

such damages & costs shall be recovered in an action of debt to be bro't by the persons to be benefited by the same; whether committee men, or persons owning the lands or fences damaged, with all the costs of suit against the person, committing the offence, in any Court proper to try the same, within the County of *Middlesex*. And the said committee, or any other person may sue for & recover upon due & legal conviction, in any Court proper to try the same, all penalties which shall arise or become due in their respective towns, for any breach of this act, either upon action of debt, or upon indictment, or information; one half of the penalty to accrue to the person recovering the same, the other half to be paid to the Treasurer of the town where the offence was committed, for the use of the poor of the same town.

Penalties, how recovered.

Be it further enacted by the authority aforesaid, that all fines & penalties, that may be incurred for a breach of this act, not exceeding *Four Pounds*, may be sued for & recovered, before any Justice of the Peace, for the County of *Middlesex*, saving the right of appeal to any person aggrieved, by the sentence of said Justice, to the Court of General Sessions of the Peace, next to be holden for said County.

Limitation.

This act to be in force for the space of five years from the first day of *March* next, and no longer.

*February 16, 1789.**

1788. — Chapter 69.

[December Session, ch. 21.]

AN ACT FOR SETTING OFF *BENJAMIN HODGES* FROM THE TOWN OF *STOUGHTON* & ANNEXING HIM TO THE TOWN OF *SHARON*.

Be it enacted by the Senate & House of Representatives in General Court assembled, & by the authority of the same, that *Benjamin Hodges* with his family & estate lying in *Stoughton* adjoining to *Sharon* line, be, & are hereby set off from the town of *Stoughton* & annexed to & incorporated with the town of *Sharon*.

Proviso.

Provided nevertheless, that he the said *Hodges* pay to the town of *Stoughton* his proportion of the debts that the

* Approved February 16, 1789.

said town now owes, to be computed according to his proportion of the last State tax.

And be it further enacted by the authority aforesaid, that the Assessors of the town of Stoughton be & they hereby are authorized & impowered to Assess upon said Hodges his proportionable part of the Debt the said town of Stoughton now owes as aforesaid, & to commit the same Assessment to a constable of the town of Stoughton, who is hereby authorized & impowered to collect it in the same way & manner, he could have collected it if said Hodges had still remained to the town of Stoughton.

To pay his proportion of debt.

*February 16, 1789.**

1788. — Chapter 70.

[December Session, ch. 22.]

AN ACT FOR INCORPORATING THE PLANTATION NUMBER ONE, ON THE EAST SIDE OF UNION RIVER, IN THE COUNTY OF LINCOLN INTO A TOWN BY THE NAME OF TRENTON.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, that the Plantation Number One on the east side of Union river, and included within the boundaries hereafter described; beginning on Frenchman's Bay at the south west corner bounds of Township Number Two, and bounded on the east by the west line of said Township Number Two, northerly by the south line of Townships Number Seven and number Eight, westerly by Union River and southerly by the Sea to the bounds begun at, together with the inhabitants thereof be, and they are hereby incorporated into a Town by the name of Trenton: And the said town is hereby vested with all the powers, privileges & immunities which other Towns in this Commonwealth by law do or may enjoy.

Boundaries.

And be it further enacted, that Nicholas Holt, Esqr. be, and he hereby is impowered to issue his Warrant, directed to some principal inhabitant of the said town of Trenton, requiring him to notify the inhabitants thereof to meet at such time & place as he shall therein appoint, to choose all such Officers as towns are by law required to choose, at their meeting in the month of March or April, annually.

Nicholas Holt, Esq; to call a meeting.

*February 16, 1789.**