

which may hereafter be purchased or in any other way be owned by any Inhabitant of said Springfield.

SECT. 2. *And be it further Enacted* that in case after the expiration of three years from the said last day of December, any Lands of the said Inhabitants of the Town of Springfield in the said Field shall be improved for settlement and any Dwelling-House be then standing thereon or any Buildings shall afterwards be erected on any of the said lands, then such buildings and the Lot or Lots on which the same shall stand or afterwards be erected shall forever be taxed by the said Town of West-Springfield and the right of the Town of Springfield to tax the same shall thenceforth cease and be determined.

West-Springfield to assess taxes in case —

SECT. 3. *And be it further Enacted* that whenever any person other than an Inhabitant of said Springfield shall hereafter become sole Owner or Proprietor of any lot of Land in the said Field which belonged to any Inhabitant of Springfield on the said last day of December or sole Owner or Proprietor of any separate or distinct part or parts of any such Lot or Lots and shall so continue to be for nine calendar months, then and not before the right of the said Town of Springfield to tax the same shall cease and determine & the said Town of West-Springfield shall have the sole right of taxing the same forever after.

When an inhabitant shall be taxed.

Provided however, that if any of the said Lands owned by any Inhabitant of said Springfield, on the said last day of December shall be taken by Execution in favor of any person other than an Inhabitant of said Springfield and the said land so taken shall be redeemed within the time by law prescribed then such land shall continue to be taxed by the Inhabitants of said Springfield while owned there any thing herein to the contrary notwithstanding.

Proviso.

Approved February 13, 1798.

1797. — Chapter 47.

[January Session, ch. 14.]

AN ACT FOR ESTABLISHING A TOLL FOR THE PURPOSE OF REPAIRING AND MAINTAINING THE GREAT BRIDGE OVER THE RIVER PARKER, IN THE TOWN OF NEWBURY AND COUNTY OF ESSEX.

SECT. 1. *Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same* that a Toll be and hereby is granted

Rates of toll.

and established for the purpose of repairing and maintaining the Great Bridge over the River Parker in the town of Newbury in the County of Essex, to be paid by the Passengers over said Bridge from the first day of May to the last day of October, in each and every year hereafter, according to the rates following, vizt. For each foot passenger, one cent; for one person and horse, three cents; for each cart or carriage drawn by one horse, with one driver, six cents; for each Chaise, chair or sulkey with the Travellers therein, ten cents; for each coach, chariot, phaeton or curricule with the travellers therein twenty cents; for each other Wheel carriage, drawn by more than one beast, and having but one driver, ten cents; for neat cattle & horses not ridden nor in teams or carriages, two cents each; and for swine and sheep, six cents for each dozen, and after the same rate for a greater or less number; and in all cases the same Toll shall be paid for each carriage, vehicle & team whether loaded or not loaded and no Toll shall be demanded upon the Lord's day.

Trustee to be appointed.

SECT. 2. *Be it further Enacted* that the Court of General Sessions of the peace in & for said County of Essex, be and hereby are authorized and empowered to appoint from time to time some suitable person as Trustee, to manage and receive said toll, and therewith to repair such parts of said bridge, as now do, or may hereafter need it; and he and his successors in that office, upon his or their giving bond with sufficient surety in the opinion of the Justices of the Court of Sessions for the County aforesaid for the faithful discharge of the duties of his office of Trustee as aforesaid, are hereby authorized & empowered to erect & keep up a Gate across said Bridge; to agree with & appoint from time to time, a suitable person to attend the same & receive said Toll, & to take security to him & his successors, that he will faithfully attend his duty at said Gate, at such hours as shall be agreed on between them, to receive said Toll and permit Travellers to pass; & that he will account with him or his successors upon oath, if required, & pay him or them weekly, all monies received by said Toll. And if said Toll gatherer shall neglect attendance at the hours agreed upon by him & the Trustee, or refuse to open the Gate for Travellers to pass, on tender of the lawful Toll, or shall receive or demand a greater Toll in any case, than is

Toll gatherer.

appointed by this Act, he shall forfeit & pay the sum of Four dollars to be recovered with costs, by action of debt before any Justice of the peace, in & for the said County, by any person who will sue for the same; & if any person shall pass, or attempt to pass thro' said Gate by force, & without paying the lawful Toll, he shall forfeit & pay a like sum of Four Dollars to the Toll gatherer to be recovered in like manner, & be moreover liable to be prosecuted for the Offence at Common Law; but at all times when the Toll gatherer shall not attend, the Gate shall be left open.

