointed to ascertain the practicability of a navigable canal to unite the Connecticut and Merrimack rivers, ask leave to report the following resolves, which are respectfully submitted by

MARK L. HILL, *Chairman.*

Resolved, That the report of the Commissioners, appointed by a resolve of the Legislature passed on the 25th of January last, to ascertain the practicability of a navigable canal to unite Connecticut and Merrimack rivers, together with the surveys and other documents accompanying the same, be lodged in the Secretary's office.

Be it further resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto Loammi Baldwin, and John Farrar, Esquires, the sum of three hundred and thirty-eight dollars, and sixty-three cents, which sum, together with five hundred dollars, heretofore appropriated and applied to that purpose, is in full for their services, and the persons employed by them in making said surveys, drawing plans, and reporting to the Legislature.

And be it further resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto the Honorable Thomas Stephens, Silas Holman, and Benjamin Weld, Esquires, the sum of fifty-five dollars, in full for their time, travel and expenses, in executing the business of their commission, in relation to the appointment of said Commissioners and their survey as aforesaid.

CHAP. CXXXVIII.

Resolve on the petition of Horatio Bartlett, authorizing Eliel Gilbert to dispose of the interest of certain minors.
December 11th, 1816.

On the petition of Horatio Bartlett, praying that Calvin Hale, and Hannah Hale, his wife, may, with the consent of Eliel Gilbert, Guardian to the said Calvin Hale, be authorized to sell and convey certain real estate lying in Ashfield, in the county of Franklin :

Resolved, That Eliel Gilbert, as Guardian aforesaid, may contract with the said Horatio for all the right, title and interest which the said Calvin and Hannah have in her right to the estate of Phinehas Bartlett, late of Ashfield, deceased ; and that the said Calvin Hale and Hannah Hale be authorized, if they shall judge expedient, to make and execute a deed of conveyance of all their right, title and interest to the estate aforesaid, which sale and conveyance shall be as effectual in law as if the said Calvin was not under guardianship.

CHAP. CXXXIX.

Resolve granting taxes to several counties.
December 11th, 1816.

Whereas the Clerks of the Courts of Sessions of the following counties, have exhibited estimates, made by said Courts, of the necessary charges which may arise within the several counties for the year ensuing, and of the sums necessary to discharge the debts of the said counties :

Resolved, That the sums annexed to the names of the several counties, contained in the following schedule be, and the same are hereby granted as a tax for each county respectfully, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

County of Hampshire, three thousand dollars	3,000
County of Suffolk, twenty thousand dollars	20,000
County of Oxford, three thousand dollars	3,000
County of Penobscot, four thousand dollars	4,000
County of Somerset, two thousand two hundred dollars	2,200
County of Hancock, four thousand five hundred dollars	4,500

And be it further resolved, That the Treasurers of the counties aforesaid, respectively, (excepting the Treasurer of the said county of Penobscot,) be, and they hereby are required and directed to present their respective accounts for the present year, to the General Court at their next session.

CHAP. CXL.

Resolve on the petition of David Townsend, Guardian to Abraham Pierce, of Waltham, authorizing him to sell real estate. December 12th, 1816.

On the petition of David Townsend, of Waltham, in the county of Middlesex, Guardian of Abraham Pierce, of said Waltham, a spendthrift, praying for license to sell and pass deeds to convey the whole of the real estate of the said Abraham Pierce :

Resolved, That the prayer of said petition be granted ; and the Guardian of the said Abraham Pierce be, and he is hereby authorized and empowered, by joining in deed or deeds with Mary Pierce, the wife of the said Abraham Pierce, to sell and convey in fee all the real estate of which the said Abraham and the said Mary are seized as aforesaid, being land situated in Waltham, as follows : one piece containing about thirty-three acres, bounding on the north by the great country road, leading from Boston to Worcester, and on the south by Charles river ; one other piece of land, containing about twelve acres, on Prospect Hill, so

called ; one other piece of land in Newton, containing about five acres, and bounded on Charles river : And such conveyance so made by the said David Townsend, in his said capacity, together with the said Mary, shall operate, to all intents and purposes, as a valid conveyance of all the right, title and interest, which the said Abraham Pierce, and the said Mary, in her right, have as aforesaid, in the real estate as shall be sold and conveyed as aforesaid : *Provided*, that the said David Townsend first give bond, with sufficient sureties, to the Judge of Probate, for the county of Middlesex, or his successor in said office, that he will observe the rules and directions of law for the sale of real estate by Guardians ; and the proceeds of said sale, after paying the just debts of said Pierce, expenses of guardianship, and incidental expenses, shall be put at interest on good security, for the said Abraham's and said Mary's benefit, and the same be accounted for according to law.

CHAP. CXLI.

Resolve granting to the Massachusetts and Berkshire Agricultural Societies, aids to their funds.

December 12th, 1816.

Resolved, That the sum of five hundred dollars be paid out of the Treasury of this Commonwealth, at or before the first day of October next, unto the Massachusetts Agricultural Society, and the same sum annually for the term of two years then next following, to be by them, in addition to their own private funds, employed in dispensing premiums to individuals, and to corporations who shall exhibit the best specimens of domestic animals, of domestic fabrics, and useful inventions, agreeably to the rules which the said Society may from time to time prescribe.

And be it further resolved, That the sum of two hundred dollars be paid out of the Treasury of this Commonwealth to the Berkshire Agricultural Society, at the same time, for the term of years, and for similar purposes, as in the foregoing grant made to the Massachusetts Agricultural Society.

CHAP. CXLII.

Resolve confirming the records of the Trustees of Hampden Academy, and fixing times for their meetings.

December 12th, 1816.

On the petition of the Trustees of Hampden Academy :

Resolved, For reasons set forth in their petition, that the votes passed, and acts done by the said Trustees, at their meetings since the first legal meeting of the said Trustees was holden, be confirmed, and made valid to all intents and purposes, as if the said records were whole and entire ; and that the following days be established as the times for holding their regular meetings hereafter, viz. on the second Mondays of February, May, August, and November, and that all the said meetings be holden at the Academy building, in the said town of Hampden, and that said Trustees be authorized to adjourn their meetings to any other times not herein mentioned.

CHAP. CXLIII.

Resolve granting Archibald M'Neil \$300, in full for land.

December 12th, 1816.

The Committee of both Houses, on the petition of Archibald M'Neil, for compensation for a piece of ground inclosed in the yard of the State Prison, report :

That it appears to your Committee, that although your petitioner has no claim in law, yet in equity he has, inasmuch as the deed covers more ground than he intended, or was sensible he conveyed at the time ; they therefore report the following resolve :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Archibald M'Neil, three hundred dollars, in full compensation for land included within the walls of the State Prison yard, and his Excellency the Governor, with advice of Council, be authorized and requested to draw his warrant on the Treasurer for the same.

CHAP. CXLIV.

Resolve referring the petition for a Bridge over St. George's River, to the next General Court.

December 12th, 1816.

On the petition of Edward Killeran, and others, praying that they may be authorized to build a bridge over St. George's River, between the towns of Cushing and Thomastown :

Resolved, That the further consideration of the subject be referred to the first session of the next General Court, and that the same may be then taken up and acted on without further notice to either party.

CHAP. CXLV.

Resolve granting Samuel Emerson, of Wells, the sum of twenty-two dollars and fifty cents.

December 12th, 1816.

On the petition of Samuel Emerson, of Wells, Physician, praying for the allowance of his account for medical services on a wounded soldier :

Resolved, for reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Samuel Emerson, the sum of twenty-two dollars and fifty cents, in full for medicine furnished, and attendance on James Mitchel, a soldier wounded while on duty at a regimental review.

CHAP. CXLVI.

Resolve on the petition of Enos Smith, that a bond given by him as Agent for Ashfield, may be cancelled, on condition.

December 12th, 1816.

On the petition of Enos Smith, praying that a bond which was given to the Board of War, by said Enos Smith, Agent for the town of Ashfield, might be cancelled, on the condition thereof being fulfilled :

Resolved, That Joseph H. Pierce, Esq. be, and he hereby is authorized and empowered to receive the certificates required by the bond aforesaid, and to cancel the said bond, if in his opinion the said certificates are adequate to the object for which the bond was given, and that they be lodged with the Secretary of the Commonwealth, for the purpose of accompanying the papers received by him from the Board of War, and now in his custody.

CHAP. CXLVII.

Resolve releasing the inhabitants of township No. 7th Range, north of Waldo patent, from State taxes.
December 12th, 1816.

On the petition of the inhabitants and settlers of township number seven, in the seventh range of townships north of Waldo patent:

Resolved, For reasons set forth in said petition, that the inhabitants of said township, and the land within the township aforesaid be, and hereby are exempted and released from all the State taxes which have been assessed upon said inhabitants and land, also from the State tax, for the year 1817, granted by the Legislature, at the present session.

