

# 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 14th DAY OF JANUARY, AND  
ENDED ON THE 24th OF FEBRUARY, 1818.

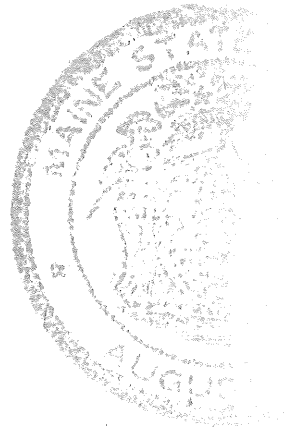
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Published agreeably to a Resolve of 16th January, 1812.

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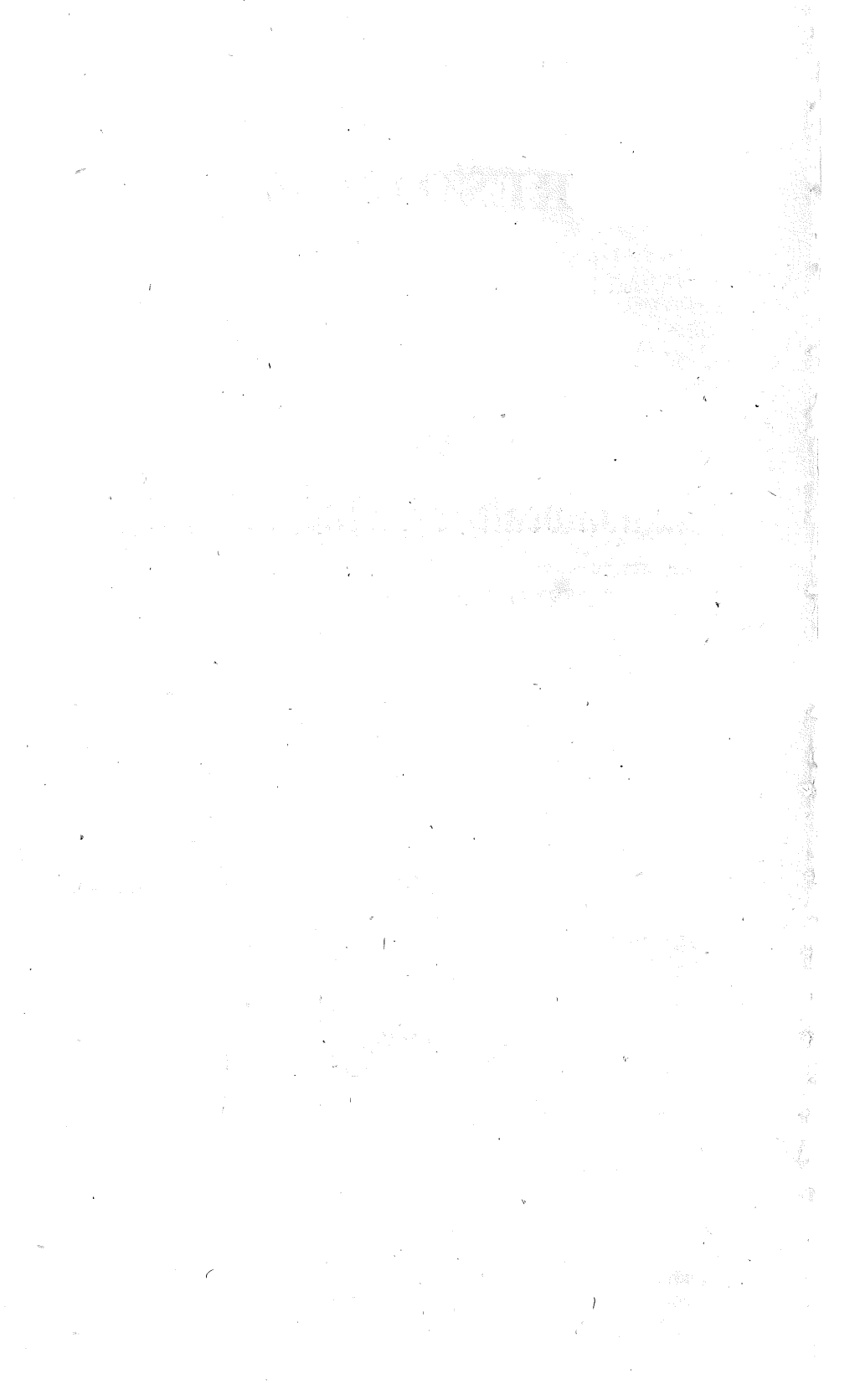


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**RESOLVES**  
OF THE  
**GENERAL COURT OF MASSACHUSETTS,**  
PASSED AT THEIR SESSION,  
WHICH COMMENCED ON THE 14th DAY OF JANUARY, AND ENDED ON  
THE 24th DAY OF FEBRUARY, A. D. 1818.

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**GOVERNOR'S MESSAGE.**

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REPRESENTATIVES' CHAMBER, JANUARY 14th, 1818.

*The Secretary communicated from the Governor,  
the following*

**MESSAGE:**

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

THE State Prison is a subject that again solicits your consideration : and I indulge the hope, that I shall lay before you such information, acquired by no slight investigation, as shall facilitate your deliberations, and conduct you to the most salutary conclusions.

By a resolve of the thirteenth of June last, the Governor and Council were authorized to cause that part of the Prison

Wall which had fallen down, to be rebuilt on the same, or extended limits ; and also, from time to time, as might be found necessary or expedient, to cause any part of the said wall, which might appear to require it, to be rebuilt on such limits as the Executive should direct. And by an act passed on the seventeenth of the same month of June, the Governor and Council were authorized to purchase or take for the purpose of extending the limits of the State Prison, the whole or any part of the lands between the present boundaries of the Prison and a road to be laid out from the abutment of Prison Point Bridge, or Dam, to the street in Charlestown.

Preparatory to perfecting the objects contemplated by the Legislature, as expressed in the resolve and act above referred to, the Executive, on the eighteenth of June, instructed the Directors of the State Prison to confer with the owners of the lands adjoining the present territories of that institution, as particularly mentioned in the act of the seventeenth of June, to ascertain on what terms the same, or any part of the same, might be purchased : and also to lay before the Executive, a statement of the number and dimensions of the rooms and cells in the present buildings, and their opinion, whether any, and if any, what additions should be made thereto, to effect, in the best manner, the important objects of that establishment. Accordingly, at the meeting of the Council, in July, the Directors made a report of their opinions and doings, as required, marked number one.

On the nineteenth of June last, a Committee of Council was appointed to consider the resolve already mentioned, and on the third of July following, the Committee made a report, marked number two, which was accepted : and to the acceptance of the report, the Council added their opinion and advice, as expressed in the paper marked number three. Agreeably to the advice of Council, the Directors of the State Prison were appointed to obtain estimates of the kinds, quantities, and qualities of the materials requisite, in addition to those on hand, for constructing new walls for the Prison, calculating on an increase equal to an extent of two hundred feet in length beyond their present measure, and on raising the whole to the entire height of twenty feet. My letter, appointing the Directors as Agents for those purposes, dated the eighteenth of July, is marked number four,

and their report to me, dated the twenty-fifth of August, marked number five, contains the several estimates, marked A. B. and C. which included labor as well as materials. An Agent having been appointed, advertisements were published, inviting contracts to be offered for providing materials and completing the work. In the mean time, it was deemed conducive to the interest of the Commonwealth, that some individuals, entitled to confidence, should be consulted, as well upon the manner, as upon the probable cost of constructing the walls.

Accordingly, two gentlemen in high estimation for the accuracy of their estimates in architectural enterprizes, were requested to examine the subject under consideration. After bestowing much attention to the questions submitted to them, they furnished the Agent with the result of their calculations, and subjoined such remarks upon further improvements of the establishment, as much experience in similar undertakings, and an attentive examination of the land over which a wall on extended limits, must be erected, enabled them to suggest.

At the same time an approved and scientific artist was employed to survey the whole of the land appertaining to the State Prison; to render an accurate plan of the whole establishment; to ascertain with precision, the declivities and nature of the ground contiguous to the wall, and to furnish an estimate of the expense of erecting a new one on extended limits.

The report of the Agent, marked number six, was accompanied by sundry estimates, and other documents, marked A. B. C. D. and E. and a plan of the establishment; together with a number of sketches and diagrams, explanatory of the estimates and opinions which had been offered by the gentlemen above alluded to.

Having obtained the several estimates and other documents I have already mentioned, the whole were submitted to the Council for consideration and advisement. The paper marked number seven, contains the result of their deliberations; and is exhibited as an expression of the undivided opinion of the Supreme Executive, upon the several points therein contemplated. The documents which I have thus enumerated, the arrangement and specification of which, I have considered as proper and necessary for conveying to

you a distinct and comprehensive view of the subject of investigation, will be laid before you by the Secretary.

On this subject I would only further add, that, although from the entire dilapidation of a large part of the Prison Wall, and the want of compactness in that part of it remaining erect, a new wall be deemed necessary, yet the limits to which such a wall are to be extended, must remain undefineable, until the views of the Legislature shall be distinctly expressed. From the operation of our present system of criminal law upon a population continually augmenting, it is but reasonable to presume, that the Prison must, in its present form, be soon surcharged.

And it is believed, from the increase of numbers the last year, should the same code be continued, and the penitentiary of Charlestown remain the only receptacle in the state, for convicts, that the utmost extension of the Prison wall, of which the ground now appertaining to that establishment is susceptible, will, after the lapse of a few years, prove insufficient for the public accommodation.

But the subject, with all its relations, rests with your wisdom. Its bearings on the reputation of the Commonwealth, and the domestic safety and comfort of its citizens, are numerous and interesting. And I indulge confident hopes that a wise and comprehensive system of measures will crown your deliberations.

A resolve which passed the Legislature on the fourteenth of June last, authorized and requested the Governor to employ persons (if he should think necessary) to prepare and arrange the claims of this state against the government of the United States, and the evidences and documents belonging to the same: By virtue of which, Joseph H. Peirce, Esquire, was employed in arranging documents, and preparing a digest of the whole claim. On the same day, another resolve was passed, by which the Governor was requested to cause to be delivered to the Honorable James Lloyd, then one of the Representatives in Congress from this Commonwealth, such documents and papers as might be deemed necessary to support the claims aforesaid, for the use of the Senators and Representatives of this state in Congress. But the subsequent resignation of that gentleman, devolved on me the duty of providing some method of transmitting those documents and papers to the seat of government at Washington, and placing them under

the control of the Senators and Representatives, to whom, by a simultaneous resolve, an adjustment of the claims, and all accounts connected therewith, had been committed. The documents and papers were accordingly entrusted to the gentleman who had been employed to prepare and arrange them, for transmission to Washington: and presuming, that from his intimate knowledge of the account, and the several documents and vouchers connected with it, he might be usefully employed at the seat of government, I instructed him, after placing the same at the disposal of the delegation, for whose use they were designed, to receive their directions for the further government of himself, and destination of the papers committed to his care. His services, I am led to believe, are important to the state; and he will be retained during the pleasure of the gentlemen of the delegation. Should the employment of Mr. Peirce meet the approbation of the Legislature, it will be unnecessary for me to suggest the idea of providing a compensation for his services, and for the expense of transmitting the documents and papers to the seat of the United States government.

The Secretary will lay before you likewise, a letter I have received from Lieutenant Governor Slaughter, the Chief Magistrate of the state of Kentucky, with a resolve of the Legislature of that state, proposing an article of amendment to the Constitution of the United States.

In the month of August last, I received a letter from Governor Knight, of the state of Rhode Island, accompanied by sundry resolves of the General Assembly of that state, for ascertaining and settling the north line of the same. They were submitted to the Council, and the advice given thereupon, together with the letter of the Governor, and the resolves of the General Assembly of Rhode Island, and a letter of Secretary Bradford, will, herewith, be laid before you. Respecting the subject of those communications, however, I am able to state for your information, that in the month of November last, the Commissioners of this state and those of Rhode Island held a meeting, and perambulated the ancient north line of the latter state; and that the resumption of any further proceedings on the subject of the meeting, will depend on the determination of the Commissioners, or General Assembly of the state of Rhode Island.



The Treasurer of the Commonwealth having exhibited a statement of the Treasury, the Secretary will lay the same before you.

But I may not suffer the occasion to pass, without gratefully calling to recollection, the prosperous and happy condition of the citizens of the Commonwealth, and of our nation at large. The past year having been highly propitious to the varied labors and pursuits of the people, they are enjoying, under the smiles of Heaven, and the protecting energy of their free constitutions of government, the sweets of plenty and repose. May these blessings be long continued: And may we all be duly influenced by the full and animating persuasion, that under a faithful discharge of duty, an Almighty and beneficent Providence will ensure and guard our happiness.

JOHN BROOKS.

*Council Chamber, January 14, 1818.*

# RESOLVES.

JANUARY, 1818.

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## CHAP. LXX.

*Resolve directing the Messenger to purchase Fuel, and other articles, for the use of the General Court.*  
January 16th, 1818.

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

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## LXXI.

*Resolve on the petition of Hannah Morley and Sylvanus G. Morley, Executors of the will of Colonel David Morley.*  
January 21st, 1818.

On the petition of Hannah Morley and Sylvanus G. Morley, Executors of the last will and testament of Colonel David Morley, late of West-Springfield, deceased, praying for leave to sell so much of the real estate of which the

said David died seized, as will raise the sum of three thousand five hundred and forty-six dollars and thirteen cents, for the payment of his debts ;

*Resolved*, for reason set forth in said petition, that the said Hannah Morley and Sylvanus G. Morley, in their said capacity, be, and they are hereby authorized to sell at public auction, so much of the real estate, of which the said David died seized, as will raise the sum of three thousand five hundred and forty-six dollars and thirteen cents, and to make and execute good and sufficient deed or deeds to the purchasers, which shall be good and valid, in law ; the said Hannah and Sylvanus first giving bonds to the Judge of Probate for the county of Hampden, for the faithful application of the money arising from such sale ; and also giving thirty days notice of the time and place of sale, in the newspaper printed at Springfield, called the Hampden Federalist ; and conforming in other respects to the duties and obligations, imposed by law upon Executors and Administrators, where license is obtained for the sale of the real estate of their testator or intestate, from the Supreme Judicial Court.

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## CHAP. LXXII.

*Resolve on petition of Jonathan Knight.*  
January 21st, 1818.

On the petition of Jonathan Knight, of Worcester, in the county of Worcester, representing, that on the twenty-second day of July, one thousand eight hundred and sixteen, he made his deed of warranty to Samuel Brooks, of the same Worcester, his heirs and assigns, of a certain piece of land situated in the northwardly part of said town, containing twenty acres, bounded eastwardly on the county road leading from Worcester to Lancaster ; northwardly on land of the heirs of Samuel Andrews, deceased ; westwardly on Thomas and James Barber's land, and Silas Brooks' land ; and southwardly on land of Walter Bigelow ; also one other piece of land east of the house, beginning at the east post of the passage-way leading from the road into the old garden, and runs northwardly in a line to the east side of the smoke-house, then west to the

northeast corner of the house, and from thence southwardly to said road, with the land under that part of said house thereby conveyed; also an undivided half of the yard in front of the house, and of the following described lot back of the house, viz. from a line ranging with the east side of the smoke-house, and bounding by the fence back of said smoke-house, westwardly to a stake by said fence; thence southwardly to the house where the old and new houses join; also half of said smoke-house, and privilege of passing in and out of the back door into said back yard; also the whole of the two east rooms, kitchen and sink-room in said house, the east chamber and bed-room adjoining the garret over said rooms and chambers, and the cellar under the old part of the house, the privilege of the well and back stairs, and of passing through the meal room, and of keeping a chest in said meal room: And that on the thirty-first day of May, one thousand eight hundred and seventeen, the petitioner made another deed of warranty to the said Brooks, his heirs and assigns, of a certain piece of land lying near the house above described, containing one acre, more or less, bounded northwardly on a town road, eastwardly on Edward Knight's land, southwardly on Walter Bigelow's land, and westwardly on Edward Knight, with a barn thereon; which deeds were duly acknowledged, delivered and recorded, for the purpose of securing to the said Brooks the payment of the sum of six hundred forty-three dollars and sixty-eight cents and interest, which the petitioner owed him; and further representing that the said Brooks promised by his two several instruments in writing, to re-convey to the petitioner the said premises, upon his receiving the aforesaid sum and interest, but no seal was affixed to either of said instruments; and that the said Brooks has been prevented by death, from re-conveying the premises, agreeable to his promise; and stating that he is ready to pay over to the executor of the last will and testament of said Brooks, the sum aforesaid, and interest, and praying that the said executor may be authorized to make and execute a quit claim deed of the premises to the petitioner, his heirs and assigns; Therefore,

*Resolved*, For the reasons set forth in said petition, that Theophilus Wheeler, Esquire, Executor of the last will and testament of Samuel Brooks, of Worcester, deceased,

476 GOVERNOR'S MESSAGE.—*Jan. 21, 1818.*

be, and he is hereby authorized and empowered, whenever the said Knight shall have paid to him the sum of six hundred forty-three dollars and sixty-eight cents, due to the estate of said Brooks, with the interest, to make and execute to the said Knight, his heirs and assigns, a deed of quit claim of all the right, title and interest, which the said Brooks had in the premises above described, at the time of his death, which deed, duly authenticated and recorded, shall have the same force and effect as if the said Brooks had made and executed the same.

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CHAP. LXXIII.

*Governor's Message.* January 21st, 1818.

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

On the twelfth of December, one thousand eight hundred and sixteen, sundry resolves passed the Legislature authorizing and requesting the Governor, with the advice of Council, to appoint Agents on the part of the Commonwealth, to cause a fire proof distributing arsenal and laboratory to be erected in the town of Boston; and on the Commonwealth's land in the town of Cambridge, to cause a fire proof brick building to be erected, of the dimensions and for the purposes therein described; and appropriating fourteen thousand dollars for the purpose of building the same.

I have now the satisfaction of being able to state, that the several buildings contemplated by the said resolves, are completed; and that the expenditures attending the same are within the limits of the abovementioned appropriation.

The Secretary will lay before you a report of the Agents appointed agreeably to the said resolves, together with their account of disbursements, and the report of a Committee of the Council respecting the same. The vouchers appertaining to the account of the Agents, are lodged in the Quarter-Master General's office.

J. BROOKS.

*Council Chamber, January 21st, 1818.*

CHAP. LXXIV.

*Governor's Message.* January 21st, 1818.

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

It is my painful duty to announce to you the sudden death of Honorable Samuel Fales, late a Member of the Council of this Commonwealth. The Secretary will lay before you an order of the Council, shewing the manner in which the Members of that Board have determined to testify their respect for the memory of the deceased.

J. BROOKS.

*Council Chamber, January 21st, 1818.*

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CHAP. LXXV.

*Resolve on petition of Rebeckah Jennison and Silas Brooks.*  
January 21st, 1818.

On the petition of Rebeckah Jennison and Silas Brooks, Administrators, with the will annexed, of the estate of Samuel Jennison, late of Worcester, in the county of Worcester, deceased, representing that, on their petition in January, one thousand eight hundred and sixteen, the General Court passed a resolve, for reasons set forth therein, authorizing Benjamin Heywood, Esquire, Administrator of the estate of David Curtis, late of the same Worcester, deceased, to make and execute to the petitioners a deed of quit claim of all the right, title and interest, which the said David Curtis, or his legal representatives, had, or might then have, in the estate conveyed to him and Nathaniel Curtis by the deed of the said Samuel Jennison, dated November fifth, one thousand eight hundred and eleven, and referred to in said resolve; and further representing, that the said Benjamin Heywood has been prevented by death from making said deed, and praying that the administrators de bonis non of the estate of the said David Curtis may be authorized to make to the said Rebeckah Jennison, a deed of quit claim of the estate before mentioned; Therefore,  
*Resolved,* For reasons set forth in the petition, and in the

resolve aforesaid, that Silas Bigelow and Susanna Bigelow, administrators de bonis non in her right of the estate of David Curtis, late of Worcester, deceased, be, and they are hereby authorized and empowered to make and execute to Rebeckah Jennison, of the same Worcester, her heirs and assigns, and for the benefit of the creditors, heirs, devisees and legatees of Samuel Jennison, (whenever the estate of the said Curtis shall be wholly exonerated and indemnified from a bond mentioned in the resolve aforesaid, and from all damage and cost thereby,) a good and sufficient deed of quit claim of all the right, title and interest which the said David Curtis had, or which his legal representatives now have, in certain estate described in a deed of the said Samuel Jennison, deceased, to the said David Curtis and Nathaniel Curtis, dated November fifth, one thousand eight hundred and eleven, and referred to in a resolve of the General Court, passed February sixth, one thousand eight hundred and sixteen, in the same manner that Benjamin Heywood was authorized by said resolve to do, and might, if living, now do.

