

CHAPTER 8.

AN ACT FOR SUPPLYING THE TREASURY WITH THE SUM OF SEVENTY-SIX THOUSAND POUNDS, TO BE THENCE ISSUED FOR DISCHARGING THE PUBLIC DEBTS, AND DRAWING THE SAME INTO THE TREASURY AGAIN.

WHEREAS it is necessary, in order to support the faith and credit of the government, that provision be made by the general court for discharging the grants and allowances that may be made the present year; also to enable the treasurer to redeem the government securities that will become due in June, one thousand seven hundred and seventy-one, —

Preamble.

*Be it enacted by the Lieutenant-Governor, Council and House of Representatives,*

[SECT. 1.] That the treasurer of the province be, and he hereby is, impowered and directed to borrow, from such person or persons as shall be willing to lend the same, from time to time, as he shall have occasion for the money, a sum not exceeding seventy-six thousand pounds, in mill'd dollars at six shillings each, or in the several species of coined silver and gold enumerated in an act, made and passed in the twenty-third year of his late majesty King George the Second, intituled "An Act for ascertaining the rates at which coined silver and gold, English halfpence and farthings, may pass within the government;" and the sum so borrowed shall be applied in manner as in this act is hereafter directed; and for the said sum the treasurer shall give his receipt or obligation payable at the following periods; viz., twenty-six thousand pounds to be paid in, the twentieth of June, in the year one thousand seven hundred and seventy-two; twenty-five thousand pounds to be paid on or before the twentieth day of June, in the year one thousand seven hundred and seventy-three; and twenty-five thousand pounds to be paid in, on or before the twentieth day of June, in the year one thousand seven hundred and seventy-four, in the form following; viz., —

Treasurer empowered to borrow £70,000.

1749-50, chap. 19.

Province of Massachusetts Bay, the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_ Borrowed and received of \_\_\_\_\_ the sum of \_\_\_\_\_, for the use and service of the province of the Massachusetts Bay; and, in behalf of said province, I do hereby promise and oblige myself and successors in the office of treasurer, to repay the said \_\_\_\_\_ or his order, the \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand seven hundred and seventy, the aforesaid sum of \_\_\_\_\_, in Spanish mill'd dollars at six shillings each, or in the several species of coined silver and gold enumerated in an act, made and passed in the twenty-third year of his late majesty King George the Second, intituled "An Act for ascertaining the rates at which coined silver and gold, English half pence and farthings, may pass within the government," and according to the rates therein mentioned, with interest, annually, at five per cent.

Form of the note.

Witness my hand,

H. G., Treasurer.

A. B.,  
C. D.,  
E. F., } Committee.

[SECT. 2.] And the treasurer, in issuing said receipts or obligations, and the committee chosen to countersign them, shall observe and be governed by the rules and directions given by an act of this province, made in the second year of his present majesty's reign, intituled "An

Regulation of the sum, and manner of issuing the notes. 1761-62, chap. 23.

Act to supply the treasury with the sum of twenty-five thousand pounds.”

*And be it further enacted,*

Appropriations.

[SECT. 3.] That the sum of eight thousand five hundred pounds, part of the aforesaid sum of seventy-six thousand pounds, when received into the treasury, shall be issued in the manner and for the purposes following; that is to say, the sum of fifteen hundred pounds, part of the aforesaid sum of seventy-six thousand pounds, shall be applied for the payment of the expences of the forts and garrisons within this province; viz., for Fort Pownall this present year, and the late garrison at Castle William, from the twenty-first day of May, to the tenth day of September last: and the further sum of two hundred pounds, part of the aforesaid sum of seventy-six thousand pounds, shall be applied for the purchasing provisions and the commissary's disbursements for the several forts and garrisons within this province; and the further sum of two thousand pounds, part of the aforesaid sum of seventy-six thousand pounds, shall be applied for the payment of the grants made or to be made by this court; and the further sum of two thousand five hundred pounds, part of the aforesaid sum of seventy-six thousand pounds, shall be applied for the discharge of debts owing from this province to persons that have served and shall serve them, by order of this court, in such matters and things where there is no establishment nor any certain sum assigned for that purpose, and for writing, printing and paper for this court, and such repairs of the province house, court-house and lighthouse, as shall be made by order of the general assembly; and the further sum of two thousand three hundred pounds, part of the aforesaid sum of seventy-six thousand pounds, shall be applied for the payment of his majesty's council and the members of the house of representatives serving in the great and general court during the several sessions of the present year.

*And be it further enacted,*

Treasurer to pay out of appropriation, directed by warrant.

[SECT. 4.] That the treasurer pay the aforesaid sums of eight thousand five hundred pounds, out of such appropriations as shall be directed by warrant, and no other.

