

# 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 28th DAY OF MAY, AND  
ENDED ON THE 18th OF JUNE, 1817.

.....  
Published agreeably to a Resolve of 16th January, 1812.  
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PRINTER TO THE STATE.

.....  
1817.



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CIVIL GOVERNMENT  
OF THE  
COMMONWEALTH OF MASSACHUSETTS,  
FOR THE POLITICAL YEAR 1817....18.

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Jeremiah Lee Page,  
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Pickering Dodge,  
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*Hamilton*, David Dodge.  
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*Ipswich*, Joseph Farley,  
George Choate.  
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Samuel Adams.  
*Newbury*, Stephen Howard,  
Ebenezer Mosely.  
*Bradford*, Jesse Kimball.

<i>Boxford</i> , Israel Foster.	<i>Topsfield</i> .
<i>Andover</i> , Stephen Kittredge,	<i>Methuen</i> , Benjamin Osgood.
Stephen Barker,	<i>Haverhill</i> , David Howe.
John Kneeland.	<i>Amesbury</i> , Moses Sargent,
<i>Middleton</i> .	<i>Salisbury</i> , Ephraim Morrill.

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Asahel Stearns.	<i>Stow and Boxborough</i> ,
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<i>Medford</i> , Timothy Bigelow.	<i>Reading</i> , Daniel Flint.
<i>Malden</i> , Ebenezer Nichols,	<i>South Reading</i> .
Nathan Nichols.	<i>Wilmington</i> .
<i>Newton</i> , Ebenezer Cheney.	<i>Billerica</i> , Josiah Crosby.
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<i>Waltham</i> , David Townsend.	<i>Chelmsford</i> , Samuel Stevens.
<i>Weston</i> , George W. Smith.	<i>Carlisle</i> .
<i>Lincoln</i> .	<i>Westford</i> .
<i>Lexington</i> .	<i>Acton</i> , Joseph Noyes.
<i>Sudbury</i> , William Hunt.	<i>Littleton</i> , Ithamar Beard.
<i>East Sudbury</i> ,	<i>Groton</i> , Luther Lawrence.
Micah M. Rutter.	<i>Dracut</i> .
<i>Natick</i> .	<i>Dunstable</i> .
<i>Sherburne</i> .	<i>Tyngsborough</i> .
<i>Holliston</i> .	<i>Shirley</i> .
<i>Hopkinton</i> .	<i>Pepperell</i> .
<i>Framingham</i> ,	<i>Townsend</i> , Samuel Brooks.
John Trowbridge.	<i>Ashby</i> .

NORFOLK.

<i>Roxbury</i> , William Brewer.	<i>Braintree</i> .
<i>Dorchester</i> ,	<i>Weymouth</i> ,
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<i>Brookline</i> , Isaac S. Gardner.	<i>Cohasset</i> .
<i>Milton</i> , John Ruggles.	<i>Needham</i> .
<i>Quincy</i> , Thomas Greenleaf.	<i>Dedham</i> , Abner Ellis,

386 HOUSE OF REPRESENTATIVES.

William Ellis,	<i>Wrentham.</i>
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Daniel Adams.	<i>Sharon.</i>
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<i>Kingston.</i>	<i>Carver.</i>
<i>Duxbury, George Partridge.</i>	<i>Plimpton.</i>
<i>Marshfield, Elisha Phillips.</i>	<i>Halifax.</i>
<i>Pembroke.</i>	<i>Abington.</i>
<i>Bridgewater, Daniel Howard.</i>	<i>Hanover, Reuben Curtis.</i>
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Seth Miller, Jun.	<i>Hingham, Thomas Fearing.</i>
<i>Rochester, Charles J. Holmes,</i>	<i>Hull.</i>

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<i>Taunton, Philip Deane.</i>	<i>Somerset,</i>
<i>Raynham, John Gilmore, Jun.</i>	<i>Billings Coggeshall,</i>
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<i>Rehoboth, Jeremiah Wheeler.</i>	<i>Dartmouth, Thomas Almy,</i>
<i>Seekonk, Oliver Starkweather.</i>	<i>Ephraim Tripp,</i>
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<i>Wellington.</i>	<i>New Bedford, William Willis.</i>
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BARNSTABLE.

<i>Barnstable, Naler Crocker.</i>	<i>Chatham.</i>
<i>Sandwich, Russell Freeman.</i>	<i>Orleans, Daniel Comings.</i>
<i>Falmouth, Thomas Fish.</i>	<i>Eastham, Joshua P. Atwood.</i>
<i>Yarmouth.</i>	<i>Wellfleet.</i>
<i>Dennis.</i>	<i>Truro.</i>
<i>Harwich.</i>	<i>Provincetown.</i>
<i>Brewster.</i>	

## DUKES' COUNTY.

*Edgartown.*  
*Tisbury.*

*Chilmark.*

## NANTUCKET.

*Nantucket*, Micajah Gardner.

## WORCESTER.

<i>Worcester</i> , Abraham Lincoln,	<i>Lancaster</i> , John Thurston,
Levi Lincoln, Jun.	Benjamin Wyman.
Edward D. Bangs.	<i>Harvard</i> , Stevens Hayward.
<i>Leicester</i> , Austin Flint.	<i>Bolton</i> , Stephen P. Gardner.
<i>Spencer</i> , James Draper, Jun.	<i>Berlin</i> , Henry Powers.
<i>Brookfield</i> , Simeon Draper,	<i>Sterling</i> , James Wilder,
Seth Field.	Samuel Sawyer.
<i>North Brookfield</i> ,	<i>Princeton</i> , David Rice.
Thomas Hale.	<i>Holden</i> , Ethan Davis.
<i>Western.</i>	<i>Rutland.</i>
<i>Sturbridge</i> , Silvester Watkins,	<i>Oakham.</i>
<i>Southbridge</i> ,	<i>Paxton.</i>
James Wolcott, Jun.	<i>New Braintree</i> ,
<i>Charlton</i> , Isaiah Rider,	Henry Penniman.
Ephraim Willard.	<i>Hardwick</i> , Timothy Paige,
<i>Dudley.</i>	<i>Barre</i> , Simeon Metcalf.
<i>Douglas.</i>	<i>Hubbardston.</i>
<i>Uxbridge</i> , Samuel Read,	<i>Petersham</i> ,
Daniel Carpenter.	Hutchins Hapgood,
<i>Northbridge.</i>	Samuel Chamberlain, Jun.
<i>Mendon</i> , Joseph Adams.	<i>Leominster</i> ,
<i>Milford.</i>	Bezaleel Lawrence.
<i>Upton.</i>	<i>Lunenburg.</i>
<i>Grafton.</i>	<i>Fitchburgh.</i>
<i>Sutton</i> , Jonas Sibley.	<i>Westminster</i> , James White.
<i>Millbury.</i>	<i>Gardner.</i>
<i>Oxford</i> , Abijah Davis.	<i>Ashburnham.</i>
<i>Ward.</i>	<i>Winchendon</i> ,
<i>Shrewsbury</i> , Samuel Haven.	Daniel Henshaw.
<i>Westborough.</i>	<i>Royalston</i> , Joseph Estabrook.
<i>Southborough</i> , Josiah Newton.	<i>Templeton.</i>
<i>Northborough</i> , James Keyes.	<i>Athol</i> , Eleazer Graves.
<i>Boylston</i> , Thomas Bush.	<i>Phillipston</i> , Joseph Knowlton.
<i>West Boylston</i> ,	<i>Dana.</i>
Barnabas Davis.	

## HAMPDEN.

<i>Springfield</i> , Jacob Bliss.	<i>West Springfield</i> ,
<i>Longmeadow</i> .	Jonathan Smith.
<i>Wilbraham</i> ,	<i>Westfield</i> , Azariah Mosely.
Robert Sessions.	<i>Southwick</i> , Enos Foote.
<i>Monson</i> , Stephen Warriner.	<i>Granville</i> , James Cooley,
<i>Brimfield</i> ,	Perry Babcock.
Alexander Sessions.	<i>Tolland</i> .
<i>Holland and South Brimfield</i> ,	<i>Blandford</i> , Abner Gibbs,
John Weaver.	<i>Chester</i> .
<i>Ludlow</i> .	<i>Russell</i> .
<i>Palmer</i> , Amos Hamilton.	<i>Montgomery</i> .

## HAMPSHIRE.

<i>Northampton</i> ,	<i>Middlefield</i> .
Jonathan H. Lyman,	<i>Norwich</i> , Aaron Hall.
Oliver Warner.	<i>Hadley</i> , Giles C. Kellogg.
<i>Easthampton</i> , John Hannum.	<i>South Hadley</i> , Peter Allen.
<i>Southampton</i> , Asahel Birge.	<i>Granby</i> , David Smith.
<i>Westhampton</i> , Silvester Judd.	<i>Amherst</i> ,
<i>Hatfield</i> .	Samuel F. Dickinson.
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<i>Goshen</i> .	<i>Greenwich</i> , Laban Marcy.
<i>Cummington</i> .	<i>Enfield</i> , Benjamin Harwood.
<i>Plainfield</i> .	<i>Belchertown</i> ,
<i>Worthington</i> , William Ward.	Joseph Bridgman, Jun.
<i>Chesterfield</i> .	<i>Ware</i> , Joseph Cummings, jun.

## FRANKLIN.

<i>Northfield</i> ,	<i>Leyden</i> .
Medad Alexander.	<i>Shelburne</i> , William Wells.
<i>Warwick</i> .	<i>Colraine</i> , Calvin Smith.
<i>Orange</i> .	<i>Heath</i> , Luther Gale.
<i>Montague</i> .	<i>Rowe</i> .
<i>Sunderland</i> , Nathaniel Smith.	<i>Charlemont</i> .
<i>Leverett</i> .	<i>Hawley</i> , Thomas Longley.
<i>Wendell</i> .	<i>Buckland</i> .
<i>Shutesbury</i> .	<i>Ashfield</i> , Enos Smith.
<i>New Salem</i> , Varney Pearce.	<i>Conway</i> .
<i>Greenfield</i> , Solomon Smead.	<i>Deerfield</i> , Asa Stebbins.
<i>Gill</i> .	<i>Whately</i> .
<i>Bernardston</i> .	

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<i>Sheffield</i> , Silas Kellogg.	<i>Lenox</i> , Elijah Northrup.
<i>New Marlborough</i> ,	<i>Richmond</i> , Hugo Burghardt.
Ebenezer Hyde,	<i>Hancock</i> , Rodman Hazard.
Benjamin Wheeler.	<i>Pittsfield</i> , Jonathan Allen.
<i>Sandisfield and Southfield</i> ,	<i>Dalton</i> .
Eliakim Hull,	<i>Hinsdale</i> .
Uriel Smith, Jun.	<i>Peru</i> , Thomas Frissel.
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<i>Becket</i> .	<i>Florida</i> .
<i>Washington</i> .	<i>Mount Washington</i> .
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YORK.

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<i>Elliot</i> , John Hammond.	<i>Shapleigh</i> .
<i>Wells</i> , John Storer,	<i>Newfield</i> .
George W. Wallingford.	<i>Parsonsfield</i> .
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<i>Alfred</i> .	

CUMBERLAND.

<i>Portland</i> ,	<i>Cape Elizabeth</i> .
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<i>Westbrook</i> , John Jones.	<i>Standish</i> .
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<i>Gray.</i>	<i>Pegypscot.</i>
<i>North Yarmouth,</i>	<i>Poland.</i>
Alford Richardson.	<i>Minot, Joseph Keith.</i>
<i>Pownal.</i>	<i>Raymond.</i>
<i>Freeport, Josiah W. Mitchell.</i>	<i>Baldwin.</i>
<i>Brunswick.</i>	<i>Bridgetown.</i>
<i>Durham.</i>	<i>Harrison.</i>
<i>Harpswell.</i>	<i>Otisfield.</i>
<i>New Gloucester.</i>	

## LINCOLN.

<i>Wiscasset.</i>	<i>Warren, Jesse Page.</i>
<i>Woolwich, Richard Haruden.</i>	<i>Camden.</i>
<i>Dresden.</i>	<i>Hope.</i>
<i>Alna.</i>	<i>Union.</i>
<i>Whitfield.</i>	<i>Putnam.</i>
<i>Jefferson.</i>	<i>Palermo.</i>
<i>Newcastle.</i>	<i>Montville.</i>
<i>Edgecombe, Stephen Parsons.</i>	<i>Georgetown.</i>
<i>Boothbay.</i>	<i>Phipsburg, Parker M'Cobb.</i>
<i>Bristol, Samuel Tucker.</i>	<i>Bath, James M'Lellan.</i>
<i>Nobleborough.</i>	<i>Topsham.</i>
<i>Waldoborough.</i>	<i>Bowdoin.</i>
<i>Friendship,</i>	<i>Bowdoinham.</i>
Cornelius Bradford.	<i>Lewiston.</i>
<i>Cushing, James Malcolm.</i>	<i>Lisbon.</i>
<i>St. George.</i>	<i>Litchfield.</i>
<i>Thomastown, Isaac Bernard.</i>	<i>Wales.</i>

## KENNEBECK.

<i>Augusta, Pitt Dillingham.</i>	<i>Belgrade.</i>
<i>Hallowell,</i>	<i>Sydney.</i>
William Henry Page.	<i>Waterville, Daniel Cook.</i>
<i>Gardiner, Rufus Gay.</i>	<i>Dearborn.</i>
<i>Monmouth, Gilman Moody.</i>	<i>Rome.</i>
<i>Greene.</i>	<i>Vienna.</i>
<i>Leeds.</i>	<i>New Sharon.</i>
<i>Winthrop, John May.</i>	<i>Chesterville.</i>
<i>Readfield.</i>	<i>Farmington.</i>
<i>Wayne.</i>	<i>Temple.</i>
<i>Fayette.</i>	<i>Wilton.</i>
<i>Mount Vernon.</i>	<i>Vassalborough.</i>

*Winslow.*  
*Harlem,*  
 Japheth C. Washburn.  
*Malta.*  
*Fairfax.*

*Freedom.*  
 Clinton, Ezekiel Brown, Jun.  
*Unity.*  
*Joy.*

## OXFORD.

*Paris.*  
*Hebron.*  
*Buckfield.*  
*Turner.*  
*Livermore.*  
*Hartford.*  
*Sumner.*  
*Woodstock.*  
*Porter.*  
*Hiram.*  
*Brownfield.*  
*Lovell.*  
*Sweden.*  
*Denmark.*

*Norway.*  
*Waterford.*  
*Albany.*  
*Bethel.*  
*Greenwood.*  
*Fryeburg,*  
 Samuel Ayer Bradley.  
*Jay, James Starr, Jun.*  
*Weld.*  
*Dixfield.*  
*Rumford.*  
*Gilead.*  
*Newry.*  
*East Andover.*

## SOMERSET.

*Norridgewock.*  
*Bloomfield, James Bowen.*  
*Fairfield.*  
*Industry.*  
*Mercer.*  
*Starks.*  
*Anson, James Densmore.*  
*New Vineyard.*  
*Strong.*  
*Avon.*  
*Embden.*  
*New Portland.*  
*Freeman.*  
*Bingham.*  
*Phillips.*

*Moscow.*  
*Kingsfield.*  
*Canaan, John Wyman.*  
*Cornville.*  
*Madison.*  
*Solon.*  
*Athens.*  
*Harmony.*  
*Palmyra.*  
*St. Albans.*  
*North Hill.*  
*Corinna.*  
*Ripley.*  
*Guildford.*

## HANCOCK.

*Castine, Thomas E. Hale.* *Orland.*  
*Penobscot, Samuel Wardwell.* *Buckstown, Joseph Lee.*

<i>Ellsworth, Jesse Dutton.</i>	<i>Vinalhaven.</i>
<i>Surry.</i>	<i>Hesborough.</i>
<i>Blue Hill.</i>	<i>Lincolntonville,</i>
<i>Sedgwick, Daniel Morgan.</i>	<i>Ephraim Fletcher.</i>
<i>Trenton.</i>	<i>Northport.</i>
<i>Sullivan.</i>	<i>Belfast.</i>
<i>Gouldsborough.</i>	<i>Belmont.</i>
<i>Eden.</i>	<i>Searsmont.</i>
<i>Mount Desert.</i>	<i>Prospect.</i>
<i>Deer Isle, Nathan Haskell,</i>	<i>Frankfort, Joshua Hall.</i>
<i>Frederick Spofford.</i>	<i>Brooks.</i>

## PENOBSCOT.

<i>Bangor, Joseph Treat.</i>	<i>New Charlestown,</i>
<i>Orono.</i>	<i>Garland.</i>
<i>Hampden.</i>	<i>Dexter.</i>
<i>Hermon.</i>	<i>Sangerville.</i>
<i>Dixmont.</i>	<i>Sebec.</i>
<i>Carmel.</i>	<i>Foxcroft.</i>
<i>Levant.</i>	<i>Brewer.</i>
<i>Newport.</i>	<i>Eddington.</i>
<i>Corinth.</i>	<i>Orrington.</i>
<i>Exeter.</i>	

## WASHINGTON.

<i>Machias, Ebenezer Inglee.</i>	<i>Columbia.</i>
<i>Jonesborough.</i>	<i>Eastport.</i>
<i>Addison.</i>	<i>Lubec.</i>
<i>Harrington.</i>	<i>Calais.</i>
<i>Steuben.</i>	<i>Robbinstown.</i>
<i>Cherryfield.</i>	

Benjamin Pollard, Esq. Clerk.  
Rev. Daniel Sharp, Chaplain.