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#### CHAP. LXXVI.

*Resolve confirming the doings of Proprietors of Boston Athenæum. January 22d, 1818.*

*Resolved,* That the election of officers, and all other proceedings had and transacted at the meeting of the proprietors of the Boston Athenæum, held at their library on the twentieth day of January instant, be, and the same hereby are so far ratified and confirmed, as that the same shall be to all intents as valid and effectual in law, as if the same had been had and transacted at the annual meeting of the said proprietors, which according to the by-laws of said corporation, should have been holden in the month of August last.

CHAP. LXXVII.

*Resolve on petition of Abigail Sprague.*  
January 23d, 1818.

On the petition of Abigail Sprague, Administratrix on the estate of Oakman Sprague, late of Bath, in the county of Lincoln, deceased, setting forth, that the said Oakman Sprague, in his life time, together with David Stinson and Thomas Lemont, both of said Bath, gentlemen, received a conveyance of a certain lot of land in said Bath, in trust for certain persons, who have since erected a meeting house thereon; but that the deed by which said conveyance was made, doth not express the said trust: And whereas the proprietors of said meeting house are desirous of having their title to said land established; and the said Stinson and Lemont are ready to convey their interest in the said land to the proprietors, agreeably to the true intent of the trust reposed in them; Therefore,

*Resolved*, That the said Abigail Sprague, in her said capacity, be, and she is hereby fully authorized and empowered to make and execute, with the said David Stinson and said Thomas Lemont, a sufficient deed of the aforementioned premises, to the proprietors of said meeting house: *Provided however*, that the said proprietors first pay to said Abigail, any monies advanced to them by said Oakman Sprague, for the purpose of erecting said meeting house, over and above what he may have given for that purpose, and indemnify the said Abigail and the heirs of said Oakman Sprague, against all debts that he the said Oakman, became obligated to pay for said proprietors, over and above the cost of the shares which he the said Oakman Sprague subscribed for, in said meeting house.

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CHAP. LXXVIII.

*Governor's Message.* January 23d, 1818.

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives,*

The Secretary will lay before you sundry resolves of the Legislature of the state of North Carolina, respecting an



480 S. PRISON.—J. H. PIERCE.—*Jan. 27, 1818.*

amendment of the Constitution of the United States, proposed by the state of New Jersey, and which the Governor of the former state has requested may be communicated to the Legislature of Massachusetts.

J. BROOKS.

*Council Chamber, January 23d, 1818.*

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CHAP. LXXIX.

*Resolve granting eight thousand dollars for the use of State Prison. January 23d, 1818.*

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

*Resolve for making advances to Joseph H. Pierce, Esquire, Agent at Washington. January 23d, 1818.*

*Resolved,* That his Excellency the Governor be, and he is hereby authorized to advance to Joseph H. Pierce, Esquire, the Agent appointed for arranging, digesting and transmitting to the seat of government, the documents and evidences relative to the claims of this state against the United States, any sum or sums not exceeding five hundred dollars, as his Excellency shall think necessary; the said Joseph H. Pierce to be accountable therefor: and his Excellency the Governor is hereby authorized to draw his warrant on the treasury for the same.

CHAP. LXXXI.

*Governor's Message.* January 16th, 1818.

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

The Secretary will lay before you a communication from the Chief Justice and two of the other Justices of the Supreme Judicial Court, suggesting a modification of the laws respecting the right of appeals, and the right of review. It is understood that the distance of the two other Justices of the same Court, from the seat of government at this time, may account for the want of their signatures to the communication.

J. BROOKS.

*Council Chamber, January 16, 1818.*

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CHAP. LXXXII.

*Governor's Message.* January 17th, 1818.

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

The Secretary will lay before you the accounts of the late Treasurer, John T. Apthorp, Esquire, with the report of the Committee appointed by the Legislature to examine the same; likewise returns of the organized field artillery; of ordnance; of ordnance and laboratory stores; and of camp equipage, belonging to this Commonwealth. To which will be added a copy of the account of arms, adjusted by the Quarter-Master General, whom I had previously authorized for that purpose, with the Ordnance Department of the United States; by which it appears, that the Commonwealth has received its apportionment up to the first of January, eighteen hundred and sixteen, amounting to five thousand, nine hundred and thirty-five, conformably to the law of the United States, passed April twenty third, one thousand, eight hundred and eight, for arming the whole body of the militia.

J. BROOKS.

*Council Chamber, January 17, 1818.*

## CHAP. LXXXIII.

*Resolve on the petition of Nathaniel Waite, a prisoner in the gaol in Worcester, in the county of Worcester.*

January 27th, 1818.

*Resolved,* For reasons set forth in said petition, that the said Nathaniel Waite be, and hereby is discharged and fully released from a judgment recovered against him, at the suit of the Commonwealth, by the consideration of the Justices of the Supreme Judicial Court, holden at Worcester, within and for the county of Worcester, on the fourth Tuesday of September last, on which judgment, a warrant of distress issued, and by virtue thereof, the said Waite was committed to gaol in said county of Worcester, and there still remains a prisoner: And the Keeper of the gaol in said county of Worcester, is hereby authorized and directed to discharge said Waite from his said imprisonment; *provided*, that he is not committed or detained for any other cause than the judgment and warrant of distress aforesaid.

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## CHAP. LXXXIV.

*Resolve on the petition of John Capen, the third.*

January 27, 1818.

*Resolved,* For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he is hereby directed to issue to the said John Capen, the third, a new state note, of the same tenor and date as the note lost; that is a note numbered three hundred and ninety-one, and dated the seventh of August, one thousand eight hundred and ten, for the sum of two hundred and forty-seven dollars and ninety-six cents, and to endorse thereon the interest that has been paid; he the said John Capen, the third, first making affidavit before some Justice of the Peace, to the truth of the facts stated in his petition, and giving bonds to the Treasurer of this Commonwealth, in the penal sum of five hundred dollars, with one or more sureties, to secure the Commonwealth against any loss that may happen in consequence of the renewal of said note.

CHAP. LXXXV.

*Resolve on the petition of Daniel Webster, Guardian to Allen McLaughlin, a minor. January 28th, 1818.*

*Resolved*, That for reasons set forth in said petition, that the Commissioners of the Land Office be, and they are hereby authorized in behalf of this Commonwealth, to remise and release by deed, unto the heirs of the late Allen McLaughlin deceased, all its right and title to lot numbered one hundred and one, in the town of Bangor, in the county of Penobscot, according to a survey and plan of said town, by Park Holland, Esquire, and a certified return by him made of a previous settlement thereon by said deceased; *provided*, that the said Commissioners, before they execute such deed, are to be satisfied that in consideration thereof, fifty dollars shall have been paid by said Guardian into the treasury of this Commonwealth, and the claim of Robert Treat to said lot shall have been extinguished.

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CHAP. LXXXVI.

*Resolve on the petition of Joseph Howard and others, respecting claims of land. January 28th, 1818.*

THE Committee on Eastern Lands, having had under consideration the petition of Joseph Howard, of Brownfield, in the county of Oxford, have to state, that in September, A. D. one thousand seven hundred and ninety-three, the Commonwealth by its Agents, conveyed a large tract of land in what is now Porterfield, in the present county of Oxford, to Jeremiah Hill and others, with a reservation for a then future appropriation of the General Court, of three hundred and twenty acres out of said grant, to be on an average, as to goodness and situation, with other lots therein of the same bigness; that the original grantees, by deeds, mutually divided and located among themselves their respective parts and proportions, by way of ranges and lots. The Commonwealth's property in quantity, and probably many acres more, being without any acquiescence of its Agents, sequestered and left to

meet the original reservation aforesaid ; and that because of certain trespasses committed, as supposed, by said Howard and others, on the reserved and sequestered lands aforesaid, an information filed against them is now pending in the Supreme Judicial Court for that county ; therefore, for reasons set forth in his petition, and for preventing law suits and mischief, the following resolutions are respectfully submitted, by

WM. D. WILLIAMSON, *Chairman.*

*Resolved*, That the Commissioners of the Land Office be, and they are hereby authorized to settle and adjust with the said grantees, the true quantity of land in said grant, reserved and belonging to the Commonwealth, the quality and situation thereof being duly considered, and to locate the same when ascertained and understood by admeasurement, lines and bounds.

*Resolved*, That the said Commissioners, after such location, be, and they are hereby authorized to convey in fee to said Howard or others, for a sum not less than one dollar by the acre, all the said lands so ascertained and located to the use of the Commonwealth : *Provided*, that if the said Howard be the purchaser, the same lands shall be estimated at what they were fairly worth prior to the first day of May, in the year of our Lord one thousand eight hundred and thirteen.

*Resolved*, That the said information pending in said Court, may be continued the next term ; and in case the said Howard be the purchaser of the said lands, the same information shall be dismissed upon his paying all the costs thereon, which shall have accrued to the Commonwealth touching the same.

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## CHAP. LXXXVII.

*Governor's Message. January 30th, 1818.*

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives,*

Major General Alford Richardson having resigned the command of the twelfth division of the militia of this Commonwealth, has been discharged, agreeably to his request.

J. BROOKS.

*Council Chamber, January 30, 1818.*

CHAP. LXXXVIII.

*Resolve for Fire Proof Building for Public Records.*  
January 31st, 1818.

THE Committee appointed to inquire into the state of the public records of this Commonwealth, and of the State House, so far as it respects safety from fire, and to report thereon by resolve or otherwise, having attended to that subject, ask leave to report :

That owing to some defect in the construction of the flue connected with the room occupied by the Quarter-Master General, the State House has been twice on fire, under circumstances indicating that great danger must have existed of a total destruction of the building ; and although such examination and repairs have been made as the necessity of the case required, yet your Committee have been deeply impressed with the propriety of providing a place of a more safe deposit for the public records of the Commonwealth, than what can be obtained in a building constructed like the present State House, exposed to so great a number of fires, under the care of so many individuals : They therefore recommend, for the adoption of the Legislature, the following resolutions.

By order of the Committee,

JOSIAH QUINCY, *Chairman.*

*Resolved*, That a fire proof building be erected on some convenient part of the land adjoining the State House, for the purpose of safe keeping all the public records of this Commonwealth.

*Resolved*, That his Excellency the Governor, by and with advice of the Council, be, and he hereby is authorized to cause such fire proof building to be erected, of such dimensions, and in such manner, as he may deem sufficient ; and when completed, to cause all the public records, contained in the State House, to be deposited therein. And his Excellency the Governor be, and he hereby is authorized to draw his warrant on the treasury, for any sum or sums, not exceeding two thousand dollars, from time to time, as the same may be wanted for completing the same.

*Resolved*, That his Excellency the Governor be, and he hereby is authorized, by and with the advice of the Council, to cause such examination of the State House to be made, by suitable architects or masons, as any indications of danger from fire may suggest to be expedient; and that he be also authorized to draw his warrant on the treasury for any sum or sums, not exceeding five hundred dollars, from time to time, as the same may be wanted, for such repairs and alterations as such examination may show to be necessary.

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### CHAP. LXXXIX.

*Resolve on the petition of William Mingo and others, Indians, on Marshpee Plantation. January 31st, 1818.*

THE Committee of both Houses, to whom was referred the petition of William Mingo and others, Indians on the plantation of Marshpee, in the county of Barnstable, praying for the removal of the present Overseers, and for the establishment of some new regulation respecting the said plantation; and also the petition of Jonathan Lindsay and others, native inhabitants and proprietors of lands belonging to the Herring Pond tribe of Indians, so called, in the towns of Plymouth and Sandwich, praying to be freed from the care of Overseers, have attended to that service, and ask leave to report, by way of resolve.

MARK L. HILL, *Chairman.*

On the petitions of sundry Indians in the county of Barnstable,

*Resolved*, That the Honorable Dudley L. Pickman and William B. Banister, and Benjamin Whitman, Esquire, be Commissioners to visit the tribes of Indians on the plantation of Marshpee, in the county of Barnstable, and also those of the Herring Pond tribe, so called, and make inquiry into the mode and practical effect of the present system of governing and taking care of them; to ascertain, as nearly as may be, the quantity and value of the lands originally holden by said Indians; and what part of the same, in quantity and value, has been alienated, and to what purpose the same has been applied; to state the pre-

sent value of the lands remaining; its annual income, and the debts due from said Indian tribes; with a view particularly to ascertain what alteration and improvement of the present system may be expedient; to report at the first session of the next General Court: And in case of the death or resignation of either of the Commissioners herein appointed, his Excellency the Governor, with the advice of Council, is authorized to appoint some person to supply the vacancy so occasioned.

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## CHAP. XC.

*Resolve granting a Pension to Thurston Card.*  
January 31st, 1818.

On the petition of Thurston Card, of Woolwich, praying further allowance, in consequence of a wound he received while doing duty in the detached militia;

*Resolved*, For reasons set forth in said petition, that there be further allowed and paid out of the treasury of this Commonwealth, unto the said Thurston Card, a pension of sixty dollars per annum, for three years from the first day of October, A. D. one thousand eight hundred and seventeen, in semi annual payments; *provided* the said Card should live so long.

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## CHAP. XCI.

*Resolve on the petition of the Trustees of Canaan Academy.*  
January 31st, 1818.

On the petition of the Trustees of the Canaan Academy,

*Resolved*, That there be, and hereby is granted to the Trustees of Canaan Academy, their successors in said office or assigns, for the sole use and benefit of said academy, one half of a township of six miles square, from any of the unappropriated lands belonging to the Commonwealth, in the District of Maine, except the ten townships on the Penobscot River, purchased of the Penobscot Indians; and to be subject to all the reservations usual in grants of this



kind ; the same half township to be vested in said Trustees, their successors in said office, and assigns forever, for the sole use and benefit of said academy ; reserving four hundred acres, one half for the use of schools, the other half for the use of the ministry therein ; the same half township to be laid out under the direction of the Commissioners of the Land Office, at the expense of said Trustees, as soon as satisfactory evidence shall be produced to them, that the sum of three thousand dollars has been subscribed and secured to said Trustees, towards a permanent fund for the use and benefit of said academy, in addition to their buildings : *Provided* the said Trustees, within five years from and after the laying out and location of the same half township aforesaid, cause ten families to be settled thereon : *And provided also*, that said Trustees give bond to the Treasurer of the Commonwealth, faithfully to apply the proceeds and avails of said half township, to the sole use and benefit of said academy.

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

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## CHAP. XCII.

*Resolve on the petition of the Justices of the Court of Sessions for the county of Washington.*

February 5th, 1818.

*Resolved*, For reasons set forth in said petition, that the doings of the Clerk of the Circuit Court of Common Pleas, (acting as Clerk of the Court of Sessions) for the county of Washington, in apportioning the county tax for said county for the year one thousand eight hundred and seventeen, be, and the same is hereby made valid in law ; and for the like reason, that the doings of the Justices of the Court of Sessions for the said county of Washington, in examining the Treasurer's account for the same year, and in making the estimate for the year one thousand eight hundred and eighteen, shall be, and is hereby made valid in law.

## CHAP. XCIII.

*Resolve respecting Rhode Island Boundary Line.*  
February 3d, 1818.

The Committee of both Houses, to whom was referred so much of his Excellency's Message as relates to the boundary line between the state of Rhode Island and this Commonwealth, have had the same under consideration, and ask leave to submit the following report.

JAMES ELLIS, *Chairman.*

That they find the Legislature of this Commonwealth, on the second day of February, A. D. one thousand eight hundred and ten, passed a resolve, authorizing the Governor of said Commonwealth to appoint Commissioners to ascertain and settle the north line and boundaries of said state of Rhode Island; that by virtue of said resolve, the Governor did appoint Edward H. Robbins, Nicholas Tillinghast, and Nahum Mitchell, Esquires, (all of whom are now living) Commissioners, for the purpose aforesaid; that said Commissioners always have been, and now are ready, when notified by the Commissioners of the state of Rhode Island, to attend to the subject of their appointment; that the Commissioners of the respective states have had several meetings, which have terminated in a mutual agreement to survey the line antiently established. This survey has been in part accomplished, and will at any future time be fully completed, on notice being given by the Commissioners on the part of the state of Rhode Island for that purpose; Therefore,

*Be it Resolved*, That said Commissioners on the part of said Commonwealth be continued, and that they be, and hereby are vested with as ample powers for the purpose aforesaid, as are granted to the Commissioners of the state of Rhode Island, with special power and authority to renew, erect and establish a permanent Monument at Woodward and Saffrey's Station, (so called) and to erect and establish such other monuments on the boundary line, and at such other places as they may judge expedient.

CHAP. XCV.

*Resolve on the petition of Joseph Field and Jeremiah Gore.  
February 3d, 1818.*

On the petition of Joseph Field and Jeremiah Gore, stating that they are owners and occupants of brick buildings on Boston Neck, and that the northerly and easterly sides of the same have been covered with clapboards, to protect the same from the great range of the northerly and easterly winds, to which the same are exposed ;

*Resolved*, That the said houses may be and remain covered with clapboards, as aforesaid, any law to the contrary notwithstanding : *Provided however*, that whenever, in the opinion of the Firewards of the town of Boston, the security of the said town from fire shall require that the said coverings of the said houses should be removed, and upon notice thereof given, the said Joseph Field and Jeremiah Gore, or any person holding the same houses shall forthwith remove the said coverings therefrom.

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CHAP. XCV.

*Resolve on the petition of Robert Hubbard and others.  
February 3d, 1818.*

On the petition of Robert Hubbard, of Angelica, in the state of New York, and Theodore Barnard, of Deerfield, in the county of Franklin, praying that some suitable person may be authorized and empowered to make sale of all the real estate whereof the said Theodore and Lucy Barnard his wife, are possessed in her right, in Shelburne, in said county of Franklin ; and that the proceeds thereof, be applied to the support of the said Lucy ;

*Resolved*, That for reasons set forth in said petition, William Wells, Esquire, of Shelburne aforesaid, be, and he is hereby authorized and empowered to sell all the real estate, whereof the said Theodore and Lucy are possessed in her right, in said town of Shelburne ; and to make and execute good and sufficient deed or deeds thereof, to the purchaser or purchasers, the proceeds thereof to be applied

to the support of the said Lucy, during her life : *Provided*, that said William Wells first give bond to the Judge of Probate for the county of Franklin, with sufficient surety or sureties, that the proceeds of the sales of said estate, shall be faithfully applied to the support of the said Lucy, during her natural life.

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CHAP. XCVI.

*Resolve on the petition of the Inhabitants of Orangetown.*  
February 3d, 1818.

On the petition of the inhabitants of plantation number twelve, or Orangetown, in the county of Washington,

*Resolved*, For reasons set forth in said petition, that five hundred dollars be granted and paid out of the public treasury of this Commonwealth, to the inhabitants of plantation number twelve, or Orangetown, in the county of Washington, to be applied to the making a road through said plantation, to be laid out and expended under the direction of the Commissioners of the Land Office.

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CHAP. XCVII.

*Resolve remitting to the town of Fairhaven their State Tax.*  
February 3d, 1818.