CHAP. CXLVIII.

Resolve relative to erection of buildings, in which to deposit the public military stores. December 12th, 1816.

The Committee of both Houses, to whom was referred the Message of his Excellency the Governor, of the 23d of November last, and the communication of the Quarter-Master General, of the 8th of the same November, which Message and communication refer to the necessity of additional buildings being erected for the safety and preservation of the cannon, small arms, laboratory stores, and other munitions of war, belonging to the Commonwealth, have had the same under consideration, and ask leave to report—That, after due investigation and inquiry, they are satisfied, that the interests of the state require the erection of additional build-

ings for the safe keeping and preservation of the large and valuable amount of military stores and munitions of war, which are now exposed to danger, from fire, to loss from depredation, and to deterioration and injury from the want of proper buildings in which to secure and preserve them. This property is much larger in quantity, and of much more value than has been usually contemplated, and the best economy requires more expensive buildings for its safe keeping than can be met by the comparatively small appropriations hitherto contemplated by the Legislature for this important object. And as a Laboratory by the present militia arrangements is absolutely necessary to be located in the town of Boston," and proper buildings are required for that purpose, and a Distributing Arsenal, your Committee have also directed their inquiries to this subject, and are convinced that the Commonwealth continually suffers loss, and its property is constantly liable to destruction by fire, and other ways, from the very inconvenient and improper buildings to which this business is now confined. Your Committee are of the opinion, and this opinion is supported by that of a Committee of the Honorable Council, to whom this subject has been submitted, and whose report accompanies the Message of his excellency the Governor, that a fire proof brick building one hundred feet long, forty feet wide and three stories high, is required to be erected on the Commonwealth's land in the town of Cambridge, as an Arsenal; and that a like fire proof building of from sixty to eighty feet in length and thirty feet wide and three stories high, is absolutely required to be erected in the town of Boston, as a Laboratory and Distributing Arsenal. To complete these buildings, the Committee estimate nearly fourteen thousand dollars will be necessary. They therefore ask leave to report the following resolve; all which is respectfully submitted by

J. HUNEWELL, *Chairman.*

Resolved, That his Excellency the Governor, with the advice of Council, be authorized and requested to appoint Agents, on the part of the Commonwealth, to cause a fire proof Distributing Arsenal and Laboratory of suitable dimensions, to be erected in the town of Boston, and that the same be so situated and constructed as to be separated from all private buildings, and on land to be enclosed with a brick wall or stockade, of a suitable height.

Be it further resolved, That the said Agents or a majority of them be, and they are hereby authorized to make such arrangements and agreements with the Selectmen of the town of Boston, respecting the location of said Distributing Arsenal and Laboratory, and respecting the exchange or transfer of the land now used by, and in possession of the Commonwealth, for Laboratory and other military purposes, which land is situated on and near Pleasant-street, in said town of Boston; such location, exchange or transfer, if necessary, to be made in such way and manner, and on such conditions, as in the opinion of the said Agents or a majority of them, will be most conducive to the effectuating the intentions and purposes of this resolve, and be most beneficial to the Commonwealth.

Be it further resolved, That said Agents cause to be erected on the Commonwealth's land in the town of Cambridge, a fire proof brick building as an Arsenal, to be one hundred feet in length, forty feet wide, and three stories high, as a place of the more permanent deposit of tents, camp equipage, fixed ammunition, and other munitions of war.

Be it further resolved, That the Governor be, and he hereby is authorized and empowered, by and with the advice of the Council, to draw his warrants on the Treasurer of this Commonwealth, at such times and in such sums in favour of said Agents, as may be necessary to carry this resolve into effect; such sums, however, not to exceed in the whole, fourteen thousand dollars.

Be it further resolved, That so much of the resolve passed on the thirteenth day of February last, as authorized the Governor, by and with the advice of the Council, to draw his warrants upon the Treasurer of this Commonwealth, for any sum or sums, not exceeding seven thousand dollars, for the purposes aforesaid, be, and the same hereby is repealed.

CHAP. CXLIX.

Resolve granting Jacob Kuhn, Messenger to the General Court, \$300 for the purchase of fuel.

December 13th, 1816.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of three hundred dollars, to enable him to

purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's and Quarter Master General's Offices, and also the Land Office ; he to be accountable for the expenditure for the same.

CHAP. CL.

Resolve authorizing Josiah P. Cooke, Executor of the Will of William Andrews, to sell real estate.

December 13th, 1816.

On the petition of Josiah P. Cooke, of Boston, stating, that on the twenty-eighth day of May last, the Will of William Andrews was duly proved in the Probate Court, in the county of Middlesex, by which he was appointed Executor of said Will, and that no express authority is given him by said Will to sell and convey the real estate of said Andrews, and praying for leave to sell said real estate, the said devisees, who are of age, having expressed to said petitioner their assent and desire that the same should be sold :
Therefore

Resolved, That he, the said Josiah P. Cooke, be, and he is hereby authorized and fully empowered to sell the real estate of which the said William Andrews died seized and possessed ; and to make and execute any deed or deeds effectual in law to convey the same, as fully and effectually as if the said Testator had expressly by his Will authorized his Executor to sell and convey the same in fee ; he, the said Josiah P. Cooke, complying with the rules and regulations appertaining to the sale of real estates by Executors and Administrators, and giving bond to the Judge of Probate, with sufficient surety or sureties, in the county of Middlesex, for the due execution of said trust according to the true intent and meaning of said Will.

CHAP. CLI.

Resolve on the petition of Joseph Butterfield, directing the Commonwealth's Agent for the sale of Eastern lands, to execute a deed. December 13th, 1816.

On the petition of Joseph Butterfield, of Plantation of No.

3, on the east side of Penobscot river, stating, that in the year 1801, one Daniel Eppes purchased part of a quarter township in said Plantation, and mortgaged the same to the Commonwealth, to secure the payment of the purchase money; that the petitioner purchased of said Eppes two thousand acres, part of the said tract; that the petitioner has paid into the Treasury of this Commonwealth about seven hundred dollars, in part of the principal and interest of said mortgage; that a division was afterwards made between the several owners of said tract of land, so that each of them was thereafter to hold his part in severalty, the whole being still encumbered by the said mortgage of the same; that judgment has been recovered by the Commonwealth for the possession of the mortgaged premises, against the petitioner and the other tenants in possession; that the petitioner cannot avail himself of his right of redeeming his part of the mortgaged premises, but by the payment of the whole sum due to the Commonwealth on the mortgage aforesaid; that he is unable to pay the sum so due; that he has been at great expense in buildings and improvements on said land, which he must wholly lose, unless the Legislature grant him relief in the premises: Therefore

Resolved, That the Agent for the sale of Eastern lands, be, and hereby is authorized, after having investigated the subject, and ascertained the facts in the case, to make and execute, in behalf of the Commonwealth, a good and sufficient deed of so much and such part of the said two thousand acres of land, thereby releasing to the said Butterfield, his heirs and assigns, the right, title and interest of the Commonwealth therein, as the said Agent, under all the circumstances of the case, shall judge to be a reasonable compensation for the sums of money paid by the said Butterfield to the Commonwealth, on the mortgage aforesaid: *Provided however*, that such deed, if made, shall in nowise affect the title of the Commonwealth to any other part of the mortgaged premises.

CHAP. CLII.

Resolve on the petition of Daniel Budge, and others.
December 13th, 1816.

On the petition of Daniel Budge, and others, inhabitants

of the town of Levant, in the county of Penobscot, praying the Legislature to grant to the said inhabitants, the three hundred and twenty acres of land, reserved in said town for the future disposition of this Commonwealth :

Resolved, For reasons set forth in said petition, that whenever the inhabitants of the said town of Levant shall have erected a bridge over the Kenduskeag stream, near Hodsden's mills, in said town, supported and secured by stone abutments, and three piers ; such bridge to be made in all respects to the acceptance and approbation of the Circuit Court of Common Pleas, for the third eastern circuit, which Court is hereby authorized and required to appoint a Committee of three disinterested and discreet persons, to examine and make report in the premises, to said Court, previous to its determination as to the sufficiency of such bridge ; that then there be and hereby is granted to the inhabitants of said town of Levant, and their successors, all the right, title, and interest of the Commonwealth, in and to the said three hundred and twenty acres of land ; to have and to hold the same to the said inhabitants and their successors in fee : *Provided however*, that such bridge shall be erected within two years from passing this resolve ; *and provided also*, that the acceptance and approbation of the said Court, in the premises, and a certified copy of the same shall have been returned to the Land Office, within six months thereafter.

CHAP. CLIII.

Resolve on the petition of Hannah Ross, relinquishing the right of the Commonwealth to estate of her late husband.
December 13th, 1816.

