

appointed by this court for that purpose, shall be burnt to ashes; any law, usage or custom to the contrary notwithstanding. [*Passed March 31, 1721.*]

CHAPTER 15.

AN ACT IN ADDITION TO AN ACT MADE IN THE TWELFTH YEAR OF KING WILLIAM, ENTITLED "AN ACT DIRECTING HOW TAXES TO BE GRANTED BY THE GENERAL ASSEMBLY SHALL BE ASSESSED AND COLLECTED," AND FOR THE RATIFYING AND CONFIRMING THE PROCEEDINGS OF THE ASSESSORS OF PRECINCTS, DISTRICTS AND PARISHES, AND THE COLLECTING OF SUCH RATES AND TAXES AS MAY HAVE BEEN MADE BY SUCH ASSESSORS, ALTHO' NOT UPON OATH; AND TO IMPOWER COMMITTEES OF PRECINCTS, &c., TO CALL MEETINGS.

Preamble.
1699-1700, chap.
26, § 1.
1702, chap. 10,
§ 2.

WHEREAS it is not expressly declared in and by the said act of the twelfth of King William, that the assessors of precincts, districts and parishes shall be upon oath, and some of the assessors legally chosen by and for some of the districts, parishes and precincts within this province, have not been under oath, and thereupon some difficulty has arisen as to the collecting and paying such parish and precinct taxes or rates,

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

Assessors of
parishes, &c.,
to be under
oath.

[SECT. 1.] That from and after the publication of this act, all assessors, as well those of and for parishes, precincts and districts, shall be under the obligation of an oath to make their assessment just and equal, according to the rules in the law provided.

Parish commit-
tees to have
power to call
meetings.
3 Mass., 281.

[SECT. 2.] And that the committee chosen in precincts, districts and parishes to manage their prudentials, shall have the like power and authority to call and appoint meetings of their respective precincts, districts and parishes, as the selectmen of towns have to call and appoint town meetings.

And be it further enacted,

Assessment
made not under
oath, to be held
good.

[SECT. 3.] That all assessments hitherto made by any assessors legally chosen for any precinct, parish or district within this province, although not upon oath, shall be, and are, legally held, deemed and made good and valid to all intents and purposes, as if the same had been made upon oath; and all constables, collectors and persons concerned are to conform themselves accordingly: *provided, always,* that such assessments that have been made, and the assessors not under oath, and the whole or any part thereof not collected, that in all such cases, oath shall be made by those assessors living that made the assessments, if thereto required, that they acted impartially and according to their best skill and judgment; any law, usage or custom to the contrary notwithstanding. [*Passed March 28, 1721.*]

Proviso.

CHAPTER 16.

AN ACT TO PREVENT MISPENDING MONEY IN TAVERNS.

Preamble.
1692-3, chap. 20,
§ 3.
1693-4, ch. 20.

WHEREAS many persons are so extravagant in their expences at taverns and other houses of common entertainment, that it greatly hurts their families, and makes them the less able to pay and discharge their

honest, just debts, and are encouraged in this practice by the taverners, retailers and keepers of houses of entertainment [by] giving them too great credit; for remedy whereof,—

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

That if any in[n]holder, retailer, alehouse-keeper, or common victualler, shall, after the publication of this act, trust or give credit to any person inhabiting in the same town where they are trusted, for victuals or drink, for more than ten shillings, such in[n]holder, retailer, alehouse-keeper, or common victualler shall forfeit all such sums so trusted; and all actions to be brought for such debt or debts to be utterly excluded and barred; any law, usage or custom to the contrary notwithstanding. [*Passed March 30, 1721; published April 1, 1721.*]

1698, chap. 10.
1711-12, chap. 6.

Taverner, &c.,
to forfeit debts
for drink and
victuals exceed-
ing ten shil-
lings.

NOTES.—A general court was convened May 25, 1720, but was dissolved after a session of five days, during which no acts were passed. A new assembly met July 13, and sat ten days, when it was prorogued to September 28; but was again prorogued, by proclamation, September 15, to November 2, following, which was the beginning of the second session. The second session continued to December 17, when it was prorogued to February 15, 1720-21, and, again, on the fourth of February, by proclamation, to March 15. The third session began March 15, 1720-21, and was dissolved March 31, 1721. The engrossments of all the acts of this year, except of chapters 14 and 15, are preserved, and all were printed but chapters 3, 4 and 5.