THE Committee of both Houses, to whom was referred the petition of the town of Fairhaven, praying that they may have relief with regard to the assessment of the state, town, and county taxes for said town, for the year eighteen hundred and fourteen; the same having been illegally assessed, through a misunderstanding of the law;

*Resolved*, For reasons set forth in said petition, that the Assessors of said town of Fairhaven be, and they are hereby authorized and directed to assess upon the polls and estates subject to taxation in said town, the sum of three thousand, seven hundred and nineteen dollars and seventy-three cents, which said sum is the amount of the taxes erroneously assessed as aforesaid; and to issue their war-

rants in due form of law, to collect the same, and to proceed in all respects, as in the assessment and collection of other town taxes: *And be it further resolved*, that the sum, which any person has paid on the assessment thereof, which was formerly and erroneously made as aforesaid, and which he or she has not received or recovered back, shall be deducted from the sum or sums, in which he or she shall be assessed in the assessment authorized by this resolve.

*And be it further resolved*, That the Treasurer of said town of Fairhaven, is hereby authorized and directed to pay out of the treasury, of any monies now in the same, not otherways appropriated, the additional sum of two hundred and twenty-eight dollars and seventy eight cents, being the amount of damages, costs and charges, expended and paid in defending a suit brought against the Assessors of said town, for their former erroneous assessment of said sum, to be paid on an order to be drawn upon him by the Selectmen of said town, for that purpose.

## CHAP. XCVIII.

### *Resolve on the petition of Edmund Bridge.*

February 4th, 1818.

On the petition of Edmund Bridge and others, and for reasons set forth in said petition,

*Resolved*, That the said Edmund Bridge be authorized and empowered to warn a meeting of the proprietors of the Upper Bridge on Eastern River, to be holden at his dwelling house in Dresden, on Tuesday, the fifth day of May next, at two o'clock in the afternoon, for the purpose of choosing a Clerk, and other officers, necessary for managing the business of said proprietors and corporation; and to agree upon a method of calling future meetings, by causing a notification thereof to be published in one of the newspapers printed in Hallowell, at least fourteen days before the time appointed for holding said meeting.

## CHAP. XCIX.

*Resolve on petition of Joseph Treat.* February 4th, 1818.

On the statement of the Commissioners of the Land Office, who were required, at the last session of the General Court, to report on the petition of Joseph Treat,

*Resolved*, That said Commissioners be, and they are hereby authorized and empowered to receive from Joseph Treat, of Bangor, in the county of Penobscot, Esquire, a conveyance and release to the Commonwealth of all his right, title and estate in the lands conveyed to him by the Honorable Salem Towne, as Agent for the Commonwealth, by deed, dated the nineteenth day of June, in the year of our Lord one thousand eight hundred and six, as therein described and set forth, excepting one hundred acres, since sold by said Treat, to Stephen Page, in right of Joseph Page, as a settler; and to accept the same in satisfaction of the said Treat's bond, dated the nineteenth day of June, one thousand eight hundred and six, made to the Treasurer of the Commonwealth for the payment of four several sums of six hundred thirty-three dollars each, with interest, in annual instalments, according to the condition of said bond; and thereupon to certify the same to said Treasurer, who is hereby authorized to deliver up the same to said Treat; and the said Commissioners are authorized to sell and convey to the settlers on said land, or their assigns, not exceeding eleven in number, who contracted with the aforesaid Salem Towne, each for one hundred acres of the aforesaid land, at the price of one dollar per acre, with interest from the said nineteenth day of June, one thousand eight hundred and six, and credit them respectively for their proportion of six hundred thirty-three dollars, paid into the treasury by said Treat, at the time of receiving the aforesaid deed, on account of said settlers, as he now alleges; and upon their paying the respective balances due on their several lots to the Commissioners of the Land Office, within two years from the passing of this resolve, to make deeds of said lots to said settlers respectively, from time to time, as they shall severally comply with the conditions herein provided; and no person shall hereafter be considered as entitled to any claim to said lots, who shall not avail himself of the benefits of this resolve within the said term of two years.

## CHAP. C.

*Resolve for County Taxes.* February 5th, 1818.

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

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

Somerset, two thousand two hundred dollars,	\$ 2,200
Penobscot, two thousand two hundred dollars,	2,200
Oxford, three thousand dollars,	3,000
Hancock, six thousand five hundred dollars,	6,500
Washington, one thousand eight hundred and thirty dollars,	1,830
Franklin, three thousand two hundred dollars,	3,200
Worcester, four thousand five hundred dollars,	4,500
Hampshire, three thousand dollars,	3,000
Cumberland, eleven thousand six hundred and twenty dollars and seventy-eight cents,	11,620 78
York, five thousand dollars,	5,000
Bristol, eleven thousand dollars,	11,000
Barnstable, one thousand three hundred dollars,	1,300
Berkshire, six thousand dollars,	6,000
Kennebec, four thousand eight hundred dollars,	4,800
Norfolk, eight thousand one hundred and fifty dollars,	8,150
Hampden, four thousand dollars,	4,000
Essex, seventeen thousand five hundred dollars,	17,500
Middlesex, ten thousand dollars,	10,000
Lincoln, six thousand dollars,	6,000

CHAP. CI.

*Resolve on petition of Nehemiah Porter.*  
February 5th, 1818.

On the petition of Nehemiah Porter, of North Yarmouth, in the county of Cumberland, yeoman, and Sylvia Porter, Administratrix on the estate of Sylvanus Porter, late of said North Yarmouth, deceased, and widow of said deceased, shewing that in the life time of the said Sylvanus Porter, the said Nehemiah Porter and Sylvanus Porter, did agree to exchange a certain quantity of lands with each other, upon the following conditions, viz.: the said Nehemiah agreed to sell and convey unto the said Sylvanus by deed, four acres of land next Gray line, on the westerly side of the road leading to Gray, aforesaid; and the said Sylvanus agreed to sell and convey unto the said Nehemiah ten acres of land next Royal's river, on the easterly side of the aforesaid road, adjoining land of the said Nehemiah, for the aforesaid four acres, and forty dollars in cash. And upon the aforesaid agreements by them made, although there was no deeds passed between them, both parties having made improvements upon the said pieces of land, so as that it will be greatly to the injury of both estates not to have the aforesaid lands conveyed according to their intentions and agreements in the life time of the said Sylvanus: And praying that the said Sylvia Porter may, in her said capacity of Administratrix and widow of said deceased, be authorized to make and execute unto the said Nehemiah Porter, a deed of said ten acres of land. And also that she, the said Sylvia, may be authorized in her said capacity to receive from the said Nehemiah Porter a deed of the said four acres of land, so as it shall be a part of the real estate of said deceased, as if said deed had been made to him in his life time;

*Resolved*, For reasons set forth in said petition, that the said Sylvia Porter be, and she is hereby authorized to convey the said ten acres of land to the said Nehemiah Porter, his heirs and assigns forever, by a good and sufficient deed, to have and to hold the same, with the appurtenances, in as full and ample a manner as if the same had been conveyed by the said Sylvanus in his life time. And she, the



said Sylvia, is hereby authorized, in her said capacity, to receive from the said Nehemiah, a good and sufficient deed of the said four acres of land, with the appurtenances, to her, in her said capacity, and to the heirs and assigns of the said Sylvanus Porter, deceased, whereby the same shall be holden as part of the real estate of said deceased, in the same manner it would have been, if conveyed to the said Sylvanus Porter in his life time.

## CHAP. CII.

*Resolve on petition of Zebulon Spaulding.*  
February 5th, 1818.

*Resolved*, For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he is hereby directed to issue to the said Zebulon Spaulding, a new state note of the same tenor and date, as the note lost, that is a note numbered four hundred and ninety, and dated the fourth of September, one thousand eight hundred and ten, for the sum of ninety-seven dollars and thirteen cents, and to endorse thereon the interest that has been paid; he the said Zebulon Spaulding first making affidavit before some Justice of the Peace, to the truth of the facts stated in his said petition, and filing the same in said Treasurer's office, and giving bonds to said Treasurer, in the penal sum of three hundred dollars, with one or more sureties, to secure the Commonwealth against any loss that may happen in consequence of the renewal of said note.

## CHAP. CIII.

*Resolve respecting Deaf and Dumb.* February 5th, 1818.

The Committee of both Houses, who had under consideration the report of the Secretary of this Commonwealth, relative to the number and condition of the deaf and dumb persons within the same, ask leave to report,

That they have bestowed all that attention to the subject, that time and their limited means of information have afforded. That as the present age is distinguished for

works of benevolence and philanthropy, the situation of the unhappy persons to which the attention of the Legislature has now been called, is far from being unworthy the notice and paternal regard of the government.

Your Committee were desirous, not only of communicating with intelligent men in this Commonwealth, on the subject under consideration, but to extend their inquiry to other states, as it is known that in the state of Connecticut, an institution for the amelioration of the condition of the deaf and dumb has commenced its operations under flattering prospects of success; but legislative duties, and an approximation to the close of the session, has rendered this object of your Committee unattainable.

It may be a subject not unworthy of inquiry, whether one establishment of this kind would not be sufficient for the New England States, and whether some or all of those states and the opulent individuals therein, will not be disposed to contribute toward such an establishment: Therefore your Committee ask leave to offer the following resolution, which is submitted by

MARK LANGDON HILL, *Per Order.*

*Resolved*, That the Honorable John Phillips, President of the Senate, the Honorable Timothy Bigelow, Speaker of the House of Representatives, and the Honorable Richard Sullivan, be a Committee, in the recess of the Legislature, to consider the situation and circumstances of the deaf and dumb, to extend their inquiries, so far as is practicable as to the views of the neighboring states in relation to this subject, to see what aid this Commonwealth can, in their opinion, consistently bestow in promoting an institution for improving the condition of these persons, and the most eligible mode of carrying the same into effect—to report at the first session of the next General Court.

#### CHAP. CIV.

*Resolve on the petition of Bartholomew Hounsfeld.*

February 5th, 1818.

On the petition of Bartholomew Hounsfeld, formerly residing in England, and now residing in the city of New

York, in the state of New York, with the intention of becoming a citizen of the United States ;

*Resolved*, That the said Bartholomew Hounsfield be, and he hereby is allowed to purchase and to hold in fee simple, lands within the Commonwealth of Massachusetts, the alienage of said Hounsfield notwithstanding.

## CHAP. CV.

*Resolve for building a Bridge over Deerfield River.*  
February 6th, 1818.

On the petition of Benoni Pratt and others,

*Resolved*, For reasons set forth in said petition, that the Court of Sessions for the county of Franklin, at their next term, to be holden at Greenfield, in and for the said county of Franklin, on Tuesday, the twenty-fourth day of March next, be authorized and empowered to hear any petition, statement and request, from any person or persons, inhabitants of said county, praying for aid and assistance to build and complete a bridge at the Falls over Deerfield River, between the towns of Shelburne and Buckland, in said county : And the said Court of Sessions are hereby authorized and empowered to grant and allow such sum of money as they may think just and proper, for the purpose abovementioned, not exceeding the sum of fifteen hundred dollars ; to be drawn from the treasury of said county, to be appropriated toward the building and completing said bridge, at the place aforesaid, as they may think just and proper. And if they consider it expedient, to appoint an Agent, to superintend the laying out of the same.

*Resolved*, That the said Benoni Pratt cause a copy of this resolve to be published in the Franklin Herald, published in Greenfield aforesaid, in two successive newspapers, before the time for holding said Court, that any town within said county may appear by their Agents or Attornies, and object and shew cause, if any they have, why an allowance ought not to be made for the building and completing said bridge.

CHAP. CVI.

*Resolve confirming the records and doings of the town of Fayette. February 6th, 1818.*

On the petition of the Selectmen of the town of Fayette, in the county of Kennebec, in behalf of said town, representing, that in the records of the Selectmen's warrants for calling town meetings, the representations of the seals on said warrants are, in several instances, omitted; and in others, the Town Clerk has not attested the town records. And in several instances, the certificates of the oaths of those who were sworn into office are not recorded or preserved in any other way, and praying relief therein; Therefore,

*Resolved*, For reasons set forth in said petition, that the records and doings of said town, and the doings of the officers thereof, are hereby confirmed, and made good and valid, to every intent and purpose, as respects their records, any supposed defect in the foregoing particulars notwithstanding.

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CHAP. CVII.

*Resolve on the petition of Henry C. Brown.  
February 6th, 1818.*

THE Committee of both Houses, to whom was referred the petition of Henry C. Brown, praying that his accounts against the Commonwealth may be allowed and paid; report that the petitioner, having satisfied the Committee that the accounts were twice forwarded within the time prescribed by law, to persons then in Boston, to be laid before the Committee on Accounts, but from unforeseen and unavoidable accidents, it was not done; the Committee, considering that, under such circumstances, he ought not to be debarred from proving his claim, recommend passing the following resolve:

*Resolved*, That the Committee on Accounts be authorized and directed to receive and examine the accounts of Henry

C. Brown, Esquire, and allow him such sum or sums, as may appear to them justly due on his accounts against the Commonwealth, notwithstanding the statute of limitations.

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### CHAP. CVIII.

*Resolve on petition of Indians at Christiantown.*  
February 6th, 1818.

On the petition of sundry Indians living at Christiantown, in Dukes' County,

*Resolved*, That the Guardians appointed in pursuance of an act, entitled "An act for the protection of the Indians and their property, in that part of Dukes' County, known by the name of Christiantown," be, and they hereby are required to lodge in the office of the Secretary of this Commonwealth, within three months from the passing of this resolve, an account of all lands sold by the Indians, under their guardianship, with consent of the said Guardians, since the passing of the act herein named, stating particularly to whom sold, and the consideration paid for the same, and to whom, and in what manner paid : and the Secretary is directed to lay the same before the next General Court, at their first session.

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### CHAP. CIX.

*Resolve on petition of Levi Crawford.*  
February 6th, 1818.

Upon the petition of Levi Crawford, representing that at the term of the Supreme Judicial Court holden at Worcester, within and for the county of Worcester, on the fourth Tuesday of September last, he recovered judgment against one Benjamin Read, in an action *qui tam*, upon the statute for restraining the taking of excessive usury, for the sum of one hundred and fifty dollars, debt, one moiety thereof to the use of the Commonwealth ; and that the whole sum of said judgment is very inadequate to his indemnity for the costs incurred in the prosecution of said action, and the ex-

cess of usury paid to said Read, and praying that the Commonwealth would release to him their moiety of the sum recovered in said judgment ;

*Resolved*, For reasons set forth in said petition, that the moiety of the debt recovered in the action aforesaid, to the use of the Commonwealth, be, and the same hereby is released to the said Levi Crawford, and that he hereby is authorized to receive and retain the same to his own use, and to discharge the execution which may have issued on said judgment accordingly, without accountability to the Commonwealth for any part thereof.

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## CHAP. CX.

*Resolve further directing the Secretary of State in the purchase of the several volumes of the Reports of the Decision of the Supreme Court. February 9th, 1818.*

On the petition of William Hilliard and Jacob A. Cummings, proprietors of the Massachusetts Term Reports, praying for an additional allowance for the copies of said reports, which are furnished to the Commonwealth,

*Resolved*, For reasons set forth in said petition, that the Secretary be, and he is hereby authorized to allow and pay fifty cents for the thirteenth volume, and for the next subsequent volume that shall be published by said proprietors of the Reports of Cases argued and determined by the Supreme Judicial Court, in addition to the sum allowed therefor, by the resolves passed the fourteenth and twenty-sixth of February, A. D. one thousand eight hundred and eleven, and that the price shall be limited to two dollars and seventy-five cents, for each copy of said work, delivered to the Secretary in good sheep binding.

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## CHAP. CXI.

*Resolve on petition of Christopher Patten.  
February 9th, 1818.*

*Resolved*, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Common-

wealth, to Christopher Patten, his heirs, executors, administrators and assigns, for the benefit of him and his brethren in Pittsfield, called Shakers, one hundred and twenty dollars, for time and expenses in pursuing and apprehending one John Eddy, out of any monies that now are, or hereafter may be collected upon the recognizance of the said John and his sureties, in which the said John stood bound to appear, before the Justices of the Supreme Judicial Court, at a term thereof, begun and holden at Lenox, within the county of Berkshire, on the second Tuesday of September last past, to answer to such matters and things as might be objected against the said John, on behalf of this Commonwealth; and more especially to the complaint of the said Christopher, for stealing a horse, which recognizance became forfeited to the Commonwealth.

## CHAP. CXII.

*Governor's Message.* February 10th, 1818.

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives,*

The Secretary will lay before you a letter I have received from the Governor of the state of Tennessee, and sundry resolves of the legislature of that state.

I have at the same time to inform you that Brigadier General Edward Russell, who was elected by the two branches of the legislature on the fourth of the present month, a Major General to command the twelfth division of the militia of this Commonwealth, has declined to accept the appointment.

J. BROOKS.

*Council Chamber, February 10th, 1818.*

## CHAP. CXIII.

*Resolve confirming the doings of Jonathan Perkins, as a Coroner for Kennebec County.* February 11, 1818.

Whereas Jonathan Perkins, a Coroner of the county of Kennebec, has neglected to give bond as the law requires,

and yet has served divers writs and processes, and performed other official duties,

*Resolved, therefore,* That all writs and processes which have issued from good and lawful authority, directed to the Coroners of the county of Kennebec, and which have been served and executed by the said Jonathan Perkins, and all other official acts by him done, since he has been commissioned and sworn, shall be as good and valid as if he had given bond according to law, any law to the contrary notwithstanding: *Provided,* that nothing herein contained shall be construed to affect any action now pending for the neglect or omission of the said Jonathan Perkins, or impair his personal responsibilities for such omission or neglect.

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#### CHAP. CXIV.

*Resolve granting one hundred dollars for expenses of Penobscot Indians. February 11th, 1818.*

On the petition of the Penobscot tribe of Indians,

*Resolved,* That there be paid out of the public treasury of this Commonwealth, to Amasa Davis, Esquire, Quarter-Master General, one hundred dollars, to enable him to defray the necessary expenses of two of said tribe in travelling to, attending upon, and returning home from the General Court, where they have attended the present session, on business, he to be accountable for the same.

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#### CHAP. CXV.

*Resolve confirming the records, and doings of the town of Braintree. February 12th, 1818.*

On the petition of the town of Braintree, praying for the confirmation of the records and proceedings of said town, notwithstanding certain irregularities and neglects respecting the same;

*Resolved,* For reasons set forth in said petition, that the records and proceedings of said town be, and the same are hereby confirmed and made valid in law, to all intents and



purposes, the want of a proper record of the return of the Constables, who have warned their meetings from time to time, or any other irregularities or neglects respecting the same, notwithstanding.

**CHAP. CXVI.**

*Resolve confirming the records and doings of the First Parish in Braintree. February 12th, 1818.*

On the petition of the first parish in Braintree, praying for the confirmation of their records and proceedings, notwithstanding certain irregularities and neglects respecting them ;

*Resolved,* For reasons set forth in said petition, that the records and proceedings of said parish be, and the same are hereby confirmed and made valid in law, to all intents and purposes, the want of a proper record of the return of the Constables who have warned their meetings, from time to time, or any other irregularities or defects respecting the same, notwithstanding.

