

the general and commander-in-chief of his majesty's forces in North America, any time in the year one thousand seven hundred and fifty-nine, and since deceased, intestate, the wages due to such officer or soldier; and the receipt given by such widow shall be a discharge to the province treasurer; and such widow shall not be liable to any action or suit for any sum received by virtue of this act.

soldiers, the pay due, &c. 1758-59, chap. 24.

And be it further enacted,

[SECT. 2.] That if administration shall be granted upon the estate of any deceased officer or soldier whose widow shall have received his wages by virtue of this act, the judge of probate granting such administration shall, and he is hereby required, in passing upon the accounts of the administrator, to consider and have regard to the sum so received, as an allowance, either in part or in whole, as such judge shall think proper, of the necessary implements of household stuff allowed by law to widows in cases where provision is not otherwise made for that purpose. [*Passed February 13; published February 14, 1760.*]

Judge of probate empowered to make allowance to the widows of non-commission officers and soldiers, &c.

CHAPTER 21.

AN ACT RELATING TO FERRIES.

WHEREAS there are several places within this province where c[ountr]y* roads heretofore have been, or hereafter may be, laid over rivers which are not fordable*, some of them the whole year, others part of the year, and where bridges cannot be [erected*] without great cost and charge, and no persons will undertake to keep ferr[y'] [ie]s at sa[id*] places, by which means travellers and other persons are greatly interrupted in their bus[iness*]; for remedy whereof,—

Preamble. 123 Mass., 469.

Be it enacted by the Governo[r], Council and House of Representatives,

[SECT. 1.] That the several towns and districts within this province where, in the judgment of the quarter sessions, it is necessary to set up ferries as aforesaid, said towns and districts shall take effectual care to provide a suitable person or persons to keep and attend said ferries, at such times in the year as it may be necessary; which persons shall be licen[s] [e]d by the justices in quarter sessions: said persons to give bond for the faithful discharge of their place; and all such ferrymen are hereby enjoined to keep a good boat or boats, in good repair, suitable to the waters they are to ferry over, also give due attendance on passengers, on penalty of five shillings for every default of non-attendance; and for want of a good boat, kept in repair, to pay five pounds; and the fairs of the respective ferr[y'] [ie]s to be set[t]led by said courts, having regard to the difficulty of maintaining the same.

Towns to provide persons to keep and attend ferries.

Said ferrymen to be licensed and give bond.

Penalty for default.

Towns and districts further empowered, relating to ferries, as the sessions shall order.

Be it further enacted,

[SECT. 2.] That if any such ferry may be necessary across any river where one town or district join said river on the one side, and another town or district on the other side, in such case the said towns and districts shall, either jointly or alternately, provide such person or persons to keep such ferry, as said court shall order.

Be it further enacted,

[SECT. 3.] That the several towns and districts that shall neglect or refuse to provide suitable persons to keep ferr[y'] [ie]s as aforesaid, shall forfeit and pay the sum of ten pounds per month for each month's neglect. All fines and forfeitures arising by this act shall be one

Penalty for towns and districts that shall neglect.

How fines are to

* Parchment mutilated by mice.

- be disposed of. moiety thereof to him or them that shall inform or sue for the same, the other moiety to be paid into the province treasury, to be recovered in any court proper to try the same.
- Limitation. [SECT. 4.] This act to continue and be in force five years from the first day of May next, and no longer. [*Passed February 13; published February 14, 1760.*]

CHAPTER 22.

AN ACT FOR INCORPORATING CERTAIN LANDS LYING WEST OF SHEFFIELD INTO A SEPARATE DISTRICT BY THE NAME OF EGREMONT.

- Preamble. WHEREAS it is represented to this court that the inhabitants of the lands west of Sheffield labour under great difficulties and inconvenienc[*i*]es by means of their not being invested with the priviledge of a district; therefore,—
Be it enacted by the Governour, Council and House of Representatives,
- Lands west of Sheffield erected into a district. [SECT. 1.] That the whole tract of land beginning at Sheffield west line, at the south-east corner of Ebenezer Olds' land, then running west, nine degrees north, four miles and an-half and thirty-seven rods; thence running north, twenty-two degrees east, five miles and three-quarters; thence running east, nine degrees south, on the south line of Peter Sharp's land, to Sheffield line; thence running on Sheffield line, to the first bounds; be and hereby is erected into a distinct and separate district by the name of Egremont; and that the said district be and hereby is invested with all the priviledges, powers and immunities that towns in this province do and by law may enjoy, that of sending a representative to the general assembly only excepted, and that the inhabitants of said district shall have full power and right, from time to time, to join with the said town of Sheffield in the choice of a representative, in which choice they shall enjoy all the priviledges which by law they would have been [e][*i*]ntit[*u*]led to if this act had not been made; and that the said district shall, from time to time, pay their proportionable part of the expence of such representative according to their respective proportions of the province tax; and that the said town of Sheffield, as often as they shall call a meeting for the choice of a representative, shall give seasonable notice to the clerk of said district, for the time being, of the time and place of holding such meeting, to the end that the said district may join them therein; and the clerk of said district shall set up, in some public[k] place in said district, a notification thereof accordingly.
Provided, nevertheless,—
And be it further enacted,
- Bounds thereof. [SECT. 2.] That the said district shall pay their proportion of all such province taxes or county taxes as have been duly assessed on them by the town of Sheffield, and their proportion of the ministerial taxes hitherto granted to be raised in said second parish of Sheffield.
[And be it further] enacted,*
- Privileges, &c., granted said district. [SECT. 3.] That the inhabitants on said tract of land be exempted from the payment of the two last taxes, made in the said second parish of Sheffield, for finishing of the meeting-house in said parish.
And be it further enacted,
- Proviso. [SECT. 4.] That John Ashley, Esq^[*r*], be and hereby is impow-
- Exemption.
- John Ashley,

* Four words not in the engrossment.