On the petition of Hannah Ross, of Boston, in the county of Suffolk, widow :

Resolved, For reasons set forth in the said petition, that all the right, title, and interest which the Commonwealth has, or might have, in and to one undivided moiety of a certain parcel of land, with the buildings thereon, situated in Boston aforesaid, bounded southerly on Elliot-street, twenty-two feet, westerly on land now or late of Adam Hardwick, one hundred and thirty-seven feet and six inches, northerly on land now or late of the heirs of Josiah Torrey, twenty-

two feet, easterly on land now or late of Thomas Spear, one hundred and forty feet, with the privileges and appurtenances thereto belonging, which real estate was purchased by Wm. Ross, of Boston, deceased, during his intermarriage with the said Hannah, and of which said William died seized, he being at the time of his death a subject of the king of the united kingdom of Great Britain and Ireland, and having never been naturalized and admitted a citizen of the United States, be, and the same is hereby granted and released to the said Hannah Ross, and to her heirs and assigns forever: *Provided however*, that the same shall be held subject to the payment of all the just debts of the said William, in case his personal estate shall be insufficient therefor, in the same manner as real estates of persons deceased are holden and subject by the laws of this Commonwealth.

CHAP. CLIV.

Resolve authorizing the Governor to appoint three suitable persons to consider the subject of the State Prison, at large, and report. December 13th, 1816.

The Committee of both Houses, who were directed to examine the system now practised in regulating and governing the State Prison, to compare the same with similar establishments in other states, &c. ask leave to report:

That they have extended their inquiries towards the object of their appointment with all the assiduity which has been practicable. They have visited the State Prison, and, through the politeness and attention of the Warden and Officers, a developement was made of the existing state of things in relation to that institution, which is highly honorable to those entrusted with its care, and very satisfactory to your Committee.

But like all other human institutions, this establishment is capable of progressive improvement.

Without going into a detailed account of the mode of employing the convicts, and of the expenses consequent thereon, your Committee beg leave to call the attention of the Legislature to a few facts, which the present inquiry has disclosed.

It appears by the letter of the Warden of the State Prison, addressed to the Chairman of your Committee, herewith ac-

companying, that the whole number of convicts are three hundred and three, of which fifteen only are females. There are four persons under the age of fourteen years, thirty-four persons between fourteen and twenty-one years, and one hundred and forty-nine between the age of twenty-one and thirty, making an aggregate of one hundred and eighty-seven persons under the age of thirty years.

The maxims of every wise state, lead to the enactment of laws calculated to prevent the commission of crimes. This is a prime object : for this, principally, was the penal code of this Commonwealth modified, and the present mode of punishment, by solitary confinement, substituted, for that of a more sanguinary character, and withal to give those convicted of crimes, an opportunity, by repentance and amendment of life, to be restored to society.

Now your Committee would respectfully ask, whether the present mode of treating the convicts, by putting those who are young, having, as yet, no fixed habits of vice, and sentenced for comparative light offences, immured with those committed for heinous crimes, and who have long wallowed in the paths of iniquity? It is believed an answer will be given in the negative; and your Committee are corroborated in this opinion, from the examination recently made before the Municipality of London, on a similar subject, as well as from the consideration, that if the number of convicts continue to increase as heretofore, some new arrangement, classification of the prisoners, or an enlargement of the Prison limits, will be indispensable.

An efficient employment of the convicts is the great desideratum in order to curtail the expenses of the Prison : it will be seen, by the letter before referred to, that only one hundred and ninety-four persons of the whole number are thus effectually employed at present. But as the weaving, and some other modes of employment, have failed of being productive, in a great degree, hewing of stone, and some other branches of work are substituted, which is likely to prove more beneficial

Your Committee would also beg leave to suggest the propriety of having the clothing of the convicts manufactured by themselves, since wool is becoming a staple of the Commonwealth; and it is believed coarse woollens can be manufactured cheaper than importations of that article can be made.

Among the various Penitentiary establishments in this country, perhaps none have made greater advances toward perfection than that in Pennsylvania; but as the knowledge of your Committee, in this regard, is very limited, and as the investigation connected with this subject may be important in its consequence to the state, both as to the purchase of more land contiguous to the Prison, and of dividing the several apartments more effectually, your Committee beg leave to report the following resolve, which is respectfully submitted by

MARK LANGDON HILL, *Chairman.*

Resolved, That his Excellency the Governor, with the advice of Council, be authorized, and he is hereby requested forthwith to appoint three suitable persons to enquire by the most ready and economical manner, into the mode of governing the Pennsylvania Penitentiary, and others of a similar nature; to consider at large the subject of the State Prison, and to report any improvements which can be made in the government, organization, or enlargement of that establishment, with leave to report by bill or otherwise, at the first session of the next General Court.

CHAP. CLV.

Resolve directing the Adjutant General to examine proceedings of Courts Martial, &c. and report, &c.
December 14th, 1816.

Resolved, That the Adjutant General be, and he hereby is requested to examine the proceedings of Courts Martial, and Courts of Inquiry, now on file in his office, and report at the next session of the Legislature, if there are any, and what cases the publication of which would essentially promote the good order of the Militia, and correct conduct in officers, and tend to prevent the great expense of calling such Courts in future, by showing the decisions that have been approved.

Resolved, That the Adjutant General be, and he hereby is requested to prepare, and report at the next session of the Legislature, a system of Artillery, Light Infantry, and Rifle drill discipline, and manœuvres for the Light Infantry and Rifle corps of this Commonwealth.

CHAP. CLVI.

Resolve directing that all proceedings of Courts Martial, and Inquiry, be deposited in the Office of the Adjutant General. December 14th, 1816.

Resolved, That the Secretary of this Commonwealth be directed to deliver over to the Adjutant General, all the records and papers in relation to Courts Martial and Courts of Inquiry, to be deposited in that office; and that all papers, which relate to the proceedings of Courts Martial and Courts of Inquiry, shall hereafter be deposited in the Adjutant General's office.

CHAP. CLVII.

Resolve in favor of Isaac Adams, Assistant to the Messenger of the Governor and Council. December 14th, 1816.

Resolved, That there be allowed and paid from the public Treasury of this Commonwealth, to Isaac Adams, Assistant to the Messenger of the Governor and Council, two dollars and fifty cents for each day he may have been or shall be employed the present session of the Honorable Council.

CHAP. CLVIII.

Resolve for paying Joseph Francis, Page to the House of Representatives. December 14th, 1816.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the Messenger, to be by him paid over to Joseph Francis, one dollar and twenty-five cents per day, for each day he the said Francis shall have attended as Page to the House of Representatives, the present session of the General Court.

CHAP. CLIX.

Resolve on the petition of David Wilder, authorizing him to sell estate of David Wyer. December 14th, 1816.

On the petition of David Wilder, of Leominster, in the county of Worcester, physician, Guardian of David Wyer, of said Leominster, spendthrift, praying that he, said David Wilder, in his said capacity, may be authorized and empowered to sell at public auction, to the highest bidder, and to transfer and convey to the highest bidder, all said spendthrift's real estate which has come to his hands, lying and situate in said Leominster, consisting of about thirty-three acres, with the buildings thereon, valued at thirty-five hundred dollars in the inventory :

Resolved, For reasons set forth in said petition, that the said David Wilder, in his said capacity, be, and he hereby is fully authorized and empowered to sell at public auction, and to convey all the said real estate belonging to the said David Wyer, situated in said Leominster, and in his said capacity to make and execute good and sufficient deed or deeds of conveyance thereof, which deed when duly acknowledged and recorded, shall make a legal title to the purchaser or purchasers thereof : *Provided*, that the said David Wilder first give bond, with sufficient sureties, to the Judge of Probate for said county of Worcester, in making said sale, to observe the rules and directions of law for the sale of real estate by Executors or Administrators, and that the proceeds of said sale, so far as the same will extend, shall be applied in the first place to the payment of the balance mentioned in said petition, now due from said spendthrift to said Guardian, and of the incidental expenses of the sale ; and the surplus, if any, to the support and maintenance of said spendthrift and his family, or otherwise to the rules of law.

CHAP. CLX.

Resolve granting pay to Warren Chase, Henry Bacon, and Lewis Low, Assistants to the Messenger of the General Court. December 14th, 1816.

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

lic Treasury of this Commonwealth, to Warren Chase, Henry Bacon, and Lewis Low, Assistants to the Messenger of the General Court, one dollar for each day during the present session of the Legislature, in addition to the usual allowance of two dollars per day.

CHAP. CXLI.

Resolve granting pay to John Low, Jun. Assistant Messenger of the House of Representatives.

December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, Jun. Assistant Messenger of the House of Representatives, seventy-eight dollars, in full for his services in that capacity, during the present session of the General Court.