*And be it further enacted,*

£67,500 for redemption of government securities.

[SECT. 5.] That the sum of sixty-seven thousand five hundred pounds, being the remainder of the sum ordered to be borrowed by this act, when received into the treasury, be applied by the treasurer for the redemption of government securities that will become due the twentieth day of June, one thousand seven hundred and seventy-one.

And in order to draw said money into the treasury again, and to enable the treasurer effectually to discharge the receipts and obligations (with the interest that may be due thereon), by him given in pursuance of this act, —

*Be it enacted,*

Tax granted of £83,550 to be paid on or before the 31st of March, 1772.

[SECT. 6.] That there be and hereby is granted to his most excellent majesty a tax of eighty-three thousand five hundred and fifty pounds, to be levied on polls, and estates both real and personal, within this province, in manner following; that is to say, twenty-seven thousand three hundred pounds, part thereof, according to such rules and in such proportion on the several towns and districts, parishes and other places within this province, as shall be agreed upon and ordered by the general court or assembly at their session in May, one thousand seven hundred and seventy-one, and to be paid into the public treasury on or before the last day of March next after; and the further sum of twenty-seven thousand five hundred pounds, according to such

rules, and in such proportions on the several towns and districts, parishes and other places aforesaid, as shall be agreed on and ordered by the general court at their session in May, one thousand seven hundred and seventy-two, and to be paid into the treasury on or before the last day of March next after; and the further sum of twenty-eight thousand seven hundred and fifty pounds, according to such rules, and in such proportion on the several towns, districts, parishes and other places aforesaid, as shall be agreed on and ordered by the general court at their session in May, one thousand seven hundred and seventy-three, and to be paid into the treasury on or before the last day of March next after.

*And be it further enacted,*

[SECT. 7.] That if the general court, at their session in May, one thousand seven hundred and seventy-one, or at their session in May, one thousand seven hundred and seventy-two, or at their session in May, one thousand seven hundred and seventy-three, and sometime before the twentieth day of June in each year, shall not agree and conclude upon an act apportioning the sums which by this act are engaged to be, in each of said years, assessed and levied, that then and in such case each town, district, parish and other place within this province shall pay, by a tax to be levied on the polls, and estates both real and personal, within their limits, the same proportion of the said sums as the said towns, districts, parishes and other places were taxed by the general court in the tax act then last preceeding.

General court to apportion the sum in the years 1771, 1772, and 1773, or otherwise be paid as in the preceding tax act.

[SECT. 8.] And the province treasurer is hereby fully impowered and directed, some time in the month of June, in each of the years aforesaid, to issue and send forth his warrants, directed to the selectmen or assessors of each town and district within this province, requiring them to assess the polls, and estates both real and personal, within their several towns and districts, for their respective parts and proportions of the sums before directed and engaged to be assessed, to be paid into the treasury at the aforementioned times; and the assessors, as also persons assessed, shall observe, be governed by, and subject to, all such rules and directions as shall have been given in the last preceeding tax act. [*Passed November 17; published November 20.*]

Treasurer empowered to issue his warrants, accordingly.

## CHAPTER 9.

AN ACT FOR REPEALING THE SEVERAL LAWS NOW IN FORCE WHICH RELATE TO THE LIMITATION OF PERSONAL ACTIONS, AND FOR THE LIMITATION OF PERSONAL ACTIONS FOR THE FUTURE, AND FOR AVOIDING SUITS AT LAW.

*Be it enacted by the Lieutenant-Governor, Council and House of Representatives,*

[SECT. 1.] That the several laws and the several paragraphs and clauses of all and every of the laws, of this province, heretofore made and enacted, any ways relating to the limitation of personal actions, be and hereby are repealed, and declared null and void, and shall never hereafter be pleaded or pleadable in bar of any action brought or to be brought.

The several laws relating to limitation of personal actions repealed.  
1692-3, ch. 42, § 9.  
1693, ch. 7, § 2.  
1693-4, ch. 2.  
1718-19, chap. 10.  
1748-49, chap. 17.  
1755-56, chap. 22.  
1761-62, chap. 41.  
1766-67, chap. 20.  
Actions described.

And, for avoiding suits in law, —

*Be it further enacted,*

[SECT. 2.] That all actions of trespass *quare clausum fregit*; all actions of trespass, detinue, action sur trover, and replevin for taking

1698, ch. 10, § 13. 1700-1, ch. 6, § 2.  
1723 4, chap. 1. 1740-41, chap. 4.  
1752-53, chap. 1. 1753-54, chap. 34.  
1757-58, chap. 9. 1759-60, chap. 15.