**CHAP. CXVII.**

*Resolve remitting Taxes to sundry places.  
February 13th, 1818.*

On the statement of the Treasurer of this Commonwealth, in relation to taxes appearing by his book to be due from sundry plantations and other places ;

*Resolved,* For reasons set forth in said statement, that the sum of seven dollars be remitted to the town of Lancaster, in the county of Worcester ; this sum appearing to be a balance due on a tax apportioned on said town in eighteen hundred and five, and has remained undischarged through error. Also, that the sum of thirty-eight dollars, sixty-six cents, be remitted to Little River Plantation, (as called) in the county of Lincoln, said sum having been apportioned on said plantation, in one thousand eight hundred and eight, being after said plantation was annexed to the

town of Lisbon. Also that the sum of seventy-one dollars and ninety-eight cents be remitted to a place called Collamore's Ridge, in the county of Lincoln aforesaid, being an apportionment set to said ridge, in eighteen hundred and twelve, and five succeeding years, although said place was annexed to, and under the jurisdiction of the town of Putnam, previous to said year of eighteen hundred and twelve. Also that the sum of sixty-nine dollars, thirty-two cents be remitted to Patrick Town Plantation, and is the amount of assessments laid on said place, in eighteen hundred and twelve, eighteen hundred and fifteen, eighteen hundred and sixteen, and eighteen hundred and seventeen; although resolves were passed in February, eighteen hundred and fourteen, and February, eighteen hundred and fifteen, remitting to this place such tax as was set to them in eighteen hundred and thirteen and eighteen hundred and fourteen; and excusing them from paying taxes or choosing plantation officers, until further order of the General Court. Also that the sum of twenty-four dollars be remitted to the inhabitants of Ervin's Grant, in the county of Franklin, this sum being assessed on said grant in eighteen hundred and fourteen, although this place was not, at this time, so organized, as to choose Assessors. Also that the sum of forty-eight dollars be remitted to the inhabitants living on the gore of land lying north of Florida, in the county of Berkshire; and said sum is the amount of taxes assessed on said inhabitants, for six years next preceding the year eighteen hundred and eighteen; and is remitted in consequence of there not being any Assessors appointed for this place, and the inability of said inhabitants in making payment.

*Also it is further resolved*, That the Honorable Daniel Sargent, Treasurer as aforesaid, be, and he hereby is empowered and directed to place to the credit of the aforesaid tax debtors, the several sums remitted to them respectively, in order that his books be closed agreeable to the tenor of this resolve.

## CHAP. CXVIII.

*Resolve on petition of Proprietors of Nantucket Academy.*  
February 13th, 1818.

Upon the petition of Roland Gelston and others, being a majority in number and value, of the proprietors of the Nantucket Academy, praying for the appointment of a Committee to settle and close the concerns of the said academy, the same having ceased to be in operation, according to the intent of the act of incorporation ;

*Resolved*, That Roland Gelston, physician, Robert Folger, Peter Chase, David U. Giles, and Thomas Hiller, merchants, and all of the Island of Nantucket, being five of the proprietors of said academy, or any three of them, be, and they hereby are authorized and empowered to make and execute a deed to the Commonwealth, conveying and releasing all right which the said proprietors of Nantucket Academy now have in their corporate capacity, to the one half of a township, which was granted to said academy in the act of incorporation, bearing date the third day of March, in the year of our Lord one thousand eight hundred and one, but which said half township has never been located or assigned to said proprietors. And the said Roland Gelston, Robert Folger, Peter Chase, David U. Giles, and Thomas Hiller, or any three of them, are hereby further authorized and empowered in the name and behalf of said corporation, to collect all debts due to the same, and to sell at public auction or private sale, at their discretion, all the property, real, personal or mixed, of the said corporation, and good and sufficient deed or deeds, thereof, to execute and deliver to the purchaser or purchasers of the same, according to law. And after paying all debts, and all the reasonable costs and charges attending said sale, and the settlement of said concerns, the net proceeds divide to, and among the proprietors and their representatives, according to their several and respective proportions of the same.

## CHAP. CXIX.

*Resolve appointing a Committee to revise the Criminal Code.*  
February 13th, 1818.

*Resolved*, That the Honorable Isaac Parker, Honorable Charles Jackson, and Honorable Daniel Davis, Esquires, be, and they hereby are appointed a Committee to revise the criminal code of this Commonwealth, to collate the several laws for the punishment of crimes and offences, into one act, with such alterations in the description and punishment of offences, as they may deem necessary, and to report the same to the next General Court, in the form of a bill, for the consideration of the Legislature.

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## CHAP. CXX.

*Resolve on a Report of the Commissioners of the Land Office.* February 13th, 1818.

Whereas the Penobscot tribe of Indians, in virtue of various resolves and doings of the government of Massachusetts, are in possession of a tract of land, extending on both sides the Penobscot River, the width of six miles, and up said river from the north line of the nine townships of land released by said tribe to this Commonwealth, by their deed of August eighth, one thousand seven hundred and ninety-six, an indefinite extent up said river, for special uses, but excluded from the right of cutting timber thereon; and they are in the continual exercise of acts of absolute ownership thereof, by selling and disposing of timber, to the great diminution of the value of the lands, and the exclusion of all settlements thereon, and no part thereof is cultivated for their use; the connexion which this tribe have with the aforesaid lands operates to prevent settlements on the adjoining lands of the Commonwealth, and presents a material obstacle to the sale and settlement of the public lands in that section of the District of Maine; and this tribe, notwithstanding the many advantages of hunting, fishing, and of cultivating their cleared ground on the fertile islands they own, by aid that hath been afforded by the government of

this Commonwealth, to instruct them in the arts of husbandry, with the addition of the regular payment of a considerable annuity for the lands by them released as aforesaid; are poor and destitute, as is abundantly proved by their frequent applications to the General Court for relief. To provide for the more comfortable support of said tribe of Indians, and a more advantageous accommodation for the surplus population of the old towns in Massachusetts, by settling on this valuable territory, than can be found elsewhere; and the said tribe having, by their petition to the Legislature, in the present session, manifested a desire to release their claims to ten townships of said land to the Commonwealth; it has become the duty of the Legislature at this time, to provide for extinguishing their claim to a proportion of the aforesaid lands; and it being consonant to usage, and the expectation of all Indian tribes, and the peculiar desire of this Legislature, that all business transactions with the said tribe of Indians shall be conducted in an open, public and deliberate manner, with a view to their benefit, by giving them an equivalent for whatever rights they may relinquish, in articles of substantial use and benefit to them, and in providing means to improve their habits and condition in life, in a manner satisfactory to themselves, and advantageous to the Commonwealth; Therefore,

*Resolved,* That his Excellency the Governor, with advice of Council, be, and he hereby is authorized and empowered to appoint and commission three suitable persons, to treat with the Penobscot tribe of Indians, at Bangor, on the last Wednesday of June next, and at such other times and places as shall be mutually agreed upon, for the purpose of examining into the circumstances and situation of the said tribe of Indians, and the lands they possess; and devising and arranging some means, for improving their conditions as men, and of agreeing with them for a relinquishment of their right and claim to such parts of the land on both sides the Penobscot River, and such islands in said river, as the tribe now possess or claim, and shall be inclined voluntarily and freely to dispose of, for an equivalent to be agreed upon with them; payment not exceeding five hundred dollars in cash, and the residue annually, at said river, in articles of necessary use for their support, and in providing means for the improvement of the temporal condition of said tribe, with power and authority

to receive from said tribe, to the use of the Commonwealth, deeds of conveyance and release of all such lands, and to execute to them in behalf of the Commonwealth, any deeds, contracts and covenants that may be necessary to the full execution of the powers and duties of their appointment ; and said Commissioners are further authorized and empowered to agree with said tribe of Indians, as to the future possession of any lands on or near said river, and to determine the tenure by which they shall hold and use the same, and to agree upon and fix the bounds and extent thereof.

*And be it further resolved,* That there be paid out of the public treasury to said Commissioners the sum of six hundred dollars, to enable them to perform the duties hereby assigned them, they to be accountable to the General Court for the same within one year ; and the Quarter-Master General is hereby directed to provide said Commissioners with such articles as they shall require of him, to enable them to pursue and effect the business of their appointment.

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## CHAP. CXXI.

*Resolve on the petition of Benjamin Frye.*  
February 14th, 1818.

*Resolved,* For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, unto Benjamin Frye, of Kittery, the sum of forty-four dollars, in full for medicine, attendance, board and nursing, while called out to do military duty in the detached militia, in the year one thousand eight hundred and fourteen.

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## CHAP. CXXII.

*Resolve on the memorial of Honorable Joseph Allen.*  
February 14th, 1818.

*Resolved,* That the Honorable Joseph Allen, of Worcester be, and he hereby is appointed the Agent of this Commonwealth, with authority to sell and convey, by good and sufficient deed or deeds, all the right, title and interest the

510 K. WHITMAN.—W. LEWIS.—*Feb. 17, 1818.*

Commonwealth has, by virtue of mortgage deeds made and executed by Henry Prentice and Bartholomew Cheever, both of Princeton, in the county of Worcester, and to certain lands described in said deeds, with full power to lease the said lands, until the same can be sold ; the said Agent to sell or lease the same together, or in parcels, as shall, in his judgment, be most beneficial to the Commonwealth ; and in case of sale of all or any of said lands, the said Agent is hereby authorized to accept one tenth part of the purchase money at the time of sale, and the residue to be payable at such time as he may agree with the purchaser, or purchasers, not exceeding three years from the time of sale, with lawful interest thereon, to be secured by mortgage, or in such other way as the said Agent may consider best for the interest of this Commonwealth ; the said Agent to account with the Treasurer of this Commonwealth, for the time being, for the proceeds of any sale or lease which he may make of the lands aforesaid, or any part thereof, after deducting his account of expenses attending the same ; which account the said Treasurer is hereby authorized to audit and settle with the said Agent, on behalf of this Commonwealth.

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#### CHAP. CXXIII.

*Resolve granting compensation to Kilborn Whitman, Esquire, for services and expenses, as Agent of the Commonwealth. February 16th, 1818.*

*Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to Kilborn Whitman, Esquire, one hundred and fifteen dollars and twenty-five cents, in full for his services and expenses, as Agent for this Commonwealth, under the resolve of June eleventh, A. D. one thousand eight hundred and seventeen.*

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#### CHAP. CXXIV.

*Resolve on petition of Winslow Lewis and others.  
February 17th, 1818.*

*Resolved, That the volunteer company of Sea Fencibles,*

raised under the resolve of the sixth day of June, one thousand eight hundred and seventeen, shall consist of those who are or have been, or may hereafter be masters, mates or supercargoes of vessels; *provided* that the number who have been only supercargoes, shall never exceed one eighth of the whole company.

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CHAP. CXXV.

*Resolve to suspend the prosecution of the sureties of John McMillan, late Sheriff of Oxford. February 17th, 1818.*

On the petition of Daniel Clement and Henry Y. B. Osgood, two of the sureties of John McMillan, late Sheriff of the county of Oxford, now deceased, representing that the estate of said McMillan appears to be insolvent and is unsettled, and praying that they may be indulged with a delay of payment of the sum which the sureties of the said Sheriff are holden to pay for him, to this Commonwealth :

*Resolved,* For reasons set forth in said petition, that the sureties of John McMillan, late Sheriff of the county of Oxford, be allowed until the third Wednesday of the second session of the next General Court of this Commonwealth, to pay the sum which they are holden to pay, as sureties of the said Sheriff; and that the Treasurer of this Commonwealth be, and he is hereby directed to suspend the prosecution of the sureties of said Sheriff accordingly.

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CHAP. CXXVI.

*Resolve on petition of George Reed. February 17th, 1818.*

*Resolved,* For reasons set forth in said petition, that forty dollars be granted and paid out of the public treasury to the said George Reed, from the money which the Commonwealth has received from the forfeiture of the recognizance of Aaron Whitney, wherein he was bound to appear at the Municipal Court for the town of Boston; and his Excellency the Governor is requested to issue a warrant on the Treasurer for the payment thereof accordingly.



CHAP. CXXVII.

*Resolve confirming the doings of the town of Cornville.*  
February 17th, 1818.

On the petition of the Selectmen of Cornville,  
*Resolved*, For the reasons set forth in the said petition, that the doings of the said town of Cornville be, and they are hereby confirmed and made valid, the omission of the recording the warrants for calling town meetings, the omission of the seals, and the attestation of the Town Clerks, and swearing the town officers, and being in some instances informal and illegal, notwithstanding : *Provided however*, that nothing shall be hereby understood or extend to affect any action or cause now pending before any Justice of the Peace, or in any Judicial Court.

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CHAP. CXXVIII.

*Governor's Message.* February 17th, 1818.

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

The Secretary will lay before you, two letters from the Governor of the state of Vermont, dated the twenty-fourth of January last; one of them relating to an amendment of the Constitution of the United States, proposed by this state. The other relating to an amendment of the Constitution of the United States, proposed by the state of Kentucky; together with sundry resolves of the Legislature of Vermont upon those subjects.

J. BROOKS.

*Council Chamber, February 17th, 1818.*

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CHAP. CXXIX.

*Resolve directing the conveyance of Eastern Lands.*  
February 17th, 1818.

On the representation of the Commissioners of the Land Office,

*Resolved*, That said Commissioners be, and hereby are authorized, on the terms and conditions expressed in an act for promoting the sale and settlement of the public lands in the District of Maine, to convey to any applicants, not exceeding fifteen in number, who shall within one year from the date hereof, undertake and commence a settlement on the public lands, adjoining the new road from Kennebec towards Canada, and bounding on or near Moose River, each one hundred acres; and the like quantity to a like number, who shall within that time, undertake and commence a settlement on said lands, on some central situation, to be determined upon by said Commissioners, between the rivers Penobscot and St. John's, to be laid out in lots contiguous to each other, or otherwise, as said Commissioners shall judge best calculated to promote the settlement of the public lands in the District of Maine, any provisions of law to the contrary notwithstanding.

*And be it further resolved*, That there be, and hereby is granted the sum of five hundred dollars, to be paid out of the public treasury, to the Commissioners of the Land Office, to be laid out and expended under their direction, to erect a saw mill, forty-five feet in length, and eighteen in width, with a grist mill under, or adjoining the same, on Hale's Stream, (so called) as near as may be to Moose River; *provided*, persons of sufficient responsibility, in the opinion of said Commissioners, shall undertake to build the necessary dams, and complete said mills fit for use, within two years, receiving the benefit of this appropriation. And when the same shall be completed, said Commissioners are hereby authorized to convey to the party performing the same, fifty acres of land contiguous to said mills, and including in the deed thereof, one half the stream and privilege necessary to said mills; and the use and improvement of said mills shall exclusively belong to the party building the same.

*And be it further resolved*, That whereas the appropriation made by a resolve of the thirteenth of June last, for the purpose of opening a road from the Penobscot River to the public grants on the eastern line of this Commonwealth, is found to be insufficient, and the public interest requires that the same be pursued to the full extent contemplated by said resolve, that said Commissioners be, and they hereby are authorized to apply any monies that may come into

their hands from the sale of lands or timber, to the objects and duties pointed out by said resolve, not exceeding three thousand dollars, and render an account of the application and expenditure of the same to the General Court, at the session next to be holden after any such expenditure.

*And be it further resolved,* That said Commissioners be, and they hereby are authorized and directed, in the most economical manner that is practicable, to cause to be opened and made, a road through the several tracts of land belonging to the Commonwealth, adjoining the east side of Penobscot River, and south of the Passadumky Stream, of such dimensions as said Commissioners shall judge will best promote the sale and settlement of those lands, from the proceeds of any lands which they may sell within the nine townships of land on Penobscot river, the sale of which was authorized by another resolve of the thirteenth of June last ; *provided* that such expenditure does not exceed the sum of two hundred dollars per mile.

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## CHAP. CXXX.

*Resolve for copying Old Colony Records.*  
February 17th, 1818.

THE Committee of Senate, to whom was referred an order respecting the records of the Old Colony, and a report of a former Committee thereon, have had the same under consideration, and report, that upon inquiry, they find that the records, files and other documents of the Colony of Plymouth, were, upon the union of that Colony with the province of Massachusetts Bay, left in the Colony. Your Committee have not been able to find what arrangement was made respecting them by the Colony before the union, or by the Province afterwards ; but the same remain, and are now deposited in the office of the Registry of Deeds, in the county of Plymouth ; and this Committee have not been able to learn what part of said records, or what portion of the said files and documents are valuable or may be useful, to the legislator, the historian, or the antiquarian ; that it will not be proper to proceed to transcribe said records, or any part of them, until a previous examination has been made, and the General Court fully informed how far

the Commonwealth are interested therein, or how far it may be useful to remove the collection to the Secretary's Office, that more convenient access may be had to them, by all persons, or how far it may be useful to multiply copies by transcribing or printing the whole records, or any part of them. That the General Court may obtain that information, the Committee ask leave to submit the following resolution.

SAMUEL DANA, *Chairman.*

*Resolved*, That James Freeman, D.D. Benjamin R. Nichols, Esquire, of Salem, and Mr. Samuel Davis, of Plymouth, or any one or more of them, be, and they are hereby authorized and empowered to examine the said records, files and documents, and if they shall find the same of right belonging to the Commonwealth, they shall have power to take the same into their custody, for the purpose of a full examination; and they are requested to report how far, in their opinion, it may be proper to have the same deposited in the archives of the Secretary of the State, for the use of legislators, historians, and antiquarians, and how far it may be useful to multiply copies of the whole or any parts of them, for the use of all the people: and they are requested to report an estimate of the expense of printing such part as they may find it is proper to have printed. And they are further requested to make a full report in the premises, at the first session of the next General Court, and to lay their accounts for their expense and services before the Committee on Accounts, for allowance.

*Resolved*, That the Secretary of the Commonwealth be, and he hereby is directed to deliver a copy of this resolution to any member of the said Committee, as soon as may be.

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## CHAP. CXXXI.

*Resolve making further allowance to Jacob Kuhn, Messenger.* February 17th, 1818.

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

CHAP. CXXXII.

*Resolve to confirm the records of the town of Kingfield.*  
February 17th, 1818.

On the petition of the Selectmen of Kingfield,

*Resolved*, For reasons set forth in the said petition, that the proceedings and records of Plantation Number Three, west side of Kennebec River, first range of townships, now Kingfield, be, and hereby are confirmed, and made valid, any defect or omission in their records notwithstanding.

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CHAP. CXXXIII.

*Resolve to confirm the records of the town of Solon.*  
February 17th, 1818.

On the petition of the town of Solon,

*Resolved*, For reasons set forth in said petition, that the records of the town of Solon be, and hereby are confirmed and made valid, the omission of recording the oaths of the town officers notwithstanding.

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CHAP. CXXXIV.

*Resolve on the petition of D. Cobb.* February 17th, 1818.

