

tively, in convenient time before their making the assessment, shall give seasonable warning to the inhabitants in a town meeting, or by posting up notifications in some place or places in such town or district, or otherwise to notify the inhabitants to give or bring in to the said assessors true and perfect lists of their polls and ratable estate; and if any person or persons shall neglect or refuse so to do, or bring in a false list, it shall be lawfull to and for the assessors to assess such person or persons according to their known ability in such town, according to their sound judgment and discretion, their due proportion of this tax, as near as they can, according to the rules herein given, under the penalty of twenty shillings for each person that shall be convicted by legal proof, in the judgment of the assessors, of bringing in a false list; the said fine to be for the use of the poor of such town or district where the delinquent lives, to be levied by warrant from the assessors, directed to the collector or constable in manner as is directed for gathering of town assessments, and to be paid in to the town treasurer or selectmen for the use afores^d: *saving* to the party aggrieved at the judgment of the assessors in setting such fine, liberty of appeal therefrom to the court of general sessions of the peace within the county, for relief as in case of being overrated.

[SECT. 5.] And if the party be not convicted of any falseness in the list by him presented of polls, ratable estate, and income by any trade or faculty which he doth or shall exercise in gaining, by money or other estate not particularly otherwise assessed, such list shall be a rule for such person's proportion to the tax, which the assessors may not exceed. [*Passed July 23; published July 25.*]

CHAPTER 5.

AN ACT TO ENABLE THE LATE CONSTABLES OF THE TOWN OF WEYMOUTH TO RECOVER THE PUBLICK DUES FROM THE INHABITANTS OF THE SAID TOWN WHO REFUSE TO PAY THEIR TAXES, BY REASON THE SELECTMEN WHO WERE ASSESSORS OF THE SAID TOWN FOR TIME PAST HAVE OMITTED AND NEGLECTED TO TAKE THE ASSESSORS' OATH.

WHEREAS, by the omission and neglect of the selectmen of the said town of Weymouth, the assessors of the said town, for some time past, have not been sworn to their duty and office, as the law in such case requires, whereby the inhabitants take the advantage of such omission and neglect of the said selectmen, and refuse to pay their rates, so that a full stop is made in all the publick payments in the said town, to their great hurt and damage, altho the assessors have made the assessment of the said town as equal and just as if they had been under oath, and are now ready to be sworn thereto; for remedy of which inconvenience,—

Be it enacted by His Excellency the Governour, Council and Representatives in General Court assembled, and by the authority of the same,

[SECT. 1.] That the several constables of the town of Weymouth, for the several years past, who have not collected and gathered in their taxes, be and hereby are authorized and impowered, and also directed forthwith to collect such outstanding rates, conformable to the assessors' lists or assessments, and pay in the same as by warrant directed, the omission and neglect of taking their oaths nevertheless; any law, usage or custom to the contrary thereof in any wise notwithstanding.

Provided, nevertheless,

[SECT. 2.] That where any person or persons shall be overrated, he or they may apply to the said selectmen, or general sessions of the peace, for relief. [*Passed July 23.*]