

society, together with their polls and estates, be, and hereby are incorporated into a religious society, by the name of the second parish in the town of *Portland*, with all the privileges, powers & immunities which any parish in this Commonwealth is intitled to by Law.

Provided nevertheless, That the said second society, shall pay to the rev^d *Thomas Smith*, one quarter part of the sum, that the first parish shall vote annually for his support, and the said *second parish* is hereby directed, and authorized, to assess and raise the same, in such way as they may hereafter see fit, & the said first parish is hereby discharged from assessing or paying of the said quarter part of the sum, that they shall so vote: provided also, that the said *second parish*, shall pay their full proportion of arrearages, heretofore assessed by the said first parish, and also quit their right to the parish property, reserving however to themselves, their pews in the meeting-house of the first Parish.

And be it further Enacted by the authority aforesaid, that *Daniel Davis*, esq^r be, & hereby is authorized to issue his warrant, directed to some principal member of the said society, requiring him to warn the members of the said society, qualified to vote in parish affairs, to assemble at some suitable time & place in the said town, to chuse such parish officers, as are by Law required to be chosen in the months of *March* or *April*, annually, & to transact all matters and things necessary to be done in the said society.

Proviso.
Daniel Davis,
Esq. to call a
meeting.

March 17, 1788.

1787.—Chapter 39.

[February Session, ch. 7.]

AN ACT IN ADDITION TO AN ACT, INTITLED, "AN ACT IN ADDITION TO AN ACT, PROVIDING FOR THE PAYMENT OF COSTS IN CRIMINAL SUITS."

Chap. 39

Whereas in the aforesaid Acts, no provision is made for the payment of Costs that often necessarily arise in the prosecution of Criminal offenders:

Preamble.

Be it therefore Enacted by the Senate & House of Representatives, in General Court Assembled, & by the authority of the same, That in cases where costs have already arisen or may hereafter necessarily arise in the prosecution of Criminal offenders, & no provision has already been made by Law for the payment thereof; in every such case

Payment of costs, provided.

the Justices of the several Courts of General Sessions of the Peace, in the respective Counties in this Commonwealth, may examine & allow accounts of such necessary costs as have arisen or may arise within their respective Counties, for Witnesses, officers & others concerned in such prosecution, as the case shall appear to require, not exceeding the fees that are or may by law be stated, except in cases otherwise provided for by Law. And such accounts when so allowed, shall be paid in the manner directed & ordered in the before recited Acts.

March 18, 1788.

1787. — Chapter 40.

[February Session, ch. 8.]

Chap. 40 AN ACT TO PREVENT NEGLECT IN SHERIFFS, SELECTMEN AND TOWN CLERKS RESPECTIVELY, IN NOT CALLING AND PRESIDING AT TOWN MEETINGS, RECEIVING AND RETURNING THE VOTES FOR GOVERNOR, LIEUTENANT GOVERNOR, SENATORS AND COUNSELLORS, AS IS POINTED OUT BY THE CONSTITUTION OF THIS COMMONWEALTH.

Preamble.

Whereas certain duties are by the Constitution of this Commonwealth required of the Sheriffs, Selectmen, & Town Clerks respectively, in calling & presiding at Town Meetings, for the choice of Governor, Lieutenant Governor, Senators & Counsellors, & in receiving and returning the Votes for such Officers into the Secretary's Office, but no penalty is by law provided, where the Sheriffs, Selectmen & town Clerks shall & do neglect or refuse to perform the duties respectively required of them by the Constitution:

Be it therefore Enacted by the Senate & House of Representatives in General Court assembled, & by the authority of the same, that the Sheriff of any County, who shall neglect or refuse to make seasonable return agreeably to the Constitution, into the Secretary's Office of this Commonwealth, of all such votes for Governor, Lieutenant Governor, Senators & Counsellors, as he shall receive, or shall otherwise neglect his duty in the premises, shall for each & every offence forfeit & pay the sum of fifty pounds.

And be it further Enacted, that each and every Selectman & Town Clerk, who shall neglect & refuse to do & perform the several duties required of them by the Constitution, respecting the choice of Governor, Lieutenant Governor, Senators & Counsellors, and returning the

Penalty for neglect of duty in Sheriffs.

Penalty for neglect in Selectmen and Town Clerks.