CHAP. CLXII.

Resolve granting pay to Theron Metcalf, as Reporter on Contested Elections. December 14th, 1816.

Resolved, That there be allowed and paid out of the public Treasury, to Theron Metcalf, Esq. the Reporter of Contested Elections for this House, the sum of one hundred and twenty-five dollars, for his services during the present session of the General Court.

CHAP. CLXIII.

Resolve granting a tax to the county of Kennebeck.
December 14th, 1816.

Whereas the Clerk of the Circuit Court of Common Pleas for the county of Kennebeck, has exhibited an estimate made by said Court, of the necessary charges which may arise within said county the year ensuing, and of the sums necessary to pay the debts of said county :

Resolved, That the sum of four thousand and eight hundred dollars be, and the same is hereby granted as a tax on the said county of Kennebeck, for the year of our Lord one thousand eight hundred and seventeen, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law. And whereas said estimate is not accompanied by the Treasurer's account for said county, therefore

Be it further resolved, That the Treasurer of said county be, and he hereby is required to produce his account as Treasurer of the county aforesaid, at the first session of the next General Court.

CHAP. CLXIV.

Resolve discharging the Quarter-Master General from sums received, and making an appropriation for his department. December 14th, 1816.

The Committee of both Houses, to whom was referred the Quarter-Master General's communication relating to the expenditures in his department, have attended to the duties of their appointment, and find his account well vouched and right cast; and that he has expended the year past, ten thousand five hundred and ninety-six dollars and eighteen cents, including seventeen hundred dollars for his salary for the year ending January 27th, 1817; and has received the year past, by warrants on the Treasury, twelve thousand dollars, leaving a balance of fourteen hundred and three dollars and eighty-two cents, for which he is still accountable:—Ask leave to report the following resolves, which is respectfully submitted.

Per order.

JOSIAH QUINCY, *Chairman.*

Resolved, That Amasa Davis, Esq. Quarter-Master General, be, and he hereby is discharged from the sum of ten thousand five hundred and ninety-six dollars and eighteen cents, being part of the sum he has received the year past, by warrants on the Treasury.

Resolved, That the sum of ten thousand five hundred dollars be paid to the Quarter-Master General, from the Treas-

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sury of this Commonwealth, to meet the expenses of his department the ensuing year; for the application of which the Quarter-Master General is to be accountable; and his Excellency the Governor is requested to issue his warrants on the Treasury, for the amount, in such sums, and at such periods, as his Excellency, with the advice of Council, may deem expedient for the public service.

CHAP. CLXV.

Resolve granting pay to the Chaplains of the General Court.
December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Reverend Francis Parkman, Chaplain of the Senate, and the Reverend Asa Eaton, Chaplain of the House of Representatives, sixty dollars each, in full for their services in said offices, the present year.

CHAP. CLXVI.

Resolve making allowance to the Messenger of General Court. December 14th, 1816.

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

CHAP. CLXVII.

Resolve providing for the payment of the Committee on Accounts. December 14th, 1816.

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

their attendance on that service during the present session, the sum of one dollar per day, in addition to their pay as Members of the Legislature, viz. :—

Hon. Silas Holman, twenty-seven dollars,
Thomas Weston, thirty dollars,
Daniel Howard, twenty-eight dollars,
James Robinson, thirty-two dollars,
Alford Richardson, thirty-two dollars.

CHAP. CLXVIII.

Resolve authorizing Ebenezer White to sell estate of John King, his ward. December 14th, 1816.

On the petition of Ebenezer White, of Newton, in the county of Middlesex, Guardian of John King, of said Newton, a spendthrift, stating, that the debts of the said spendthrift, exceed the amount of his personal estate, and the rents and profits of his real estate; that it is necessary to raise a sum of money for the payment thereof, by a sale, at least of a part of the said King's real estate, and that a sale of a part thereof only, would greatly injure the residue, and praying that he may be authorized to sell the whole of the same estate :

Resolved, For reasons set forth in the said petition, that the said Ebenezer White be, and he hereby is authorized to sell the whole of the said real estate of the said King, situated in Newton, aforesaid, and containing about sixty acres, with the buildings thereon, and a good and sufficient deed or deeds thereof, to make to the purchaser or purchasers : *Provided*, that the said White shall first give bond, with sufficient sureties, to the Judge of Probate, for the said county of Middlesex, in making sale, to observe the rules and directions of law for the sale of real estate by Executors or Administrators; and that the proceeds of said sale, so far as the same will extend, shall be applied in the first place for the payment of the debts now due from the said spendthrift, of the incidental expenses of the sale, and the surplus, if any, to the support and maintenance of said spendthrift and his family, or otherwise agreeably to the rules of law.

CHAP. CLXIX.

Resolve on the petition of Francis M'Kusick, discharging him from a judgment and executions.

December 14th, 1816.

On the petition of Francis M'Kusick, of Denmark, in the county of Oxford, praying to be relieved from a judgment in favor of this Commonwealth, against him, rendered at the Supreme Judicial Court, holden at Portland, in the county of Cumberland, and for the counties of Cumberland and Oxford, on the fourth day of May, A. D. 1814, on the forfeiture of his recognizance for the appearance of Bernice Richardson, at said Court, to answer to an indictment against the said Richardson—which judgment, with the executions issued thereon, amounts to one hundred and seventy-one dollars and eighty-two cents :

Resolved, For reasons set forth in said petition, that the said Francis M'Kusick be, and he is hereby wholly discharged from the said judgment, and the executions issued thereon.

CHAP. CLXX.

Resolve on the petition of Jesse Parker, of Groton, Administrator on the estate of Winslow Parker, deceased.

December 14th, 1816.

On the petition of Jesse Parker, of Groton, in the county of Middlesex, Administrator of the estate of Winslow Parker, late of said Groton, deceased ; it appearing, that this Commonwealth, on the 15th day of December, A. D. 1784, by deed of that date, of their Committee, fully authorized for a valuable consideration paid by said Winslow, to the use of the Commonwealth, sold and conveyed with warranty against the claims of all persons, a certain messuage and three several tracts of land in said Groton, to hold to him, his heirs and assigns forever ;—It also appearing, that the said Jesse, and Jonas Longley Parker, Winslow Parker, Libni Parker, Dan Parker, Nathaniel Parker, Job Parker, Harriot Parker, Nabby Parker, Clark Parker, Anna Parker, and Sabina Parker, children and heirs of said Winslow

Parker, deceased, have been sued by one Gilbert Ainsley, in an action of land, which said action is now pending in the Supreme Judicial Court in the said county of Middlesex, wherein the said Gilbert demands against the said tenants one undivided moiety of the premises, sold and conveyed as aforesaid by said Commonwealth;—and it further appearing, that one James Martin, on the last Tuesday in October, A. D. 1815, at the Supreme Judicial Court, begun and holden at Cambridge, in said county of Middlesex, recovered judgment against said tenants for one undivided moiety of said premises, and that the Jury estimated the value of said moiety of the premises, without the improvements, at seven hundred dollars; and that said Martin, then and there, abandoned said premises to the tenants, and that the said Commonwealth has paid to said Martin, said sum of seven hundred dollars, and the cost of said Martin's suit; and it further appearing, that the said Gilbert Ainsley has a good title to an undivided moiety of said premises, as his title was virtually settled in the said Martin's action against said tenants: Therefore

Resolved, That the Treasurer of this Commonwealth be, and he is hereby directed, by warrant from his Excellency the Governor, to pay unto the said Gilbert Ainsley, or his lawful attorney, the sum of seven hundred dollars, together with thirty-six dollars and fifty-seven cents, costs of said Gilbert's suit, upon the making and executing of such deed or deeds, to be approved by the Attorney General or Solicitor General, as shall be sufficient in law to bar and preclude him, the said Gilbert, and his heirs respectively, from the said premises, and every part and parcel thereof, forever, to inure to the use of said tenants their heirs and assigns respectively, and causing such deed or deeds, so approved, to be recorded in the Registry of Deeds, in the county of Middlesex, and there deposited, to be delivered to said tenants, upon their application therefor.

And be it further resolved, That the said Treasurer be, and he is hereby directed, by warrant from his Excellency the Governor, to pay over into the hands of said Jesse Parker, the sum of twenty-five dollars, to be taken in full compensation for the claims of the tenants upon the Commonwealth, for their costs and charges about the defence of said suit.

CHAP. CLXXI.

Resolve granting Honorable Edward H. Robbins \$300, on account, as Agent for sale of Eastern lands.

December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Honorable Edward H. Robbins, Esq. three hundred dollars, on account of services rendered as Agent for the Commonwealth's lands, in the District of Maine, he to be accountable for the same.

CHAP. CLXXII.