THE joint Committee of both Houses, on the memorial of David Cobb, Esquire, Agent to the Trustees of the estate of the late William Bingham, Esquire, having attended to the memorial, heard the statements of the memorialist, and examined the tax acts since the last valuation, find, that the five million acres sold to said William Bingham, on Kennebec River, has been taxed to the state, as follows :

For 1812, - - - - - \$145 33

From which ought to be deducted	}	13 50—Leaves \$131 83
the proportion of said tax assessed		
on four and a half townships sold		
including the town of Kingsfield,		

For 1813, - - - - -	145 33		
Deduct tax on Kingsfield, and land sold as above, - - - - -	16 50	—Leaves	128 83
For 1814, - - - - -	197 33		
Deduct as above, - - - - -	23 33	—Leaves	174 00
For 1815, - - - - -	197 33		
Deduct as above, - - - - -	23 33	—Leaves	174 00
For 1816, - - - - -	197 33		
Deduct as above, - - - - -	23 33	—Leaves	174 00
For 1817, - - - - -	197 33		
Deduct as above, - - - - -	23 33	—Leaves	174 00
Amount of taxes for said years, on the part of said } million acres, in the care of said agent,			\$956 66

That the taxes on the one million acres sold to said William Bingham, in the counties of Hancock and Washington, are as follows, viz.: in Hancock County,

For 1812, - - - - -	54 52		
Deduct tax on No. 10, adjoining Steuben, 2 townships, - - - - -	18	—Leaves	\$52 34
For 1813, including Representatives pay, - - - - -	68 15		
Deduct for tax on No. 10, on Maria-ville, and land sold, amounting to seven } townships, - - - - -	19 11	—Leaves	49 04
For 1814, - - - - -	66 67		
Deduct as above, - - - - -	18 34	—Leaves	48 33
For 1815, - - - - -	66 67		
Deduct as above, - - - - -	18 34	—Leaves	48 33
For 1816, - - - - -	66 67		
Deduct as above, - - - - -	18 34	—Leaves	48 33
For 1817, - - - - -	66 67		
Deduct as above, - - - - -	18 34	—Leaves	48 33

Amount of taxes for six years, on lands sold to William Bingham, in county of Hancock, and remaining with the Trustee, } \$294 70

That the taxes on that part of said million acres in Washington County, viz.:

For 1812, - - - - -	\$48 53		
Deduct for one and three quarter } townships, sold, - - - - -	3 50	—Leaves	45 03
For 1813, including Representatives pay, - - - - -	60 61		
Deduct as above, - - - - -	4 22	—Leaves	55 39
For 1814, - - - - -	48 00		
Deduct as above, - - - - -	3 50	—Leaves	44 50

For 1815, - - - - -	48 00		
Deduct as above, - - - - -	3 50—Leaves	44 50	
For 1816, - - - - -	48 00		
Deduct as above, - - - - -	3 50—Leaves	44 50	
For 1817, - - - - -	48 00		
Deduct as above, - - - - -	3 50—Leaves	44 50	

Amount of taxes on lands, sold to William Bingham,  
in Washington County, after deducting those on } \$278 42  
lands sold,

Whole amount of taxes, for six years, assessed on lands  
sold to William Bingham, on Kennebec River, \$1079 98

Deduct for tax assessed on Kingsfield,  
and on land sold, - - - - - \$123 32

Balance of taxes remaining on land,  
in hands of Trustee, - - - - - 956 66— \$1079 98

Whole amount of taxes, for six years, assessed on lands  
sold to William Bingham, in Hancock County, \$389 35

Deduct for taxes on Mariaville, and  
lands sold, - - - - - \$94 65

Balance of tax remaining on lands in  
hands of Trustee, - - - - - 294 70— \$389 35

Whole amount of taxes, for six years, assessed on lands  
sold to William Bingham, in Washington County, \$301 14

Deduct taxes on land sold, - - - - - \$22 72

Balance of taxes on lands remaining in  
hands of Trustee, - - - - - 278 42— \$301 14

Total amount of Taxes assessed, - - - - - \$1770 47

Total amount of deductions, - - - - - 240 69

Total of balance due from Trustee of said lands, \$1529 78

The Committee are aware that the foregoing statement is not perfectly correct, and the lands sold to said William Bingham are so connected with lands belonging to the adventurers in the late land lottery, and with towns incorporated, and plantations which are separately taxed, although within the limits, and a part of the said two million acres, that it is not easy, if practicable, to make a correct division of the taxes already assessed.

A large proportion of the deductions made in the foregoing statement, will be received (if they have not already been paid) by towns and plantations, on which they were

assessed ; and were not deducted from the sums assessed on the lands sold to said William Bingham. The Committee therefore ask leave to report the following resolve, which is respectfully submitted.

ISRAEL BARTLETT, *Per Order.*

*Resolved*, That upon the payment of nine hundred and fifty-six dollars and sixty-six cents, into the treasury of this Commonwealth, by the Agent or Trustee of the lands sold to William Bingham upon Kennebec River, now in the county of Somerset, the Treasurer shall give a receipt therefor, in full of all taxes assessed by the government to the state taxes and Representatives' pay for the years eighteen hundred and twelve, thirteen, fourteen, fifteen, sixteen and seventeen, on said lands.

*Resolved*, That upon the payment of two hundred and ninety-four dollars and seventy cents, into the treasury of this Commonwealth, by the Agent or Trustee of the lands sold to William Bingham in the county of Hancock, the Treasurer shall give a receipt therefor, in full of all taxes assessed by the government to the state taxes and Representatives' pay for said years, on the said lands.

*Resolved*, That upon the payment of two hundred and seventy-eight dollars and forty-two cents, into the treasury of this Commonwealth, by the Agent or Trustee of the lands sold to William Bingham, in the county of Washington, the Treasurer shall give a receipt therefor in full of taxes assessed by the government to the state taxes and Representatives' pay for said years, on said lands.

*Resolved*, That if the said Agent, or Trustee, shall neglect to pay into the treasury of this Commonwealth, the several sums aforesaid, amounting to fifteen hundred and twenty-nine dollars and twenty-eight cents, on or before the first day of June next, then the Treasurer of said Commonwealth shall proceed to collect the same in the way and manner prescribed by law.

*Resolved*, That until a new valuation shall be made, the Agent or Trustee of the lands sold to said William Bingham, on Kennebec River, on paying into the treasury one hundred and seventy-four dollars annually, (should the state tax be the same as has been assessed for four years past) and in that proportion on a greater or less sum, deducting therefrom such proportion thereof as should be assessed on



the towns of North Hill, Bingham and Moscow, and on other towns that may be incorporated, or plantations that may be assessed, lying within the lands sold to said William Bingham, the Treasurer shall give a receipt for the same, in full of all state taxes on said lands.

*Resolved*, That until a new valuation shall be made, the said Agent or Trustee paying into the treasury, annually, sixty-six dollars and sixty-seven cents, so long as the state tax shall be continued for the same sum as for four years past, deducting therefrom the proportion of said sum which may be assessed on any town that may be incorporated, and any plantation that may be assessed separately, within the lands sold to said William Bingham, in the county of Hancock, the Treasurer shall receipt therefor in full for said lands.

*Resolved*, That until a new valuation shall be made, the said Agent or Trustee paying into the treasury, annually, forty-eight dollars, so long as the state tax shall be continued the same as for four years past, on the lands sold to said William Bingham, in the county of Washington, deducting therefrom such proportion of said sum as may be assessed on any towns that may be incorporated, or plantation separately assessed within said lands, the Treasurer shall give a receipt in full for all state taxes so assessed.

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#### CHAP. CXXXV.

*Resolve altering the time for paying in the instalments of the Capital Stock of the Boston Merchants' Bank.*

February 17th, 1818.

*Resolved*, That the President, Directors and Company of the Boston Merchants' Bank be, and they hereby are authorized and empowered to pay in their first instalment of one fourth part of their capital stock on the fifteenth day of June next, instead of the fifteenth day of April, and their other instalments at three equal intervals of three months each, from the period of their first issuing bank notes, any thing in the act by which said President, Directors and Company were incorporated to the contrary, notwithstanding.

## REMOVAL OF PRISONERS.—Feb. 18, 1818. 521

### CHAP. CXXXVI.

*Resolve for moving prisoners from Castine to Bangor.*

February 18th, 1818.

*Resolved*, That the Sheriff of the county of Penobscot, or either of his Deputies, be, and they are hereby authorized to remove all such persons as are confined in the gaol at Castine, in the county of Hancock, for debt, who belong to, or have their home within the said county of Penobscot, and to commit such persons to the gaol at Bangor, in said county of Penobscot, the expense of such removal and re-commitment to be paid by the persons so removed and re-committed. And the keeper of the gaol at Castine, is hereby authorized and directed to deliver such persons, together with the copies of the precepts, whereon they are committed, to the said Sheriff or Deputy of said county of Penobscot, who shall apply for the same. And all the rights and privileges of the creditors and debtors, interested in such removal and re-commitment, shall be and continue the same as if the said debtors had been originally committed to gaol in Bangor, aforesaid: *Provided however*, that no person, so removed, shall be enlarged from confinement within the gaol at Bangor, aforesaid, until new bonds, as the law requires, be executed for his liberation, within the debtors' limits of the gaol yard of said county of Penobscot.

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### CHAP. CXXXVII.

*Resolve on account of the Quarter-Master General.*

February 18th, 1818.

The Committee of both Houses, to whom was referred the Quarter-Master General's communication relating to the expenditures in his department, have attended to the duties of their appointment, and find his account well vouched and right cast, and that he has expended the year past, the sum of nineteen thousand nine hundred and seventy-nine dollars, sixty-six cents, including seventeen hundred dollars for his salary for the year ending January seventeenth, one thousand eight hundred and eighteen, and has received the year past, by warrants on the treasury, including a balance

due the Commonwealth at the settlement of the last annual account, of fourteen hundred and three dollars and eighty-two cents, the sum of seventeen thousand nine hundred and sixty-five dollars and twenty-one cents, leaving a balance of two thousand and fourteen dollars and forty-five cents, due the Quarter-Master General, ask leave to report the following resolves. Which is respectfully submitted :

*Resolved*, That Amasa Davis, Quarter-Master General, be, and he hereby is discharged from the sum of seventeen thousand nine hundred and sixty-five dollars and twenty-one cents, being the amount he has received the year past, by warrants on the treasury.

*Resolved*, That the sum of two thousand and fourteen dollars and forty-five cents, be paid the said Amasa Davis from the treasury of the Commonwealth, as the balance of his account for money expended in his department the past year, including one thousand seven hundred dollars for his salary for one year, ending January seventeenth, one thousand eight hundred and eighteen.

*Resolved*, That the sum of eleven thousand seven hundred and fifty dollars be paid the Quarter-Master General from the treasury of this Commonwealth, to meet the expenses of his department the ensuing year, for the application of which said Quarter-Master General is to be accountable ; and his Excellency the Governor is requested to issue his warrants on the treasury for the amount, in such sums and at such periods, as his Excellency, with the advice of Council, may deem expedient for the public service.

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#### CHAP. CXXXVIII.

*Resolve authorizing the Commissioners of the Land Office to settle with Seth Spring and others.*

February 20th, 1818.

*Resolved*, That the Commissioners of the Land Office be, and they hereby are authorized to settle with Seth Spring, Andrew M. Spring and John Spring, and to pay them the amount of all such sums of money as they have paid into the treasury of the Commonwealth, as a consideration for a deed of the overplus land in the town of Baldwin, with law-

ful interest thereon, from the time of such payment; *provided* that the said Seth, Andrew M. and John, shall make and execute to the Commonwealth such release, acquittance and discharge, as the said Commissioners shall prescribe.

*Resolved*, That his Excellency the Governor be, and he hereby is authorized to draw his warrant on the Treasurer of the Commonwealth in favor of the said Commissioners, for such sum of money as they shall require to enable them to carry the foregoing resolve into effect.

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#### CHAP. CXXXIX.

*Resolve on petition of the inhabitants of Canaan.*  
February 21st, 1818.

On the petition of John Wyman, in behalf of the inhabitants of the town of Canaan,

*Resolved*, For the reasons set forth in the said petition, that the payment of the balance of the state tax, due from the said town of Canaan, for the year eighteen hundred and fifteen, be, and hereby is extended until the first day of June next.

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#### CHAP. CXL.

*Resolve on petition of William Stone.*  
February 21st, 1818.

On the petition of William Stone, of Dana, in the county of Worcester, representing that he was surety for the appearance of John B. Stone at the term of the Supreme Judicial Court holden at Worcester on the second Tuesday of April, A. D. one thousand eight hundred and sixteen, to answer to what might be alleged against him in behalf of the Commonwealth, more particularly to a charge of passing certain counterfeit bank bills; and that the said John B. Stone failed to appear at said Court, but together with the said William Stone was defaulted upon the recognizance for his appearance as aforesaid; that the said John B.

Stone, at a subsequent term of said Court voluntarily surrendered himself into the custody of law, was arraigned, convicted and sentenced to one year's confinement in the State Prison, which sentence he has since undergone; that judgment has been recovered, upon *scire facias*, against the said William Stone, in behalf of the Commonwealth, for the sum of fifty dollars (in which sum he was bound for the appearance of the said John B. Stone) and costs, and that a warrant of distress has been issued against him, upon which he has been committed to the prison in Worcester, and remains in close confinement; and farther representing that he is altogether destitute of property, and unable to satisfy any part of said judgment; and that his family are dependent for support upon the labor of his hands; Therefore,

*Resolved*, For reasons set forth in said petition, that William Stone, now confined in prison in Worcester, in the county of Worcester, who was committed upon a warrant of distress, issued upon a judgment recovered against him by the Commonwealth, for a default on his recognizance for the appearance of John B. Stone at the term of the Supreme Judicial Court holden at Worcester, aforesaid, in April one thousand eight hundred and sixteen, be, and he is hereby fully released and discharged from the judgment aforesaid, and all costs arising thereon; and that the keeper of the prison aforesaid be, and he is hereby authorized to discharge the said William Stone from his custody; *provided* he is not detained in prison for any other cause than the one before mentioned.

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## CHAP. CXLI.

*Resolve granting compensation to the Committee for revising the Probate laws.* February 21st, 1818.

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth to the Honorable Thomas Dawes, the sum of forty dollars; to the Honorable Nathan Dane, the sum of seventy-two dollars and fifty cents; and to the Honorable John Pickering, the sum of one hundred and sixty-five dollars, in full for their respective services in revising the Probate laws.

CHAP. CXLII.

*Resolve authorizing David Townsend to sell certain real estate. February 21st, 1818.*

On the petition of David Townsend, of Waltham, in the county of Middlesex, Esquire, Guardian of Abraham Pierce, of said Waltham, a spendthrift ;

*Resolved*, That for the reasons and purposes stated in said petition, the said David Townsend, as such Guardian, be, and he hereby is fully authorized and empowered to sell at public auction, all and singular the parcels of said spendthrift's real estate, in said petition mentioned and described, and to execute a deed or deeds for the conveyance thereof ; and that Mary Pierce, the wife of said spendthrift, be, and she hereby is fully authorized and empowered, by joining with said Guardian, in said deed or deeds, effectually to all intents and purposes, to relinquish, extinguish and release, all her right and title to dower in said real estate, or any part or parcel thereof, and that the proceeds of the sale shall be applied, in the first place, to the payment of said spendthrift's just debts, and to the necessary support and maintenance of him and his family ; and the surplus, if any, to be accounted for and disposed of, according to law ; the said Guardian, previous to the sale, giving bonds to the Judge of Probate in and for the county of Middlesex, in making said sale, to observe the rules and directions of law, relative to the sale of real estate by Guardians, and to account for and apply the proceeds of said sale to the purposes aforesaid, and taking the oath by law in such case required.

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CHAP. CXLIII.

*Resolve granting compensation to Commissioners of the Land Office. February 21st, 1818.*

Whereas, by an act passed the fifteenth day of February, one thousand eight hundred and sixteen, for promoting the sale and settlement of the public lands in the District of Maine, it was provided, among other things, that three Com-

missioners and a Surveyor General should be appointed by his Excellency the Governor, by advice of Council, to carry the provisions of said act into full and complete effect.

And whereas, the duties and services to be performed, as contemplated in said act, by the said Commissioners and Surveyor General, will require their undivided attention, and the most persevering diligence : Therefore,

*Resolved*, That there be annually allowed and paid out of the treasury of this Commonwealth, in semi-annual payments, unto the Honorable Edward H. Robbins, and Lothrop Lewis, and Joseph Lee, Esquire, Commissioners as aforesaid, each, the sum of eleven hundred dollars, to commence from the time they entered on the duties of their office, during their continuance in the same ; and that there be allowed and paid unto the said Lothrop Lewis, (who is also appointed Surveyor General) the further sum of four hundred dollars, in semi-annual payments, over and above his pay as Commissioner, said allowance to commence and terminate as aforesaid ; which several sums are to be considered a full compensation for the services of the said Commissioners and Surveyor General respectively.

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#### CHAP. CXLIV.

*Resolve on petition of Samuel P. P. Fay.*

February 23d, 1818.

On the petition of Samuel P. P. Fay, of Cambridge, in the county of Middlesex, Esquire,

*Resolved*, That the said Fay, as he is Administrator, with the will annexed, of the estate of Artenatus Moore, late of said Cambridge, deceased, be, and he is hereby empowered to convey by deed to Seth Hastings, his heirs or assigns, an undivided sixth part of five acres of land lying in said Cambridge, which descended to said Artenatus from his mother, and which had been conveyed by his late father Josiah Moore, deceased, while in possession thereof, as tenant by the curtesy, to said Hastings in fee, his said mother not having joined in said conveyance ; the said Fay to receive the value of said land from the Administrator of said Josiah, and to account for the same as part of the personal

estate of said Artenatus, according to law; and that such deed, duly acknowledged and recorded, shall be valid and effectual, to all intents and purposes.

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## CHAP. CXLV.

*Resolve authorizing a Tax for the county of Suffolk.*  
February 23d, 1818.

Whereas the Treasurer of the county of Suffolk has laid his account before the Legislature, which account has been examined and allowed; and whereas the Clerk of the Court of Sessions for said county, has exhibited an estimate made by said Court, of the necessary charges which may arise within the said county, for the year ensuing, and the sums necessary to discharge the debts of said county;

*Resolved*, That the sum of twenty-two thousand dollars be, and the same is hereby granted as a tax for said county of Suffolk; to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

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## CHAP. CXLVI.

*Resolve on the petition of Ebenezer Weston and others.*  
February 23d, 1818.

*Resolved*, That the Quarter-Master General be, and he hereby is authorized and directed to furnish Ebenezer Weston, Alexander Savage, William Rice, Joshua Treat, William Holyoke, John Treat, Timothy Crosby, junior, and David Brewer, from the arsenal of the Commonwealth, with muskets and accoutrements, in lieu of those lost by them at Bangor, in September, one thousand eight hundred and fourteen, conformably to the report of the said Quarter-Master General, this day read and accepted.



## CHAP. CXLVII.

*Resolve that the Quarter-Master General notify the town of Frankfort to return Muskets.*

February 23d, 1818.

*Resolved,* That the Quarter-Master General be, and he hereby is directed to notify the town of Frankfort to return to the arsenal of this Commonwealth, four muskets and bayonets, and all the accoutrements which they may now have in possession, the property of this Commonwealth; and that upon said return, the said town be, and hereby is declared exonerated from any further demand for, or on account of muskets and accoutrements heretofore loaned to said town by the Commonwealth.

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## CHAP. CXLVIII.

*Resolve authorizing Stephen Codman, as Executor of John Codman, to execute a deed.* February 23d, 1818.

On the petition of Ephraim Weston, of Fryeburg, in the county of Oxford, setting forth that John Codman, Esquire, late of Boston, now deceased, on the twenty-second day of May, in the year of our Lord eighteen hundred, by his writing obligatory, under his hand and seal of that date, for the consideration of the sum of seventy-five dollars thirty-three cents, paid by the said Weston's son, Edward Weston, of said Fryeburg, covenanted and agreed with the said Ephraim Weston to execute to him or his assigns a deed of one hundred acres more or less of woodland, then owned by the said John Codman, and situated in Brownfield, now in said Fryeburg, as described in said petition, and praying that Stephen Codman, of Boston, in the county of Suffolk, Esquire, Executor of the last will and testament of the said John Codman, may be authorized to make and execute a good and valid deed to the said Ephraim Weston, or to the said Edward Weston, of sixty-eight acres and fifty-three square rods of said land;

*Resolved,* For reasons set forth in said petition, that the said Stephen Codman, as he is Executor of the last will

and testament of the said John Codman, deceased, be, and he is hereby authorized and empowered to make, execute and deliver to the said Edward Weston, of said Fryeburg, a good and sufficient deed of sixty-eight acres and fifty-three square rods of land, situate formerly in Brownfield, now in said Fryeburg, formerly owned and sold by Henry Young Brown, Esquire, to the said John Codman, and being part of the estate of the said John Codman, now deceased, and bounded as follows, to wit: beginning at Leverwood-tree, being the north-westerly corner of said land; from thence running south fifteen degrees east, one hundred and thirty-four rods, to a stake and stones; from thence north seventy-five degrees east, ninety rods, to a white oak tree, marked for a corner; from thence north twenty-two degrees west, one hundred and thirty-eight rods to a stake and stones; from thence south seventy-five degrees west, to the first named corner; and the deed of sixty-eight acres, and fifty-three square rods of land, so made and executed by the said Stephen Codman, as Executor of the said John Codman, either to the said Ephraim Weston, or to said Edward Weston, shall be good and valid in law, to convey all the rights and interest of the heirs at law, or devisees of the said John Codman to the grantee, who shall receive a deed of the same from the said Stephen Codman, under the authority and power hereby granted.