Jacob Kuhn, Messenger to the General Court.

John Low, Jun. Assistant Messenger.

Joseph Francis, Page to the House.

**RESOLVES**  
OF THE  
**GENERAL COURT OF MASSACHUSETTS,**  
*PASSED AT THEIR SESSION,*  
WHICH COMMENCED ON THE 28th OF MAY, AND ENDED ON  
THE 18th DAY OF JUNE, A. D. 1817.

**GOVERNOR'S SPEECH.**

REPRESENTATIVES' CHAMBER, MAY 31st, 1817.

*At 12 o'clock, the two Chambers met in convention, when his Excellency the Governor, agreeably to notice, came in, attended by the Lieutenant Governor, Council, Secretary, and Heads of Departments, and delivered the following*

**SPEECH :**

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

**THE** return of the election season, brings with it little of novelty, but much to engage and interest us. Past events, and a long catalogue of patriots and statesmen, with the recollection of whom the transactions of the season are associated, recur to the mind, and enter deeply into the meditations of the occasion.

History, the instructive epitome of the character of man, exhibits to us not only the perpetual conflict of reason and passions, striking alternations of rectitude and error, and the commanding powers and extreme imbecility of the hu-

man mind, but the formation of governments, their progressive changes, and ultimate catastrophe.

But without extending our view over the general history of man or of government, the annals of our own country, the authentic memorials of the migration and settlement, the character and manners, the political and religious principles, and the literary institutions of our forefathers ; the rise, progress, and termination of the momentous question between Great Britain and her Colonies, now the United States of America, respecting the right of parliamentary taxation ; the origin, structure, and establishment of our systems of jurisprudence, and their influence upon individual happiness, open various and prolific sources of instruction to the legislator, and of proud satisfaction to the American patriot.

You are called upon, gentlemen, to exercise the functions of legislation at a time highly propitious for impartial inquiry into the great interests of the Commonwealth. For a long succession of years, such was the extraordinary state of most of the nations of Europe, with which our interests are involved, that the minds of your predecessors have been occupied with painful apprehensions of the public safety, or with the arduous duties of providing means for public defence. During that eventful period, the ordinary avocations of many of our fellow citizens were interrupted. Navigation, commerce, manufactures, and even agriculture, assumed or were forced into a preternatural state. Vast numbers of people were compelled to abandon pursuits which inclination had selected, providential allotments had facilitated, and habit had rendered familiar and lucrative ; and resort was had, in too many instances, to desperate projects of speculation and adventure, equally eluding calculation, ruinous to individuals, and vitiating to public morals. But the public mind being now relieved from its disquieting solicitude, by the internal tranquillity of the state, the elevated character of our republican systems of government, the respectable condition of public credit, resting on its primitive principles of fiscal administration, and the existing relations of amity between the United States and the other commercial nations of the world ; you are happily indulged the opportunity of turning your attention specially to the interior concerns of the Commonwealth. And coming, as you do, from every section of the state,

you bring with you, not only a knowledge of the wants and wishes of your respective constituents, but of all those facts and circumstances prerequisite for suggesting and perfecting any public improvements, of which the Commonwealth may be susceptible.

Annual elections and frequent meetings of the Legislature, being designed to perpetuate the principles of a free constitution in their purity and vigour, and to promote in the highest degree possible, the general welfare of the state, it seems highly proper, as auxiliary to these ends, that the attention of the Legislature should be often directed to inquiries into the competency of the laws for securing to the people their political and elective rights; to inquiries, whether they obtain, as there may be a demand, what the constitution assures them, right and justice freely, completely and promptly, without purchase, without denial, and without delay? Whether the code of criminal law be adapted to the state of society and morals, and punishments be uniformly commensurate with the nature and turpitude of crimes? Whether due encouragement is bestowed upon the interests of religion, learning, humanity, and benevolence; upon agriculture and the fisheries; upon naval architecture, and other mechanic and manufacturing arts; upon commerce, and those productions of genius and taste, which enrich and embellish a state? And in fine, whether the laws are impartially and faithfully administered?

Agriculture was not only the first employment of man, but we may observe, an admirable and happy coincidence of his interest, his passions, and his taste, with his primitive destination. But agriculture is unsusceptible of an independent existence. Unsolicited by the demands of commerce and manufactures, would the rural economist extend his care and toil beyond the supply of his own immediate consumption? Men do not act without motives. The hope of profit sweetens and originates labor. But if the surplus products of the soil become a worthless incumbrance to the producer, languor, inaction and scarcity will be the result.

Whatever may be the intrinsic value, or the relative importance of the several great departments of political economy, which are so intimately united as to be inseparable, an inquiry into most promising means of multiplying and

meliorating the products of husbandry, will not be deemed unworthy a Massachusetts Legislature. A plentitude of subsistence affords the most sure and stable foundation for the maintenance and augmentation of the population of the state, for the improvement of manufactures, and for the active circulation of the surplus products of art and labor.

Massachusetts has ever been respectable. And while she retains the spirit and is governed by the principles of her political, religious and moral institutions; while her schools and higher seminaries of learning; while science and the useful arts shall be cherished; her love of justice and her habits of industry and economy shall be maintained, she must continue to command the respectful consideration of the world. The Commonwealth, to the mild and beneficent influence of whose constitution and laws we are immediately, or remotely indebted, not only for our civil rights, but for the secure enjoyment of the rights of conscience, the pleasures of friendship, and of whatever is most dear to our affections in domestic life, claims our first fealty and homage. And, I may add, that the people of the several states will most efficaciously perpetuate our system of national government, by preserving the solidity and the strength, and maintaining the erect attitude of the pillars upon which the vast and lofty superstructure is erected.

By recurring to the resolves of the last session of the Legislature, it will be perceived, that on the third of December last, a resolve passed, authorizing and requesting the Governor, with the advice of Council, to appoint Agents to present the claim of this Commonwealth against the United States for expenditures during the late war, to the Congress of the United States, or to any department of the government as might be found expedient. In conformity to the authority vested in the Executive by that resolve, Agents were appointed and commissioned, to repair to the seat of government of the United States, for the purpose expressed in the resolve; and the Honorable James Lloyd, and William H. Sumner and Joseph H. Peirce, Esquires, were selected. The two former gentlemen, with as little delay as possible, proceeded to the city of Washington; the latter gentleman remained in Boston, and has been occasionally employed in selecting and furnishing documents to elucidate the principles upon which our claims are founded, and to arrange the component parts of the account under specific

heads, as required by the department of war. The course pursued by the Commissioners, and the result of their mission, you will learn more distinctly by referring to their correspondence with the acting Secretary of War, which the Secretary of the Commonwealth will lay before you.

A few items of our account as exhibited against the United States by the Commissioners were considered by the Executive as coming within the purview of existing laws, and eleven thousand dollars have been remitted to me by the war department on account; which sum I immediately placed in the hands of the Treasurer of the Commonwealth, where it awaits the order of the Legislature.

Since the last sitting of the Legislature, it has been ascertained that a considerable balance of arms is due to this State, by virtue of the act of Congress passed in April 1808, for arming the whole body of the militia. While our Commissioners were at the seat of government they suggested to the acting Secretary of War a proposition for transferring to the United States a number of muskets, the property of the Commonwealth, and now in its arsenals, equal to the balance due to the State from the appropriation of the abovementioned act of April 1808, to be reconveyed to the State as its balance of arms due at the close of the last year. This proposition, it is understood, would have been acceded to by the Executive of the United States, and payment made for the arms at the last contract price of arms manufactured for the service of the United States, had the powers of the Commissioners been competent to that object. It rests with you, gentlemen, to authorize, at any future time, a commutation of any portion of the arms now in our arsenals, agreeably to the abovementioned suggestion, or otherwise, as you may judge expedient.

The resolve of the twelfth of December last, authorizing and requesting the Governor, with the advice of Council, to appoint agents for erecting a military arsenal at Cambridge and a laboratory in Boston; and the resolve of the thirteenth of the same month, authorizing the appointment of three persons to consider the subject of the State prison at large, have severally been attended to, and the agents duly appointed. The arsenal and laboratory have been contracted for, and are in a suitable state of progression.

A report from the Commissioners employed to inquire into the mode of governing the Pennsylvania penitentiary and

other institutions of a similar nature, and 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; together with a communication from the Directors of that institution, will be laid before you by the Secretary. The importance of that benevolent and humane institution has always been highly appreciated by the government of the Commonwealth; and from the increasing population of the State, and from a variety of other causes, which the several communications now to be submitted to you will disclose, it is daily assuming a deeper interest. Such are my views of the importance, and indeed necessity, of further improvements in the interior arrangements and management of that institution, in order to the attainment of the beneficent designs which dictated its establishment, both as a place of mitigated punishment, and as a penitentiary, that I feel it to be my duty specially to invite your deliberate attention to this weighty concern.

Since the last session, I have received a letter from the Governor of the State of New-Hampshire, together with a resolve of the Legislature of that State, suggesting a modification of the law of this State relative to the inspection of provisions. Within the same period, I have received from the Governor of North-Carolina a letter, accompanying a proposition of the Legislature of that State, for amending the constitution of the United States. These several communications will be laid before you, with other documents, by the Secretary.

Accept, gentlemen, my assurances of the highest respect, and of my readiness to concur with you in all your efforts to promote the honor and happiness of Massachusetts.

**J. BROOKS.**

*Council Chamber, May 31, 1817.*

## ANSWER OF THE SENATE.

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*May it please your Excellency,*

THE Senate of Massachusetts are deeply impressed with those interesting recollections, so natural and suitable to the time and the occasion, to which your Excellency has been pleased to recur. In passing in review that long train of patriots, statesmen and heroes of our revolution, which forms so affecting a part of the meditations of the moment, while on the one hand, we have reason to lament the many of whom death has bereaved us, on the other we have cause of joy and of thankfulness, that a few of them yet remain, full of years and of honors, the lights, the guides, and the ornaments of their country.

We coincide with your Excellency in the remark, that the annals of our own country "open various and prolific sources of instruction to the legislator, and of proud satisfaction to the American patriot." The monuments of their fathers should be the studies of our statesmen. Their principles, their manners, their institutions, their zeal for civil and religious liberty; the readiness with which they obeyed all requisitions of just authority; the fearlessness with which they resisted every attempt at oppression; their unshaken adherence to their constitutional rights, and the steady watchfulness with which they guarded those essential principles on which political freedom depends, not only in turbulent and tempestuous times, but also in those more dangerous, because more enervating seasons of occasional peace and apparent prosperity, are lessons of wisdom, which it well becomes their posterity to engrave upon their hearts, and in political relations, to make the rules of their lives.

The Senate of Massachusetts realize, in common with your Excellency, the propitiousness of the present period

for impartial inquiries into the great interests of the Commonwealth. It will be not less their happiness than it will be their duty, to co-operate with your Excellency, and with the other branch of the Legislature, in "suggesting and perfecting any public improvements, of which the Commonwealth may be susceptible." And in fulfilling this duty, the outline traced by your Excellency, will constitute the chief ground of their inquiries, not only on account of the authority from which it has proceeded, but on account of the completeness by which it is characterized.

It is with great satisfaction that the Senate of Massachusetts perceive the wide space, which the interests of agriculture occupy in the mind, and in the communication of your Excellency. This pursuit, at all times an object of the care and affections of the Legislature of Massachusetts, has, at the present, peculiar claims on its attention and solicitude. While speculation is opening to our citizens opportunities of new settlements in distant wildernesses, and, by delusive tales of milder climates and unexampled products, is seducing the unsettled part of our population to establishments in other regions, whatever has a tendency to meliorate the condition of our soil, to counteract, or to compensate, any inauspiciousness of our climate, to increase the quantity of our products, or encourage such as are best suited to nourish, on a small territory, a comparatively large population, are objects worthy of the most profound and anxious thought, and of the most liberal patronage of a wise Legislature. The interests of commerce and manufactures are inseparably connected with those of agriculture, and we entirely coincide in the opinion of your Excellency, that whatever tends to promote the permanent prosperity of one of these pursuits cannot but advantageously affect the advancement of the others.

The Senate of Massachusetts, with great cordiality, join your Excellency in those testimonies of respect and attachment toward the Commonwealth of Massachusetts, which your Excellency has been pleased to express. We recognize the greatness of our obligations to its constitution and laws, and the intimate connexion between their continuance in purity and vigor, and the preservation of our civil and religious rights, and of "whatever is most dear to our affections in domestic life." And it will ever be the anxious solicitude of the Senate of Massachusetts "to preserve the

solidity and the strength, and to maintain the erect attitude" of this pillar of our safety, not only because, under its shadow, will be found the best security for our rights, liberties, and privileges, but because in this way, we shall best support that "vast and lofty superstructure" which the system of national government extends over us.

The various objects of particular concern, which your Excellency has been pleased to lay before us, shall receive all that attention to which they are entitled, both from their nature and from the recommendation of your Excellency; with whom it will ever give pleasure to the Senate to cooperate in every effort which has a tendency "to promote the honor and happiness of Massachusetts."

**ANSWER**  
OF THE  
**HOUSE OF REPRESENTATIVES.**

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*May it please your Excellency,*

**THE** House of Representatives tender to your Excellency their congratulations upon the return of the anniversary of our General Election, and upon the commencement of a new political year, under circumstances so auspicious to the welfare and happiness of the people of the Commonwealth.

The return of this anniversary recalls the leading events of our history, the contemplation of which furnishes abundant cause for patriotic and exulting emotions. With a few occasional and temporary exceptions of national prosperity and of striking examples of virtue and patriotism, the history of other countries exhibits their people sunk in ignorance, debased by slavery, oppressed by misfortunes, or stained by crimes; while that of our own presents the grateful and singular spectacle of a people, which during its whole existence of nearly two centuries, by its intelligence, its morals, its principles of freedom, and love of justice, has held on its course to opulence and power, unchecked by any signal calamity, and unsullied by any gross departure from national rectitude. We look back with gratitude and proud satisfaction to the history of our forefathers, to "whose character and manners, political and religious principles, and literary institutions" we trace, (under Providence) the source of that unexampled prosperity which has marked our conditions, of that civil and religious freedom, which so peculiarly distinguishes our country. Their just and enlightened views of government and its objects, their zeal for religion, their stern morality and love of literature, were the only bonds which could have held together their newly form-

ed associations. Their principles gradually accommodating themselves to the changes in the situation of the country, and to the augmentation of its population, have formed the habits of our people, and become the guide and standard of social and political opinions. They have stamped a distinct character upon our nation, have given shape to, and have embodied themselves in our constitution, in which they are fixed as moral and political landmarks, and are publicly consecrated by our oaths.

To some, our political constitutions appear inefficient and imbecile ; others deduce the power and prosperity of the nation from its form of government ; they equally overlook the deep and distant sources whence the principles of our government have been drawn, and how intimately they are incorporated and combined with the fabric of our society. A government cannot be weak which has continued unchanged, during the convulsions which for twenty-five years have agitated mankind, and which have modified, distorted or overwhelmed almost every government of the old world ; nor can the the prosperity of that country depend wholly upon its form of government which almost without any visible political constitution, attempted and achieved its liberation from the authority of a powerful sovereign, for an infringement of its privileges ; a recollection of the events and circumstances of the early history of our country, so grateful to our national feelings, is essential to the knowledge of the character of our people, of the causes of their success, and the nature of their civil institutions ; and this knowledge will teach men, that the power of that government cannot long be perverted to promote the selfish purposes of a few, which has its origin, and derives its force from the habits and opinions, the interest and the will of a whole people.