Resolve directing the Secretary to deliver Maps and Statistical View of Maine, to the Governor, Lieutenant Governor, Counsellors, Senators and Representatives.
December 14th, 1816.

Resolved, That the copies of the Map and Statistical View of Maine, by Moses Greenleaf, now remaining on hand of the number subscribed for, by the Commonwealth, be distributed as follows :

To his Excellency the Governor, his Honor the Lieutenant Governor, and the Members of the Council, each one copy, and to the Members of the Senate and House of Representatives, one copy each, so far as the number on hand will permit.

CHAP. CLXXIII.

Resolve directing the Secretary to deliver the Laws and Resolves to the several County Treasurers, and to Registers of Deeds. *December 14th, 1816.*

Resolved, That the Secretary be directed to deliver to each Register of Deeds, and each County Treasurer, within this Commonwealth, one full set of the Statute Laws and Resolves of this Commonwealth, to be for the use of such Register and Treasurer, and their successors in said offices.

CHAP. CLXXIV.

Resolve to pay the Clerks of the General Court.
December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Samuel F. M'Cleary, Clerk of the Senate, the sum of three hundred and fifty dollars; to Benjamin Pollard, Clerk of the House of Representatives, the sum of three hundred and fifty dollars; to Jeremiah Perley, Assistant Clerk of the Senate, the sum of two hundred and sixty dollars; and to Thomas Walcutt, a Clerk in the Lobbies, for the assistance of the Members of the Legislature, one hundred and twenty dollars, in full for their respective services, in the capacities aforesaid, during the present session of the General Court.

CHAP. CLXXV.

Resolve on the petition of Thomas Kennedy, jun. granting him \$41, for transportation of troops.
December 14th, 1816.

On the petition of Thomas Kennedy, jun. of Newcastle, in the county of Lincoln:

Resolved, That eleven dollars be allowed and paid out of the Treasury of this Commonwealth, to said Kennedy, in full compensation for means furnished by him for transportation of troops, in defence of this Commonwealth, during the late war: *Provided*, said Kennedy give duplicate receipts therefor, one of which to be filed in the Secretary's office, among the demands against the United States, for expenses incurred by this state during the late war with Great Britain.

CHAP. CLXXVI.

Resolve directing the Quarter Master General to purchase and send corn for Penobscot Indians, and appointing Agents to deliver it to said Indians.
December 14th, 1816.

The Committee of both Houses, to whom was referred

the Memorial of the Principals and Agents of the Penobscot tribe of Indians, have attended to the duty assigned them, and ask leave to report :

That they find the said tribe to consist of about two hundred and fifty souls, more than two thirds of whom are females and children ; that the said Indians have been, the late season, uncommonly unfortunate in their usual employment of hunting ; and that, owing to this, to a scarcity of provision, particularly corn, at this time, in their section of the state, and to an injudicious management of what they have received from the Commonwealth the last autumn, they are likely to be in a condition little removed from actual starvation, during the present winter : Therefore your Committee beg leave to report the following resolutions.

WILLIAM D. WILLIAMSON,

Per Order.

Resolved, That the Quarter Master General of this Commonwealth be, and he is hereby authorized to purchase, for the use of the said tribe of Indians, three hundred bushels of corn, to inclose the same in casks, and to procure the transportation thereof to the store of Richard Thurston, of Frankfort, in the county of Hancock.

Resolved, That the said Richard Thurston, and Robert Parker, of Bangor, in the county of Penobscot, are hereby appointed Agents, and directed to deliver the same corn to the said tribe of Indians, from and after the first day of January next, in manner following, viz.: In each and every week, shall be delivered out to them fifteen bushels thereof, till the whole be expended : And the said Agents are hereby required to render to the said Quarter Master General, a true statement of their doings, within one year from the passing of these resolves.

Resolved, That the Governor be, and he is hereby authorized to issue his warrant in favor of the said Quarter Master General, on the Treasurer of this Commonwealth, for such sum of money as will enable said Quarter Master General forthwith to carry the provisions of these resolutions into complete effect.

CHAP. CLXXVII.

Resolve authorizing the Governor to appoint persons to superintend the straightening and lowering the wall in the rear of the State House yard. December 14th, 1816.

*Resolved, That his Excellency the Governor be, and he hereby is authorized, by and with the advice of the Council, to appoint three suitable persons to superintend the straightening and lowering of the State House wall, in the rear of the State House yard, the taking in the steps into the yard on the east side of the State House, and the lowering of Sumner-street; and to contract for the exchange of the land on which the offices of the State House now stand, for a piece of land on the west end of the State House, which land is owned by the proprietors of the square in the rear of the State House, and for the erection of new offices, on such land, as shall be obtained by such exchange, in such manner and on such terms as to said Committee shall be judged expedient: *Provided*, that all the land relinquished by the Commonwealth, shall be laid open to widen and straighten said Sumner-street, so that when the new wall shall be erected, it shall make the division line between said Sumner-street and the State House yard; *and provided also*, the same can be done without any expense to the Commonwealth.*

ROLL No. 76....November, 1816.

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

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

SILAS HOLMAN, *Per Order.*

PAUPER ACCOUNTS.

Town of Arundel, for board, clothing, doctoring and nursing Henry Rolph, to 26th November, 1816,	142 75
Adams, for board, clothing and doctoring sundry paupers, to 6th November, 1816,	335 12
Augusta, for support of sundry paupers, to 10th November, 1816,	214 76
Andover, for board and clothing Patrick Callahan and Sukey Hornsby, to 4th December, 1816,	125 37
Abington, for board and clothing Thomas Seymour, to 4th December, 1816,	44 00
Attleborough, for support of sundry paupers, to 7th July, 1816,	112 59
Baldwin, for board and clothing Daniel Hickey, to 1st November, 1816,	33 60
Belgrade, for board, nursing and doctoring Nancy Odlin, to 4th November, 1816,	51 60
Bowdoinham, for board, clothing and nursing Eli-za Parker, to 23d October, 1816,	72 74

Bridgewater, for board and clothing sundry paupers, to 22d November, 1816,	98 77
Barnstable, for support, nursing and doctoring William Reed, to 5th August, 1816,	28 00
Barre, for board and clothing Samuel Lee, Sally Taylor and her child, to 28th November, 1816,	76 03
Blandford, for board and clothing ——— Brewster, to 8th November, 1816,	57 25
Beverly, for board and clothing sundry paupers, to 1st December, 1816,	209 99
Bradford, Samuel, keeper of goal in the county of Suffolk, for supporting sundry poor prisoners, confined for debt, to 19th October, 1816,	568 50
Belchertown, for board and clothing sundry paupers, to 16th November, 1816,	77 95
Bedford, for board and nursing Daniel M ^c Carter, till his death, and funeral expenses, October 31st, 1816,	30 00
Bellingham, for board, clothing and doctoring Nathan Freeman and wife, to 4th December, 1816,	75 55
Boston Board of Health, for support and doctoring sundry paupers, at the Hospital on Rainsford Island, with contagious disease,	491 56
Brookline, for board, nursing and doctoring Peter Henry, to 2d December, 1816,	20 00
Boston, for board and clothing sundry paupers, to 1st December, 1816,	6066 37
Chesterfield, for board and clothing sundry paupers, and funeral charges of Rachel Polly, to 10th November, 1816,	77 23
Chester, for board and clothing George Buttolph and wife, and Benjamin Powers, to 2d November, 1816,	182 96
Cambridge, for board and clothing sundry paupers, to 16th, 1816,	336 06
Cape Elizabeth, for board and clothing James Ramsbottom, and Thomas Farrar, to 4th November, 1816,	102 56
Cheshire, for board and clothing sundry paupers, to 8th November, 1816,	128 36
Canton, for support of John Cole, to 1st May, 1816,	33 60

PAUPER ACCOUNTS.

