

1787. — Chapter 4.

[May Session, ch. 4]

Chap. 4 AN ACT FOR REGULATING THE FEES IN THE NAVAL OFFICES WITHIN THIS COMMONWEALTH, AND REPEALING THE LAWS HERETOFORE MADE FOR THAT PURPOSE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That there be demanded and received in each Naval Office in this Commonwealth, the fees following, and no greater, *that is to say.*

Fees established.

For every Register, and recording the same, *two shillings*, exclusive of the Secretary's fees.

For endorsing every Register, and recording the same, *six pence*.

For entering every Ship and other Vessel from any port in this Commonwealth, *one shilling*.

For clearing every Ship and other Vessel for any port in this Commonwealth, *one shilling*.

For entering every Ship and other Vessel from any other of the United States of *America*, *two shillings*.

For clearing every Ship and other Vessel for any other of the United States of *America*, *two shillings*.

For entering every Ship and other Vessel from a foreign voyage, *five shillings*.

For clearing every Ship and other Vessel on a foreign voyage, *five shillings*.

For every Bond, *one shilling*.

For every Certificate to cancel a Bond, *six pence*.

For every Permit to unlade, *six pence*.

For every Cocket, *six pence*.

For every Bill of Health, *one shilling*.

For every Bond and Certificate, coastwise, and for every Vessel employed in the Fishery, to be paid annually, *one shilling*.

For every Pass by any Garrison or Guard (coasting and fishing Vessels excepted) *six pence*.

For receiving and entering the Report of every Vessel carrying Wood and Lumber, coastwise, and a Certificate thereof, *six pence*.

And be it further enacted by the authority aforesaid that so much of an Act, intituled, "An Act for regulating the fees and forms in the Naval Offices, within this Com-

Part of a former act repealed.

monwealth," passed in the year of our Lord one thousand seven hundred & eighty four, as respects the fees of the said Offices, be, and hereby is repealed. *June 25, 1787.*

1787. — Chapter 5.

[May Session, ch. 5.]

AN ACT IN ADDITION TO AN ACT, MADE IN THE YEAR OF OUR LORD, ONE THOUSAND SEVEN HUNDRED AND EIGHTY-FOUR, ENTITLED "AN ACT DIRECTING THE MODE OF TRANSFERRING REAL ESTATES BY DEED, AND FOR PREVENTING FRAUD THEREIN." Chap. 5

Whereas it is, in and by the said Act, among other things, enacted, "that all deeds shall be acknowledged before some Justice of the Peace, by the grantor or grantors," "Provided, that when any grantor or lessor as aforesaid, shall go beyond sea, or be removed out of this Government, or be dead, before the deed or conveyance by him executed, shall be acknowledged as aforesaid, in every such case the proof of such deed or conveyance, made by the oath of one or more witnesses, whose names may be thereunto subscribed, before the Court of record within this Commonwealth, shall be equivalent to the parties own acknowledgment thereof, before a Justice of the Peace as aforesaid," but no provision is therein made where the witnesses whose names may be thereunto subscribed are dead, as well as the grantor or grantors: Preamble.

Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, that in all cases which have or may hereafter happen, where the grantor or grantors of any deed, shall be deceased before the deed or conveyance by him executed, shall be acknowledged, and the witnesses whose names may be subscribed thereto, are also deceased, that the proof of the hand writing of the grantor or grantors, and of the subscribing witnesses thereto, made by the oath of two witnesses before any Court of record within this Commonwealth, shall be equivalent to the parties own acknowledgment thereof before a Justice of the Peace, as is in and by the said Act mentioned.

In cases where the grantor, &c. of any deed, may be deceased before the same is acknowledged; proof of the hand writing shall be equivalent.

Provided, that it shall be made to appear to the satisfaction of the Justices of the Court before whom such proof shall be made, that the grantee or grantees mentioned in such deed or conveyance, have in the life time Proviso.