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## CHAP. CXLIX.

*Resolve authorizing the Adjutant General to certify copies of the Records of Courts Martial. February 24th, 1818.*

*Resolved, That the Adjutant General be, and he hereby is authorized to certify the copies of all records of Courts Martial deposited in his office, by a resolve of the Legislature, passed December fourteenth, one thousand eight hundred and sixteen, in the same manner and form, and to the same effect to all intents and purposes as the Secretary of State is authorized, in and by an act, entitled "An act for regulating, governing and training the militia of this Commonwealth."*

CHAP. CL.

*Resolve on the petition of William Thompson, granting him three hundred dollars. February 24th, 1818.*

*Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to William Thompson, three hundred dollars, as full compensation for his services in adjusting the books and papers of the State Prison, and the Governor be hereby authorized to draw his warrant for the same ; provided the same shall be received by him in full satisfaction of all services rendered.*

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CHAP. CLI.

*Resolve to pay Clerks, &c. February 24th, 1818.*

*Resolved, That there be paid out of the treasury of this Commonwealth, to Samuel F. McCleary, Clerk of the Senate, and to Benjamin Pollard, Clerk of the House of Representatives, the sum of four hundred dollars each ; and to John B. McCleary, assistant Clerk of the Senate, and to Henry Codman, assistant Clerk of the House of Representatives, the sum of three hundred dollars each ; and to Thomas Walcut, a Clerk in the lobbies, for the assistance of the members of the Legislature, the sum of one hundred and twenty-five dollars, in full for their respective services in their capacity aforesaid, the present session of the General Court.*

*Also to the Reverend Francis Parkman, Chaplain of the Senate, and to the Reverend Daniel Sharp, Chaplain of the House of Representatives, the sum of sixty dollars each, in full for their services in said offices the present year.*

*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 the Committee on Accounts, for the present session, one dollar per day each, over and above their pay as members, viz. to the*

PAY OF COM. LAND OFFICE.—Feb. 24, 1818. 531

Hon. Oliver Crosby, forty-one days, forty-one dollars.  
Samuel Porter, forty-one days, forty-one dollars.  
Thomas Hale, forty-one days, forty-one dollars.  
Alfred Richardson, forty-one days, forty-one dollars.  
Hugo Burghardt, thirty-three days, thirty-three dollars.

Also that there be paid as aforesaid, to Joseph Foster, a Clerk in the treasurer's office, the sum of one hundred dollars and ninety-six cents, in full for extra services, to the thirty-first day of May next, in addition to his established salary.

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CHAP. CLII.

*Resolve granting five hundred dollars to Orangetown Plantation, or Number Twelve, in the county of Washington.*  
February 24th, 1814.

Whereas a resolve passed the third instant, granting five hundred dollars, to be applied to the making a road through Plantation Number Twelve, or Orangetown, in the county of Washington, to be laid out and expended under the direction of the Commissioners of the Land Office, which sum is made payable to the inhabitants of said plantation, and may operate inconveniently ;

*Be it therefore Resolved,* That so much of said resolve as provides for paying said sum to said inhabitants, be, and hereby is repealed ; and the said sum of five hundred dollars is hereby made payable to said Commissioners, who are required to apply the same to the purposes aforesaid, and render an account of the expenditure thereof to the General Court, within one year from the passing of this resolve.

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CHAP. CLIII.

*Resolve for paying the Commissioners of the Land Office.*  
February 24th, 1818.

*Resolved,* That his Excellency the Governor, with the advice of Council, be, and is hereby authorized to make his warrant on the public treasury for the pay of the Commissioners of the Land Office, from the tenth day of June last.

## CHAP. CLIV.

*Resolve to pay James McLellan and Hugo Burghardt, Members of the House. February 24th, 1818.*

*Resolved*, that there be paid out of the treasury of this Commonwealth to James McLellan, of Bath, a member of this house, eighty-two dollars, in full for his attendance at this session of the General Court, and thirty-three dollars in full for his travel; and to Hugo Burghardt, of Richmond, a member of this house, seventy-two dollars, in full for his attendance at this session of the General Court, and thirty-one dollars for his travel; and that the towns of Bath and Richmond, respectively, be charged in the next tax bill, with the said sums for attendance, as though the said McLellan and Burghardt had been made up in the pay roll of this house.

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## CHAP. CLV.

*Resolve respecting Kennebec Bridge Lottery.*  
February 24th, 1818.

Whereas by an act passed February the fifteenth, eighteen hundred and sixteen, it is among other things provided, that the sum of twelve thousand dollars shall be raised by lottery, for the purpose of re-building the bridge over Kennebec River, at Augusta, and authority is therein given to the proprietors of said bridge, to appoint Managers of said lottery, from time to time, to make and publish such scheme or schemes, as in their opinion may best promote the purposes of said lottery, to draw the same, and to transact all other business pertaining thereto: And whereas, on the twelfth day of January, eighteen hundred and eighteen, the scheme of a lottery was published, (which lottery was styled the State Lottery,) signed by Benjamin Dearborn, Joseph Otis, and Benjamin Whitwell, as Managers, purporting to be for the purpose of raising a fund, as authorized by said act, for re-building said Kennebec bridge; and by said scheme it is apparent, that when the sale of all the tickets in said class, and after the drawing thereof, and all the

prizes are paid, there will remain in the hands of the said Managers, the sum of fifty-one thousand dollars, twelve thousand only of which are applicable to the object of the lottery, and thus a large sum of money may be left at the disposition of said Managers, without any provision by law for the appropriation of the same to public or other uses, which said scheme is therefore manifestly against the intent of the act granting said lottery ; and if said Managers are suffered to proceed therewith, the same may operate to countenance the abuse of like grants which may hereafter be made : Wherefore,

*Resolved*, That the Attorney and Solicitor General, or either of them, be required to file, at the next term of the Supreme Judicial Court, to be holden in the county of Suffolk, an information in the nature of a *quo warranto*, against the said Benjamin Dearborn, Joseph Otis, and Benjamin Whitwell, requiring them to show by what authority they exercise the office of Managers of said lottery, and to take all other legal measures to suppress the same, and to stop all further proceedings in relation thereto.

*Resolved*, That the Attorney and Solicitor General, or either of them be required to prosecute, under the several acts of this Commonwealth, prohibiting the sale of lottery tickets not authorized by law, any person or persons whomsoever, who shall, after the publication of this resolve, and before the decision of the Supreme Judicial Court be had on the subject of the foregoing resolve, purchase, sell, give, lend, or otherwise dispose of any tickets, or any part or parts of any tickets, made and signed by the said Benjamin Dearborn, Joseph Otis, and Benjamin Whitwell, or either of them, under the scheme aforesaid.

## ROLL, No. 78.....January, 1818.

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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.

OLIVER CROSBY, *Per Order.*

### PAUPER ACCOUNTS.

Town of Arundel, for board and clothing Henry Rolf, to 26th November, 1817,	\$ 44 00
Amherst, for support and doctoring Robert Richardson, wife and daughter, to 1st January, 1818,	300 17
Acton, for supplies and doctoring James Sherland, to 18th January, 1818,	96 89
Abington, for board and clothing Thomas Seymore, to 29th January, 1818,	100 00
Augusta, for sundry paupers to 3d January, 1818,	81 37
Amesbury, for support and doctoring John Crank, to 6th December, 1817,	152 64
Alfred, for support of John Meservy and Cornelius Evans, to 20th January, 1818,	21 42
Andover, for board, clothing and doctoring sundry paupers to 1st January, 1818,	

# PAUPER ACCOUNTS.

535

Adams, for board and clothing sundry paupers to 15th January, 1818,	197 64
Anson, for support of William James' family to 15th January, 1818,	46 12
Brookline, for board, clothing and doctoring Pe- ter Henry, to 14th January, 1818,	95 00
Boxford, for board and clothing Mehitable Hall, to 3d June, 1817,	86 40
Becket, for supplies to Peter Treadwell, to 12th January, 1818,	12 25
Blandford, for board and clothing sundry paupers to 8th January, 1818,	136 92
Bridgewater, for board, clothing and doctoring sundry paupers, to 22d January, 1818,	172 01
Bath, for board, clothing, nursing and doctoring sundry paupers, to 2d January, 1818,	201 66
Braintree, for board and clothing Elizabeth Black- burne, to 5th January, 1818,	22 55
Burlington, for board and clothing Dorothy Lyn- ham, to 3d February, 1818,	70 00
Belchertown, for board and clothing sundry pau- pers, to 16th January, 1818,	141 86
Bristol, for support and doctoring Nancy Hill and William How, to 11th December, 1817,	136 34
Bradford, for board and clothing Joshua L. Al- sars, to 1st January, 1818,	70 14
Beverly, for board and clothing sundry paupers, to 1st January, 1818,	243 54
Brewer, for supplies to Jonathan Roberts and family, to 14th January, 1818,	13 53
Bradford, Samuel, keeper of gaol in the county of Suffolk, for support of sundry poor prisoners confined for debt, to 1st December, 1817,	639 32
Board of Health, Boston, for support and doctor- ing sundry paupers with the small pox at Rains- ford's Island, to 27th January, 1818,	423 66
Boston, for board and clothing sundry paupers, to 30th November, 1817,	7921 71
Canton, for support of John Cole, to 14th Janua- ry, 1818,	48 00
Chelmsford, for board and clothing Catharine McClenney, and Charles and Eliza Goodrich, to 1st January, 1818,	121 32



Colrain, for board, clothing and nursing Richard and Rachel Hines, to 10th January, 1818, and Sally Lamonear, till her death, 22d December, 1817, and funeral charges,	160 96
Cheshire, for board, clothing and doctoring sundry paupers, to 16th January, 1818,	307 72
Chester, for board and clothing Cæsar Hardy and George Buttolf, to 29th December, 1817,	147 56
Chesterfield, for board and clothing sundry paupers, to 11th January, 1818,	139 79
Cape Elizabeth, for board and clothing sundry paupers, to 2d January, 1818,	124 30
Cambridge, for board and clothing sundry paupers, to 22d January, 1818,	294 81
Cushing, for board and clothing Mary Henderson and Peggy Rowley, to 13th January, 1818,	79 40
Charlestown, for board and clothing sundry paupers, to 28th January, 1818,	422 40
Carlisle, for board, clothing and nursing Robert Barber, to 5th January, 1818,	118 84
Deerfield, for support of Lucretia Brown and children, and expense of removing them out of the Commonwealth, May 4th, 1818,	42 24
Dresden, for board, clothing and doctoring John Cullen, to 1st January, 1818,	67 20
Duxbury, for board and clothing Elizabeth Ellis, to 10th September, 1817,	21 70
Dedham, for board, clothing, doctoring and nursing sundry paupers, to 5th December, 1817,	74 64
Danvers, for board and clothing sundry paupers, to 20th January, 1818,	1484 65
Dracut, for support of Richard Baker, to 7th February, 1818,	87 30
Egremont, for board, clothing and funeral charges of sundry paupers, to 14th January, 1818,	254 10
Eliot, for board and clothing Jacob Brewer and Abigail Randall, to 27th January, 1818,	86 32
Enfield, for board, clothing and nursing Deborah Butterworth and William Rice, to 17th January, 1818,	124 10
Fayette, for board and clothing William Godfrey Martin, to 1st January, 1818,	41 20

# PAUPER ACCOUNTS.

537

Falmouth, Cumberland County, for board, clothing, doctoring and supplies to sundry paupers, to 1st January, 1818,	239 52
Frankfort, for board and clothing Hatevil Colson, to 1st January, 1818,	36 00
Framingham, for support and doctoring Lucy Green, to 16th January, 1818,	33 17
Falmouth, Barnstable County, for support and doctoring Edward Edwards, to 19th January, 1818,	46 92
Fairhaven, for supplies to Sarah Carr and children, to 30th January, 1818,	17 09
Friendship, for board and clothing James Metcalf and Martha Bickmore, to 20th January, 1818,	71 97
Gardiner, for board, clothing and doctoring sundry paupers, to 10th January, 1818,	129 85
Granville, for board, clothing, doctoring and nursing George Taylor and Simon Hoffman, to 29th December, 1817,	78 50
Great Barrington, for board, clothing and nursing sundry paupers, to 28th January, 1818,	184 62
Gill, for board, clothing and doctoring sundry paupers, to 17th January, 1818,	223 07
Gloucester, for board and clothing sundry paupers, to 10th November, 1817,	532 78
Grafton, board, clothing and nursing Isaac Newman and Benjamin White, to 25th December, 1817,	166 45
Groton, for support and doctoring sundry paupers, to 10th January, 1818,	334 70
Gorham, for support of Robert Gillfilling, to 8th February, 1818,	55 50
Hebron, for support and doctoring William Oriley, till he left the town, March, 1817,	10 00
Hodgkins, Joseph, keeper of the house of correction in the county of Essex, for board and clothing sundry insane persons, to the 10th November, 1817,	178 81
Hawley, for board and clothing Joseph Barnard, to 14th January, 1818,	43 57

Hancock, for board and clothing Rebecca Osborn and Hannah Winn, to 24th January, 1818, and Thomas Holton, till his death, and funeral charges,	137 57
Harlem, for board and clothing William Youling, to 10th November, 1817,	162 84
Haverhill, for board, clothing and doctoring sundry paupers, to 1st January, 1818,	152 38
Hallowell, for board, clothing, nursing and doctoring sundry paupers, to 31st December, 1817,	314 10
Hubbardston, for board and clothing Abner Hybra, to 14th January, 1818,	71 98
Hadley, for supplies to Fryday Allen and Rebecca Allen, to 11th January, 1818,	80 28
Jay, for board and clothing Elizabeth Bell, to 5th January, 1818,	33 00
Kingston, for board and clothing James Barney, to 2d April, 1817,	11 10
Kittery, for board and clothing Sarah Perkins, Deborah Perkins and child, to 6th January, 1818,	85 25
Limington, for board and clothing John O. Ryan, to 1st January, 1818,	57 20
Lee, for support, doctoring and nursing sundry paupers, to 11th January, 1818,	280 73
Lincolnvill, for board, clothing, and doctoring sundry paupers, to the 14th January, 1818,	121 78
Lanesborough, for board, clothing and supplies, to sundry paupers, to 1st January, 1818,	308 64
Lynn, for board and clothing sundry paupers, to 30th November, 1817,	314 86
Leyden, for board, clothing and nursing sundry paupers, to 1st January, 1818,	149 90
Lenox, for board and clothing sundry paupers, to 9th January, 1818,	183 30
Long Meadow, for board, clothing, doctoring and nursing sundry paupers to 13th January, 1818, and funeral charges of Peter Dunkin,	156 36
Monson, for support of James Worthington, to 1st January, 1818,	37 30
Minot, for support of Philip Weeks and Elizabeth Phinney, to 3d November, 1817,	120 00

# PAUPER ACCOUNTS.

539

Malden, for board and clothing John Holland, to 19th January, 1818,	76 25
Montgomery, for board and clothing Moses Cansier, to 18th January, 1818,	40 20
Monmouth, for the support of John Sherburne and Peggy Magner, to the 9th January, 1818, and funeral charges of John Sherburne,	83 76
Montville, for board and clothing William McClary and wife, and John Gloscester, to 12th January, 1818,	278 60
Mendon, for board and clothing Alfred Coffee, to 20th April, 1816, and Bartholomew Harrington, till he left the state, 20th August, 1816,	47 30
Machias, for support and doctoring sundry paupers, to 31st December, 1817, and funeral charges of David McNiell,	251 70
Mansfield, for board and doctoring Hugh McPherson, to 1st January, 1818,	94 54
Milford, for board and clothing Betsey Gould, to 16th October, 1817,	50 59
Mount Vernon, for support of sundry paupers, to 31st December, 1817,	113 84
Manning, Thomas, for doctoring James Mingo, in house of correction, in the county of Essex, to 31st December, 1817,	47 26
Milton, for support, nursing and doctoring Joel Week, and Nancy Cazey, to 5th February, 1818, Betsey Brown, and Lewis Elisha, till their death, and funeral charges,	98 87
Marlborough, for board, clothing and doctoring Joseph Waters, to 28th November, 1817,	66 50
Medfield, for board and clothing George Turner, to 25th November, 1817,	66 11
Marblehead, for board and clothing sundry paupers, to 21st January, 1818,	305 07
Middleborough, for board, clothing and doctoring sundry paupers, to 1st January, 1818,	157 63
North Yarmouth, for boarding, clothing and doctoring George Young, to 13th January, 1818,	54 15
Northfield, for board and clothing Amos Riley, to 9th January, 1818,	41 30
Natick, for support of John Candler, till he left the town, and Patty Pegion, to 3d February, 1818,	142 87

Norridgewock, for board of Jesse Rowe, to 28th May, 1817,	6 00
North Brookfield, for support of Daniel and Joseph Peterson, to 24th January, 1818,	66 73
Newbury, for board and clothing sundry paupers, to 1st January, 1818,	888 33
Northampton, for board, clothing, nursing, doctoring and funeral charges of sundry paupers, to 1st January, 1818,	351 66
New Gloucester, for support of Robert Forbes and wife, and Joseph Gregory, to 1st February, 1818,	218 39
Newburyport, for board and clothing sundry paupers to 1st January, 1818,	754 47
New Castle, for board and clothing Lois Hodgman and children, to 2d January, 1818, and doctoring Florentine Langton,	124 30
Newry, for board, clothing and doctoring William Burk, to 28th September, 1817,	27 19
Overseers of Marshpee Indians, for support and doctoring sundry paupers, to 12th January, 1818,	450 00
Palmer, for board, clothing and doctoring William and Phebe Mendem, to 1st January, 1818,	142 39
Pittston, for support of Amelia McMansfield, to 30th December, 1817, and Juda Delano, till her death, and funeral charges, to 14th July, 1817,	83 47
Prospect, for board and clothing Lydia Hayes and Benjamin Y. Shute, to 1st January, 1818,	193 90
Phipsburg, for board of Jacob Wheeler, to 10th January, 1818,	32 00
Peru, for board, clothing and doctoring James Robbins, to 29th December, 1817,	48 70
Princeton, for supplies to Henry Smith, wife and children, to 24th January, 1818,	23 77
Pittsfield, for board, clothing and doctoring sundry paupers to 1st February, 1818,	317 48
Pepperell, for board, clothing, doctoring and nursing Robert B. Minchen, and Charles O'Connor, to 1st January, 1818,	78 60
Portland, for board and clothing sundry paupers, to 1st January, 1818,	1699 03
Plymouth, for board, clothing and doctoring sundry paupers, to 12th January, 1818,	413 30

# PAUPER ACCOUNTS.

541

Rehoboth, for board, clothing, nursing and doctoring sundry paupers, to 1st January, 1818,	247 99
Rowley, for board, clothing, nursing and doctoring Ella Collins, and Benning Dow, to 1st January, 1818,	74 20
Rutland, for board and clothing William Henderson, to 7th January, 1818,	41 30
Russell, for board and clothing John and Polly Newton, to 1st January, 1818,	52 50
Roxbury, for board and clothing sundry paupers, to 3d January, 1818,	322 34
Richmond, for board, clothing and doctoring sundry paupers, to 16th February, 1818,	181 29
Sandisfield, for support of Richard Dickson and family, to 13th January, 1818,	57 80
Shrewsbury, for board and clothing George Philmore, to 13th January, 1818,	42 30
Somerset, for board and clothing William Elliot, to 1st January, 1818,	57 96
Sedgwick, for support and doctoring John Low, till his death, and funeral charges, November 22d, 1817, and his wife and children, to 22d December, 1817,	172 19
Scituate, for support of John Woodward, to 30th April, 1817,	41 70
Sutton, for support of Isabella Santee's three children, and Phillis Frazier, to 5th January, 1818,	89 18
Stockbridge, for board, clothing, doctoring and nursing sundry paupers, to 1st December, 1817,	485 76
Sheffield, for board and clothing Hannah Rowe, to 12th January, 1818, funeral charges of Abraham Johnson, and expense of removing Hannah Welden, out of the state,	79 50
South Berwick, for board, clothing and doctoring Lemuel Woodworth, to 1st January, 1818, Mary Stackpole and Molly Boice, till they left the state,	104 85
Shirley, for support and doctoring sundry paupers, to 1st January, 1818,	228 23
Sterling, for board, clothing, nursing and doctoring John White, to 19th January, 1818,	32 42
Shelburne, for board, clothing doctoring and nursing sundry paupers, to 17th January, 1818,	182 35

