

Authority of the same, That an Act passed the third of March One thousand, Seven hundred and Eighty one, entitled “An Act for preventing all Commerce and illegal Correspondence with the Enemies of the United States of America,” — and another Act passed the first of May, One thousand, Seven hundred and Eighty one entitled “An Act in addition to an Act” entitled an Act for preventing all Commerce and illegal Correspondence with the Enemies of the United States of America” and another Act passed the eighth of November, One thousand, Seven hundred and Eighty two — entitled “An Act in addition to an Act” — Entitled An Act in Addition to an Act entitled, An Act for preventing all Commerce and illegal Correspondence with the Enemies of the United States of America and also every part of the Resolve of the General Court passed the Eighth day of May A. D. One thousand Seven hundred and Eighty two respecting illicit trade with the enemies of the United States, except that paragraph thereof which makes provision that certain Boats and Vessels therein described shall take permission from the Naval Officer in Certain cases and another Resolve passed the ninth day of October A. D. One thousand Seven hundred & Eighty two for preventing the Enemy from being supplied with Provisions from the Shores on the South part of this Commonwealth shall from and after the time at which the United States in Congress assembled shall cause declaration to be made, that Peace has taken Place between France, Great Britain and the United States, be repealed and every article and Clause of the before recited Acts shall thereupon become null and Void to every intent and purpose save only of being used to support any action or process that may have been commenced before and pending at the time when the said Acts and Resolves are to cease.

March 25, 1783.

1782. — Chapter 69.

[May Session, ch. 1.]

AN ACT IN ADDITION TO AN ACT INTITLED “AN ACT TO PROVIDE FOR THE PAYMENT OF DEBTS DUE FROM THE CONSPIRATORS AND ABSENTEES; AND FOR THE RECOVERY OF DEBTS DUE TO THEM.”

Chap. 69

Whereas by said Act, the Powers given to the Committees therein mentioned, do not extend to empower them to make Sale of any Estates on which Money has been

Preamble.

advanced to the Commonwealth, agreeable to a Resolve of the General Court passed the Nineteenth of June, in the Year of our Lord one Thousand seven Hundred and Eighty, unless the Persons who advanced Money as aforesaid shall consent to have such Estate sold, which Prohibition operates greatly to the Damage of the Creditors to such Estates: Therefore to remedy the same,

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, That in all Cases where the Creditors to such Estates shall exhibit to the said Committees, Certificates agreeable to said Act, of Debts due from the Estate of any Conspirator or Absentee, leased as aforesaid, the said Committees are hereby empowered to cause such leased Estates within their respective Counties to be appraised by three disinterested judicious Freeholders under Oath; and they are hereby directed to offer the said Estates to the Persons to whom they are leased, at the said Appraisalment; and in Case the Lessee shall take the Estate at the Appraisalment, the said Committees are respectively empowered in Behalf of this Commonwealth, to make and execute Deeds sufficient to convey Estates in Fee Simple to the said Purchaser; the Money advanced on any such Estate as aforesaid, to be in Part Pay for the same, agreeable to the Lease, and the Remainder to be disposed of agreeable to said Act.

And be it further enacted by the Authority aforesaid, That in Case any Lessee or Lessees as aforesaid, shall refuse or neglect to purchase the Estate leased to him or them as aforesaid, at the said Appraisalment, for the Space of Thirty Days after the Committee shall have notified him or them of the Appraisalment, the Committees are hereby empowered to sell the same to any other Person, at public or private Sale, as shall appear to them most advantageous to the Creditors and the Commonwealth; and upon the Payment of the Sums due to the said Lessees, or Security given to their Satisfaction, to make good and sufficient Deeds as aforesaid to the Purchasers, and dispose of the Remainder of the Proceeds of such Sale according to said Act.

And whereas no direct Provision is made by any Act or Resolve of this Court for making equitable Distribution of the Neat Proceeds of the Estates of Conspirators

Creditors to exhibit to Committees Certificates of Debts due from Absentees Estates Leased.

Leased Estate to be appraised.

In Case :

In Case Lessees neglect to purchase —

Committees empowered to sell.

and Absentees among their Creditors by the Committees of Sales in the several Counties in Cases of Insolvency:

Be it enacted by the Authority aforesaid, That in all Cases where the Neat Proceeds of Sale of the Estate of any Conspirator or Absentee shall be found insufficient to discharge the Whole of the Debts due therefrom, the said Committees in the several Counties be, and they hereby are empowered and directed to make Distribution of the Sums by them received, as the Neat Proceeds of the said Estates among the several Creditors thereto, in just and due Proportion; taking Bonds from the said Creditors respectively, in double the Sum to them paid, with two sufficient Sureties, conditioned to refund the Rateable Proportion of such Creditors Demand upon the said Estate, and the Neat Proceeds thereof in Case after Claims legally exhibited, supported and certified, shall render the said Estate further insolvent. And the Bonds given as aforesaid shall be lodged in the Probate Office of the County where the Estates of such Conspirators or Absentees shall be settled; any Law or Resolve to the contrary notwithstanding.

Distribution of neat Proceeds of Absentees Estates.

June 15, 1782.

1782. — Chapter 70.

[January Session, ch. 23.]

AN ACT EMPOWERING THE COMMITTEES FOR THE SALE OF THE ESTATES OF CONSPIRATORS AND ABSENTEES, AND THE AGENTS APPOINTED BY THE JUDGES OF PROBATE ON SUCH ESTATES, IN CERTAIN CASES TO PLEAD THE GENERAL ISSUE, AND GIVE THE ACTS AND RESOLVES OF THE GENERAL COURT AND ANY SPECIAL MATTER IN EVIDENCE.

Chap. 70

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, That in all Cases where Actions shall be commenced against the Committees and Agents aforesaid, or either of them, by any private Person or Persons, the said Committees and Agents may plead the General Issue, and give the Acts and Resolves of the General Court and any special Matter in Evidence.

Where Actions shall be commenced against Committees and Agents.

To plead the General Issue.

March 13, 1783.