

## CHAPTER 7.

AN ACT FOR THE RESTRAINING AND BETTER REGULATING APPEALS FROM THE COURT OF GENERAL SESSIONS OF THE PEACE. AND INFERIOUR COURT OF COMMON PLEAS, WITHIN THE ISLAND OF NANTUCKET.

WHEREAS by the act for establishing a superiour court of judicature, court of assize and general goal delivery within this province, it is provided, “that the trial of all matters and causes by appeal from the court of general sessions of the peace, or inferiour court of common pleas, respectively, within the said island of Nantucket, or by writ of error relating to any judgment given in the said inferiour court, shall be in the superiour court of judicature, court of assize and general goal delivery to be held within the counties of Suffolk or Middlesex;” and whereas there are two superiour courts of judicature, courts of assize and general goal delivery held in each of the said counties of Suffolk and Middlesex in a year, one whereof is held at Charlestown for the said county of Middlesex on the last Tuesday of January, and the other at Boston for the county of Suffolk on the second Tuesday of February, and all appeals and other matters to be brought forward from the inferiour court of common pleas and court of general sessions of the peace held in the month of October at the said island of Nantucket, lye to one of the said superiour courts in January or February as aforesaid, which hath been found to be very inconvenient; for that oftentimes by reason of the severity of the weather at that season, it is very difficult and sometimes impossible for the parties, and others concerned, to come to either of the superiour courts, by means whereof such persons may loose the benefit of their appeals, or other matters that may be there depending; wherefore, for the ease and benefit of the inhabitants of the said island of Nantucket,—

Preamble.  
1699-1700, chap.  
3, § 3.

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

That the trial of all matters and causes by appeal from the court of general sessions of the peace and inferiour court of common pleas, respectively, within the said island of Nantucket, or by writ of error relating to any judgment given in such inferiour court, shall from henceforth be in the superiour court of judicature, court of assize and general goal delivery to be held at Boston within and for the county of Suffolk on the second Tuesday of August; any law, usage or custom to the contrary notwithstanding. [*Passed June 21.*]

Appeals from  
Nantucket to  
Boston.

## CHAPTER 8.

AN ACT FOR DIVIDING THE TOWN OF PL[Y][I]MOUTH, AND ERECTING A NEW TOWN THERE, BY THE NAME OF KINGSTON.

WHEREAS the town of Pl[y][i]mouth, within the county of Pl[y][i]mouth, is of great extent for length, and lies commodiously for two townships, and the north precinct thereof being of late sufficiently filled with inhabitants, who labour under great difficulties on several acco[un][mp]ts, and have thereupon addressed this court that they may be set off a distinct and sep[a][e]rate township,—

Preamble.

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

North precinct of Plymouth made a township, called Kingston.

[SECT. 1.] That all lands lying within the said north precinct, in Pl[y][i]mouth aforesaid, particularly described and bounded by an order of this court passed at their present session, be, and hereby are, set off and constituted a sep[a][c]rate township, by the name of Kingston; and that the inhabitants of the said township be vested with the powers, privile[d]ges and immunities that the inhabitants of any town of this province by law are or ought to be vested with.

*Provided,—*

*And be it further enacted,*

Proviso.

[SECT. 2.] That nothing in this act contained shall be construed, deemed, judged or intended, to hinder or prejudice the right and interest of all or any persons whatsoever, in any of the common and undivided lands within the towns of Pl[y][i]mouth and Kingston aforesaid; but the same shall remain as heretofore.

*Provided also,—*

*And be it further enacted,*

Kingston to pay their proportion to the taxes this present year.

[SECT. 3.] That the inhabitants of the said town of Kingston shall be liable and subject (notwithstanding their being set off and constituted a township, as aforesaid), to pay their proportion of all province, county and town rates for this present year, in the towns to which they respectively belonged; and shall be accordingly assessed in such towns in the same manner as they would have been if this act had never been made; anything herein before contained to the contrary notwithstanding. [*Passed June 16; published June 29.*]

## CHAPTER 9.

### AN ACT FOR APPORTIONING AND ASSESSING A TAX OF TWENTY THOUSAND POUNDS.

WHEREAS the great and general court or assembly of the province of the Massachusetts Bay in New England, at their sessions in the years 1722, 1723 and 1724, did pass four grants of taxes on polls and estates, as funds and security for the payment and drawing in several sums in the bills of credit on this province ordered to be imprinted, repeated and issued out of the publick treasury for the service of the government; that is to say, at their session held in the month of November, one thousand seven hundred and twenty-two,\* fifteen thousand pounds; at their session begun and held in the month of May, one thousand seven hundred and twenty-three,† three thousand pounds; at their session held in the month of October, one thousand seven hundred and twenty-three,‡ six thousand six hundred and sixty-six pounds thirteen shillings and fourpence; and at their session held in the month of November, one thousand seven hundred and twenty-four,§ five thousand pounds; applied to the ends and uses in the said grants particularly enumerated and expressed; and, by the resolves of the courts that made the aforesaid grants, it was then ordered that the said sum of twenty-nine thousand six hundred sixty-six pounds thirteen shillings and fourpence shall be apportioned and assessed and levied on polls, and estates both real and personal, within this province, according to such rules and in such proportion upon the several towns and districts within the same as shall be

\* NOTES to 1722–23, resolve (c).

† *Ibid.*, resolve (b).

‡ NOTES to 1723–24, resolve (a).

§ NOTES to 1724–25, resolve (b).