Swansey, for support of Garrett Burns, and James Garnet, to 24th January, 1818,	95 30
Sudbury, for board, clothing and nursing John Weighton, to 11th February, 1818,	103 50
Seekonk, for board and clothing Thomas Pearce, to 7th January, 1818,	56 40
Sandwich, for support of Mason and Esther Raymond, to 1st January, 1818,	45 13
Saco, for support of Daniel Sargent, and doctoring Lewis Victor, to 27th December, 1815,	45 00
Sherburn, for support of Benjamin Houghton, to 29th January, 1818,	61 00
Scarborough, for support and nursing Robert Dickerson till his death, and funeral charges, 30th December, 1816,	29 00
Salem, for board and clothing sundry paupers, to to 2d January, 1818,	2503 09
Troy, for support of Betsey Bell, and John Richards, to 19th January, 1818,	154 28
Taunton, for board, clothing and doctoring sundry paupers, to 1st January, 1818,	754 07
Thomastown, for board and clothing John Anderson, to 20th January, 1818,	78 77
Uxbridge, for support and doctoring sundry paupers, to 19th January, 1818,	136 61
Upton, for board, clothing, nursing and doctoring Jane Creighton, to 26th January, 1818, Elizabeth and George Taylor, till their death, and funeral charges,	44 58
Vassalborough, for board and clothing Abigail Fairbrother, to 1st January, 1818,	63 10
Williamstown, for support of sundry paupers to 10th January, 1818,	106 51
Wellington, for board, clothing and doctoring Catharine Butler, to 15th January, 1818,	84 65
Ward, for board and clothing Francis Savage, to 1st January, 1818,	49 30
Winthrop, for board and clothing William Gasket, to 14th January, 1818,	38 50
Westford, for board, clothing and nursing James Peirce, to 22d January, 1818, and Christopher Shephert, till his death, and funeral charges,	75 05
Wayne, for support of Joseph Richards and wife, to 20th January, 1818,	174 00

## MILITARY ACCOUNTS.

543

Ware, for board, clothing and nursing Charles Collins, to 29th January, 1818,	8 87
West Stockbridge, for board and clothing sundry paupers, to 9th January, 1818,	209 11
Westfield, for board and clothing sundry paupers, to 1st January, 1818,	172 32
Wareham, for support of William Long, to 14th January, 1818,	42 67
Wilton, for support and doctoring Enoch Foot, wife and children, to 26th May, 1816,	98 68
Wilbraham, for board, nursing and doctoring Nels Johnson Headman, till his death, and funeral charges, 16th July, 1817,	31 50
Worcester, for board and clothing sundry paupers, to 1st January, 1818,	328 29
West Springfield, for board and clothing sundry paupers, to 5th January, 1818,	152 53
Watertown, for support, doctoring and nursing sundry paupers, to 25th January, 1818,	218 54
West Hampton, for board and clothing sundry paupers, to 1st January, 1818,	398 60
Wrentham, for board, clothing and doctoring sundry paupers, to 1st January, 1818,	167 80
Walpole, for board, clothing and doctoring sundry paupers, to 19th January, 1818,	156 80
Warren, for support of sundry paupers, to 21st January, 1818,	221 00
York, for board, clothing, nursing and doctoring sundry paupers, to 24th January, 1818,	508 71
Total Paupers,	\$ 39,098 50

## MILITARY ACCOUNTS.

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

Samuel Allen, for the expense of a Court Martial, held at Worcester, on the 25th of April, A. D. 1817, whereof Thomas Chamberlain was President,	\$90 71
Robert F. Barnard, for the expense of a Court of Inquiry, held at Egremont, on the 9th of December, 1817, whereof David Leavenworth was President,	38 31



Robert F. Barnard, for the expense of a Court Martial, held at Sheffield, on the 22d April, 1817, whereof James Adams, junior, was President,	88 47
William Hight, for the expense of a Court Martial, held at South Berwick, on the 23d December, 1817, whereof Simeon Newhall, was President,	193 38
Samuel Page, for the expense of a Court Martial, held at Nobleborough, on the 20th of October, 1817, whereof Andrew Reed was President,	213 27
Ebenezer Mattoon, Esquire, for the expense of a Court of Inquiry, held at Hanover, on the 17th of December, 1817, whereof Simeon Coburn was President,	124 00
James Starr, for the expense of a Court Martial, held at Livermore, on the 24th June, 1817, whereof Henry Farewell was President,	145 02
John Smith, junior, for the expense of a Court Martial, held at Salem, on the 23d of September, 1817, whereof George Gardner was President	196 44
Joseph Treat, for the expense of a Court Martial, held at Bangor, on the 15th September, 1817, whereof Isaac Hodsdon was President,	320 28
Joseph Treat, for the expense of a Court Martial, held at Bangor on the 24th September, 1817, whereof David J. Bent was President,	159 20
Total,	\$1569 09

*Brigade Majors and Aids de Camp.*

Allen, Samuel, to January 1st, 1818,	\$ 28 90
Allen, James S. to January 1st, 1818,	108 55
Bliss, George, junior, to November 29th, 1817,	107 72
Barnard, Robert F. to January 1st, 1818,	50 02
Bancroft, Ebenezer, to September 29th, 1817,	46 82
Clark, Joseph, to January 6th, 1818,	23 16
Dutch, Ebenezer, to December 24th, 1817,	73 62
Fairbanks, Stephen, to January 20th, 1818,	21 25
Fogg, Simeon, to January 1st, 1818,	55 00
Gilbert, Thomas, to January 10th, 1818,	73 05

# MILITARY ACCOUNTS.

545

Goodrich, Elijah P. to October 7th, 1817,	43 16
Hyde, Zina, to January 1st, 1818,	68 02
Hubbell, Calvin, to January 6th, 1818,	56 75
Hitchcock, Edward, to January 1st, 1818,	18 50
Hopkins, Thomas, to January 1st, 1818,	10 23
Jacques, Samuel, to January 23d, 1818,	102 10
Lewis, Philo, to November 19th, 1817,	98 85
Lincoln, Enoch, to January 30th, 1818,	58 34
Mitchel, Daniel, to December 26th, 1817,	43 80
Page, Samuel, to December 24th, 1817,	125 05
Robinson, Jesse, to August 9th, 1817,	46 70
Robinson, Thomas D. to January 8th, 1818,	16 00
Sampson, Joseph, to December 25th, 1817,	31 65
Starr, James, junior, to January 1st, 1818,	55 41
Scott, John, to January 1st, 1818,	143 54
Smith, John W. to January 1st, 1818,	30 75
Sawtell, Richard, to December 1st, 1817,	11 48
Smith, John, junior, to January 1st, 1818,	93 25
Smith, Henry, to January 17th, 1818,	33 15
Tobey, Elisha, to December 30th, 1817,	55 25
Treat, Joseph, to December 20th, 1817,	225 49
Thayer, Samuel M. to January 28th, 1818,	163 35
Thayer, Minot, to January 24th, 1818,	183 67
Varnum, Benjamin F. to November 28th, 1817,	11 95
Wright, William, to November 28th, 1817,	71 52
Wilder, Nathaniel, junior, to December 25th, 1817,	51 12
Whiting, Timothy P. to January 20th, 1818,	120 00
Wood, John F. to January 28th, 1818,	60 93
Ware, William R. to January 19th, 1818,	32 17
Wingate, Joseph F. to January 10th, 1818,	16 62
Total,	\$ 2,666 89

## *Brigade Quarter-Masters' Accounts.*

Brastow, Samuel, for 1817,	58 75
Blanchard, John B. for 1817,	27 25
Coburn, Samuel A. for 1817,	23 00
Copeland, Jonathan, for 1816 and 1817,	51 50
Campbell, James A. for 1817,	32 50
Day, Robert, for 1817,	34 25
Foster, Freeman, for 1817,	17 10
Hobart, Thomas, for 1817,	37 30

## MILITARY ACCOUNTS.

King, Amos, for 1817,	18 00
Kendal, Henry, for 1817,	29 35
Longley, Edmund, junior, for 1817,	36 30
Norton, Winthrop B. for 1817,	17 50
Pollard, Oliver, for 1817,	31 10
Phinney, Elias, for 1817,	29 50
Roberts, Charles L. for 1817,	13 20
Russ, John, for 1817,	31 80
Stimpson, Joseph, for 1817,	17 00
Thomas, Nathaniel, for 1817,	8 30
Wood, David, for 1817,	17 85
Total,	<u>\$ 521 55</u>

*Adjutant's Accounts.*

Adams, Gibbens, to January 28th, 1818,	50 45
Avery, Joshua, to January 20th, 1818,	31 67
Agry, Thomas, to January 1st, 1818,	169 34
Arms, George, to January 1st, 1818,	7 84
Butterfield, Joseph, to January 1st, 1818,	65 55
Brown, Thomas, to January 30th, 1818,	15 05
Breed, Andrew, to December 5th, 1817,	24 81
Bryant, Nahum, to September, 1817,	13 39
Bancroft, W. A. to January, 1818,	66 19
Blake, Edmund, to January 1st, 1818,	20 86
Brett, Ezra, to January 1st, 1818,	8 31
Bacchus, Zenas, to November 19th, 1817,	34 83
Bray, Josiah, to January 12th, 1818,	78 66
Coolidge, Nathaniel, junior, to January 1st, 1818,	49 60
Clapp, William W. to January 28th, 1818,	50 12
Campbell, Daniel, to December 13th, 1817,	22 90
Crane, Thomas, to December 10th, 1817,	26 65
Crowell, Michael, to October 16th, 1817,	23 04
Collins, Michael, to November 24th, 1817,	24 16
Cooley, Stephen, to January 1st, 1818,	20 87
Clark, Samuel, to January 1st, 1818,	122 62
Champney, John, to January 12th, 1818,	155 49
Clark, John, to January 10th, 1818,	37 75
Choate, William, to January 1st, 1818,	15 19
Cary, Leonard, to January 1st, 1818,	9 94
Colman, Daniel, to January 1st, 1818,	27 90
Cushing, Ned, to December 27th, 1817,	67 73

# MILITARY ACCOUNTS.

547

Clap, James, to September 12th, 1817,	30 01
Carr, Joshua, W. to January 1st, 1818,	23 10
Clark, Gilbert, to February 7th, 1818,	64 08
Draper, William, to October, 1817,	29 60
Doan, Eliab B. to January 1st, 1818,	33 30
Doan, John G. to January 1st, 1818,	37 04
Deming, John C. to January 1st, 1818,	40 31
Eells, Samuel, to January 24th, 1818,	76 55
Emery, Daniel, to October 24th, 1817,	106 37
Freeman, William, to December 25th, 1877,	14 60
Foster, Benjamin, to January 30th, 1818,	66 95
Fairbanks, Stephen, to January 30th, 1818,	94 12
Heald, Josiah, to September, 1817,	28 12
Hazletine, Arad, to January, 1818,	40 00
Hunton, Jonathan G. to November 10th, 1817,	23 65
Haskell, Joseph, to October 10th, 1817,	36 60
Hayes, John, junior, to January 22d, 1818,	24 69
Hovey, Alfred, to January 1st, 1818,	23 43
Hoyt, John, C. to January 26th, 1818,	27 65
Howard, Samuel S. to October 6th, 1817,	22 42
Hasty, Daniel, junior, to January 1st, 1818,	38 18
Hale, Enoch, to January 1st, 1818,	64 52
Hudson, J. R. to January 10th, 1818,	20 58
Hamilton, Abiel, to January, 1818,	30 67
Hapgood, Thomas, to November 11th, 1817,	43 23
Jones, William, to September 9th, 1817,	18 40
Jaques, Henry, to September 17th, 1817,	46 98
Knight, Jonathan, to January 2d, 1818,	15 30
Knight, Peter M. to January 1st, 1818,	14 16
Keith, Joseph, to January, 1818,	71 95
Libby, Nathaniel, to January 1818,	42 89
Lunt, Peter, to January, 1818,	36 22
Leavett, Jesse, to December 15th, 1817,	35 50
Lincoln, Asa, to November 1st, 1817,	28 22
Larabee, William, to January 29th, 1818,	35 25
Munroe, Benjamin, to January 1st, 1818,	36 95
Mitchel, Isaac, to December 31st, 1817,	31 60
Nye, Joseph, to January 1st, 1818,	35 02
Noble, Daniel, to January 1st, 1818,	7 57
Ormsby, Abraham, to November 27th, 1817,	34 37
Pond, Asa M. to December 24th, 1817,	36 41
Pynchon, George, to January 1st, 1818,	12 47
Poor, Nathan, to January 1st, 1818,	27 44

Rockwell, Uzal, to September 22d, 1817,	29 23
Rogers, Daniel, to January 1st, 1818,	28 98
Root, Albert R. to January 8th, 1817,	30 91
Richardson, Wyman, to January 3d, 1818,	22 21
Richardson, George F. to January 20th, 1815,	20 75
Stanwood, David, to January 6th, 1818,	56 77
Swasey, John N. to June 27th, 1817,	54 21
Sever, James, to December 3d, 1817,	80 25
Sayles, Richard, to October 13th, 1817,	28 70
Sayles, William, to October 13th, 1817,	28 72
Sedgwick, Charles, to January 20th, 1817,	17 70
Smith, Henry, to January 20th, 1818,	14 37
Spring, Luther, to January 20th, 1818,	17 72
Stone, Hosea, to January 1st, 1818,	23 92
Sexton, George, to January 1st, 1818,	28 72
Simpson, George, to December 26th, 1817,	97 22
Shepard, James, 2d, to January 19th, 1818,	63 47
Treadwell, Francis, to October 20th, 1817,	65 11
Toby, James, to January 1st, 1818,	44 18
Thompson, Charles, to December 20th, 1818,	61 07
Tucker, Seth, to January 1st, 1818,	96 24
Traile, J. to January 1st, 1818,	14 03
True, William, to December 17th, 1817,	9 71
Thompson, Arad, to January 1st, 1818,	49 65
Upton, John, to November 18th, 1817,	33 00
Wilson, Hugh, to January 11th, 1818,	27 40
Wheelwright, George, to December 4th, 1817,	17 80
Waldo, Henry S. to January 1st, 1818,	49 75
Wilder, David, to October 1st, 1817,	28 59
Webb, Jonathan, to January 27th, 1818,	59 25
Wild, Jonathan, to January 1st, 1818,	148 90
Ward, John, to November 12th, 1817,	15 75
Wyles, John, to December 31st, 1817,	44 61
Wright, David, to January 1st, 1818,	29 25
Wright, Simeon W. to January 1st, 1818,	28 32
Wilder, Elijah, to January 1st, 1818,	20 06
Wilson, Gowin, to January 13th, 1818,	40 94

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Total, \$ 4,364 84

*Expenses for Horses to haul Artillery.*

Aldrich, Crowell, for 1817,	18 00
Blasdel, John, for 1817,	15 00

# MILITARY ACCOUNTS.

549

Batchelder, Jeremiah, for 1816 and 1817,	10 00
Bigelow, David, for 1817,	10 00
Brown, James, for 1817,	15 00
Babcock, Nathan, for 1817,	7 00
Benner, Philip, for 1817,	20 00
Batchelder, Samuel, for 1817,	10 00
Coffin, Samuel, for 1817,	15 00
Cloutman, Robert F. for 1817,	8 00
Cutter, Samuel, for 1817,	23 75
Cleaves, William, W. for 1817,	5 00
Crosby, Abiel, for 1816—1817,	12 00
Dunham, George S. for 1817,	22 50
Dewy, Calvin, for 1817,	6 00
Dalrymple, William, for 1817,	5 00
Everett, George, for 1817,	16 00
Fitch, Horatio, for 1817,	9 38
Goldthwaite, Moses, for 1817,	10 00
Gilley, John, for 1817,	10 00
Gay, Seth, for 1816 and 1817,	30 00
Hastings, Simeon, for 1817,	12 00
Harrington, Nathaniel, for 1817,	20 00
Hemingway, Adam, for 1817,	7 50
Hopkins, Charles W. for 1817,	6 00
Heald, Ebenezer, for 1817,	10 00
Jenkins, Weston, for 1817,	10 00
Learned, Thomas, for 1817,	25 50
Lyn, William, for 1817,	7 59
Mason, Isaac, for 1817,	9 00
Moody Dudley, for 1817,	5 00
Mellen, John W. for 1817,	12 00
Masten, William, for 1817,	5 00
Morris, Edward, for 1817,	15 00
Noble, Samuel, for 1817,	6 00
Perkins, Nahum, for 1816 and 1817,	10 00
Peirce, Samuel, for 1817,	20 00
Phelps, Julius, for 1817,	5 00
Phelps, Ansel, for 1817,	5 00
Rider, John B. for 1817,	5 00
Shaw, Southworth, for 1817,	7 50
Shaw, Oliver, for 1817,	15 00
Smith, Edmund M. for 1817,	20 00
Sibley, Samuel, for 1817,	5 00
True, Solomon, for 1817,	5 00

## 550 SHERIFFS' & CORONERS' ACCOUNTS.

Thaxter, Jonathan, for 1817,	54 00
Whipple, Henry, for 1816,	8 00
Warren, Calvin, for 1817,	16 00
Welsh, Edward, for 1817,	5 00
Walker, George, for 1817,	20 00
Wilkinson, Simon, for 1817,	30 00
Wheeler, Cyrus, for 1817,	37 50

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Total, \$ 696 63

Courts Martial, &c,	1569 09
Brigade Majors, &c.	2666 89
Brigade Quarter-Masters,	521 55
Adjutants,	4364 84
For Artillery Horses,	696 63

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Total Military, \$ 9,819 00

## SHERIFFS' AND CORONERS' ACCOUNTS.

Austin, Nathaniel, Sheriff of Middlesex, for distributing precepts and returning votes, to 16th January, 1818,	8 30
Ames, Nathan, Deputy Sheriff of Lincoln County, for summoning witnesses to appear before the Committee appointed to inquire into the state of the Hallowell and Augusta Bank, to the 10th October, 1817,	7 25
Billings, Bradish, Deputy Sheriff of Suffolk County, for summoning witnesses to appear before the Committee appointed to inquire into the state of the Hallowell and Augusta Bank, 26th January, 1818,	2 50
Dutch, Ebenezer, Coroner of Kennebec County, for distributing precepts, to 25th December, 1816,	20 00
Emerson, James, Deputy Sheriff of Oxford County, for apprehending and committing to gaol, Bernice Richardson, 4th April, 1816,	10 61
Folsom, John W. Coroner of Suffolk County, for inquisition on sundry bodies of strangers, and funeral charges, to the 19th January, 1818,	94 18