365

Charlestown, for board and clothing sundry paupers, to 5th December, 1816,	597 78
Dorchester, for board and clothing John Harrison and Thomas Wyman, to 21st November, 1816,	49 00
Durham, for board and clothing sundry paupers, to 1st December, 1816,	165 60
Dalton, for board, doctoring and nursing Martha Dalton, till she left the town, 11th November, 1816,	41 00
Danvers, for board and clothing sundry paupers, to 19th November, 1816,	929 13
Dracut, for support of Richard Baker, to 9th November, 1816,	57 17
Elliot, for board and clothing Abigail Randal and Jacob Brewer, to 25th November, 1816,	59 66
Enfield, for board and nursing William Rice, to 23d November, 1816,	46 50
Egremont, for board and clothing sundry paupers, to 12th November, 1816,	230 87
Framingham, for support of Lucy Green, to 8th November, 1816,	22 03
Friendship, for board and clothing James Metcalf and Martha Bigmore, to 7th November, 1816,	54 35
Falmouth, Cumberland county, for support of Felician Sang and Lettis Willson, to 8th November, 1816; also for Rachel Cushing and Anna Baker, to same time,	159 94
Franklin, for board and doctoring Thomas Barre, till his death, and funeral charges, June, 1816,	13 00
Falmouth, Barnstable county, for support of Edward Edwards, to 3d December, 1816,	24 00
Frankfort, for board and clothing Hatwell Colson, to 1st November, 1816,	47 79
Gorham, for support of Robert Gillfilling, to 10th November, 1816,	36 00
Grafton, for supplies to Benjamin White and Isaac Newman, to 7th November, 1816,	88 16
Gill, for board and clothing sundry paupers, to 16th November, 1816,	183 12
Great Barrington, for board, clothing and nursing sundry paupers, to 12th November, 1816,	227 78
Granville, for board, nursing and doctoring George Taylor, to 4th November, 1816,	29 00

Greenfield, for support of Lazarus Tollis and wife, to 1st August, 1816, and removing them out of the Commonwealth,	114 00
Gloucester, for board and clothing sundry paupers, to 10th November, 1816,	1074 99
Hadley, for board and clothing Friday Allen and wife, to 6th November, 1816,	87 00
Haverhill, for board, clothing, doctoring and nursing Aaron Abbot and William Tapley, to 25th November, 1816,	84 86
Hodgkins, Joseph, keeper of the House of Correction in the county of Essex, for support of sundry paupers, to 21st November, 1816,	200 15
Ipswich, for board and clothing sundry paupers, to 1st November, 1816,	277 15
Kittery, for board and clothing Sarah and Deborah Perkins, and child, to 26th November, 1816,	134 16
Kingston, for board and clothing James and Edward Renney, to 23d November, 1816,	21 95
Long Meadow, to support of sundry paupers, to 9th November, 1816,	132 63
Lenox, for board, clothing and doctoring sundry paupers, to 8th November, 1816,	165 45
Lee, for support of sundry paupers, to 5th November, 1816,	242 39
Lanesborough, for board, clothing, and supplies to sundry paupers, to 1st November, 1816,	188 14
Lewistown, for board, clothing and nursing John Steel, till his death, and funeral charges, 24th July, 1816,	65 79
Leeds, for board and clothing Nicholas Tallier and Richard Creech, to 6th November, 1816,	76 67
Leyden, for board and clothing sundry paupers, to 9th November, 1816,	118 92
Lincolnvile, for board, clothing and nursing sundry paupers, to 9th November, 1816,	165 19
Lynn, for board and clothing sundry paupers, to 29th November, 1816,	543 53
Mount Vernon, for supplies to William Ham and family, to 4th November, 1816,	38 66
Monmouth, for board and clothing John Sherburn and Peggy Magner, to 12th November, 1816,	121 67

PAUPER ACCOUNTS.

367

Malden, for board, clothing and doctoring Samuel Thomson, until his death, and funeral charges, 17th March, 1816,	58 50
Medfield, for board and clothing George Turner, to 25th November, 1816,	56 86
Montville, for support of John Gloster, to 7th November, 1816,	24 81
Minot, for board and clothing Philip Weeks, to 15th November, 1816,	46 75
Milford, for board and clothing Betsey Gould, to 26th November, 1816,	46 97
Machias, for board, clothing, doctoring and nursing sundry paupers, to 16th November, 1816,	140 18
Marlborough, for support of Joseph Waters, to 28th November, 1816,	62 00
Merrill, John, for doctoring sundry criminal prisoners in Portland gaol, to 20th November, 1816,	16 38
Manning, Thomas, for doctoring sundry criminal prisoners in Ipswich gaol, to 17th November, 1816,	19 34
Marblehead, board and clothing sundry paupers, to 14th November, 1816,	313 01
Milbury, for support of Freeman Sill, to 9th November, 1816,	42 31
Middleborough, for support of sundry paupers, to 2d December, 1816,	128 46
Northfield, for support of Amos Riley, a child, to 8th November, 1816,	26 40
Newbury, for board and clothing sundry paupers, to 16th November, 1816,	1188 73
Noyes, Nathan, for doctoring sundry criminal prisoners in county of Essex gaol, to 10th April, 1816,	23 79
New Gloucester, for board and clothing sundry paupers, to 18th November, 1816,	137 16
North Yarmouth, for board and clothing sundry paupers, to 8th November, 1816,	60 60
North Hampton, for board, clothing and doctoring sundry paupers, to 25th November, 1816,	275 91
Norwich, for support of Daniel Williams, to 13th November, 1816,	31 21

Newry, for board and clothing William Burk, to 1st November, 1816,	26 53
New Bedford, for board and clothing sundry paupers, to 1st November, 1816,	385 21
Newton, for board, clothing and doctoring Joseph Pritchard, to 7th November, 1816, and Hugh Stanley, till his death, and funeral charges,	147 77
Newburyport, for board and clothing sundry paupers, to 1st December, 1816,	1164 68
North Brookfield, for board and clothing Daniel Peterson, and Joseph Peterson, to 4th November, 1816,	63 89
Overseers of Marshpee Indians, for board, clothing and doctoring sundry paupers, to 1st December, 1816,	494 97
Pittsfield, for board and clothing sundry paupers, to 15th November, 1816,	295 14
Pepperell, for board, clothing and nursing Robert B. Minchin, to 23d May, 1816,	31 20
Peru, for support of James Robbins, to 25th November, 1816,	42 37
Plymouth, for board and clothing sundry paupers, to 24th November, 1816,	423 10
Palmer, for board, clothing and nursing William and Phebe Mendon, to 16th November, 1816,	110 16
Portland, for board and clothing sundry paupers, to 16th November, 1816,	1147 60
Rowley, for board, clothing and doctoring Benning Dow and Ellen Collins, to November 11th, 1816,	73 38
Rochester, for support of Depford Brown, till his death, April, 1816,	25 00
Randolph, for board and clothing William Reed, to 6th June, 1816,	31 06
Reading, for board, clothing and doctoring Ceaser Howard, till he left the town, October, 1813,	44 00
Roxbury, for board and clothing sundry paupers, to 25th November, 1816,	333 84
Rowe, for board and clothing Betsey Carpenter, to 15th May, 1816,	26 00
Richmond, for board, clothing and doctoring Thomas Rowley and Samuel Hill, to 2d December, 1816,	95 40

Rehoboth, for support of sundry paupers, to 25th November, 1816, and Goff till his death, and funeral charges,	249 36
Sutton, for board and clothing Isabella Santee's three children, to 10th November, 1816,	37 68
Stockbridge, for board, clothing and doctoring sundry paupers, to 2d September, 1816,	300 29
Shelburn, for board and clothing Mary Batts, to 11th November, 1816,	76 98
Seckonk, for board, doctoring and nursing John Currie, to 11th November, 1816,	39 42
Somerset, for board, doctoring and nursing John Webb, till his death, and funeral charges, October, 1816,	17 00
Sherburne, for board and clothing Benjamin Houghton, to 25th November, 1816,	43 00
Salisbury, for board and clothing Mary Curtis, to 16th September, 1816,	8 25
Sheffield, for board and clothing Hannah Row, to November 9th, 1816, and Samuel Deverett, till his death, and funeral charges,	65 64
Saudisfield, for board of Richard Dickson and family, to 6th November, 1816,	24 00
Shirley, for board, clothing, doctoring and nursing sundry paupers, to 25th November, 1816,	165 30
South Berwick, for board and clothing Lemuel Woodworth, to 5th November, 1816,	33 00
Springfield, for support of sundry paupers, to 7th November, 1816,	37 87
Sterling, for board and clothing Jemima Pike, to 21st November, 1816,	78 08
Swanzey, for support of Garret Burns and James Garnet, to 7th December, 1816,	64 40
Salem, for board and clothing sundry paupers, to December 2d, 1816,	2103 0
Sedgwick, for board, clothing and nursing Frederick Chapel, till his death, and funeral charges, May, 1816,	13 50
St. George, for board and clothing Robert Howe, to 7th December, 1816,	30 80
Topsham, for board and clothing John Duggin, to 18th November, 1816,	71 07

Thomastown, for board, clothing and doctoring John Anderson, to 18th November, 1816,	72 42
Taunton, for board and clothing sundry paupers, to 17th November, 1816,	401 44
Tyngsborough, for support of George Young, to 2d November, 1816,	28 28
Uxbridge, for board and clothing sundry paupers, to November 12th, 1816,	102 03
Vassalborough, for board and clothing Abigail Fairbrother, to 11th November, 1816, and Gustavus Fellows, to September 4th, when he left the town,	114 91
Warren, for support of sundry paupers, to 4th November, 1816,	218 28
Winthrop, for board, clothing and doctoring William Gaskill, to 7th November, 1816, and Olive Howard, till her death, and funeral charges,	109 96
Western, for board and clothing Harriet Trim, to 25th May, 1816,	13 65
Wells, for support of Sarah Smith, to 1st November, 1816,	11 95
Walpole, for board, clothing, doctoring and nursing sundry paupers, to 13th November, 1816,	111 89
Wilbraham, for board, doctoring and nursing John Wise, to 9th November, 1816,	15 00
Windsor, for board and clothing Rachel Smith, till her death, June, 1816, and funeral charges,	11 00
Warwick, for board and clothing Lord Anson Wood, to 21st December, 1816,	36 00
West Springfield, for board and clothing sundry paupers, to 4th November, 1816,	105 66
Wellington, for support of Catharine Butler, to 1st December, 1816,	37 50
Westborough, for board and clothing Dinah, a Negro, to 1st December, 1816,	53 23
Wrentham, for board, clothing and doctoring Daniel Fitzgerald, to 1st December, 1816,	83 30
Wareham, for support of William Long, to 12th vember, 1816,	8 10
Ward, for support of Francis Savage, to 11th November, 1816,	31 00
Williamstown, for board, clothing, doctoring and nursing sundry paupers, to 23d November, 1816,	176 40

MILITARY ACCOUNTS.

