

## CHAPTER 2.

AN ACT FOR TAKING AFFIDAVITS OUT OF COURT, IN CERTAIN CASES  
NOT ALREADY PROVIDED FOR.

WHEREAS no provision is made for taking affidavits out of court, where the persons whose testimonies are wanted are inlisted in the service of this or the United States,—

*Be it enacted by the Council and House of Representatives in General Court assembled, and by the authority of the same,*

[SECT. 1.] That in such cases, affidavits may be taken and used in like manner, and with the same restrictions, as the depositions of persons bound to sea may, by law, be taken and used.

[SECT. 2.] This act to continue and be in force for the space of two years, and no longer. [Passed June 11.]

Preamble.

Persons who are enlisted into service of this or the United States may have the affidavits taken out of court.

## CHAPTER 3.

AN ACT TO IMPOWER THE PROPRIETORS OF A NEW TOWNSHIP IN  
THE COUNTY OF CUMBERLAND, CALLED PEARSONTOWN, TO LAY A  
YEARLY TAX, NOT EXCEEDING A PENNY PER ACRE, FOR THE TERM  
OF FIVE YEARS, UPON THE UNIMPROVED LANDS THERE, AND TO  
SUBJECT THE LANDS OF SUCH AS SHALL REFUSE OR NEGLECT TO  
PAY THE SAME, TO BE SOLD FOR THE PAYMENT THEREOF.

WHEREAS the proprietors of a new township called Pearsontown, in the county of Cumberland, have petitioned this court, shewing that they have occasion to raise monies, for the support of the gospel, making and repairing roads and bridges, running and marking the lines of their lot[t]s, and other necessary charges of completing the settlement of that township, but that by reason of their having divided most of their lands there into lot[t]s, and drawn the same, their former method, by law prescribed, of laying taxes on their several rights, is inconvenient, and, where the same right is owned by different persons, in several lotts, may, in many cases, work injustice; and therefore praying that they may be impowered to lay a tax upon every unimproved lot[t] there, for a certain time, for the purposes aforesaid,—

Preamble.

1753-54, chap. 1.

*Be it therefore enacted by the Council and House of Representatives in General Court assembled, and by the authority of the same,*

[SECT. 1.] That the proprietors of said township be, and they hereby are, impowered, some time in the present year, 1778, and once in every year for the term of four years next succeeding the present, at a meeting called and held in the method already last agreed on by them for calling their meetings, to lay a tax, not exceeding one penny per acre, upon every thirty-acre lot[t] and every hundred-acre lot[t] there (except such lot[t]s as belong to the minister there, or are appropriated for the use of the ministry, or support of schools, and except every other lot[t], of which five acres shall be cleared and brought

Proprietors of the town of Pearsontown, for the space of five years, empowered to lay a tax, not exceeding one penny per acre, upon the unimproved land.

to, so as to be fit for mowing or ploughing), and appropriate the monies arising by said tax to all or any of the purposes aforesaid, as they shall judge necessary. And at each of said meetings said proprietors shall and may choose a committee of three persons, which committee, or the major part of them, shall publish said tax, at the proprietors' cost, by posting up the same in said Pearsonstown, and in Falmouth in the same county, in some public place, and by causing the same to be inserted in one or more of the Boston weekly newspapers, for three weeks successively; and in said publication shall require the owners of said lot[t]s to pay said tax to said proprietors' treasurer; and advertise a time, and place in said county, for the sale of so much of every lot[t], the tax upon which shall remain due and unpaid at the time appointed for such sale, as shall be necessary, in the judgment of said committee, or major part of them, to pay said tax, with charges of sale and conveyance: the said time of sale to be thirty days at least after such publication.

Lands liable to be sold to pay the tax.