## PRINTERS' ACCOUNTS.

551

Green, Asa, Coroner of Hancock County, for inquisition on the body of a stranger, and funeral charges, 26th July, 1817,	27 91
Goodwin, Ichabod, Sheriff of York County, for returning votes, to 20th January, 1818,	28 05
Hunnell, Richard, Sheriff of Cumberland County, for returning votes, to June, 1817,	10 00
Johnson, Jotham, Coroner of Middlesex County, for inquisition on the body of a stranger, and funeral charges, 4th February, 1818,	20 35
McLellan, John, Coroner of Cumberland County, for inquisition on the body of a stranger, and funeral charges, 21st July, 1817,	14 75
Robbins, Chandler, Sheriff of Kennebec County, for distributing precepts, and returning votes, to 8th January, 1818,	214 38
Robinson, Jesse, Coroner of Kennebec County, for summoning witnesses to appear before the Committee appointed to inquire into the state of Hallowell and Augusta Bank, 20th November, 1817,	12 55
Sawtell, Richard, Sheriff of Somerset County, for distributing precepts, and returning votes, to 30th December, 1817,	152 20
Smith, Jonathan, Coroner of Essex County, for inquisition on the bodies of sundry strangers, and funeral charges, to 23d January, 1818,	58 75
Thatcher, Samuel, Sheriff of Lincoln County, for distributing precepts, and returning votes, to 14th February, 1818,	179 00
Ward, Thomas, W. Sheriff of Worcester County, for services and fees, in disposing of Joseph Stone's estate, and returning votes to 14th February, 1818,	48 66
Total Sheriffs' and Coroners',	\$ 909 44

## PRINTERS' ACCOUNTS.

Allen, Phineas, for publishing notice of Commissioners of Land Office; notice respecting deaf and dumb; and acts and resolves, to December, 1817,	23 92
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Ballard and Wright, for publishing list of taxes, and notice respecting deaf and dumb, to 3d October, 1817,	24 00
Clapp, William W. for publishing notice of deaf and dumb, and acts and resolves, to 1st January, 1818,	27 50
Cheever, Nathaniel, for publishing notice of Commissioners of Land Office, and acts and resolves, to 10th January, 1818,	29 16
Cushing, Thomas, for publishing acts and resolves, to June, 1817,	16 67
Douglas, Francis, for publishing list of taxes on unimproved lands in Maine, 13th July, 1817,	22 00
Dickman, Thomas, for publishing acts and resolves; to October, 1817,	25 00
Edes, Peter, for publishing acts and resolves; notice respecting deaf and dumb; and of Commissioners of Land Office, to November, 1817,	20 83
Lindsey, Benjamin, for publishing acts and resolves, to May, 1817,	16 67
Phelps, Ansel, for publishing acts and resolves, to 1st January, 1818,	16 67
Russell, Benjamin, for publishing notice of Commissioners of Land Office, and acts and resolves, to 1st January, 1818,	26 66
Russell, Benjamin, by Russell, Cutler and Co. for printing done for the government, to 18th February, 1818,	2617 17
Russell, Cutler and Co. for publishing acts and resolves, to May, 1817,	16 67
Shirley, A. and J. for publishing resolves respecting deaf and dumb; public lands in Maine; notice of Commissioners of Land Office; and acts and resolves, to 1st January, 1818,	62 91
Shepherd, Thomas W. for publishing acts and resolves, to 1st January, 1818,	16 67
Total Printers,	\$ 2,962 50

# MISCELLANEOUS ACCOUNTS.

553

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; and for printing, engraving, &c. in full for the year 1817,	1000 00
Bird, Abraham, for boards and timber, furnished for State House, to 10th November, 1817,	409 83
Boston Glass Manufactory, for glass for the State House, to 6th January, 1818,	54 95
Blaney, Henry, for mason's work and materials, on the State House, to 26th January, 1818,	571 34
Bradley, Samuel, for sundry hard ware for State House, to 19th January, 1818,	180 11
Burditt, James W. for stationary furnished the government, to 10th February, 1818,	223 16
Barker, James, for sundries for the State House, to 26th January, 1818,	68 23
Bacall and Kettle, for work on the State House, to 26th January, 1818,	113 33
Ballard, J. and J. for carpeting for the State House, to 26th January, 1818,	328 39
Boston Board of Health, for sundry repairs on Rainsford Island, and schooner, to May, 1817,	267 06
Bacon, Henry, for assisting the Messenger of the General Court, to 21st February, 1818,	106 00
Cotton and Lincoln, for painting, &c. done on the State House, to 4th February, 1818,	3290 51
Chase, Warren, for assisting the Messenger of the General Court, to 21st February, 1818,	106 00
Committee for examining the Treasurer's accounts, to January, 1818, viz. :	
John Wells,	14 00
Joseph Bemis,	14 00
Thomas Greenleaf,	14 00
M. Withington,	14 00
William Tudor, junior,	14 00—70 00
Durant and Snelling, for glazing done on State House, 26th January, 1818,	90 00
Farrie, John, junior, for writing for the government, February, 1818,	5 00
Francis, Mary, for her son Joseph, as Page to the House of Representatives, to 21st February, 1818,	42 50

Goodrich, Isaac W. for sundry stationary for Secretary's office, to 28th November, 1817,	51 75
Grant, Moses, for making carpet, &c. for the State House, to January, 1818,	54 00
Grant, John and Charles, for paper for the State House, to 30th September, 1817,	88 37
How, Joseph, for tin ware for the State House, to 26th January, 1818,	9 16
Holt, Thomas, for sheet lead for the State House 8th August, 1817,	81 19
Kuhn, Jacob, for superintending the repairs on the State House, to 14th February, 1818,	192 00
Lincoln, Amos, for work done on the State House, to 26th January, 1818,	187 07
Lane and Lamson, for crape furnished the Legislature, 24th January, 1818,	49 17
Low, Lewis, for assisting the Messenger of the General Court, to 21st February, 1818,	100 00
Low, John, junior, for assisting the Messenger of the General Court to 21st February, 1818,	96 50
Loring, Josiah, for stationary furnished the Secretary's and Treasurer's Offices, to 19th February, 1818,	64 61
Otis and Thaxter, for boards and joist for the State House, to 26th January, 1818,	48 15
Odin, John, for sheet lead, for the State House, to 26th July, 1817,	12 89
Richardson, Alford, for his services in visiting the Alms houses, and examining paupers in sundry towns, pursuant to a resolve of the 18th June, 1817,	150 00
Shaw, John A. for white rope for State House, to 26th January, 1818,	37 00
Segar, Ebenezer, for his salary as Keeper of Rainsford Island, to 17th February, 1818,	44 44
Wheeler, John H. for work done on the State House, to 26th January, 1818,	1,395 29
West and Richardson, for stationary for the Secretary's Office, to 10th December, 1817,	21 50
Whitney Jonathan, for lime and sand for State House, to 26th January, 1818,	4 83
Wells, John and Benjamin F. for copper and work on the State House, to 26th January, 1818,	40 72

Total Miscellaneous, \$ 9,655 05

# RESOLVE TO PAY ROLL NO. 78.

555

## *Aggregate of Roll No. 78.*

Expenses of State Paupers,	39,098 50
Do. Militia,	9,819 00
Do. Sheriffs and Coroners,	909 44
Do. Printers,	2,962 50
Do. Miscellaneous,	9,655 05
	<hr/>
	62,444 49

*Resolved*, That there be allowed and paid out of the public treasury, to the several corporations and persons mentioned in this roll, the sums set against such corporations and persons' names respectively; amounting in the whole, to sixty-two thousand, four hundred and forty-four dollars and forty-nine cents; the same being in full discharge of the accounts and demands to which they refer.

*February 23d*, 1818—Approved,

**J. BROOKS.**

## COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, MAY 22, 1818.

By this, I certify, that the Resolves contained in this pamphlet, passed at the session of the General Court, beginning the fourteenth of January, and ending the twenty-fourth of February, A. D. one thousand eight hundred and eighteen, have been examined and compared with the originals in this Office, and appear to be correct.

**ALDEN BRADFORD,**

*Secretary of the Commonwealth.*

# Monday, 11/11/19

# INDEX

## TO RESOLVES PASSED AT THE SESSION OF THE GENERAL COURT, WHICH BEGAN 14th JANUARY, 1818.

### A.

ACADEMY, Canaan, half a township granted for,	487
"    Nantucket, Proprietors empowered to release an half township granted them, and to sell and divide their corporate property,	506
Adjutant-General, to certify copies of the records of Courts Martial,	529
Allen, Hon. Joseph, appointed Agent to sell the interest the Com- monwealth has by mortgage deeds executed by H. Prentiss and B. Cheever, of Princeton,	509
Athenæum Boston, doings of the Proprietors confirmed,	478
Attorney and Solicitor Generals, directed respecting Kennebeck Bridge Lottery,	533

### B.

Bank, Boston Merchants, time altered for paying instalments,	520
Barnard, Theodore and Lucy, Wm. Wells, Esq. empowered to sell real estate of, in Shelburne,	490
Barnstable County, tax granted,	494
Berkshire,                   "                   "	494
Bingham Wm. late, Resolve respecting taxes on land in the District of Maine, purchased by him,	516
Braintree, records and doings confirmed,	503
"    First Parish                   "	504
Bridge, Edmund, empowered to warn a meeting of the Proprietors of the upper Bridge on Eastern River, for the choice of officers,	492
Bridge at the Falls over Deerfield River, Court of Sessions for Franklin County empowered to hear any petition for aid to build, &c.	498
"    Kennebeck, Lottery, Attorney and Solicitor Generals directed,	533
Bristol County, tax granted,	494
Brown, Henry C. committee on accounts to examine and allow his account,	499
Burghardt, Hugo, Esq. allowed pay as a Representative,	532

# INDEX.

## C.

Canaan, allowed further time to pay State tax for 1815,	-	523
Capen, John, Treasurer to issue a new note to,	-	482
Card, Thurston, pensioned,	-	487
Chaplains of the General Court, pay granted,	-	530
Clement, Daniel, and H. Y. B. Osgood, sureties of the late Sheriff M'Lellan, allowed further time to pay,	-	511
Clerks of the General Court, pay granted,	-	530
Cobb, Hon. David, agent to Trustees of the estate of Wm. Bingham, deceased, Resolve on memorial respecting taxes on Bingham purchase in Maine,	-	516
Codman, Stephen, executor of the Will of John Codman, to execute a deed to Ephraim Weston,	-	528
Commissioners of the Land Office, authorised to release lot No. 101 in Bangor to the heirs of Allen M'Laughlin deceased,	-	483
" " to settle with the grantees of land in now Porterfield, the true quantity, viz. J. Howard and others,	-	483
" " to receive a release from Joseph Treat, Esq. of land sold to him, and quiet settlers thereon,	-	493
" " to settle with Seth Spring and others relative to overplus land in Baldwin,	-	522
" " to convey 100 acres to such as shall begin a settlement on lands adjoining the new road from Kennebeck towards Canada and between the Penobscot and St. John's rivers,	-	513
" " granted \$500 to erect a Saw mill on Hale's stream; and authorized to convey to the party performing the work 50 acres contiguous thereto, including half the stream, &c.	-	513
" " may apply monies in their hands to the opening a road from Penobscot to the eastern line,	-	513
" " to cause a road to be made through lands on the east side of Penobscot, and south of Passadumky stream,	-	514
" " to receive and apply \$500 granted for a road through Orange-town,	-	491, 531
" " Salaries,	-	525, 531
Commissioners on Rhode Island north line, continued and vested with ample powers,	-	489

## INDEX.

Commissioners to visit Marshpee and Herring Pond Indians, and inquire respecting the mode of taking care of them, and respecting their lands, - - - - -	486
Committee on the subject of deaf and dumb persons, - - - - -	496
"    to revise the criminal code, - - - - -	507
"    to revise probate laws compensated, - - - - -	524
"    to examine Old Colony Records, &c. - - - - -	514
"    on Accounts to examine and allow the account of Henry C. Brown, - - - - -	499
"    "    pay granted, - - - - -	530
"    "    Roll No. 78, - - - - -	534
Cornville, doings confirmed, - - - - -	512
Court of Sessions and Clerk for Washington, doings made valid, - - - - -	488
Crawford, Levi, half the debt recovered of B. Reed released to, - - - - -	500
Cumberland County, tax granted, - - - - -	494
Cummings and Hilliard, Secretary to allow 50 cents additional for each copy of Term Reports, - - - - -	501

### D.

Deaf and dumb persons, committee to consider the subject of, - - - - -	496
--	-----

### E.

Essex County, tax granted, - - - - -	494
--------------------------------------	-----

### F.

Fairhaven, empowered to assess \$3719 73 upon polls and estates, - - - - -	491
Fay, Samuel P. P. as administrator of the estate of A. Moore empowered to convey to Seth Hastings part of 5 acres in Cambridge, - - - - -	526
Fayette, records and doings confirmed, - - - - -	499
Field, Joseph and J. Gore, their houses may remain covered with clapboards, - - - - -	490
Foster, Joseph, grant for extra services, - - - - -	531
Franklin County, tax granted, - - - - -	494
Frankfort, Quarter-master General to notify to return muskets, - - - - -	522
Frye, Benjamin, allowed \$44 for expense of sickness while in detached militia, 1814, - - - - -	509

### G.

Gore, Jeremiah and Joseph Field, their houses may remain covered with clapboards, - - - - -	490
Governor, his message to the General Court, - - - - -	467
"    "    informing of the completion of the arsenal and laboratory, - - - - -	476
"    "    announcing the death of the Hon. Samuel Fales, - - - - -	477
"    "    submitting resolves of N. Carolina on an amendment of the Constitution of U. S. proposed by N. Jersey, - - - - -	479
"    "    communicating suggestions of the justices of the Supreme Judicial Court respecting the right of appeal and review, - - - - -	481



## INDEX.

Governor, his message, communicating the adjusted account of the late Treasurer, Apthorp; returns of Field Artillery Ordnance stores, camp equipage and arms,	481
" " announcing the resignation of Major General Richardson,	484
" " communicating a letter from the governor of Tennessee, and that Gen. Russell declines the office of Major General of the 12th Division,	502
" " communicating 2 letters from the Governor of Vermont, relating to amendments to the Constitution of the United States,	512
" authorised to cause a fire proof building to be erected for the security of public records and papers,	485
" " to appoint three persons to treat with the Penobscot Indians,	507
" " to cause such an examination of the State House as any indications of danger from fire may suggest,	486
Guardians of Christiantown Indians, to lodge in the Secretary's office an account of lands sold under their guardianship,	500

## H.

Hampden County, tax granted,	494
Hampshire, " "	494
Hancock, " "	494
Houndsfield, Bartholomew, permitted to purchase and hold real estate,	497
Howard, Joseph and others, Commissioners of the Land Office directed,	483
Hubbard, Robert, and F. Barnard, Wm. Wells, Esq. authorized to sell the estate in Shelburne, the property of Lucy Barnard,	490

## I.

Indians, Marshpee and Herring Pond, commissioners to visit and ascertain certain facts respecting, &c.	486
" Christiantown, guardians to lodge in the Secretary's office an account of lands sold under their guardianship,	500
" Penobscot \$100 granted Q. M. G. for expenses of 2,	503
" " Governor authorised to appoint commissioners to treat with, for a relinquishment of lands, &c.	508
Jennison, Rebeckah, and Silas Brooks, administrators de bonis non of the estate of David Curtis, to execute a quitclaim deed,	477

## K.

Kennebeck County, tax granted,	494
Kingfield, records confirmed,	516
Knight, Jonathan, executor of the will of Samuel Brooks, to quitclaim all right in certain lands,	474
Kuhn, Jacob, messenger, grant for fuel, &c.	473
" " " in addition to his salary,	515

## INDEX.

### L.

Laws, Committee to revise the criminal code, - - -	507
" Probate, committee for revising compensated, - - -	524
Lewis, Winslow, Capt. Sea Fencibles may consist masters mates and supercargoes, - - - - -	510
Lincoln County, tax granted, - - - - -	494
Lock, Ward, assistant to the Messenger, pay allowed, - - -	530
Lottery, Kennebeck Bridge, Attorney and Solicitor General directed, -	533

### M.

Middlesex County, tax granted, - - - - -	494
Mingo, Wm. and others, Marshpee Indians, commissioners appointed to visit the tribes to ascertain the quantity and value of lands, what has been alienated and how applied, &c. - - -	486
M'Lellan, James, pay as a Representative granted, - - -	532
Morley, Hannah and Sylvanus G. authorised to sell estate, - - -	473

### N.

Norfolk County, tax granted,- - - - -	494
---------------------------------------	-----

### O.

Orangetown, \$500 granted for a road through, - - -	491 531
Oxford County, tax granted, - - - - -	494

### P.

Patten, Christopher and others, Shakers, granted \$120, - - -	501
Penobscot County, tax granted, - - - - -	494
" " Sheriff authorized to remove prisoners from Cas- tine gaol, - - - - -	521.
Perkins, Jonathan, his doings as a Coroner for Kennebeck confirmed,	502
Pierce, Joseph H. Esq. agent at Washington, \$500 advanced to,	480
Porter, Nehemiah, Sylvia Porter authorized to convey 10 acres of land to, - - - - -	495
Pratt, Benoni, Court of Sessions for Franklin County empowered to hear any petition for aid to build a bridge at the Falls over Deer- field river, &c. - - - - -	498
Prisoners in Castine gaol, sheriff of Penobscot county authorized to remove, - - - - -	521
Prison, State, appropriation for expenses of, - - - - -	480

### Q.

Quarter-master General, granted \$100 for expenses of 2 Penobscot Indians, - - - - -	503
" " account adjusted and appropriation for his department, - - - - -	521
" " to furnish Ebenezer Weston and others with arms, &c. - - - - -	527
" " to notify Frankfort to return muskets, - - -	528

# INDEX.

## R.

Records of Plymouth Colony, committee to examine and report how far it is proper to have them deposited with the Secretary of the Commonwealth, &c.	514
Read, George, granted \$40 from the forfeited recognizance of A. Whitney,	511
Reports, Term, additional allowance for,	501
Rhode Island, commissioners to ascertain north line between that State and this Commonwealth, continued with ample powers,	489

## S.

Sea Fencibles in Boston, may consist of masters, mates and super-cargoes,	510
Secretary, to allow 50 cents additional for Term Reports,	501
Sheriff of Penobscot County, authorized to remove prisoners from Castine gaol,	521
Solon, records confirmed,	516
Somerset County, tax granted,	494
Spaulding, Zebulon, Treasurer to issue a new note to,	496
Sprague, Abigail, as administratrix, authorized with others to execute a deed to proprietors of a Meetinghouse in Bath,	479
Spring, Seth and others, commissioners to settle with respecting overplus land in Baldwin,	522
State House, fire proof building to be erected for security of public Records, &c.	485
Stone, William, discharged from a judgment and costs,	523
Suffolk, tax granted,	527
Surveyor General, salary fixed,	526

## T.

Taxes, granted to the county of Barnstable,	}	
Berkshire,		
Bristol,		
Cumberland,		
Essex,		
Franklin,		
Hampden,		
Hampshire,		
Hancock,		
Kennebeck,		494
Lincoln,		
Middlesex,		
Norfolk,		
Oxford,		
Penobscot,		
Somerset,		
Washington,		
Worcester,		
York,		
Suffolk,		527

## INDEX.

Taxes, remitted to sundry places,	504
Thompson, William, granted \$300 for adjusting the books and papers of the State Prison,	530
Townsend, David, guardian of Abraham Pierce, authorised to sell estate,	525
Treasurer, directed relative to taxes on lands in Maine, purchased by the late Wm. Bingham,	519
"    to suspend prosecution of the sureties of the late sheriff M'Lellan,	511
"    to issue a new note to John Capen, 3,	482
"    to deliver up the bond of Joseph Treat of Bangor, Esq. on condition,	493
"    to issue a new note to Z. Spaulding,	496
"    to credit sundry places with taxes remitted,	504

## W.

Waite, Nathaniel, prisoner in Worcester gaol to be discharged,	482
Washington County, tax granted.	494
"    "    doings of Court of Sessions and Clerk made valid,	488
Webster, Daniel, guardian to Allen M'Laughlin, commissioners of Land Office directed,	483
Weston, Ebenezer, and others, Quarter-master General to furnish arms, &c. for those lost by them at Bangor, in 1814,	527
"    Ephraim, Stephen Codman, executor of the will of John Codman empowered to execute a deed,	528
Whitman, Kilborn, grant to for services as agent to Christiantown,	510
Worcester County, tax granted,	494

## Y.

York County, tax granted,	494
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