Penalty for neglecting duty.

Penalty for violence in passing the bridge.

SECT. 3. *Be it further Enacted*, that the Court of General Sessions of the peace in & for the County of Essex, shall from time to time require the Trustee by them appointed, to render his account upon Oath annually in the month of October, of all monies received by said Toll and of his expences of repairing said Bridge, and may order any sum, then in his hands, more than sufficient for the then necessary repairs of said Bridge to be paid into the Treasury of said County, and to be let out by the Treasurer at interest, & to be appropriated by order of said Court from time to time as there may be occasion, to the repairing of said Bridge, and for no other use whatever. And any Trustee for the time being, who shall refuse or neglect to account or pay over as aforesaid, when required as aforesaid, shall forfeit and pay for each offence the sum of Two hundred Dollars, to be sued for and recovered by the Treasurer of said County, with costs, by Action of Debt, in any Court proper to try the same; & said forfeitures when recovered shall be appropriated by order of said Court, for the repairs of said Bridge; and said Court may also proceed against any Trustee for his refusal or neglect to account or pay over as aforesaid when duly required, by way of attachment as for a contempt.

Trustee to account annually.

Penalty for neglect.

SECT. 4. *Be it further Enacted* that the Trustee of said Bridge for the time being, may, by the name of the Trustee of Parker River Bridge, in Newbury, in the County of Essex, demand of, and if need be, sue for and recover of any former Trustee, if living, or the Executors or Administrators of any one deceased, any monies such living or deceased Trustee may have received by said Toll, and not accounted for as aforesaid, as for monies had and received to their use, in any Court proper to try

Trustee may sue.

the same; and shall be accountable for the same when received, as for other monies received by said Toll.

Exemption
from toll.

SECT. 5. *Be it further Enacted*, that Jonathan Poor, Daniel Hale, Amos Hale, Samuel Plumer, John Thurston, Benjamin Thurston, Mark Plumer, David Plumer, Stephen Poor and Simeon Plumer and their families or the Occupants of their estates contiguous to said Bridge, and their Minister and Physician be & they hereby are exempted from paying the Toll required by this law, so long as they shall keep in good repair, in the Judgment of the Trustee of said Bridge, the whole of the abutment of said Bridge, from the South Shore to the first arch, including the caps and railing.

Approved February 13, 1798.

1797. — Chapter 48.

[January Session, ch. 16.]

AN ACT FOR INCORPORATING CERTAIN PERSONS, FOR BUILDING A BRIDGE OVER CHICAPEE RIVER, BETWEEN WILBRAHAM AND LUDLOW, AND FOR SUPPORTING THE SAME.

Preamble.

Whereas the erecting a Bridge over the River between Wilbraham and Ludlow will be of public utility, and Samuel Fisk Merrick and others have petitioned this Court for that purpose;

Boundaries.

SECT. 1. *Be it therefore Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that Samuel Fisk Merrick, Gideon Burt, Elisha Shepard junr. Jason Chapin, William Buel, Benjamin Phillips, Joel Lyman, Charles Wiley, John Stickney, James Warner, Azriel Warner, William Brewer, Aaron Graves, Leonard Millar, Solomon Charles, David Worriner, Thomas Jones, Reuben Sikes, Oliver Bliss, Silas Bliss, James Shaw, Moses Bartlet, Elisba Shepard, David Hitchcock and Ephraim Moore, together with those who may hereafter associate with them be and they are hereby constituted a Corporation and Body Politic by the name of the Wilbraham Bridge Company, for the purpose of building and supporting a Bridge over Chicapee River between Wilbraham and Ludlow and as such they may sue and be sued and may appoint one or more Agents or Attorneys to prosecute or defend them, and may have and keep one Common Seal which they may alter break or change at pleasure.