The following are the titles of the private acts passed at the several sessions:—

“An Act Enabling Elizabeth Carder, Widdow to Coëncie an Action at Common Law in an Authentick Copy of a certain Bond entered into by Anthony Haywood of Boston Merchant deceased, on the Seventh day of August One Thousand Six Hundred & Eighty Eight in the penal Sum of Two Hundred and Fourty pounds Condition for the payment of One Hundred and Twenty Pounds with Interest unto Elizabeth Lemōn since deceased.”— [*Passed July 23.*]

“An Act to Enable Richard Ireson of Marblehead in the County of Essex Cordwainer to file Reasons of Appeal in the Clerks Office of the Inferiour Court within the County of Essex in a Case lately depending between him & Edward Wilkinson of Boston in the County of Suffolk, Coaster.”— [*Passed November 19.*]

“An Act to Enable Simon Stephen of Eastham in the County of Barnstable Indian Labourer to prosecute an Appeal in a Cause lately depending between him & his Brother Stephen Mortaquitt alias Stephen Stephen & one Peter Doganus as Appellants against Thomas Nickerson jnr^r of Chatham in the County aforesaid Labourer, Appellee.”— [*Passed November 22.*]

“An Act to Enable Jonathan Page of Groton in the County of Middlesex Husband Man to prosecute an Appeal between him & Nathaniel Sparhawk of Cambridge & Simon Gates of Marlborough in the said County of Middlesex Administrators to the Estate of Stephen Gates, Senr, Dec^d & to file Reasons of Appeal in the said Cause in the Clerks Office of the Inferiour Court of Common Pleas within the County of Middlesex.”— [*Passed November 28.*]

“An Act to Enable Ebenezer Newell of Roxbury in the County of Suffolk Husband Man to enter & prosecute his Appeal by him made from a Judgement given against him at the Court of General Sessions of the Peace holden at Boston for the County of Suffolk on the fifth day of April last at the Court of Assize & General Goal Delivery to be holden at Boston for the said County of Suffolk in the first Tuesday of May next.”— [*Passed December 6.*]

“An Act to Enable William Taylour of Lyn in the County of Essex, Gentleman, as he is Administrator to the Estate of Rebecca Taylour, late of Lyn aforesaid Widow dec^d to Enter two sev^l Actions at the next Inferiour Court of Common Pleas to be held for the County of Suffolk on the first Tuesday of January next, against Christopher Taylour of Boston in the said County of Suffolk Mariner So that he may proceed to Tryal thereof in Order to recover Judgem^t for two sev^l Sums the one of Thirteen Pounds six Shillings & eight Pence & the other of Twenty nine Pounds, three Shillings & four Pence against the said Christopher Taylour for so much due to the said Rebecca Taylour in her Life Time for Rent.”— [*Passed December 9.*]

“An Act to Enable Samuel Banister of Boston Merch^t as he is Administr^r of all & singular the Goods & Chattels, Rights & Credits of Thomas Banister late of Boston afores^d Merch^t Dec^d Intestate to prosecute an Appeal between him in his said Capacity & Coll. Edmund Goffe of Cambridge in the County of Middlesex Esq^r & to file Reasons of Appeal in the Cause in the Clerks Office of the Inferiour Court of Common Pleas within the County of Middlesex.”— [*Passed December 16.*]

“An Act to Enable James Dike of Gloucester in the County of Essex to Prosecute an Appeal from a Judgement given against him by Epes Sargeant Esq^r one of his Majesties Justices of the Peace for the said County in a Cause lately depending before the s^d Justice between the said James Dike & James Sawyer aforesaid.”— [*Passed March 25, 1721.*]

“An Act to Revive an Act entituled ‘An Act to Enable William Taylour of Lynn in the County of Essex Gentleman as he is Administrator to the Estate of Rebecca Taylour late of Lynn aforesaid Widow Dec^d to Enter two several Actions at the Inferiour Court of Common Pleas held for the County of Suffolk on the first Tuesday in January 1720 against Christopher Taylour of Boston in the said County of Suffolk Mariner so that he might pro-