To Massachusetts, which by its early efforts and constant example has contributed so essentially to form the character and fix the establishments of the nation, and which by the maintenance of its " political, religious and moral institutions," secures to us more immediately the enjoyment of our dearest rights, we yield both from affection and duty to our first fealty and homage.

The House of Representatives see with satisfaction the people quitting with alacrity those hazardous and precarious pursuits in which a state of war had compelled them to engage, and joyfully resume their habits of peaceful and regu-

lar industry, so conducive to their interest and congenial to their character and tastes. The general state of tranquillity and repose is highly propitious to the enjoyment of our rights as citizens, and the performance of our duties as legislators. Among the great and leading objects which may claim the attention of the Legislature, we recognize, with your Excellency, the agriculture of the State, which fixes its wealth to the soil and furnishes subsistence to the people—the arts and manufactures, which assist all by their productions, and aid in the accumulation of capital in the State; and commerce, which subserves the interest of all classes, by facilitating the exchange of commodities, and without the aid of which, agriculture, the arts and manufactures, must languish and decline.

Our government, resting wholly in the interest and will of the people, the development and improvement of the intellectual character becomes an object of paramount importance, and is entitled to all the aid which the Legislature can afford. To instruct and enlighten public opinion, is to add power to the State and security to its government.

The subject of the State prison will undoubtedly receive that attention which its importance demands. We shall most readily concur in the adoption of any system, which, to the ordinary means of preventing crimes, by the infliction of public and exemplary punishments, may add that of reclaiming the offender.

The other subjects mentioned in your Excellency's communication to the two Houses, as entitled to the consideration of the Legislature, will receive from the House of Representatives that attention which is due to their importance, and to the recommendation of your Excellency. We tender our assurance of concurring with your Excellency in every effort to promote the welfare and prosperity of the State.

# RESOLVES.

JUNE, 1817.

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## CHAP. I.

*Resolve authorizing the Clerk of the county of Essex, to assess the county tax. May 30th, 1817.*

Whereas the sum of seventeen thousand five hundred dollars has been granted as a tax on the county of Essex, for the year eighteen hundred and seventeen, and the Circuit Court of Common Pleas, for the Middle Circuit, within and for said county of Essex, at the last March term thereof, omitted to apportion the same upon the several towns in said county ;

*Resolved*, That the Clerk of the Judicial Courts within and for said county of Essex be, and he hereby is authorized and empowered to apportion said sum of seventeen thousand five hundred dollars upon the several towns in said county, and to issue warrants for the collection of the same, in the same manner as the said Court might have done, at the said last March term thereof.

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## CHAP. II.

*Resolve for the pay of the Members of the General Court. June 2d, 1817.*

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to each Member of the Council, Senate, and House of Representatives, two dol-

lars per day, for each and every day's attendance the present political year; and the like sum of two dollars for every ten miles travel from their respective places of abode, to the place of the sitting of the General Court, at each session of the same.

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

### CHAP. III.

*Resolve on the petition of the Selectmen of Lincolnville,  
June 6th, 1817.*

On the petition of the Selectmen of the town of Lincolnville, in the county of Hancock, in behalf of the inhabitants of the said town, praying that the doings of said town, at a meeting holden on the eighth day of May last past, for the choice of town officers, may be made valid, and also praying that the doings and proceedings of the said town and its officers in former years, may be confirmed and rendered valid, notwithstanding the Clerks of said town have in some instances, neglected to make full and perfect records of the administration of the requisite oaths to certain of said officers;

*Resolved,* For reasons set forth in the petition aforesaid, that the doings of said town, at said meeting, for the choice of officers aforesaid, be, and hereby are made valid in law, to all intents and purposes; and the officers chosen as aforesaid, shall have the same authority as if the said meeting had been held in the month of March or April last past, any thing in the law to the contrary notwithstanding.

*And be it further resolved,* That the records of said town of Lincolnville be deemed and taken to be as valid and effectual, to all intents and purposes, as if the same had been duly attested and certified by the Town Clerk, and that the proceedings of the said town and its officers, be ratified and confirmed; and the same shall be deemed and taken to be as valid and effectual in all respects, in the same manner as they would have been, had the Clerks of said town, in

all instances, made a full record of the qualifications of the officers aforesaid.

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#### CHAP. IV.

*Resolve on the petition of the Selectmen of the towns of Saugus and Lynn, in the county of Essex.*

June 6th, 1817.

*Resolved,* That for reasons set forth in said petition, there be, and hereby is abated of the amount set to the town of Saugus, in the county of Essex, in the tax act passed December fourteenth, eighteen hundred and sixteen, two hundred and thirty-one dollars and thirty-three cents, which was erroneously put to said town of Saugus, instead of being put to the town of Lynn, as its just proportion of the state tax, in the tax act aforesaid; and that the Treasurer of this Commonwealth be, and hereby is authorized and directed to issue his warrant, directed to the Assessors of the town of Lynn, requiring and directing said Assessors to assess upon the polls and estates within said town of Lynn, the sum of two hundred and thirty-one dollars and thirty-three cents, agreeably to the provisions of said tax act, in addition to the sum for the assessment and collection of which, a warrant has already issued.

*And be it further resolved,* That the Court of Sessions, in the county of Essex, in assessing hereafter the county tax, be, and hereby are authorized and directed to apportion the same on the said towns of Lynn and Saugus, in the proportion of three quarters to Lynn, and one quarter to Saugus, of the whole tax upon both said towns, until a new valuation shall be returned.

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#### CHAP. V.

*Resolve in favor of William Stedman.* June 6th, 1817.

On the petition of William Stedman, late Clerk of the Judicial Courts for the county of Worcester, setting forth that a balance of monies, belonging to the Commonwealth,

still remains in his hands, and praying for directions as to the disposition of the same.

*Resolved*, That the said William Stedman be, and he hereby is authorized and directed to pay over to the Treasurer and Receiver General of the Commonwealth, all monies remaining in his hands, belonging to the said Commonwealth, taking his receipt for the same.

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## CHAP. VI.

*Resolve confirming the doings of the town of Sebec.*  
June 9th, 1817.

On the petition of the Selectmen of the town of Sebec, in the county of Penobscot, representing, that at the first meeting of the inhabitants of said town, a part of them were not warned to attend; and that the requisite oath of the Town Clerk of said town, taken by him, was not duly recorded; Therefore,

*Resolved*, For reasons set forth in said petition, that the doings and the records of said town, and the doings of the officers thereof, are hereby confirmed; and in the above particulars made good and valid, to every intent and purpose, any supposed defects therein notwithstanding.

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## CHAP. VII.

*Resolve appointing Benjamin Russell, Printer of this Commonwealth, for one year.* June 9th, 1817.

On the petition of Benjamin Russell, of Boston, in the county of Suffolk, praying to be appointed and employed as printer to the General Court, the ensuing year;

*Resolved*, That the said Benjamin Russell, for reasons set forth in his said petition, be, and he hereby is appointed the printer of this Commonwealth, for one year from the fourth day of June instant, to be fully completed and ended, and until another state printer shall be appointed in his stead: *Provided*, he the said Russell, shall do and perform, or cause to be done and performed, the printing in a faithful and workmanlike manner, on good and suitable

paper, and with all reasonable despatch, and to the acceptance of the officers, for whom the work may be done.

*Be it further resolved,* That the compensation which shall and may be allowed and made to the said Benjamin Russell, for printing and materials furnished as aforesaid, shall be such as the Committee on Accounts may deem to be just and reasonable; they the said Committee on Accounts, taking into consideration and comparison, the pay and allowance heretofore made for similar and like services rendered, and articles furnished by printers to the General Court, for several years last past.

### CHAP. VIII.

*Resolve on the petition of Nathaniel Stone and William Young, late Assessors of the town of Ward.*

June 9th, 1817.

On the petition of Nathaniel Stone and William Young, Junior, Assessors of the town of Ward, in the county of Worcester, for the year of our Lord one thousand eight hundred and fifteen, praying that Zebulon Cary, Abijah Craig, Junior, and Daniel Dodge, Junior, the present Assessors of said town of Ward, may be authorized and empowered to issue their warrant for the collection of that part of the taxes assessed by the said Assessors of the said town of Ward, for the year of our Lord one thousand eight hundred and fifteen, which still remains uncollected;

*Resolved,* For reasons set forth in said petition that the said Zebulon Cary, Abijah Craig, Junior, and Daniel Dodge, Junior, the present Assessors of said town of Ward, be, and they are hereby authorized and empowered to issue their warrant to the collector or collectors of taxes, for the said town of Ward, for the year of our Lord one thousand eight hundred and fifteen, authorizing and directing him or them, to collect, in the manner prescribed by law, whatever remains due and unpaid upon the lists of assessment for the year aforesaid, and to pay over the same according to the directions of the law.

## CHAP. IX.

*Resolve on the petition of the Agents of the towns of Newcastle and Edgcombe. June 9th, 1817.*

On the petition of the Agent of the town of Edgcombe, and of the Selectmen thereof, and of the Agent of the town of Newcastle, and the Selectmen thereof, praying that Commissioners may be appointed, to establish the dividing line between those towns ;

*Resolved*, That Ezekiel Thompson, Esquire, of Lisbon, Abel Merrill, Esquire, of Topsham, and Samuel Coney, Esquire, of Augusta, be appointed Commissioners, at the joint expense of the said towns of Newcastle and Edgcombe respectively, to establish the dividing line between those towns, being first sworn to the faithful discharge of their trust, and giving seasonable notice to all parties concerned, of the time and the place of their meeting ; and it shall also be the duty of said Commissioners, to describe the said boundary line by course and distance ; to set up and notice in their return, suitable monuments, with a view to the permanent establishment of the said boundary line, and to make out triplicate returns of their doings, two copies of which shall be for the use of the said towns of Newcastle and Edgcombe, which shall be forthwith recorded in the town books, by the Clerks of those towns, respectively ; and the other copy shall be forwarded immediately to the office of the Secretary of this Commonwealth.

## CHAP. X.

*Resolve authorizing the Secretary to purchase, for the use of the Commonwealth, fifty additional copies of Term Reports. June 10th, 1817.*

*Resolved*, That the Secretary be authorized and directed to purchase, for the use of the Commonwealth, fifty copies of each volume of the Reports of Cases determined in the Supreme Judicial Court of this Commonwealth, in addition to the number heretofore ordered ; *provided*, the same can be had for a sum not exceeding two dollars and twenty-five cents a volume.

*And be it further resolved*, That the Secretary be directed to purchase, for the Commonwealth, fifty copies of the thirteenth volume of said Reports; *provided*, they can be procured for the sum, per volume, which he is authorized as above to give for the other volumes; and his Excellency the Governor, is requested to issue his warrant, with the advice and consent of the Council, on the public treasury, for the payment of said volumes accordingly.

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## CHAP. XI.

*Resolve on the petition of John Carlton, Junior, a wounded soldier.* June 10th, 1817.

On the petition of John Carlton, Junior, of Frankfort, praying a further allowance, in consequence of having a ball shot through his thigh, while doing duty in the detached militia, at Hamden, during the late war;

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, unto John Carlton, Junior, the further sum of thirty dollars for one year, commencing on the first day of October, eighteen hundred and sixteen.

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## CHAP. XII.

*Resolve authorizing the Agent of Catharine Badger to sell lands.* June 10th, 1817.

On the petition of Catharine Badger, of the city of New York, widow, Guardian of Mary Badger and George Badger, minors, children of Richard Salstonstall Badger, late of New York, aforesaid, merchant, deceased, praying that she or some other suitable person may be authorized to make sale of certain real estate, situate in the county of Hancock;

*Resolved*, For reasons set forth in said petition, that Leverett Salstonstall, of Salem, in the county of Essex, Esquire, be, and he is hereby authorized and empowered to sell and convey in fee simple, at public or private sale, the real estate described in said petition, and to make, exe-

cute and deliver a good and sufficient deed of the same: *Provided*, that the said Leverett Saltonstall first give bond, with sufficient sureties, to the Judge of Probate, for the county of Hancock, conditioned that he will account for, and make payment of the proceeds of the said sale, agreeably to the rules of law.

### CHAP. XIII.

*Resolve on the petition of Clarissa Gilbert, a soldier's widow.* June 10th, 1817.

On the petition of Clarissa Gilbert, widow of the late Charles Gilbert, of New Bedford, who was shot while doing duty in the detached militia, in August, 1814;

*Resolved*, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, unto the said Clarissa Gilbert, for the use of herself and her two children, the sum of fifty dollars, annually, for four years, to commence the twelfth of August, 1814.

### CHAP. XIV.

*Resolve authorizing one of the Justices of the Supreme Judicial Court to hold a Court for Barnstable and Dukes' County.* June 11th, 1817.

Whereas it is inconvenient for three or more of the Justices of the Supreme Judicial Court to attend at the term of said Court, next to be holden at Barnstable, for the counties of Barnstable and Dukes' County; Therefore,

*Resolved*, That the next term of said Court may be holden by any one of the Justices of the same; and should any business come before the said Court, so to be holden as aforesaid, which by law requires more than one of the Justices of said Court, to hear, try and determine the same, may be heard, tried and determined by the Court at the next law term, to be holden within and for the counties of Plymouth and Bristol, unless the parties thereto shall agree to have the same continued to the next term of said Court, to be holden at Barnstable, for the counties of Barnstable and Dukes' County.

CHAP. XV.

*Resolve in favor of Currence Young, widow of William Young, one of Treasurer Skinner's bondsmen.*

June 11th, 1817.

On the petition of Currence Young, of Williamstown, in the county of Berkshire, widow of William Young, Esquire, late of said Williamstown, deceased, stating that the said William Young was one of the sureties of Thompson J. Skinner, late Treasurer of the Commonwealth, and that a judgment has been rendered in favor of the Commonwealth against the said William, for the default of said Treasurer Skinner; that the Administrator on the estate of the said William, deceased, on the fifteenth day of March last, sold all the real estate of said William, at auction, and that the said Currence bid off the reversion in her dower, and the other two third parts of the dwelling house, for the sum of two hundred dollars, and has given her note, with security, to the Administrator for the same; and that she is left with a family of children, and without any other property than her right of dower in said estate; that she is unable to pay to the Commonwealth the said sum of two hundred dollars, and therefore praying the Legislature to remit the same to her;

*Resolved,* For reasons set forth in said petition, that the Administrator on the estate of William Young, Esquire, late of Williamstown, deceased, be, and hereby is authorized to remit to said Currence Young, the payment of the said note for two hundred dollars, executed by her to said Administrator, as set forth in said petition, and to cancel and give up the same to her; and that, in the settlement of the estate of the said William Young, deceased, the Commonwealth will make no claim upon the said Administrator, for the amount of said note.

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CHAP. XVI.

*Resolve granting twelve thousand dollars for the use of the State Prison. June 11th, 1817.*

*Resolved,* That there be allowed and paid out of the public treasury, for the use of the State Prison, the sum

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of twelve 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 the said sum accordingly.

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CHAP. XVII.

*Resolve authorizing the Treasurer to borrow money.*  
June 11th, 1817.

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

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CHAP. XVIII.

*Resolve for the payment of forty-one dollars to the Honorable Lothrop Lewis.* June 11th, 1817.

*Resolved,* That there be allowed and paid out of the treasury of this Commonwealth, to the Honorable Lothrop Lewis, forty-one dollars, in full compensation for himself and his chainmen, in surveying and appraising a tract of land in the town of Brownfield, in the county of Oxford, by virtue of a resolve of the Legislature, passed on the eighteenth day of June, eighteen hundred and sixteen.

CHAP. XIX.

*Resolve empowering George Sullivan, as Guardian of David Pierce's children, to perform certain contracts.*

June 11th, 1817.

On the petition of George Sullivan, of Boston, in the county of Suffolk, Esquire, Guardian of the minor children of David Pierce, late of said Boston, deceased ;

*Resolved*, That the said Sullivan, in his said capacity, be, and he hereby is authorized and empowered, in behalf of his said wards, to contract for, and receive a conveyance to his said wards, in common with the other children of the said David Pierce, of all the right, title and interest, which their mother, Rebecca Ruggles, and her husband, have in and to a certain lot of land and its appurtenances, situate on the Boston Pier, or Long wharf, so called, and formerly the property of the said David Pierce, and thereon to cause to be erected a good and substantial store ; and for the purposes aforesaid, to make and execute any contracts, agreements, or covenants, whether under seal or otherwise, the approbation thereto, in writing, of the Judge of Probate for the said county of Suffolk, being first had and obtained. And the said Judge of Probate is hereby authorized to prescribe and appoint such terms, conditions and restrictions to, and upon the said Sullivan, in the exercise of the authority herein before granted, as he, in his discretion shall deem expedient.