371

Wilton, for doctoring Esther Cooms, to 2d March, 1816,	12 46
Wiscasset, for support of sundry paupers, to 9th November, 1816,	184 43
Worcester, for board and clothing sundry paupers, to 1st December, 1816,	256 84
Westford, for board and clothing Christopher Shepherd, to 1st November, 1816,	52 06
West Stockbridge, for support of Lucy Lane and John C. Biggs, to 17th November, 1816,	95 88
Westfield, for board and clothing Theodocia Gillet and John Baker, to 1st December, 1816,	79 31
York, for board and clothing sundry paupers, to 16th November, 1816,	294 55
	<hr/> \$30,550 41

MILITARY ACCOUNTS.

Courts Martial, Courts of Inquiry, &c.

To Ezra Curlin, for travel and attendance as a Member of a Court Martial, held at Salem, in January, 1816, whereof Colonel James Appleton was President, omitted in the Pay Roll by mistake,	8 10
Hyde, Z. for the expense of a Court of Inquiry, held at Brunswick, in October, 1814, whereof Major Thomas Eastabrook was President,	64 58
Mattoon, Ebenezer, Adjutant General, for the expense of Courts of Inquiry, held at Reading and Newton, in 1814 and 1816,	21 23
	<hr/> 93 91

Brigade Majors and Aids-de-Camp.

To Allen, Samuel, jun. to 1st November, 1816,	23 28
Bliss, George, jun. to 1st October, 1816,	68 47
Barnard, Robert F. to 28th September, 1816,	30 30
Blake, James, to 8th November, 1816,	171 19
Clap, Ebenezer, to 8th February, 1816,	43 55
Carter, Solomon, to 1st October, 1816,	123 41

Dutch, Ebenezer, to 18th November, 1816,	71 20
Gilbert, Thomas, to 13th November, 1816,	14 00
Goodrich, Elijah P. to 23d September, 1816,	22 18
Grennel, George, to 10th September, 1816,	62 78
Hubbell, Calvin to 11th October, 1816,	62 59
Hubbard, Russell, to 15th November, 1816,	23 20
Hight, William, to 2d October, 1816,	38 70
Hyde, Zena, to 18th October, 1816,	410 69
Jaques, Samuel, to 20th November, 1816,	177 93
Mitchell, Daniel, to 10th November, 1816,	55 48
Osgood, Joshua B. to 10th October, 1816,	21 40
Page, Samuel, to 29th October, 1816,	112 51
Starr, James, jun. to 1st November, 1816,	52 97
Sampson, Joseph, to 21st November, 1816,	62 67
Smith, John W. to 5th October, 1816,	50 91
Scott, John, to 30th October, 1816,	401 97
Robinson, Jesse, to 19th October, 1816,	147 21
Thacher, George, to 13th November, 1816,	22 30
Thayer, Samuel M. to 10th October, 1816,	109 85
Thayer, Minot, to 1st September, 1816,	92 65
Varnum, Benjamin F. to 19th October, 1816,	12 50
Whitney, Timothy P. to 3d October, 1816,	419 25
Wingate, Joseph, to 12th October, 1816,	73 50
Woods, Sampson, to 26th October, 1816,	77 50
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	2155 14

Brigade Quarter Masters.

Butterfield, Joseph, to 1st October, 1816,	22 00
Fales, Samuel E. to 1st October, 1816,	22 30
Garrett, Andrew, to 1st October, 1816,	16 20
Gitchell, Ephraim, to 1st October, 1816,	31 85
Hoyt, Elihu, to 1st October, 1816,	37 80
Kendall, Henry, to 1st November, 1816,	29 35
Lyman, Lewis, to 1st October, 1816,	28 40
Pollard, Oliver, to 1st October, 1816,	19 60
Phinney, Elias, to 1st October, 1816,	29 50
Ripley, James W. to 1st October, 1816,	33 60
Taylor, Henry, to 1st October, 1816,	36 40
Wood, David, jun. to 1st October, 1816,	14 80
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	326 80

Adjutants.

Arms, George, to 12th October, 1816,	34	84
Adams, James, jun. to 1st October, 1816,	10	85
Bryant, William C. to 28th September, 1816	5	49
Bourn, Abner, to 25th September, 1816,	106	88
Burnham, Enoch, to 10th November, 1816,	35	71
Burt, David, to 11th September, 1816,	19	45
Breed, Andrew, to 29th September, 1816,	39	35
Bemis, Isaac, jun. to 1st November, 1816,	73	91
Burnham, Thomas. to 19th February, 1816,	30	15
Choate, William, to 5th November, 1816,	4	97
Cooley, Stephen, jun. to 25th September, 1816,	22	25
Crane, Thomas, 13th October, 1816,	45	25
Carlton, William, to 1st September, 1816,	22	21
Coolidge, Nathaniel, to 24th September, 1816,	30	12
Colman, Daniel, to 1st November, 1816,	22	58
Campbell, D. to 12th September, 1816,	100	36
Clark, Gilbert, to 18th November, 1816,	80	13
Champney, John, to 8th November, 1816,	94	13
Cushing, Ned, to 27th September, 1816,	58	23
Clark, Joseph, to 7th September, 1816,	59	77
Carr, Francis, jun. to 2d March, 1815,	9	58
Carr, Joshua W. to 20th September, 1816,	22	95
Clark, Samuel, to 14th November, 1816,	113	75
Dean, John G. to 1st September, 1816,	30	63
Draper, William, to 12th November, 1816,	46	49
Deming, John, to 20th September, 1816.	42	88
Dickinson, Philo, to 17th September, 1816,	14	53
Foster, Benjamin, to 14th September, 1816,	69	43
Freeman, William, to 3d November, 1816	26	67
Fairbanks, Stephen, to 28th September, 1816,	109	62
Goodridge, Elijah P. to 17th April, 1816,	20	61
Herrick, Oliver, to 24th September, 1816,	12	88
Haskell, Joseph, to 18th September, 1816,	52	12
Hale, E. jun. to 31st August, 1816,	26	95
Harrington, Joseph, to 11th October, 1816,	66	58
Hoyt, John C. to 9th October, 1816,	18	91
Hapgood, Thomas, to 18th November, 1816,	41	11
Hovey, Alfred, to 12th September, 1816,	59	88
Henshaw. Samuel, to 10th November, 1816,	58	62
Jaques, Henry, to 20th November, 1816,	77	77
Jones, Nathan, to 11th October, 1816,	12	84

Keith, Joseph, to 22d September, 1816,	48 55
Kingman, Simcon, to 16th August, 1816,	50 98
Knight, Peter M. to 15th September, 1816,	2 40
Keith, Cyrus, to 14th September, 1816,	26 88
Lincoln, Asa, to 29th September, 1816,	15 90
Marston, Jonathan, to 26th June, 1816,	44 28
Mitchell, Isaac, to 21st September, 1816,	48 22
Nye, Joseph, to 23d September, 1816,	32 02
Nason, Levit, to 26th September, 1816,	31 75
Ormsbee, Abraham, to 16th September, 1816,	41 82
Parker, Joseph, to 3d August, 1816,	23 96
Plummer, Benjamin, to 1st November, 1812,	21 34
Parsons, William, jun. to 1st October, 1816,	12 87
Rollins, John, to 20th October, 1816,	40 48
Rockwell, Uzal, to 25th September, 1816,	14 13
Rice, Alvan, to 19th May, 1816,	10 11
Richardson, Wyman, to 17th September, 1816,	43 15
Tobey, Elisha, to 1st February, 1816,	32 90
Thompson, Charles, to 22d September, 1816,	53 17
Tucker, Seth, to 11th October, 1816,	31 50
Stone, Hosea, to 21st September, 1816,	12 00
Sewall, Benjamin, to 8th November, 1816,	68 21
Sprague, Roswell, to 7th September, 1816,	15 83
Stanwood, David, to 19th September, 1816,	45 72
Sexton, George, to 2d October, 1816,	21 06
Shepherd, James, to 27th September, 1816,	107 62
Seaver, James, jun. to 6th October, 1816,	70 88
Sayles, Richard, to 26th September, 1816,	43 32
Sayles, Williard, to 28th September, 1816,	37 45
Sampson, John, to 9th September, 1816,	14 00
Wyles, John, to 11th November, 1816,	18 69
Waters, Jason, to 1st September, 1816,	11 99
Williams, Lemuel, jun. to 25th September, 1816,	37 30
Wild, Jonathan, jun. to 1st October, 1816,	92 29
Wright, Simeon W. to 22d August, 1816,	13 90
Winter, Samuel, to 27th September, 1816,	26 12
Wheelwright, George, to 11th September, 1816,	16 31

 \$3160 61

Expense of Horses to haul Artillery.

