

diem, in bills of credit, to be paid out of the publick treasury upon warrant as aforesaid; certificate to be given by the clerk of the house of represent[ati]ves of the number of days of such members' attendance, and travel to and from the court: twenty miles to be accounted a day's travel.

diem for their service.

1714, chap. 4, and note.

And that there may be a sufficiency of bills in the province treasury to pay off such sums as shall become due as aforesaid to the members of the general court,—

Be it further enacted by the authority aforesaid,

[SECT. 3.] That the treasurer of the province be and hereby is directed and impowered to issue out and emit the sum of five thousand pounds in bills of credit already in his hands and received by taxes, impost, excise &c.; the said sum to be drawn out according to the direction of the royal charter; viz., so much as shall be necessary for the end and use of paying the members of the general court as aforesaid, and the residue of the said five thousand pounds to remain for the further order of this court.

Bills to be emitted for their payment.

And for a fund and security for drawing of the said bills into the treasury again,—

Be it further enacted,

[SECT. 4.] That there be and hereby is granted unto his most excellent majesty, a tax of five thousand pounds, to be levied and assessed in manner following; viz., such sum or sums as shall be paid the members of his majesty's council, to be assessed on the several towns within this province, in the same proportion that they pay to the next province tax, and paid in with the same; and that such sum or sums as shall be paid to the several represent[ati]ves serving in general court as aforesaid, shall be levied and assessed on the inhabitants of the several towns within this province, in such proportion and according to what each town by their respective representative received out of the treasury, w[hi]ch sum shall be set on the said town in the next province tax.

Fund.

[SECT. 5.] And the assessors of the said towns shall make their assessments for this tax and apportion the same according to the rule that shall be prescribed by act of the general assembly for assessing the next province tax; and the constables in their several districts shall pay in the same when they pay in the province tax for the next year.

[SECT. 6.] And the treasurer of the province shall keep an account, and debt each town for what shall be paid their respective represent[ati]ves, and credit the towns for the payments they shall make hereon; and shall also keep a separate account of this emission distinct from all other emissions, so as that no other of the funds or grants may be any way altered or affected hereby. [Passed December 24; published December 27.]

CHAPTER 13.

AN ACT TO PREVENT PERSONS CONCEALING THE SMALL-POX.

WHEREAS it has been represented that the small-pox has been designedly concealed in divers families within this province, which practice greatly tends to the spreading of that mortal distemper; for remedy whereof,—

Preamble.

Be it enacted by His Excellency the Governour, Council and Representative[s] in General Court assembled, and by the authority of the same,

Head of the family where the small-pox is, to hang out a red cloth, &c.

[SECT. 1.] That from and after the publication of this act, when any person is visited with the small-pox, in any town of this province, immediately upon knowledge thereof, the head of that family in which such person is sick, shall acquaint the selectmen of the town therewith, and also hang out, on a pole at least six feet in length, a red cloth not under one yard long and half a yard wide, from the most public[k] part of the infected house, the said sign thus to continue till the house, in the judg[e]ment of the selectmen, is thoroughly aired and cleansed; upon penalty of forfeiting and paying the sum of fifty pounds for each offence, one half for the informer and the other half for the use of the poor of the town where such offence shall be committed, to be sued for and recovered by the treasurer of the town, or the informer, by action, bill, plaint or information, in any of his majesty's courts of record; and if the party be unable or refuses to pay such fine, then to be punished by whipping not exceeding thirty stripes.

Penalty.

And be it further enacted by the authority aforesaid,

Persons that have the signs of the small-pox to send to the selectmen.

[SECT. 2.] That when the small-pox is in any town of this province, and any person in said town, not having had the same, shall then be taken sick, and any pustulous eruptions appear, the head of that family wherein such person is, shall immediately acquaint one or more of the selectmen of the town therewith, that so the s[ai]d selectmen may give directions therein; upon penalty of forfeiting the sum of fifty pounds, to be recovered and applied for the uses aforesaid, the whole charge to be born by the person thus visited, if able to defr[a]c[e]y the same, but if in the judg[e]ment of the selectmen of the town such person is indigent and unable, then the said charge to be born by the town whereto he or she belongs: *provided, always*, that this act shall not be understood to extend to persons in any town where more than twenty families are known to be visited with the small-pox at one and the same time.

Penalty.

Proviso.

Limitation.

[SECT. 3.] This act to continue for the space of ten years from the publication thereof, and no longer. [*Passed February 2; published February 3, 1731-32.*]

CHAPTER 14.

AN ACT IN FURTHER ADDITION TO AN ACT ENTITLED "AN ACT FOR THE RELIEF OF ID[I][E]OTS AND DISTRACTED PERSONS," MADE AND PASS'D IN THE SIXTH YEAR OF THE REIGN OF KING WILLIAM AND QUEEN MARY.

Preamble.
1693-4, chap. 18.
1726-27, chap. 12.

WHEREAS the provision made in and by the said act, only respects such id[i][e]ots, persons *non compos* or distracted, whose near relations refuse to undertake the care of providing for them, and whose circumstances may finally require the sale of their lands, or their persons to be put out to labour, in order to prevent any charge to the town where such distracted person or id[i][e]ot is an inhabitant, and no method prescribed in the said act how it may be inquired of, and known whether the person said to be a lunatick, id[i][e]ot or *non compos* be so or not; and for the securing the estate of such idiot or distracted person from imbezzlement,—