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CHAP. XX.

*Resolve on the petition of Samuel Honnet and others.*

Upon the petition of Samuel Honnet, Recall Degress, and others, Indian inhabitants of Christian Town, so called, in Dukes' County, praying for relief from certain distresses, as stated in their petition ;

*Resolved*, That Kilborn Whitman, of Pembroke, Esquire, be, and he hereby is appointed an Agent for the purpose of proceeding to said Christian Town, with power to examine witnesses respecting the subjects of complaint, as

set forth in said petition, and to make report of his proceedings at the next session of the General Court; said Agent to give previous notice to the Guardians of said Indians, of the place where, and of the time when, he shall make the examination.

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### CHAP. XXI.

*Resolve on the petition of Archelaus Lewis and others, authorizing the collection of back taxes, in Westbrook.*

June 12th, 1817.

On the petition of Archelaus Lewis, Thomas Slemons, and Peter Lunt, a Committee of the first Congregational parish in Westbrook;

*Resolved,* For reasons set forth in said petition, that the present Assessors of said parish be, and they hereby are authorized and empowered to issue a warrant or warrants, to Isaac Sawyer, late Collector of said parish, in due form of law, to collect all parish taxes due and unpaid on his tax bills, from the year of our Lord one thousand seven hundred and ninety-five, to the year one thousand eight hundred and fourteen inclusive.

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### CHAP. XXII.

*Resolve confirming the records and doings of the town of Foxcroft. June 12th, 1817.*

On the petition of the Selectmen of the town of Foxcroft, in the county of Penobscot, representing, that at the first meeting of the inhabitants of said town, a part of them were not warned to attend; that lists of voters have not been uniformly posted according to law, and that the oath of certain town officers of said town, taken before Justices of Peace, and otherwise, have not been recorded by the Town Clerk;

*Resolved,* For reasons set forth in said petition, that the records of the said town of Foxcroft, in the above particulars, be deemed and taken to be as good and valid to all intents and purposes, as if the said town officers had proceeded according to the laws regulating such proceedings;

and that the said records of said town, and the said doings of the said officers, are hereby confirmed, and in all respects made effectual, notwithstanding any of the above supposed defects.

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CHAP. XXIII.

*Resolve authorizing Mary Mead, of Waltham, to execute a deed. June 12th, 1817.*

On the petition of Mary Mead, Administratrix of the estate of Jacob Mead, late of Waltham, in the county of Middlesex, deceased, setting forth that the said Jacob Mead, in his lifetime, did agree with Theodore Lyman, of the same Waltham, Esquire, to convey to the said Lyman about two acres of land, described in said petition, being part of the estate of said deceased, but died before a deed could be made and executed ; praying that she may be authorized to make a good and valid deed of the same, to the said Theodore Lyman ;

*Resolved,* For reasons set forth in said petition, that the said Mary Mead, as she is Administratrix of the estate of the said Jacob Mead, deceased, be, and she is hereby authorized and empowered to execute a good and sufficient deed to the said Theodore Lyman, of the said land, being part of the estate of the said deceased, situate in said Waltham, bounded westerly, northerly, and easterly on lands of the said Lyman, and southerly on other lands of said deceased ; and such deed, so made and executed, shall be good and valid in law, to convey all the right and interest which the heirs at law of the said Jacob Mead, may have in the same, as if the said deed had been executed by the said Mead in his lifetime, pursuant to said agreement : *Provided nevertheless,* that previously to the delivery of said deed, the said Lyman shall pay unto the said Mary Mead, as Administratrix of the estate of the said Jacob Mead, deceased, to be accounted for by the said Mary with the Judge of Probate for the said county of Middlesex, the amount of the purchase money which was agreed upon by and between the said Theodore Lyman and the said Jacob Mead, in the lifetime of the said Jacob : *Provided also,* that the said Mary shall first give bond, with sufficient

surety, to the Judge of Probate of said county, to account and pay over to the heirs of the said Jacob, deceased, the full amount of the purchase aforesaid, with legal interest thereon, when thereto lawfully required.

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#### CHAP. XXIV.

*Resolve to ascertain the number of deaf and dumb persons, throughout the state. June 12, 1817.*

*Resolved,* That the Selectmen of the several towns, and the Assessors of plantations in this Commonwealth, be required to ascertain the number of deaf and dumb persons within their respective towns and plantations, and report the same to the Secretary of this Commonwealth, on or before the first Wednesday of the next session of this General Court; specifying the age and sex of such persons, and their situation, and that of their near relatives, in point of property. And the Secretary of this Commonwealth is hereby ordered to cause to be printed, a sufficient number of this resolve, and to transmit the same, as soon as may be, to the Selectmen of the several towns, and the Assessors of plantations, in this Commonwealth; and to make report to this Legislature, of all returns which he may receive, in pursuance of this resolve, on or before the second Wednesday of the next session of the present General Court.

*And be it further resolved,* That the Secretary of this Commonwealth cause to be published, this resolve, in all the newspapers in which the laws of this Commonwealth are printed, six weeks successively, prior to the first Wednesday of the next session of the General Court.

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#### CHAP. XXV.

*Resolve on the memorial of the Trustees of the Massachusetts General Hospital. June 12th, 1817.*

*Resolved,* That the stone to be employed in the erection of the Massachusetts General Hospital, shall be hammered and fitted for use, so far as the same can be done, by the convicts at the state prison of this Commonwealth, in such

manner as the Trustees of said institution, for the time being, or their Agent, may request, free of expense to said corporation, as soon as may be, after such stone shall be delivered at said prison wharf, for that purpose: *Provided*, that nothing herein contained, shall be so construed as to prevent or retard the fulfilment of any existing contract for stone work, with any other person or persons whatever. *And provided also*, that the materials to be worked, shall be delivered free of expense to the Commonwealth, at such part of the prison limits as the Warden may direct, and removed from thence when directed by the Warden, also free of expense to the state.

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#### CHAP. XXVI.

*Resolve authorizing the Selectmen of the town of Solon, in their said capacity, to sell land. June 12th, 1817.*

On the petition of the Selectmen of the town of Solon ;  
*Resolved*, That the said Selectmen, for the time being, be, and they are hereby authorized to sell and convey by deed of sale, duly executed, all the right and title which the inhabitants of the said town of Solon have in a lot of land, which was reserved by the Commonwealth for the use of the ministry in said town: *Provided*, the said Selectmen shall forthwith thereafter, purchase another lot of land in said town, in their estimation of equal value at least with the lot sold as aforesaid, and in a situation in said town more convenient; a deed of which land shall be taken in the name of the inhabitants thereof, for the use of the ministry in said town, duly executed and recorded.

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#### CHAP. XXVII.

*Resolve on the petition of Jonathan D. Weston.  
June 12th, 1817.*

*Resolved*, For reasons set forth in the said petition, that he Judge of Probate for the county of Washington, be, and he is hereby authorized to allow a further time, not exceeding six months from the seventh day of June instant, to the

creditors of the estate of John L. B. Green, deceased, to bring in their claims before Commissioners of insolvency on said estate; and that the report of any former Commissioners, on said estate, be committed to the same, or any two of the same, or to other Commissioners, to be appointed by said Judge of Probate, for further examination, alteration and allowance, according to law, notwithstanding the expiration of the term of eighteen months from the issuing of the former commission, any law to the contrary notwithstanding.

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### CHAP. XXVIII.

*Resolve discharging Samuel Fairbanks from gaol.*  
June 12th, 1817.

On the petition of Samuel Fairbanks, of Oakham, in the county of Worcester, praying that he may be discharged from a judgment in favor of the Commonwealth, rendered against him by the Circuit Court of Common Pleas, holden at Worcester, within and for the county of Worcester, on the second Monday of December last past, and a warrant of distress which issued on said judgment, by which the said Samuel Fairbanks is now imprisoned in the common gaol in the county of Worcester: And also from a sentence to pay a fine of twenty-five dollars and costs, rendered against him by said Circuit Court of Common Pleas, at the term thereof holden at Worcester, on the second Monday of March last past;

*Resolved,* For reasons set forth in said petition, that the said Samuel Fairbanks be, and he hereby is discharged and released from the judgment and warrant of distress aforesaid, and from the payment of said fine and costs. And the keeper of the gaol in said county of Worcester, is hereby authorized and empowered to discharge the said Samuel Fairbanks from his imprisonment for either of the causes aforesaid: *Provided however,* that the Commonwealth shall not be subject to any costs or expense which may have accrued for the support of the said Samuel Fairbanks, during his imprisonment therein.

CHAP. XXIX.

*Resolve granting one thousand dollars to Jeremiah Bailey and Benjamin Orr, Esquires. June 12th, 1817.*

*Resolved*, That there be granted to Jeremiah Bailey and Benjamin Orr, Esquires, one thousand dollars, on account of their services as Commissioners, under a resolve of this Commonwealth, passed the twenty-fifth day of February, in the year of our Lord one thousand eight hundred and thirteen, and a further resolve of the said Commonwealth, passed the tenth day of February, in the year of our Lord one thousand eight hundred and sixteen: and his Excellency the Governor, is requested to draw his warrant on the Treasurer for the same.

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CHAP. XXX.

*Resolve extending the time for quieting settlers in Jefferson, and six other towns. June 12th, 1817.*

On the petition of the Selectmen of the town of Jefferson;

*Resolved*, For reasons set forth in said petition, that a further time of one year, from and after the twentieth day of May, now last past, be, and hereby is allowed to the settlers in the towns in Jefferson, Boothbay, Bristol, Edgcombe, Newcastle, Nobleborough, and Waldoborough, who have not yet been quieted in their titles, under and agreeably to the terms of a resolve of this Commonwealth, passed on the twenty-fifth day of February, in the year of our Lord one thousand eight hundred and thirteen, and a further resolve on the same subject, passed on the tenth day of February, in the year of our Lord one thousand eight hundred and sixteen, to make payment for their lands therein mentioned; and the powers and duties of the Commissioners, appointed under the resolve first abovementioned, are hereby prolonged until the twentieth day of May next, to every purpose, and on the same terms of said resolve. The said Commissioners are hereby allowed to take from the Land Office, the plans of said towns lodged

in said office by them, for the purpose of completing the objects of their commission, to be returned to said office, when they make their final report. And it shall be the duty of said Commissioners to make their final return required by said resolve, to the first session of the next General Court.

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### CHAP. XXXI.

*Resolve authorizing the Commissioners for the sale of public lands, in the District of Maine, to lay out a road to the Canada line. June 12th, 1817.*

*Resolved,* That the Commissioners for the sale and settlement of the public lands, in the District of Maine, be, and they are hereby authorized and enjoined, forthwith to cause to be opened and completed, a suitable road, leading from the lands known by the name of "Bingham's Kennebec purchase," to the Canada line, and in the direction marked out upon a plan made by Charles Turner, Esquire, and others, with such occasional variations as the natural obstructions, or local convenience may justify and require; and for this purpose, the Governor be, and he hereby is authorized, by and with the advice of the Council, to draw his warrant upon the Treasurer of this Commonwealth, for any sum or sums, necessary for the completing this object, not exceeding five thousand dollars. And the said Commissioners are also authorized and directed, to take such measures as they may find necessary, for the purpose of obtaining a road adjoining that contemplated by this resolve, to be made through the said lands, known by the name of "Bingham's Kennebec purchase," under, and by virtue of the powers vested by law, in the County Courts for the counties respectively, of Oxford and Somerset, unless the persons interested in the said "Bingham's Kennebec purchase," shall adopt forthwith, measures satisfactory to the said Commissioners, for this object.

CHAP. XXXII.

*Resolve granting taxes to the counties of Bristol and Norfolk. June 12th, 1817.*

Whereas the Clerks of the Court of Sessions of the counties of Bristol and Norfolk, have exhibited estimates made by said Courts, of the sums necessary to be raised, for building new gaols in said counties ;

*Resolved*, That the sums annexed to the 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, viz. :

County of Bristol, six thousand dollars, - -	\$6000 00
County of Norfolk, three thousand dollars, - -	3000 00

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CHAP. XXXIII.

*Resolve granting taxes to the counties of Plymouth, Washington, Lincoln, and Dukes' County. June 12th, 1817.*

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, viz. :

County of Plymouth, four thousand dollars,	\$4000 00
“ “ Washington, one thousand six hundred and forty dollars, -	1640 00
“ “ Lincoln, six thousand and sixty dollars, - - - - -	6060 00
“ “ Dukes' County, eight hundred dollars, . . . . .	800 00

CHAP. XXXIV.

*Resolve confirming the records of Plantation Number three, in sixth range. June 12th, 1817.*

On the petition of the Plantation Number three, in sixth range, north of the Waldo Patent, in the county of Penobscot, for confirmation of their records;

*Resolved*, For reasons set forth in the said petition, that the records of the said plantation, be, and hereby are confirmed and made valid, the informality or defect therein mentioned in said petition notwithstanding; *Provided however*, that this resolve shall not be construed to affect the title to any land, the payment of any tax on a non resident proprietor, or any action now pending in any Judicial Court in this Commonwealth.

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CHAP. XXXV.

*Resolve making valid the records of the town of Athens. June 13th, 1817.*

On the petition of the Selectmen of the town of Athens, in the county of Somerset, praying that the proceedings of said town, in relation to their town records, may be made valid;

*Resolved*, For reasons set forth in said petition, that the records of said town of Athens, in the cases specified in their said petition, shall be, and hereby are rendered valid in all respects, in the same manner as they would have been, if the Town Clerk had recorded a certificate of the Selectmen's oath, and copies of the valuation of the inhabitants had been filed and lodged in the Town Clerk's office, according to law.

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CHAP. XXXVI.

*Resolve concerning the nine townships of land on Penobscot River. June 13th, 1817.*

The Committee on Eastern Lands, being specially instructed to consider the expediency of opening the sale of

the reserved townships on Penobscot River, or any part thereof, and to report a state of facts, would respectfully submit the following particulars ;

The first resolve found touching the said townships was passed February twenty-sixth, seventeen hundred and ninety-six ; this created Messrs. Shepard, Dane and Davis, Commissioners, to treat with the Penobscot tribe of Indians, on the subject of their claim to the lands on the river Penobscot, from the head of its tide waters to its source ; and another resolve of June sixteenth, the same year, granted the said Commissioners two thousand dollars to meet the peculiar exigencies of the enterprize. On the eighth of August, the same year, (seventeen hundred and ninety-six,) an indenture was executed by the parties, in which it was stipulated, in consideration then paid to the tribe, of blue cloth, one hundred and forty-nine and an half yards ; shot, one hundred pounds ; powder, one hundred pounds ; hats, thirty-six ; salt, thirteen bushels ; New England rum, one barrel ; and corn, one hundred bushels ; and a further consideration, then secured to them, of three hundred bushels of corn, fifty pounds of powder, two hundred pounds of shot, and seventy-five yards of blue cloth, for blankets ; to be delivered to the tribe at Kenduskeag Stream, yearly, so long as the said tribe should continue a nation, and live within the Commonwealth. The tribe, by Joseph Orono and others, chiefs thereof, conveyed to the state all that tract of land on Penobscot River, and on both sides of said river, beginning near Jonathan Eddy's dwelling house, at Nichols' Rock, and extending up the said river, thirty miles, on a direct line, according to the general course of said river, excepting and reserving, however, to said tribe, all the islands in said river, above Old Town, including said Old Town Island itself. The next year Salem Towne, Esquire, was empowered, by a resolve of June twenty-second, seventeen hundred and ninety-seven, to cause the said lands to be surveyed and laid out into townships, each of six miles square, as near as the land would admit, and to survey the same townships into quarters, a plan of all which he therein was required to return, with particulars, as to the quality of the lands, the situation of streams and waters, the number of settlers at the time of the purchase and the quantum of lands each settler had under improvement. Accordingly, under the direction of said Towne, Messrs. P.