Bachelor, Samuel, to 2d November, 1816,	6 00
Bigelow, David, to 9th November, 1816,	5 00

MILITARY ACCOUNTS.

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Babcock, Nathan, to 8th November, 1816,	18 00
Cromwell, Aldrich, to 11th October, 1816,	9 00
Cobb, William, to 27th November, 1816,	15 00
Cutler, Samuel, to 3d October, 1816,	10 00
Dyer, James, to 24th September, 1816,	10 00
Eastman, Philip, to 13th September, 1816,	10 00
Everett, George, to 19th October, 1816,	8 00
Freeman, Asa, to 24th September, 1816,	3 00
Farnsworth, William, to 1st November, 1816,	10 00
Gilley, John, to 9th October, 1816,	10 00
Goldthwait, Moses, to 9th October, 1816,	10 00
Green, Nathaniel, to 27th October, 1816,	5 00
Holt, Amos, to 13th September, 1816,	7 50
Hopkins, Charles W. to 1st November, 1816,	7 50
Harrington, Nathaniel, to 9th October, 1816,	8 33
Jameson, Robert, to 25th September, 1816,	11 00
Johnson, Alfred, to 27th September, 1816,	5 00
Morse, Nathaniel, to 1st September, 1816,	25 00
Mattoon, Elijah, jun. to 1st November, 1816,	10 00
Mayhew, Frederick, to 12th October, 1816,	7 50
Mason, Isaac, to 8th November, 1816,	15 00
Nelson Ezra, to 4th November, 1816,	7 50
Phelps, Ansel, to 9th October, 1816,	5 00
Phelps, Julius, to 11th October, 1816,	5 00
Pomeroy, Barry G. to 1st November, 1816,	10 00
Phillips, B. to 1st October, 1816,	40 00
Sibley, Samuel, to 1st November, 1816,	5 00
Smith, Edmund M. to 1st November, 1816,	15 00
Smith, Joseph E. to 1st November, 1816,	40 00
Thaxter, Jonathan, to 1st October, 1816,	30 00
Webber, Amos S. to 26th September, 1816,	22 50
Wadleigh, Ephraim B. to 9th October, 1816,	12 50
Varnum, Phineas, to 8th November, 1816,	7 50
	<hr/>
	\$425 83

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“ Adjutants,	3160 51
“ For Artillery Horses,	425 83

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Cooper, John, Sheriff of Washington County, for returning votes, to December, 1816,	59 50
Crane, Elijah, Sheriff of Norfolk County, for returning votes, to December, 1816,	2 72
Davis, Wendell, Sheriff of Barnstable County, for returning votes, to December, 1816,	10 00
Folsom, John W. Coroner of Suffolk County, for inquisition on the body of sundry strangers, and burial, to December, 1816,	64 15
Goodwin, Nathaniel, Coroner of York County, for inquisition on the body of a stranger, and burial, March, 1815,	17 84
Howard, Samuel, Sheriff of Kennebeck County, for returning votes, to December, 1816,	59 10
Herrick, Jedediah, Sheriff of Penobscot County, for returning votes, to December, 1816,	70 00
Hunnewell, Richard, Sheriff of Cumberland County, for returning votes, to December, 1816,	41 25
Leonard, Horatio, Sheriff of Bristol County, for returning votes, to December, 1816,	10 00
McMillan, John, Sheriff of Oxford County, for returning votes, to December, 1816,	26 67
Pike, Joseph, Coroner of Essex County, for inquisition on the body of a stranger, and burial, August, 1816,	13 58
Thacher, Samuel, Sheriff of Lincoln County, for returning votes, to December, 1816,	34 00
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Allen, Phinehas, for publishing Acts and Resolves, to December, 1816,	16 67
Burrill and Tileston, for publishing Acts and Resolves, to July, 1816,	16 67
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Phelps, Ansel, for publishing Acts and Resolves, to December, 1816,	16 67
Russell, Benjamin, for publishing Acts and Resolves, to December, 1816,	16 67
Russell, Benjamin, by Russell, Cutler, & Co. for printing for the government, to December 13th, 1816,	2189 95
	<hr/> \$2275 46

MISCELLANEOUS ACCOUNTS.

Agricultural Society, for sundry expenses in raising seeds and plants, and by experiments made by said Society, in the public garden at Cambridge, to 15th November, 1816,	441 25
Bradford & Read, for stationary furnished the government, to 18th November, 1816,	40 12
Bradley, Samuel, for sundry ironmongery for State House, to 25th November, 1816,	20 84
Bird, Abraham, for lumber furnished for State House, to 18th November, 1816,	67 09
Burditt, James W. for stationary furnished the government, to December, 1816,	117 32
Bacon, Henry, for assisting the Messenger of the General Court, to 14th December, 1816,	62 00
Boston Board of Health, for sundry repairs on Rainsford's Island, to 30th November, 1816,	1796 74
Committee for examining the Treasurer's Accounts, to December, 1816, viz.:	
Thomas H. Perkins,	14 00
Joseph Bemis,	14 00
William Brewer,	14 00
Robert Rantoul,	14 00
Nathan Appleton,	14 00—70 00
Chase, Warren, for assisting the Messenger, to 14th December, 1816,	64 00
Durant, William, for glazing State House, to 19th November, 1816,	25 00
Estate of John White, for wood furnished for State House, to December, 1816,	70 00

Felt, David, for bookbinding for Secretary's Office, to November, 1816,	2 25
Howe, Joseph, for funnel for stove in State House, December, 1816,	6 60
Loring, Jonathan, for taking up the body of a stranger, and burial, November, 1816,	6 00
Munroe & Francis, for bookbinding for Secretary's Office, to 7th December, 1816,	2 00
Osgood, Peter, for paving State House yard, to 29th November, 1816,	19 50
Robinson, James, Agent for building Engine House, and digging well, for balance of his account, to December, 1816,	948 08
Spear, Henry, for funeral expenses of a stranger, by order of the Coroner, December, 1816,	5 00
Thompson, James, for sundry ironmongery for State House, to 5th December, 1816,	41 22
Wells, B. & T. for water pans, and putting up, October, 1816,	21 20
Wheeler, John, for carpenter's work for State House, to November, 1816,	127 60
West & Richardson, for stationary furnished Secretary's Office, to 11th December, 1816,	20 87
Lincoln, Amos, for carpenter work on the State House, to 9th November, 1816,	30 65
Low, Lewis, for assisting the Messenger to 14th December, 1816,	62 00
Cummings & Hilliard, for stationary furnished Secretary's Office, to 21st November, 1816,	7 62
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	\$4081 82

Aggregate of Roll No. 76.

Expenses of State Paupers,	30,550 41
Do. Militia,	6162 19
Do. Sheriffs and Coroners,	456 58
Do. Printers,	2275 46
Do. Miscellaneous,	4081 82
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	\$43,526 46

RESOLVE TO PAY ROLL NO. 76. 381

Resolved, That there be allowed and paid out of the public Treasury, to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons' names respectively, amounting in the whole to the sum of forty-three thousand, five hundred and twenty-six dollars and forty-six cents, the same being in full discharge of the accounts and demands to which they refer.

December 14th, 1816,

Approved by the Governor.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, May 1st, 1817.

I hereby certify, that the Resolves contained in this pamphlet, passed at the session of the General Court, beginning the 13th of November, and ending December 14th, 1816, have been examined and compared with the originals in this office, and appear to be correct, excepting the name "*Abner*," which occurs several times in page 301 ; it should be *Aner*.

ALDEN BRADFORD,

Secretary of the Commonwealth.

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