[SECT. 2.] And the said committee, or the major part of them, are hereby authori[z][s]ed and impowered, at the time and place advertised for that purpose, as aforesaid, at public vendue, to sell so much of every lot[t] there, the tax upon which, or any part of it, shall then remain due and unpaid, as they shall judge necessary to pay the same, with charges of sale and conveyance, to such person or persons as will offer most for the same; and to make, execute and acknowledge a good and lawful[1] deed or deeds for conveyance of the same, to the purchaser or purchasers, in fee simple; w[hi]ch deed or deeds, being also recorded according to law, shall be good and valid, to all intents and purposes, in law, for the conveying such lands to the purchaser or purchasers, his, her, or their heirs and assigns, forever. And said committee, or the major part of them, may adjourn and continue said vendue from time to time until[1] all delinquent owners' lots, or so much of them as shall be necessary, are sold, if for want of time or purchasers they cannot sell the whole on the day appointed, or they shall judge it for the interest of such delinquent owners so to do. And the said committee shall make out two fair lists of all lot[t]s, or parts of lots, sold, expressing the sums they sold for, and to whom they were sold, under their hands, or the hands of the major part of them, and deliver one of those lists to the said proprietors' clerk, to be filed in his office, and the other to the said proprietors' treasurer; also a fair account of the charges of sale and conveyance; and shall immediately pay over all the monies arising by such sales, to said treasurer, deducting said charges; said account[s] of which, they shall also deliver to said treasurer. And the said treasurer shall give them a receipt for said monies, and shall divide said charges among all the lot[t]s the whole or part of which were sold, according to the quantity so sold; and if the sum arising from the sale of any lot[t] or part of a lot[t], deducting its proportion of said charges, still exceeds the tax laid upon it, the said treasurer shall pay such overplus money to the owner or owners of such lot[t], if he or they demand the same in two years from the time of sale; otherwise it shall be for the use of the said proprietors, and appropriated to the same purposes with the taxes aforesaid.

*Provided, always, —*

Provido that the owners of the land shall be allowed eighteen months to redeem it.

[SECT. 3.] That the owner of every lot[t] or part of a lot[t] sold, shall have eighteen months from the time of sale allowed him to redeem the same, and upon payment or legal tender, within that time, to the purchaser or purchasers, his or their heirs or assigns, of the principal

sum the land sold for, with double interest, cost of recording the deed, and costs of improvements, if any there shall be, such purchaser or purchasers, his or their heirs or assigns, shall, at the cost of such owner, reconvey, by a proper deed, to be executed and acknowledged according to law, such lot[t], or part of a lot[t], to such owner, and in case of refusal, be liable to his action for recovery of the same, with damages for his refusal. And the business of said meetings to be held by virtue of this act, shall be expressed in the application and warning for the same; and any other articles may be therein inserted upon which the said proprietors may lawfully act and vote. [Passed June 13.]

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## CHAPTER 4.

### AN ACT FOR FURTHER PROLONGING THE TIME FOR CALLING IN THE BILLS OF CREDIT OF THIS STATE, NOT ON INTEREST.

WHEREAS it appears to this court that the time limited, by a late act, for prolonging the time for calling in the bills of credit of this state, not on interest, was not sufficient for that purpose, —

Preamble.  
1777-78, chap. 27.

*Be it therefore enacted by the Council and House of Representatives in General Court assembled, and by the authority of the same,*

[SECT. 1.] That the time for calling in the said bills of credit, and exchanging them for treasurer's notes, be further prolonged to the first day of December next; and that the treasurer be, and he hereby is, directed to exchange said bills accordingly; any law to the contrary notwithstanding.

Prolonging the  
time for calling  
in the bills of  
credit of this  
state.

*Provided, nevertheless, —*

[SECT. 2.] That all notes which shall be issued by the treasurer for any sums of this state's money which he may receive by virtue of this act, shall bear date at the time such sums shall be by him received. [Passed June 4.]

Notes to bear  
date at the time  
the treasurer  
shall receive the  
same.

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## CHAPTER 5.

### AN ACT TO PREVENT THE FORGING, ALTERING OR COUNTERFEITING THE STATE-LOTTERY TICKETS.

WHEREAS this court have established a lottery for the benefit of the officers and soldiers belonging to this state, and now doing duty in the Continental Army; and whereas it is necessary that such penalties by law be annexed as shall effectually prevent the forging, counterfeiting or altering said lottery tickets, —

Preamble.

*Be it therefore enacted by the Council and House of Representatives in General Court assembled, and by the authority of the same,*

[SECT. 1.] That if any person shall presume to forge, counterfeit or alter, any lottery ticket which hath been or hereafter may be made by order and under the authority of this state, or shall make

Penalty for  
counterfeiting  
state-lottery  
tickets.