Holland, J. Maynard and J. Chamberlain surveyed the whole, which they divided into nine townships only, and found the whole to contain one hundred and eighty-nine thousand four hundred and twenty-six acres, including two small gores of land, on each side of the Penobscot, lying between the present and other surveys. The townships are also severally surveyed into quarters, and a plan of the whole, dated December twentieth, seventeen hundred and ninety-seven, duly returned. The number of settlers on the nine townships, prior to the purchase in August the year before, was found to be thirty-two in all. In proceeding from north to south, down the Penobscot, the said townships on the westerly side thereof, were numbered from one to five, and on the easterly side from one to four, both on each side inclusive. A resolve of March second, seventeen hundred and ninety-eight, further provided that each of the thirty-two settlers be quieted, by having one hundred acres, so as best to include his improvements, and be least injurious to the adjoining lands, for such considerations as the said Salem Towne, the Commissioner, should determine the same to be worth. It also authorized him to sell said lands at auction, in quantities not exceeding quarter of townships, with a reservation of one hundred acres for schools, fifty acres for the first settled minister, and one hundred acres for the ministry, in each quarter township, and with a restriction that no part should be sold for less than a dollar per acre. The time for his quieting said settlers, was, by resolve of June twenty-second, seventeen hundred and ninety-nine, limited to the first day of June then next following; but by a resolve of June twelfth, eighteen hundred, extended a month longer. After the lapse of twelve years, from the time the Commissioner, General Towne, was first empowered to sell lands in the nine townships, he rendered a detailed statement of the sales he had made, and the considerations received, also of his disbursements and commissions, all which were duly considered by a Legislative Committee of both houses, and an adjustment was concluded. A resolve, as reported by that Committee, was passed March fifth, eighteen hundred and ten, by which the settlement was sanctioned, and the Commissioner, General Towne, was discharged from any further service in the premises.

This settlement developed sundry important facts, as to the quantities sold, the consideration received or secured,

**LANDS PENOBSCOT RIVER.—June 13, 1817. 427**

and the persons to whom, and the places where the conveyances are made. They are these :

Of the whole number of acres in the nine townships, which by the foregoing survey and return were found to be *Acres.*  
 189,426  
 The Commissioner, General Towne, had sold 27,610 $\frac{1}{2}$

For the the sum of twenty-five thousand, eight hundred and eighty-four dollars, and fifty-eight cents ; thus making the Commonwealth still the proprietor of 161,815 $\frac{1}{2}$

The sales just mentioned were on both sides of the Penobscot River. On the west side of the river,

In townships No's. 1, 2 and 3, the Commissioner made no sales.

In township No. 4, out of its second quarter, he  
 “ “ sold to John Southgate 1,500  
 “ “ out of its third quarter, he  
 “ “ sold to said Southgate 500  
 “ “ the residue of this third quar-  
 “ “ he sold to Thomas Cobb,  
 “ “ being 3,277  
 “ “ the whole of the fourth quar-  
 “ “ ter, he sold to Aaron Tufts,  
 “ “ being 3,468

In township No. 5, he sold the whole of its second quarter to Joseph Treat 4,415

On the east side of Penobscot River, in townships No. 1 and 2 he made no sales : but

In township No. 3, he sold out of its second quar-  
 “ “ ter, to Paul Dudley 500  
 “ “ out of its third quarter, to  
 “ “ John Southgate 1,000  
 “ “ the residue of the third quar-  
 “ “ ter and the whole of the  
 “ “ fourth quarter he sold to  
 “ “ Charles Blanchard and five  
 “ “ others, being 11,572

In township No. 4, he sold out of the first quarter to Aaron Forbes 1,000

By virtue of a special resolve of February fifteenth, eighteen hundred and five, he conveyed to Jo-

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seph Innman a lot in No. 4, on the west side of the river	150
The Commissioner made other couveyances, in whole	228 $\frac{1}{2}$
Making	27,610 $\frac{1}{2}$

Your Committee would further state, that from the best information received, they are to believe the selling of lands to any others than actual settlers, is injudicious policy; for on the said lands sold to John Southgate, to Thomas Cobb, to Charles Blanchard and others, and to Joseph Treat, few, very few, have settled since the Commonwealth alienated the fee, while numbers of actual settlers, intending to make farms, and ever desirous, as a prevalent principle of the human heart, to get a title to lands they select and settle on, have rather risqued the future humanity of the Commonwealth, by entering on its lands, than to purchase of the non resident proprietors.

As to roads, it is proper to state, that under resolve of June twentieth, eighteen hundred and seven, Charles Turner, Esquire, the next year surveyed and marked a road from the Penobscot, about two miles above the mouth of Sunkhaze Stream, on its course north-eastwardly, seven miles through township Number two, on the east side of the river, towards and unto the east line of Maine. A resolve of February twenty-fifth, eighteen hundred and twelve, authorized the Agents for the sale of Eastern Lands to lay out seven thousand acres, to be located on each side of the road surveyed from Pushaw Stream, near the Penobscot, to the Piscatiquis, in lots, eighty rods wide and one hundred rods back, and to convey the same to make the road fit for travelling in wheel carriages. That part of the road which lies between the Pushaw and the westerly line of the nine townships, (fourteen miles in length,) is already well made; and fifty lots in Number two, on the west side of said Penobscot, have been conveyed to him who has made it.

Your Committee would further add, that Thomas Johnson and fourteen others, had granted to them, by resolve of January twenty-fourth, eighteen hundred and fifteen, eight thousand acres of land, which it is understood they mean to select within the said nine townships, but which they have not yet located. To the Trustees of the Maine Literary

and Theological Institution was granted, by resolve of February fifteenth, eighteen hundred and fifteen, the whole of township Number three, on the west side of Penobscot River, with a reservation however, of two thousand and six hundred acres, to defray the expense of making the road last mentioned. Something has also been done to quiet the settlers on the Commonwealth's lands in the nine townships, since the agency of General Towne was concluded. Pursuant to the petitions of Anna Palmer, Eber Harthorn, Richard Eldridge, Moses Knapp, and some others, resolves have passed the thirteenth of June, eighteen hundred and fourteen, and twelfth of February, eighteen hundred and sixteen, empowering the Agent for the sale of Eastern Lands, to quiet by deed, each of them on one hundred acres, so surveyed as best to include their improvements, and be least injurious to contiguous lands, for such sum as he may judge reasonable, being not less than one, nor more than two dollars by the acre. Little, however, is found to have been done under these resolves, notwithstanding the solicitude, the self location and the increasing improvements by the settlers.

After stating what has been actually granted or conveyed out of the said nine townships, it ought not to be omitted, that of some of the lands therein conveyed, the Commonwealth is again about to become reesized. Thus, of eleven thousand five hundred and seventy-two acres, sold to Charles Blanchard and others, near two thirds will again become the state's property, when an execution is levied. Purchase monies are also due from others, the payment of which is secured by mortgage of the lands purchased, in failure of which payment, the Commonwealth may become hereafter the proprietor of them.

Your Committee would also beg leave to remind the General Court, that nearly one half of the four townships on the east side of the Penobscot, consists of lands well fitted for improvements or cultivation, some of which is excellent; and that the greater part of the five townships, on the western side of the river, are good. That township Number four, on the west side of the river, was, in eighteen hundred and six, incorporated into a town, by the name of Orono, which bounds on the shire town of the county of Penobscot; and that the whole is very eligibly situated on the Penobscot and other waters. Your Committee, therefore, would ask leave to report the following resolve.

WILLIAM D. WILLIAMSON, *Chairman.*

*Resolved*, That the Commissioners for the sale of Eastern Lands be, and they are hereby directed to survey and sell any part of the Commonwealth's lands within said nine townships, to actual settlers; *provided*, that not more than five hundred acres be sold to any one person or association, in any one township thereof, and that none be sold for less than one dollar per acre: *Provided also*, that the said Commissioners regulate their conduct and proceedings under this resolve, conformably to the provisions of the act passed February fifteenth, eighteen hundred and sixteen, entitled, "An act for promoting the sale and settlement of the public lands in the District of Maine."

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### CHAP. XXXVII.

*Resolve on the proceedings of the Committee on the Hallowell and Augusta Bank. June 13th, 1817.*

The Committee on the Report of the proceedings of the Hallowell and Augusta Bank, report;

That in their opinion, the subject committed to them, cannot be sufficiently investigated at the present session of this General Court, to enable them to report thereon; but they consider it of sufficient importance to require their further and careful attention during the recess of this General Court: they therefore report the following resolve;

*Resolved*, That the said Committee are hereby authorized and empowered to sit during the recess of this General Court, for the further investigation of the subject to them committed.

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### CHAP. XXXVIII.

*Resolve granting fourteen dollars and eighty-seven cents to Gideon Burt, Esquire, for certain costs paid by him. June 13th, 1817.*

On the petition of Gideon Burt, Esquire, of Longmeadow, in the county of Hampden, praying, that a bill of costs paid by him to the Sheriff of the county of Hampden, may be refunded to him;

*Resolved*, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to the said Gideon Burt, the sum of fourteen dollars and eighty-seven cents, being the sum paid by him as aforesaid; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for the same.

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CHAP. XXXIX.

*Resolve on the petition of Winslow Lewis and others, to be incorporated into a military corps of Sea Fencibles.*

June 13th, 1817.

On the petition of Winslow Lewis and others, who are exempted from military duty, praying to be formed into a corps of Sea Fencibles;

*Resolved*, That his Excellency the Governor, with the advice of Council, be, and he is hereby authorized to raise, by the voluntary enlistment of such Masters and Mates of vessels, as dwell within the town of Boston, or within five miles thereof, as now are, or shall hereafter be exempted from military duty, a corps of Sea Fencibles; and he is hereby authorized to establish such rules for the government and organization of such corps, and to commission such officers as shall be chosen, and to deliver them such ordnance and munitions of war as he may deem expedient. And the Commander in Chief shall have the same power and control over the same corps as he would have had if the members composing the same had not have been exempted by law from military duty.

*Be it further resolved*, That the officers and members of said corps shall be holden to perform the duties assigned to them, in the same way and manner as is required of other corps, raised, organized and commissioned, conformably to the laws of the United States; and they shall be subject to like punishments, fines and disabilities as such other corps are subject to by law.

CHAP. XL.

*Resolve allowing ninety-two dollars to James Lee, of Boston, for loss incurred in the prosecution of Orrin Maynard. June 13th, 1817.*

On the petition of James Lee, praying compensation for expenses and loss incurred in the prosecution of Orrin Maynard, for a fraud on him, said Maynard having been fined by the Court in which he was indicted, and having paid a fine of two hundred dollars and costs of prosecution, to the Commonwealth;

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, unto James Lee, of Boston, the sum of ninety-two dollars, for his expenses and loss in the prosecution of said Orrin Maynard; and his Excellency the Governor, with the advice and consent of the Council, is hereby requested and authorized to draw his warrant on the Treasurer for the same.

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CHAP. XLI.

*Resolve on the petition of James Foord, Register of Deeds for the County of Norfolk. June 13th, 1817.*

*Resolved*, For reasons set forth in said petition, that the Secretary of this Commonwealth be directed to deliver to the Register of Deeds for the county of Norfolk, the first, second and third volumes of the Statute Laws of this Commonwealth, for the use of the said Register and his successors in office.

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CHAP. XLII.

*Resolve on the petition of David Smith and others. June 13th, 1817.*

On the petition of David Smith and others, of the society of Friends or Quakers, composing Bolton monthly meeting;  
*Resolved*, That the Selectmen of Bolton and Berlin, each in their respective towns, be, and they are hereby au-

thorized, annually, to cause to be paid to the Teacher of any school established in the town of Bolton by the society of Friends or Quakers, for the instruction of the children belonging to such society, within the said towns, such sums as may be received into the town treasury from any members of such society, as taxes for the support of public schools: *Provided however*, that every person applying to have his taxes so paid over, shall within such time as shall be prescribed by the said Selectmen, lodge with them, a certificate from the proper officers of the Bolton monthly meetings, that such person is a member of the society of Friends or Quakers, and usually attending on the religious meetings of said society.

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CHAP. XLIII.

*Resolve for the rebuilding the State Prison wall.*  
June 13th, 1817.

On the representation of the Directors of the State Prison;

*Resolved*, That his Excellency the Governor, with the advice and consent of Council, be, and he hereby is authorized to cause that part of the prison wall which has fallen down, to be immediately rebuilt, on the same limits, or extending the same, as the Governor and Council may think best: and also from time to time, as may be found necessary or expedient, to cause any part of said wall, which may appear to require it, to be also rebuilt, on such limits as shall be directed by the Executive of the state; in all cases, as far as practicable, employing the convicts in the construction of the same; and causing the same to be built of the height of twenty feet from the level of the yard. And his Excellency the Governor, with advice of Council, is hereby authorized, from time to time, to draw his warrant on the treasury of this Commonwealth, for such sums of money as may be necessary to carry this resolve into effect.

## CHAP. XLIV.

*Resolve authorizing the Commissioners of the Land Office to complete a road, on a rout as laid out by Charles Turner, Esquire, from Penobscot River to the public grants, on the eastern line. June 13th, 1817.*

Whereas Charles Turner, Junior, Esquire, was, by a resolve of the twentieth of June, eighteen hundred and seven, appointed and authorized to explore and mark out a route, in the most direct course the land would admit, from the Penobscot River to the public grants, located on the eastern line of this Commonwealth; and in conformity to which resolve, the said Turner performed said service at the public expense, marked out the course of said road, and returned a plan thereof; which by a resolve of the twenty-first of January, eighteen hundred and eight, was sanctioned, and ordered to be deposited in the Land Office; and afterwards, by a resolve of the fourteenth of February, eighteen hundred and eleven, ten townships of land were surveyed on said road, by Alexander Greenwood, Esquire, at the public expense, and a plan thereof duly made, and returned into the Land Office;

*Resolved*, That the Commissioners of the Land Office be, and hereby are authorized and directed to cause said road to be opened and made, in such a manner, as far, and with such alterations, as they shall judge necessary, to promote the settlement of six townships thereon. *And it is further resolved*, that the said Commissioners be, and they hereby are directed to lay out, settle, and sell, six townships of land, already surveyed, or to be surveyed by their direction, on said road; and two townships on the road, to be by them opened through the public lands in the District of Maine, from the north line of "Bingham's Kennebec purchase" to the Canada line, agreeably to a resolve of the eleventh instant; all of which shall be in conformity to the act for promoting the sale and settlement of the public lands in the District of Maine. And whereas the Commonwealth are seized of a number of islands, many of which, are exposed to strip and waste, and none of which are increasing in value, therefore,

*Resolved*, That said Commissioners be, and they hereby are authorized and directed to expose the same for sale,

and give timely notice thereof, by public advertisement, in such way and manner as they shall judge most promotive of the interest of the Commonwealth; pass deeds thereof to the purchasers, and pay the proceeds into the public treasury; having in all instances, due regard to the settlers actually residing on said islands, and reservations of any particular fisheries, that they may deem of public importance.

*And be it further resolved,* That his Excellency the Governor be requested to draw his warrants on the Treasurer, in favor of said Commissioners, from time to time, for such sums of money as he, with advice of Council, shall judge necessary, to effect the object of these resolves, and the general purposes of the act aforesaid, not exceeding three thousand dollars, for which said Commissioners shall be accountable.

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#### CHAP. XLV.

*Resolve on the memorial of the Board of Health, of the town of Boston. June 13th, 1817.*

On the memorial and petition of the Board of Health, of the town of Boston, relative to certain repairs and improvements already made, and to be made, on Rainsford or Hospital Island, belonging to the Commonwealth;

*Resolved,* That there be allowed and paid out of the treasury of this Commonwealth, to the Board of Health of the town of Boston, the sum of two hundred dollars and sixty-four cents, the same being the amount expended by said board, in repairing the sea-wall on Rainsford or Hospital Island, belonging to the Commonwealth, over and above the sum heretofore granted by the General Court of this Commonwealth, for that purpose.

*And be it further resolved,* That there be allowed and paid to said Board of Health, for the purpose of building a small wharf and store, to receive damaged and infectious articles, and providing sundry lodging chambers, suitable to accommodate sick persons, on said island, the further sum of three thousand dollars, out of the treasury of this Commonwealth; and his Excellency the Governor, with the consent of Council, is hereby requested to draw his warrant on the Treasurer for the aforesaid sums, accordingly.

