

ment, be appropriated for the purpose of paying and subsisting the Militia that have been and may be employed by Government, in suppressing the present unnatural and dangerous Rebellion within this Commonwealth.

And whereas it is highly necessary that the expence of the Militia that have been or may be employed in the aforesaid business should be defreyed, as soon as money can possibly be procured for the purpose :

Treasurer empowered to borrow £40,000.

Be it further enacted by the authority aforesaid, that the Treasurer be, and he hereby is empowered and directed to borrow for the purposes expressed in this Act, the aforesaid sum of forty thousand pounds, to be repaid with interest at the rate of six per cent. per annum, out of the first monies arising from the appropriation herein specified, after repaying the sum of two thousand pounds, which the Treasurer by a resolve of the seventeenth of November, one thousand seven hundred and eighty six, was directed to borrow on the credit of the same Revenue, for the purpose of paying the delegates from this Commonwealth in Congress.

And whereas divers persons, actuated by a laudable zeal for the public welfare, have generously advanced large sums for the subsistence of the Militia in the service aforesaid :

Sums which have been advanced, how repaid.

Be it further enacted that there be paid out of the public Treasury, out of the monies arising from the appropriation abovementioned, the several sums which have been or may be so advanced for the purpose aforesaid, with interest for the same, at the rate of six per centum, per annum, from the time the money was so advanced, till the same shall be repaid.

February 6, 1787.

1786. — Chapter 51.

[January Session, ch. 2.]

Chap. 51 AN ACT IN ADDITION TO AN ACT, ENTITLED, “ AN ACT GRANTING INDEMNITY TO SUNDRY OFFENDERS ON CERTAIN CONDITIONS, AND PROVIDING FOR THE TRIAL OF SUCH WHO SHALL NEGLECT OR REFUSE TO COMPLY WITH SAID CONDITIONS, AND OF THOSE WHO SHALL BE GUILTY OF LIKE OFFENCES IN FUTURE.”

* Preamble.

Whereas in the Act, entitled “ An Act for granting indemnity to sundry Offenders on certain conditions, and providing for the trial of such who shall neglect or refuse

to comply with said conditions, and of those who shall be guilty of like offences in future," passed the last session of this present General Court, it is among other things enacted, that certain offenders therein described, "shall be subject to be apprehended and tried before the Justices of the Supreme Judicial Court, either in the County in which the said offence was committed; or in any County within this Commonwealth nearest thereto, where law and justice can be administered without apprehension of interruption;" But no provision is therein made in what manner, or by whom, the trial of such offenders in any other County than that in which the offence hath been or shall be committed, shall be ordered and appointed, in virtue of said Act:

Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Governor, by and with the advice and consent of the Council, be, and he hereby is authorized and empowered, by warrant under the seal of the Commonwealth, by him subscribed, and directed to the Justices of the Supreme Judicial Court, to order and appoint the trial of such offenders to be had in any other County, than that in which the offence hath been or shall be committed, nearest thereto, where law and justice can be administered, without apprehension of interruption; and such offenders shall be there tried, agreeably to such order and appointment. And the Justices of the said Court, shall charge the Grand Jurors serving therein, for the body of the same County, diligently to enquire into and true presentment to make of all such offences, in like manner and form, as if they had been committed, within the body of their County; whose duty it shall be to do accordingly.

And be it further enacted by the authority aforesaid, That if any person or persons, are already indicted for any of the offences described in the Act above referred to, by the Grand Jurors for the body of the County within which the said offences are alledged and charged to have been committed, and the trial of such person or persons, shall be ordered and appointed, in manner aforesaid, to be had in any other County; then, and in such case, the Justices of the said Court, shall order the indictment to be brought before them, in the County wherein the trial of such person or persons shall be so ordered and appointed to be had, as aforesaid; and the

Governour and Council, authorized to order the trial of offenders to be had in any county.

Clause respecting persons already indicted.

same proceedings shall be had therein, and the like judgment rendered and execution done, in all respects, as would and ought to have been had, rendered, and done, if the trial was had, within the County wherein the offence had been committed.

And be it further enacted by the authority aforesaid, That if the Justices of said Court, shall apprehend there is danger of an escape or rescue, of any person or persons, who shall be convicted before them of any of the offences described in the aforementioned Act, whereby the judgment rendered against them may be avoided, it shall be lawful for the Justices of the said Court, to cause such Convicts to be removed by a writ of *Habeas Corpus*, (in which the reason of the removal shall be set forth) from the Goal of the County, in which they shall have been tried and convicted, into the goal of any other County, for their more safe keeping. — And the several Sheriff's and Keepers of the Goals, shall receive the said Convicts, into their custody, and safe keeping, as shall be commended them by the said writs, and judgment shall be executed upon all such Convicts, within the County into which they shall be so removed, in like manner, in all respects, as it would and ought to have been done, had they been tried and convicted in the same County.

February 9, 1787.

1786. — Chapter 52.

[January Session, ch. 3.]

Chap. 52 AN ACT FOR THE LIMITATION OF PERSONAL ACTIONS, AND FOR AVOIDING SUITS AT LAW.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, that all actions of Trespass, *quare clausum fregit*, all actions of Trespass, Detinue, Trover or Replevin, for Goods or Cattle, all actions of account, and upon the case, other than such accounts, as concern the trade of Merchandize, between Merchant and Merchant, their factors or Servants, all actions of debt grounded upon any lending or contract, without specialty, all actions of debt for arrearages of rent, and all actions of assault, menace, battery, wounding and imprisonment, or any of them, which shall be sued or brought at any time after the first day of *June* next, shall be commenced and sued within

When danger of an escape or risque is apprehended, Justices may cause convicts to be removed by a writ of habeas corpus.