## CHAP. XLVI.

*Resolve authorizing the Commissioners of the Land Office, to take suitable measures to prevent the destruction of timber, in the District of Maine, on the state's land. June 14th, 1817.*

Whereas the public lands, in the District of Maine, are exposed to, and actually are trespassed upon, to the great injury of the Commonwealth, an evil example to the citizens, and in a manner to lessen the respect and security for the rights of private property, and there is no existing provision of law for effectually preventing the same, or obtaining a remedy therefor, under the direction and control of the Commissioners of the Land Office;

*Be it therefore resolved,* That said Commissioners be, and they hereby are directed to publish notifications, in such manner, and at such places, as they shall judge proper, forbidding all persons to cut and take from the Commonwealth's land, in the District of Maine, any timber, of any description whatever, without permission first had and obtained from said Commissioners: And said Commissioners are hereby authorized to appoint some suitable person, in all such places as they shall judge the public interest requires, to superintend and prevent the waste and destruction of said timber, and to collect the evidence of any trespass that may be committed on the public lands aforesaid; and in all instances, where they shall obtain satisfactory proof, that timber found in any situation within the District of Maine, has been cut on the public lands aforesaid, after the passing of this resolve, to cause the same to be seized, at any place within the said district, in the name of the Commonwealth, by such persons as they shall appoint for that purpose, and marked with the letters S.M.; which timber so marked, shall be considered as in the possession of said Commissioners, for the use of the Commonwealth: and they shall, by the Solicitor General, County Attorney, or any other Attorney, where there is no County Attorney, cause the same to be libelled in the Court of Common Pleas, for the district within which, said timber shall be seized, stating the cause of seizure, and praying for a decree thereon in favor of the Commonwealth: And the Justices of said Court, shall have power to hear and determine

the cause by a jury, where there is a claimant, but without one, if, upon proclamation made, no claimant appears; and to decree a disposition of all such timber to the use of the Commonwealth, with costs; and to cause all such proceedings to be had on said process, as shall be necessary to give it full effect to final judgment and execution. And if said libel shall not be supported, restitution of the property shall be decreed to the claimants, without cost. And if any persons shall take any of said timber, after the same is so marked, into his custody, for any other purpose than for safe keeping, or shall cut out, or efface the marks placed thereon, he, or they so offending, shall upon conviction, on indictment or information, filed before any Court of Record proper to try the same, forfeit and pay to the use of the Commonwealth, the sum of ten dollars for each log or piece of timber, so taken or defaced. And said Commissioners may bring actions of trespass, in the name of the Commonwealth, and pursue the same to final judgment and execution, against all persons concerned in cutting or taking said timber, by furnishing cattle, labor, implements, or supplies of any kind; and all shall be considered as principals, and equally liable for damages and costs; *provided always*, that in all cases where the Commissioners shall judge it to be for the interest of the Commonwealth, they may commute with said offenders, and accept pecuniary satisfaction, and discharge any process by them directed.

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## CHAP. XLVII.

*Resolve appointing Commissioners to adjust the late Treasurer's accounts. June 14th, 1817.*

*Resolved*, That the Honorable John Welles and Joseph Bemis, Esquires, Thomas Greenleaf, M. Withington and W. Tudor, junior, Esquires, be Commissioners to examine, liquidate, adjust, and settle, the accounts of John T. Apthorp, Esquire, late Treasurer and Receiver General of this Commonwealth, from the time of his entering on the duties of his office, to the third day of June instant, inclusively; and the said Commissioners are directed and empowered, to deface all notes and due bills, orders, or other obligations, issued

under the authority of this Commonwealth, by any officer thereof, which have been redeemed by the Treasurer, and to make a regular transfer of the books, papers, files, money, security, obligations, and all other property now in the treasury, to the present Treasurer, and report their proceedings to the next session of the General Court.

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#### CHAP. XLVIII.

*Resolve on the petition of Joshua Frost, Esquire, refunding him thirteen dollars and thirteen cents. June 14th, 1817.*

On the petition of Joshua Frost, Esquire, of Springfield, in the county of Hampden, praying that a bill of costs paid by him, to the Sheriff of the county of Hampden, may be refunded to him;

*Resolved,* For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to the said Joshua Frost, the sum of thirteen dollars and thirteen cents, being the sum paid by him as aforesaid; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for the same.

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#### CHAP. XLIX.

*Resolve authorizing Joseph Lee, Esquire, to carry into effect a compromise made for a trespass on the Commonwealth's land near Saint-Croix. June 14th, 1817.*

The Committee to whom was referred the representation of Joseph Lee, Esquire, one of the Commissioners of Eastern Lands, representing that a trespass, to a large extent, had taken place on the Commonwealth's lands, by the cutting and carrying off quantities of logs and timber—report;

That from the nature of the transaction, and as the remedy was thought to be without the provisions of our laws, he was induced to make a compromise, and to take security for the payment on the first of August next, of nearly fourteen hundred dollars, as an equivalent for said trespass.

Your Committee are of opinion, that the conduct of Joseph Lee, Esquire, was discreet and judicious, and deserves to be ratified by the Legislature. Your Committee are also of opinion, that the depredations which are represented in this communication to exist, demand a further provision by law, that such abuses may in future be prevented; and they report the following resolve and order, which are submitted.

J. WELLES.

*Resolved*, That Joseph Lee, Esquire, be authorized to carry into effect the compromise which he has made, for a trespass committed on the Commonwealth's lands near the River Saint-Croix, in the District of Maine, in cutting and taking therefrom a quantity of timber, for which trespass, said Lee has taken security for the payment of nearly four-hundred dollars, on the first day of August next; and that he lay an account of his doings therein before the Governor and Council, for allowance.

#### CHAP. L.

*Resolve authorizing the Governor to employ such person or persons, as he may think necessary, to prepare and arrange the claims of this Commonwealth against the United States. June 14th, 1817.*

The Committee of both Houses, to whom were referred so much of his Excellency's speech as relates to the claims of this Commonwealth against the United States, and that also which relates to the subject of arms, respectfully report;

That pursuant to a resolve passed the third day of December last, his Excellency the Governor, with advice of Council, appointed three Commissioners to present 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 the government of the United States. Two of the Commissioners, the Honorable James Lloyd, and William H. Sumner, Esquire, repaired to the seat of government of the United States, as soon as the proper documents could be prepared; and made application to the War Department, and endeavored to procure an examination and adjustment of the claims. With the exception of a few charges which were allowed, and upon which the sum of eleven thousand

dollars were advanced, and is now in the treasury of this Commonwealth, these claims were considered by the Executive, not to be within the provisions of any existing law, and were not examined. At a late period of the session of Congress, "A bill to authorize the settlement and payment of certain claims for the service of the militia," which would have extended to an examination of these claims, was read twice, and was lost on the third reading, as was understood, for want of time duly to consider the subject. The Commissioners then left in the Department of War, an abstract of the account of expenditures, incurred by Massachusetts, in the general defence, as evidence of our claims.

Your Committee have noticed, with great satisfaction, the discretion and ability with which the Commissioners conducted the important business entrusted to them, and the assistance they received from the Senators and Representatives of this Commonwealth.

In the opinion of the Committee, it is expedient to request the Senators and Representatives in Congress, to endeavor to procure the allowance and payment of these claims, at the approaching session of Congress; and your Committee recommend the appropriation of these claims towards the payment of the war debt of the Commonwealth.

In considering the subject of arms, the Committee have learned, that the Commissioners, while at Washington, proposed to the War Department, that Massachusetts should retain, from the arms purchased by her during the war, the number due from the United States, under a law passed by Congress, April twenty-third, eighteen hundred and eight, and should receive an allowance for the same in money; which proposition was accepted: and the Committee think it expedient to authorize his Excellency the Governor to confirm such an arrangement.

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

**MARK LANGDON HILL**, *Chairman*.

*Resolved*, That the Senators of this Commonwealth in Congress, be instructed, and the Representatives requested, to make such application to the government of the United States as they may deem expedient, for the purpose of procuring an adjustment of the claims aforesaid, and all accounts connected therewith, and payment of the balance

due thereon, to this Commonwealth; and to endeavor to procure such provision to be made by law, as they may think necessary for this purpose. And his Excellency the Governor is hereby requested, to cause to be delivered to the Honorable James Lloyd, one of the Representatives from this Commonwealth, such documents and papers, as may be necessary to support the claims aforesaid, for the use of the Senators and Representatives aforesaid.

*Resolved,* That his Excellency the Governor be, and he hereby is authorized and requested, to employ any person or persons (if he shall think necessary) to prepare and arrange the claims aforesaid, and the evidence and documents belonging to the same.

*Resolved,* That the sum of eleven thousand dollars already received, and the money that may hereafter be received from the government of the United States, on account of the claims aforesaid, be appropriated to the payment of the war debt, or loans made to defray expenses incurred by the Commonwealth, during the late war; and the Treasurer of this Commonwealth be, and he hereby is authorized and directed, to apply the same towards the payment of the said debt, until the same shall be fully discharged and extinguished.

*Resolved,* That his Excellency the Governor, with advice of Council be, and he is hereby authorized, to make such commutation and arrangement with the Supreme Executive of the United States, on the subject for the balance of arms due this Commonwealth, and to receive the same in arms, or by an equivalent in money, as in his opinion, the interest of the Commonwealth may require.

## CHAP. LI.

*Resolve granting Loring Wheeler, a wounded soldier, sixty dollars. June 16th, 1817.*

On the petition of Loring Wheeler, of Sudbury;

*Resolved,* That there be allowed and paid out of the treasury of this Commonwealth, unto Loring Wheeler, of Sudbury, the sum of sixty dollars, in full for money expended and time lost, in consequence of his receiving a wound in his right hand, at a regimental muster, on the ninth day of October last.

CHAP. LII.

*Resolve making valid the doings of the Assessors of the first parish in South Berwick, for the years eighteen hundred fifteen and eighteen hundred sixteen. June 16th, 1817.*

On the petition of Northend Cogswell, William Hight, and Andrew Goodwin, Assessors of the first parish of South Berwick, in the county of York, praying that their doings, in assessing taxes on the inhabitants of said parish, for the years eighteen hundred fifteen and eighteen hundred sixteen, may be confirmed and made valid; the said Assessors not being provided with the tax act, at the time of assessing the same, and in consequence, having varied therefrom in some measure, particularly as it respects the tax on the polls, which in some small degree exceeds one sixth part of the money assessed;

*Resolved, For reasons set forth in said petition, that the doings of the Assessors of said first parish of South Berwick, in assessing said taxes upon the polls and estates of the inhabitants of said first parish, for the years eighteen hundred fifteen and eighteen hundred sixteen, be, and are hereby ratified and confirmed, and rendered firm and valid, as though said Assessors had proceeded according to law, and pursued, in every respect, the tax acts of those years.*

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CHAP. LIII.

*Resolve granting to Sylvanus Plympton, Esquire, forty-six dollars, for travel and attendance as a Member of the Court, for the town of Woburn. June 16th, 1817.*

*Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to Sylvanus Plympton, Esquire, of Woburn, in the county of Middlesex, forty-four dollars, for twenty-two days attendance in the House of Representatives, as a Member thereof from the said town of Woburn, during the last session of the Legislature; and two dollars for travel, the same having been omitted in making up the pay roll.*

CHAP. LIV

*Resolve authorizing Mehitable Heywood, as Guardian to her son, to sell his estate, being non compos mentis.*

June 16th, 1817.

On the petition of Mehitable Heywood, of Worcester, in the county of Worcester, parent and Guardian of Joseph Heywood, her son, *non compos mentis*, praying that she the said Mehitable, may be licensed to sell the real estate of said Joseph;

*Resolved*, For reasons set forth in said petition, that said Mehitable, parent and Guardian aforesaid, be and hereby is authorized to sell said estate at private sale for the most it will bring, and to make and execute a good and sufficient deed or deeds of the same; she the said Mehitable first giving bonds, with sufficient surety or sureties, to the Judge of Probate for the county of Worcester, in such sum, as said Judge shall direct, conditioned that she will act faithfully and impartially, in all things touching the same, and will account for the proceeds of the sale thereof, as the law in such cases provides.

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CHAP. LV.

*Resolve authorizing John Richards to export kegs and firkins of lard.* June 16th, 1817.

On the petition of John Richards, Esquire, praying for leave to export from this Commonwealth, three hundred and fifty firkins, and one hundred and thirty kegs of lard, which he imported into this Commonwealth, for the purpose of re-shipping the same to the Island of Cuba, under the belief that he might lawfully do so in the same casks in which it was imported; Therefore,

*Resolved*, For the reasons set forth in said petition, that the said John Richards be, and he hereby is fully authorized and empowered to export the said lard from this Commonwealth to any foreign port or place, according to the laws of the United States, without inspection; any law of this Commonwealth to the contrary notwithstanding.

CHAP. LVI.

*Resolve authorizing Alford Richardson, Esquire, and Honorable Oliver Crosby to visit sundry alms houses, and report at the next session. June 17th, 1817.*

*Resolved, That Alford Richardson, Esquire, be a Committee for the purpose of visiting the alms-houses and paupers in the towns of Charlestown, Cambridge, Salem, Lynn, Gloucester, Newbury, Newburyport, Portland, Ipswich, Roxbury, Marblehead and Danvers, immediately preceding the next session of this General Court, and examine the paupers charged by those towns respectively, to the Commonwealth, and make report thereon, at the said next session of this General Court.*

*Resolved, That the Honorable Oliver Crosby be a Committee for the purpose of examining the paupers, in the town of Worcester, immediately preceding the next session of this General Court; and examine the paupers, charged by that town to the Commonwealth, and make report thereon, at the said next session of this General Court.*

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CHAP. LVII.

*Resolve authorizing Samuel Thaxter and others, as Guardians, to sell the estate of Elizabeth H. Wild, Maria H. Thayer, and Charles W. Thayer, minors. June 16th, 1817.*

On the petition of Samuel Thaxter and Robert H. Thayer, Guardians of Elizabeth H. Wild, 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 sevenths of an undivided seventh part 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 bonds to the Judge of Probate of the county of Suffolk, with sufficient sureties, to account for the proceeds of the sale, according to law.

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CHAP. LVIII.

*Resolve granting to Ichabod Bickford, thirty-three dollars and fifty cents, for the use of several persons, borne on his company's roll. June 16th, 1817.*

On the petition of Ichabod Bickford and others, praying that they may be paid for services rendered by them, during the late war;

*Resolved*, That the sum of thirty-three dollars and fifty cents, be allowed and paid out of the treasury of this Commonwealth, to Ichabod Bickford, for the use of several persons, whose names are borne on his company roll, in the several proportions due to each, for services rendered by them, during the late war: *Provided*, that the said Bickford shall give duplicate receipts therefor, one of which, together with the inspection, muster, and pay rolls of said company, shall be filed with the vouchers to support the claim of this Commonwealth against the United States, for expenses incurred by the state during the late war. *And provided also*, that the said Bickford shall certify that the muster and pay rolls aforesaid, are true and correct, and that the several persons, whose names are borne on the pay roll aforesaid, were on duty and performed the services therein stated, and for which this allowance is made.

*Be it further resolved*, That whenever the provisions aforesaid, are complied with by the said Bickford, that his Excellency the Governor be requested to draw his warrant in his favor, for the sum of thirty-three dollars and fifty cents.

CHAP. LIX.

*Resolve authorizing William Homes and others, proprietors of the Conduit Corporation, to sell real estate.*

June 16th, 1817.

Upon the petition of William Homes and others, a Committee of the proprietors of the Conduit Corporation, in Boston, praying that he may be authorized and empowered to make sale of the real estate of said corporation ;

*Resolved*, That the said Committee, or a major part of them, be, and they are hereby authorized and empowered, to sell and dispose of the real estate of said corporation, at such time, and in such manner, as shall be deemed expedient ; and to make and execute to the purchaser or purchasers thereof, a good and sufficient deed or deeds of conveyance for the same, which being acknowledged before a Justice of the Peace, and recorded in the Registry of Deeds, for the county wherein the land lies, shall be good and sufficient to pass to the purchaser or purchasers, his or their heirs or assigns forever, all the right, title, interest, and estate, which the said corporation have in, and to the same.

*Resolved*, That the said Committee, or a major part of them, or the Wardens of said corporation, shall divide the proceeds of said sale, as soon as may be, unto and among all the said proprietors, according to their several and respective shares therein.

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CHAP. LX.

*Resolve making compensation to the State Prison Commissioners.* June 17th, 1817.

*Resolved*, That there be allowed and paid out of the public treasury, in full for compensation and expenses, to the Commissioners, appointed under a resolve of the thirteenth of December last, on the subject of the State Prison, as follows :

To the Honourable Richard Sullivan, two hundred and sixty-four dollars.

To William Tudor, Junior, Esquire, two hundred and ninety-four dollars.

To James T. Austin, Esquire, eighty dollars : And his Excellency the Governor, with advice of Council, is hereby authorized to draw his warrants accordingly.

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### CHAP. LXI.

*Resolve making a grant to Jacob Kuhn, in addition to his established pay. June 17, 1817.*

*Resolved*, That there be allowed and paid out of the public treasury, to Jacob Kuhn, three hundred and fifty dollars, for the present year, commencing the thirtieth day of May last, to be in addition to the sum of four hundred dollars allowed him by a resolve of March twenty-sixth, seventeen hundred and ninety-three, establishing the pay of the Messenger of the General Court ; and his Excellency the Governor is requested to draw his warrant for the same.

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### CHAP. LXII.

*Resolve granting to William W. Cleaves seventy-five pounds of powder, in lieu of that quantity expended by him. June 17, 1817.*

On the petition of William W. Cleaves, setting forth, that as Commander of the artillery company attached to the second brigade of the sixth division of militia of this Commonwealth, he expended seventy-five pounds of powder, at the interment of the Honorable Cyrus King, being the Major General of said division ;

*Resolved*, For the reasons set forth in said petition, that the Quarter-Master General furnish to said William W. Cleaves, seventy-five pounds of powder, for the use of said artillery company.

CHAP. LXIII.

*Resolve granting to Jacob Kuhn, Messenger of the General Court, one thousand dollars, for the purchase of fuel, &c. for the Government. June 17, 1817.*

*Resolved, That there be paid out of the treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter-Master General's Offices, and also the Land Office, he to be accountable for the expenditure of the same.*

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CHAP. LXIV.

*Resolve granting Honorable Edward H. Robbins three hundred dollars. June 17th, 1817.*

*Resolved, That there be allowed and paid out of the public treasury, to the Honorable Edward H. Robbins, on account of services rendered, and to be rendered in his office, as Agent, or Commissioner for Eastern Lands, three hundred dollars, to be accounted for by him on settlement of his accounts, within twelve months from passing this resolve; and his Excellency the Governor, with advice of Council, is authorized to draw his warrant accordingly.*

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CHAP. LXV.

*Resolve for the Commissioners of the Land Office to take possession of the north east room in the State House. June 17th, 1817.*

*Resolved, That the Commissioners of the Land Office be, and they are hereby authorized, to take possession of the north east room on the lower floor of the State House,*

and to remove the books and documents belonging to that department to said room, and to occupy and improve the same in future, for the business of the Land Office ; and the Messenger of the General Court is hereby authorized to provide such desks, shelves and cases, as said Commissioners shall direct, as necessary for the safety and convenience of the business of said department.

*Be it further resolved,* That the books, trunks and papers relating to the claim of this Commonwealth, against the United States, for expenses incurred during the late war, for the public defence, and which now are in the room aforesaid, be removed to the Adjutant General's Office, and be placed under his care.

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CHAP. LXVI.

*Resolve for the compensation of the Lieutenant Governor, Secretary, Treasurer, Clerks, &c. June 17th, 1817.*

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

Also to Alden Bradford, Esquire, Secretary of this Commonwealth, the sum of two thousand dollars, for his salary for one year, from the sixth day of June instant, he the said Secretary, to be accountable for all the fees of office he shall have received.

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

Also that there be allowed and paid out of the public treasury, to Samuel F. McCleary, Clerk of the Senate and to Benjamin Pollard, Clerk of the House of Representatives, the sum of two hundred dollars each ; and to Jeremiah Perley, Assistant Clerk of the Senate, the sum of one hundred and twenty-five dollars ; and to Thomas Walcutt, a Clerk in the lobbies, for the assistance of the Members of

the Legislature, the sum of one hundred dollars in full, for their respective services in their capacities aforesaid, the present session of the General Court.

Also to Ward Lock, Assistant to the Messenger of the Governor and Council, two dollars and fifty cents for each day he may have been employed the present session of the Council.

Also to Isaac Adams, the sum of two dollars and fifty cents for each day he has been employed as an Assistant to the Messenger of the honorable Council.

Also to the First Clerk in the Secretary's Office; also to the First Clerk in the Treasury Office; also to the First Clerk in the Adjutant General's Office, fourteen hundred dollars each, in full compensation for their services for one year, from the first day of this current month of June; and likewise to each of the other Clerks, in said Secretary's, Treasurer's, and Adjutant General's Office; and also to the Clerk in the Office of the Quarter-Master General, three dollars and eighty-four cents per day, for each and every day they are respectively employed therein, for one year, commencing the said first day of June current.

Also, that there be allowed and paid out of the treasury, to the Committee on Accounts, for the present session, one dollar per day each, over and above their pay as members, to wit: to the

Hon. Oliver Crosby, sixteen days, sixteen dollars.

Samuel Porter, twenty-one days, twenty-one dollars.

Thomas Hale, seventeen days, seventeen dollars.

Alford Richardson, twenty-one days, twenty-one dollars.

Hugo Burghart, twenty-one days, twenty-one dollars.

## CHAP. LXVII.

*Resolve empowering the Quarter-Master General to build a brick wall to enclose the Laboratory, and to sell or exchange condemned cannon. June 17th, 1817.*

*Resolved, That the Quarter-Master General be, and he hereby is authorized and directed, to build a brick wall, on a suitable stone foundation, of proper height, to enclose the Laboratory Yard, fronting on Pleasant-street, in Boston; and also a brick wall upon the back line of said Laborato-*

ry Yard; *provided*, the expense of the same shall not exceed two thousand dollars.

*Be it further resolved*, That his Excellency the Governor be, and he hereby is authorized and empowered, by and with the advice and consent of the Council, to draw his warrant on the Treasurer of this Commonwealth, in favor of the Quarter-Master General, for any sum that may be necessary to carry the above resolve into effect, not exceeding two thousand dollars.

*Be it further resolved*, That the Quarter-Master General be, and he hereby is authorized and empowered, under the direction of his Excellency the Governor, to exchange any condemned cannon, mortars, shot, or shells, in the arsenals of this Commonwealth, for such brass or other artillery pieces, or for such pieces of heavy ordnance as he may deem expedient; or to sell the same cannon, mortars, shot, and shells, and to appropriate the proceeds of the same for the purchase of such brass pieces, or other ordnance, as he may deem it expedient to procure.

*And be it further resolved*, That his Excellency the Governor, with the advice of Council, be, and he is hereby authorized, whenever an opportunity shall present, to sell the forty twenty-four pound cannon which were purchased during the late war, or any part of the same; *provided*, that the same be not sold for a less sum than was paid for the same, by this Commonwealth.

## CHAP. LXVIII.

*Resolve allowing compensation to Agents, who presented the claims of this state to the United States.*

June 17th, 1817.

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to William H. Sumner, Esquire, the sum of one hundred and eighty-three dollars and twelve cents, being the amount paid by him for Clerk hire, and for other necessary expenses, incurred while at Washington, by the Commissioners of the Commonwealth, who were appointed to present the claims of this Commonwealth for expenses incurred during the late war, to the government of the United States, for allowance.

*And be it further resolved,* That there be allowed and paid to the Honorable James Lloyd, for his services, in preparing, presenting, and prosecuting the claim aforesaid, according to the provisions of a resolve passed the third day of December last, the sum of four hundred and seventy-four dollars, deducting therefrom, the sum of three hundred and forty-four dollars and twenty-eight cents, received by him. To William H. Sumner, Esquire, the sum of seven hundred and eight dollars, deducting therefrom, the sum of six hundred dollars, received by him, for the same account. To Joseph H. Peirce, the sum of three hundred and fifty-four dollars and seventy-one cents, for the same account, and for expenses paid by him; deducting therefrom, the sum of one hundred dollars, received by him; and that his Excellency the Governor, be requested to draw his warrants on the Treasurer accordingly, in favor of the said James Lloyd, for the sum of one hundred and twenty-nine dollars and seventy-two cents; of the said William H. Sumner, for the sum of two hundred and ninety-one dollars and twelve cents; and of the said Joseph H. Peirce, for the sum of two hundred and fifty-four dollars and seventy-one cents.

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## CHAP. LXIX.

*Resolve granting Enoch Mudge ten dollars.*  
June 18th, 1817.

On the petition of Enoch Mudge, of Orrington, in the county of Penobscot;

*Resolved,* That there be allowed and paid out of the public treasury, to said Enoch Mudge, ten dollars, in full compensation for his services as one of the Agents appointed by a resolve of the General Court, of the twenty-ninth of February, eighteen hundred and twelve, to survey and make such alterations in the county road from the easterly line of township Number Four, first range, north of the Waldo Patent, to the westerly line of the town of Hampden.

## ROLL, No. 77.....June, 1817.

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

REPORT, that there is 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.

SAMUEL PORTER, *Per Order.*

### PAUPER ACCOUNTS.

Town of Arundel, for board and clothing Henry Rolf, to 26th May, 1817,	43 42
Adams, for board and clothing sundry paupers, to 22d May, 1817,	172 70
Augusta, for board and doctoring sundry paupers, to 14th May, 1817,	84 70
Brimfield, for board, clothing, doctoring and nursing John Christain, to 1st June, 1817,	110 84
Belchertown, for board and clothing sundry paupers, to 23d May, 1817,	89 09
Blandford, for board and clothing sundry paupers, to 8th May, 1817,	202 83
Bradford, for board and clothing Joshua L. Alsears, to 1st January, 1817,	65 00
Burlington, for support and doctoring Dorothy Lyuham, to 4th June, 1817,	23 75
Brookfield, for support of Jonas Benton, to 2d May, 1817,	64 63

Beverly, for board and clothing sundry paupers, to 1st June, 1817,	347 39
Boxborough, for board and clothing John McCoy, to 22d May, 1817,	67 20
Barre, for board, clothing and doctoring Samuel Lee and Sally Taylor, to 17th May, 1817,	43 05
Bristol, for board and clothing William Howe, to 20th May, 1817, and Samuel Hill, to 17th May, 1817,	130 20
Bridgewater, for board and clothing sundry pau- pers, to 5th June, 1817,	112 80
Belgrade, for board, nursing and doctoring Abi- gail Odlin, to 29th May, 1817,	42 10
Bradford, Samuel, Keeper of the gaol in the coun- ty of Suffolk, for support of sundry poor prison- ers confined for debt, to 1st May, 1817,	540 64
Board of Health, Boston, for support and doctor- ing sundry paupers with the small pox, at Rainsford Island, to 4th June, 1817,	100 14
Boston, for board and clothing sundry paupers, to 1st June, 1817,	9495 54
Baldwin, for board and clothing Daniel Hickey, to 1st May, 1817,	19 00
Billerica, for supplies to James Ingalls, to 5th May, 1817,	24 43
Chelmsford, for board, clothing, and nursing Catharine McClenny, Charles and Eliza Good- ridge, to 11th December, 1816,	114 50
Cheshire, for board, clothing, doctoring, and sup- plies to sundry paupers, to 23d May, 1817,	257 70
Conway, for board and clothing Hannah M'Neil, to 23d May, 1817,	56 80
Concord, for board and clothing sundry paupers, to 1st June, 1817,	177 22
Chesterfield, for board and clothing Adam Hamil- ton and Rachel Polley, to 18th May, 1817,	64 38
Chester, for board, clothing, doctoring and nurs- ing sundry paupers, to 26th May, 1817,	136 08
Cushing, for support of Peggy Rowley and Mary Henderson, to 27th May, 1817,	96 25
Colraine, for board and clothing sundry paupers, to 27th May, 1817,	239 00

PAUPER ACCOUNTS.

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Charlestown, for board and clothing sundry paupers, to 5th May, 1817,	648 42
Carver, for board and clothing Martin Grady, to 1st January, 1817,	67 20
Castine, for board, clothing and doctoring James Buckley and Thomas Dresue, till their death, and funeral charges,	55 75
Cambridge, for board and clothing sundry paupers, to 6th June, 1817,	338 16
Cape Elizabeth, for board, clothing and doctoring sundry paupers, to 23d May, 1817,	118 42
Dresden, for board and clothing John Cullen, to 1st January, 1817,	67 20
Durham, for board and clothing sundry paupers, to 1st June, 1817,	121 60
Danvers, for board and clothing sundry paupers, to 20th May, 1817,	1349 65
Deerfield, for board and nursing Abigail Wells, till her death, 12th March, 1817, and funeral charges,	28 50
Dedham, for support of Simon Razey, to 21st May, 1817,	25 50
Elliot, for support of Jacob Brewer and Abigail Randall, to 2d June, 1817,	67 02
Enfield, for support of William Rice, to 24th May, 1817,	45 50
Egremont, for support of sundry paupers, to 14th January, 1817,	51 00
Edgarton, for board and clothing Anthony Chadwick, to 27th May, 1817,	67 20
Fayette, for board and clothing William Godfrey Martin, to 21st May, 1817,	44 83
Friendship, for board and clothing James Metcalf, to 1st June, 1817,	62 00
Frankfort, for board and clothing Hatevil Colson, to 31st May, 1817,	27 00
Falmouth, Cumberland county, for board and clothing sundry paupers, to 1st June, 1817,	99 84
Foxborough, for support and doctoring Dezoay Stafford and three children, till they left the Commonwealth,	25 30
Greenwich, for board and clothing Lot Lee and Polly Bailey, till removed out of the state, and Stephen Bailey, to 26th May, 1817,	104 58

Gorham, for support of James T. Cooper, to 22d April, and Robert Gilfilling, to 24th May, 1817,	82 90
Groton, for board, clothing, doctoring and nursing sundry paupers, to 10th January, 1817,	427 24
Guardian of Dudley Indians, which sum the Treasurer is directed to charge said Indians, and deduct the same from the sum due them from the Commonwealth, to 6th May, 1817,	134 00
Gardiner, for board of Thomas W. Doyl, and Elenor Barnes, alias Thoms, and removing Mary Brow to New-Hampshire, to 24th May, 1817,	64 60
Granville, for board, clothing and doctoring George Taylor and Simon Hoffman, to 26th May, 1817,	71 98
Gloucester, for board and clothing sundry paupers, to 10th May, 1817,	966 92
Gill, for board, clothing, nursing and doctoring sundry paupers, to 25th May, 1817,	204 28
Great Barrington, for board and clothing sundry paupers to 4th June, 1817,	157 47
Hawley, for board and clothing Joseph Barnard to 23d May, 1817,	31 02
Hancock, for board and clothing Rebecca Osborn and Hannah Win, to 28th May, 1817,	244 42
Hodgkins, Joseph, Keeper of the House of Correction in the county of Essex, for board and clothing sundry insane persons (including allowance by the Court of Sessions) to 4th June, 1817,	550 13
Hallowell, for support of sundry paupers, to 1st June, 1817,	419 45
Holland, for board and clothing Jonathan Hill, to 19th May, 1817,	83 66
Hamilton, for board, clothing and doctoring Molly Monerief, to 5th April, 1817,	73 05
Hardwick, for board and clothing Hannah Morgan to 1st June, 1817.	56 80
Ipswich, for board and clothing sundry paupers to 1st June, 1817,	202 80
Jay, for board and nursing Elizabeth Bell, Daniel Holland, wife and children, to 19th May, 1817,	74 00
Jonesborough, for board and clothing James Kair-oan, to 1st May, 1817,	33 60

PAUPER ACCOUNTS.

457

Kittery, for board and clothing Sarah Perkins, and Deborah Perkins and child, to 22d May, 1817,	69 53
Leeds, for board and clothing sundry paupers, to 24th May, 1817,	70 56
Levant, for support, nursing, doctoring, and funeral charges, of Lawrence Hook, September, 1816,	30 00
Lee, for support of sundry paupers, to 20th May, 1817,	315 33
Lincolnvile, for board, clothing and doctoring sundry paupers, to 21st May, 1817,	93 10
Lenox, for board, clothing and doctoring sundry paupers, to 23d May, 1817,	240 58
Lanesborough, for support and doctoring sundry paupers, to 24th May, 1817,	209 23
Leyden, for board, clothing and doctoring sundry paupers, to 20th May, 1817,	131 00
Limington, for board and clothing John O'Ryan, to 1st January, 1817,	67 20
Littleton, for board and clothing John Putnam, to 3d June, 1817,	53 16
Longmeadow, for support of sundry paupers, to 27th May, 1817,	124 57
Lynn, for board and clothing sundry paupers, to 30th May, 1817,	380 08
Marshfield, for board and clothing Samuel Holmes, to 20th May, 1817,	61 27
Montgomery, for board and clothing Moses Cainair, to 4th June, 1817,	31 40
Marblehead, for board and clothing sundry paupers, to 4th June, 1817,	389 90
Monmouth, for board and clothing John Sherburn and Peggy Magner, to 11th June, 1817,	72 00
Medford, for support of Oliver Pierce and family, till they left the Commonwealth, June, 1817,	125 93
Northfield, for support and clothing Amos Riley, to 23d May, 1817,	35 80
North Brookfield, for board, nursing and doctoring John Hall, to 22d May, 1817,	14 29
New Bedford, for board and clothing sundry paupers, to 1st April, 1817,	348 03

Newry, for board and clothing William Burk, to 22d May, 1817,	37 80
North Yarmouth, for board and clothing George Young and Jesse Estees, to 6th June, 1817,	60 77
Newbury, for board and clothing sundry paupers, to 1st June, 1817,	1337 02
Newburyport, for board and clothing sundry paupers, to 1st June, 1817,	1353 59
Norwich, for board and clothing Daniel Williams, to 28th May, 1817,	35 00
Nantucket, for board and clothing James Ross, to 25th May, 1817, and George Phenix, till his death, and funeral charges,	88 36
Northampton, for board, clothing and doctoring sundry paupers, to 25th May, 1817,	331 80
Newcastle, for support of William Cochran, to 6th May, 1816,	2 50
New Salem, for board and clothing Philip Haven, to 4th April, 1817,	50 76
Peru, for support of James Robbins, to 19th May, 1817,	27 50
Pittsfield, for board, clothing and doctoring sundry paupers, to 31st May, 1817,	317 01
Phippsburg, for support of Jacob Wheeler, to 1st June, 1817,	61 29
Plymouth, for board and clothing sundry paupers, to 2d June, 1817,	456 90
Portland, for board and clothing sundry paupers, to 1st June, 1817,	2363 84
Russell, for board and clothing John and Polly Newton, to 1st June, 1817,	90 60
Rowley, for board, clothing and nursing Ella Collins and Benning Dow, to 27th May, 1817,	70 65
Randolph, for supplies furnished William Reed, to 1st May, 1817,	33 88
Roxbury, for board and clothing sundry paupers, to 2d June, 1817,	385 21
Richmond, for board, clothing and doctoring sundry paupers, to 2d June, 1817,	207 19
Readfield, for board, clothing and doctoring Edward Burgess and Colin Comron, to 21st May, 1817,	100 40

PAUPER ACCOUNTS.

459

Rutland, for board and clothing William Henderson, to 27th May, 1817,	67 20
Southwick, for board, clothing and doctoring George Reed, to 1st June, 1817,	71 52
Sudbury, for board, clothing and nursing John Weighton, to 11th February, 1817,	88 77
Swanzey, for board and clothing Garret Burns and James Garnet, to 24th May, 1817,	59 91
Southbridge, for board and clothing London Derry, to 15th May, 1817,	67 20
Shelburn, for board, clothing and doctoring Mary Bates, to 26th May, 1817,	57 32
Stockbridge, for board, clothing and doctoring sundry paupers, to 3d March, 1817,	320 30
Saco, for board, clothing, and funeral charges sundry paupers, to 1st June, 1817,	26 80
Sutton, for support of Isabella Santee's three children, to 12th May, 1817, and Peter Valentine, till his death, and funeral charges,	64 10
Sharon, for support and doctoring James Welch, to 25th April, 1817,	40 00
Sandisfield, for support of Richard Dickson and family, to 20th May, 1817,	34 10
Starks, for board and clothing James L. Wood, to 22d May, 1817,	67 20
St. George, for board and clothing Robert Hews, to 1st June, 1817,	27 50
Sandwich, for board and clothing Mason Raymond and Rebecca Simons, to 7th June, 1817,	23 82
Spencer, for board, clothing and doctoring sundry paupers, to 27th May, 1817,	125 19
Salem, for board and clothing sundry paupers, to 2d June, 1817,	1519 16
South Berwick, for board and clothing Lemuel Woodworth, to 3d June, 1817,	45 00
Townsend, for support and doctoring Daniel Foster and family, till they left the Commonwealth, February, 1816,	128 47
Topsham, for board and clothing John Duggen, to 24th May, 1817,	45 50
Uxbridge, for support of sundry paupers, to 27th May, 1817,	105 56

## PAUPER ACCOUNTS.

Winthrop, for board and clothing William Gaskel, to 28th May, 1817,	34 42
Ward, for board of Francis Savage, to 10th April, 1817,	27 42
Westfield, for board, clothing and doctoring sundry paupers, to 1st June, 1817,	59 40
Williamstown, for support, doctoring and funeral charges of sundry paupers, to 24th May, 1817,	182 62
West Stockbridge, for board and clothing James C. Biggs and Lucy Lane, to 23d May, 1817,	55 17
Westhampton, for board, clothing and doctoring John Gay and Wife, to 26th May, 1817,	130 50
Worcester, for board and clothing sundry paupers, to 1st June, 1817,	241 84
Warren, for board and clothing sundry paupers, to 28th May, 1817,	181 00
Waldoborough, for board and clothing Philip Handle and Phebe Andrews, to 6th June, 1817,	124 90
West Springfield, for support of sundry paupers, to 18th May, 1817,	103 21
Westbrook, for support of John Burns, to 8th May, 1817,	67 20
Wareham, for support of William Long, to 27th May, 1817,	36 18
Wiscasset, for board, clothing and doctoring sundry paupers, to 31st May, 1817,	191 94
York, for board, clothing and doctoring sundry paupers, to 31st May, 1817,	339 26
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Total Paupers,	35 245 75

## MILITARY ACCOUNTS.

*Courts Martial, Courts of Inquiry, &c.*

Allen, James S. for the expense of a Court Martial, held at Plymouth, March, 1817, whereof Brigadier General A. Washburn was President,	262 42
Brooks, John, late Adjutant General, for cash paid an express, 13th March, 1816,	4 00

MILITARY ACCOUNTS.

464

Fogg, Simeon, for the expense of a Court Martial, held at Limerick, April, 1817, whereof Colonel Solomon Strout was President,	322	56
Sewall, William B. for the expense of witnesses, for the investigation of the election of Major William Slemons; by order of the Commander in Chief,	4	70
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	593	68

*Brigade Majors and Aids-de-Camp.*

Allen, Samuel, Junior, to 27th May, 1817,	43	13
Carr, Joshua W. to 5th March, 1817,	12	10
Dutch, Edward, to 10th May, 1817,	81	46
Fogg, Simeon, to 29th May, 1817,	53	37
Hayward, Nathan, to 17th December, 1816,	90	35
Newton, Rejoice, to 26th May, 1817,	20	80
Sargent, L. M. to 14th January, 1817,	46	57
Sawtell, Richard, to 31st December, 1816,	40	75
Sampson, Joseph, to 24th May, 1817,	41	92
Thomas, Nathaniel, to May, 1817,	2	45
Toby, Elisha, to May, 1817,	113	51
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	516	41

*Brigade Quarter-Masters.*

Bradbury, William, to 28th May, 1817,	18	25
Farrell, Gideon, to May, 1817,	32	80
King, Amos, to May, 1817,	16	50
Roberts, Charles S. to May, 1817,	42	10
Stimpson, Joseph, to May, 1817,	16	00
Thomas, Nathaniel, to May, 1817,	7	90
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	103	55

*Adjutants.*

Avery, Joshua, to 10th April, 1817,	41	21
Boduther, Harvey, to August, 1816,	6	78
Bailey, Halloway, to 31st May, 1817,	16	06
Backus, Zenas, to 15th May, 1817,	47	25
Champney, John, to 14th May, 1817,	40	73
Chase, James, to 7th November, 1816,	32	91

## MILITARY ACCOUNTS.

Carr, Joshua W. to 25th March, 1817,	7 40
Clement, Jesse, to 8th May, 1817,	15 87
Clark, John, to 10th September, 1816,	56 25
Carter, Willis, to 28th May, 1817,	47 60
Collins, Michael, to 13th May, 1817,	73 18
Callender, Benjamin, to November, 1816,	8 61
Davis, Benjamin, to 24th May, 1817,	9 71
Eells, Samuel, to 11th September, 1816,	133 81
Fairfield, Jotham, to 4th May, 1817,	30 98
Gilmore, Rufus, to May, 1817,	27 44
Getchell, John, to 28th November, 1816,	23 28
Hudson, John, to 1st June, 1817,	18 08
Hayes, John, to 16th February, 1817,	12 68
Knight, Jonathan, to 31st May, 1817,	6 75
Keith, Cyrus, to 2d June, 1817,	38 62
Lewis, Philo, to 2d May, 1817,	38 09
Orr, Hector, to 22d May, 1817,	85 26
Parker, Henry, to May, 1817,	15 11
Poor, Daniel A. to 25th September, 1816,	38 79
Sears, Joseph, to 26th May, 1817,	60 59
Starkweather, William, to May, 1817,	10 06
Stimpson, James, to 10th December, 1816,	13 09
Shattuck, Daniel, to May, 1817,	55 14
Spring, Luther, to 2d May, 1817,	18 06
Turner, John P. to 8th May, 1817,	48 03
Wild, Jonathan, to 4th June, 1817,	62 28
Washburn, Cromwell, to 19th April, 1817,	42 35
Wood, Thomas, to 17th May, 1817,	115 37
Worthington, Gad, to 17th May, 1817,	50 97
Williams, William, to 27th March, 1817,	32 22
Williams, John, to 30th September, 1816,	75 97
Ward, John, to 26th May, 1817,	16 86
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	1473 44

*Expenses for Horses to haul Artillery.*

Acocks, William, to May, 1817,	7 00
Brown, James, to 17th May, 1817,	5 00
Bent, David I. to January, 1817,	5 00
Carr, Oliver, to May, 1817,	5 00
Carter, Ephraim, to May, 1817,	5 00
Dewey, Calvin, to May, 1817,	5 00
Eastman, Robert, to May, 1817,	5 00

**SHERIFFS' AND CORONERS' ACCOUNTS. 463**

Holbrook, Rufus, to May, 1817,	5 00
Holton, Jeremiah, to January, 1817,	15 00
Haskell, John, to May, 1817,	20 00
Killey, Sylvanus, to January, 1817,	5 00
Moody, Dudley, to May, 1817,	5 00
Noble, Horace, to May, 1817,	5 00
Pierce, Samuel, May, 1817,	10 00
Parker, Lewis, to May, 1817,	5 00
Shaw, Southworth, to May, 1817,	15 00
Shaw, Oliver, to May, 1817,	10 00
Sackett, Elijah, to May, 1817,	10 00
Sprague, Nathaniel, to May, 1817,	15 00
Tufts, Call, to December, 1816,	5 00
Warrener, Walter, to May, 1816,	16 25
Washburn, Eliab, to May, 1817,	7 00
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	185 25
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Courts Martial, &c.	593 68
Brigade Majors, &c.	516 41
Brigade Quarter-Masters,	103 55
Adjutants,	1473 44
For Artillery Horses,	185 25
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Total Military, 2872 33

**SHERIFFS' AND CORONERS' ACCOUNTS.**

Bartlett, Bailey, Sheriff of Essex County, for re- turning votes, to 26th May, 1817,	33 04
Cooper, John, Sheriff of Washington County, for returning votes, to May, 1817,	28 00
Davis, Wendell, Sheriff of Barnstable County, for returning votes, to May, 1816,	31 36
Heywood, Nathan, Sheriff of Plymouth County, for returning votes, to 27th May, 1817,	26 50
Hoyt, Epaphrus, Sheriff of Franklin County, for returning votes, to May, 1817,	23 75
Lyman, Joseph, Sheriff of Hampshire County, for returning votes, to April, 1817,	25 00
Parker, Josiah, Coroner of Barnstable County, for inquisition on the body of a stranger, and funeral charges, 31st July, 1816,	23 60

464 MISCELLANEOUS ACCOUNTS.

Sawtell, Richard, Sheriff of Somerset County, for returning votes, to 23d May, 1817,	164 25
Stowers, Joseph, Coroner of Suffolk County, for inquisition on the body of a stranger, and funeral charges, May, 1817,	17 26
Watson, George, Sheriff of Hancock County, for returning votes, to May, 1817,	56 00
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Total Sheriffs and Coroners,	428 76

PRINTERS' ACCOUNTS.

Burrill & Tileston, for publishing Acts and Resolves, to 1st January, 1817,	8 33
Edes, Peter, for publishing Acts and Resolves, to May, 1817,	16 66
Folsom, B. W. for publishing Acts and Resolves, to 1st August, 1817,	16 66
Russell, Benjamin, by Russell, Cutler and Co. for printing for the government, to 11th June, 1817,	2719 46
Shirley, A. & I. for publishing Acts and Resolves, to 1st January, 1817,	16 66
Thomas, Isaiah, Junior, for publishing Acts and Resolves, to May, 1817,	33 33
Tileston & Parmenter, for printing for the Agricultural Society, to February, 1817,	200 00
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Total Printers,	3011 10

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, under the direction of W. D. Peck, to May, 1816,	467 75
Apthorp, John T. for cash paid for plate and engraving, for the Treasurer's Office, February, 1817,	39 12
Allen, Andrew, for stationary for the Secretary's Office, December, 1816,	8 00
Bradford, Alden, for stationary furnished Treasurer's Office, May, 1817,	7 00

MISCELLANEOUS ACCOUNTS.

465

Burditt, James W. for stationary furnished the government, to 5th June, 1817,	138 12
Boston Bank, for stationary furnished Secretary's Office, June, 1816,	25 00
Blaney, Henry, for work done at State House, to 9th June, 1817,	18 75
Ballard, J. & J. for Carpeting furnished the State House, to 4th May, 1817,	622 94
Board of Health, Boston, for cash paid Henry Spear, for his salary as Island Keeper, to March, 1817,	44 44
Bacon, Henry, for assisting Messenger of the General Court, to June, 1817,	44 00
Chase, Warren, for assisting Messenger to the General Court, to June, 1817,	44 00
Durant and Symmes, for work done on the State House, to 5th June, 1817,	45 50
Francis, Joseph, Page to the House of Representatives, to June, 1817,	18 00
Goodrich, Isaac W. for stationary furnished Secretary's Office, to 31st May, 1817,	26 25
Grant, Moses, Junior, for making carpet, &c. for State House, May, 1817,	42 62
Kuhn, Jacob, for balance due him on the 10th June, 1817, over and above the several grants made by the General Court, of 19th June and 13th December, 1816,	71 75
Lincoln, Amos, Junior, for painting done on State House, May, 1817,	70 48
Loring, Josiah, for stationary furnished the Government, to 14th June, 1817,	214 05
Low, John, Junior, for assisting the Messenger of the General Court, to June, 1817,	36 00
Low, Lewis, for assisting the Messenger of the General Court, to June, 1817,	40 00
Vose and Coates, for furniture for Council Chamber, to 29th June, 1816,	79 50
Wheeler, John H. for sundry joiner work on the State House, to 2d June, 1817,	61 87
Williams, Seth, for serving writ of supersedeas on Samuel Howard, Esquire, and returning the same, December, 1816,	5 00

Total Miscellaneous,

2170 14

## AGGREGATE OF ROLL.

*Aggregate of Roll No. 77.*

Expenses of State Paupers,	35,245 75
“ of Militia,	2,872 33
“ of Sheriffs and Coroners,	428 76
“ of Printers,	3,011 10
“ of Miscellaneous,	2,170 14
	<hr/>
	43,728 08

*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 said corporations and persons' names respectively, amounting in the whole, to the sum of forty-three thousand, seven hundred and twenty-eight dollars and eight cents, the same being in full discharge of the accounts and demands to which they refer.

*June 17th, 1817.....Approved.*

**JOHN BROOKS.**

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COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, NOV. 18, 1817.

I HEREBY certify, that the Resolves contained in this Pamphlet, passed at the session of the General Court, beginning May 28th, and ending June 18th, 1817, have been examined, and compared with the originals in this office, and appear to be correct, except an omission of date to a resolve on the petition of Samuel Honnet and others, page 415, which should be June 11th, 1817.

ALDEN BRADFORD,

*Secretary of the Commonwealth.*

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