

CHAPTER 20.

AN ACT FOR ERECTING A TOWN IN THE COUNTY OF WORCESTER, AT A PLANTATION CALLED HASSANAMISCO, BY THE NAME OF GRAFTON.

WHEREAS the plantation commonly called Hassanamisco, in the county of Worcester, is competently filled with inhabitants, who have built and finished a convenient meeting-house for the publick worship of God, and have settled a learned, orthodox minister amongst them, and have addressed this court to be erected into a sep[arate] and distinct township, to hold and enjoy equal powers and privileges with the other towns in the province,—

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

[SECT. 1.] That the plantation at Hassanamisco, in the county of Worcester, as the same is hereafter bounded and described, be and hereby is set off and constituted a separate and distinct township, by the name of Grafton.

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A new town constituted, by the name of Grafton.

[SECT. 2.] The bounds of said township being as follows; viz., beginning at a pine tree on a rocky hill, at the south-east corner, and from thence extending north four miles, with thirty-six perch allowance for loss of measure, bounding easterly on Sutton, to a heap of stones on a rock; from thence, west by the needle, four miles, with thirty rods allowance, to a heap of stones; from thence south four miles, to a heap of stones ninety rods south of the river, and a little southward of a small pine swamp northward of a little brook; and from thence to the corner first mentioned.

Bounds thereof described.

[SECT. 3.] And that the inhabitants thereof be and hereby are vested and endowed with equal powers, privileges and immunities that the inhabitants of any of the other towns within this province are or ought by law to be vested or endowed with.

And be it further enacted by the authority aforesaid,

[SECT. 4.] That such of the grantees as have not fully complied with the conditions of settlement, be and hereby are subjected, each one, to pay a fiftieth part of all rates and taxes that shall hereafter be laid on the inhabitants of the said town, as well as for the support of the ministry among them, and other town charges, until they have fully complied with the conditions of settlement. [Passed and published April 18, 1735.]

CHAPTER 21.

AN ACT TO PREVENT THE CURRENCY OF CERTAIN BILLS OR NOTES OF HAND EMITTED BY A SOCIETY OR NUMBER OF PERSONS IN THE PROVINCE OF NEW HAMPSHIRE.

WHEREAS sundry persons, principally, if not wholly, belonging to the province of New Hampshire, have, in the year last past, struck, signed and issued, or are about striking, signing and issuing certain bills or promissory notes, of a most uncertain and sinking value, as they are payable in New Hampshire, Massachusetts, Connecticut and Rhode Island bills, or in silver, gold or hemp at the unknown price they may be at Portsmouth, in New Hampshire, anno 1747, whereby his majesty's good subjects will be great sufferers should they part with

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their goods and substance for them, or accept of them in payments; for prevention whereof.—

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

New Hampshire
notes forbidden
to pass.

That from and after the first day of May next, all and every person or persons whatever, that shall, within this province, utter or offer to pass or put off, or that shall receive or take any of the aforesaid bills or promissory notes, shall incur and forfeit as a penalty for so uttering or taking the aforesaid bills or notes, all and every such bill or bills as they shall utter or put off, receive or take, together with treble the sum in bills of credit on this province, to the denomination of the bills so put off or received; that is to say, for uttering or putting off, or offering to put off, and for taking or receiving a bill or note of the denomination of seven shillings, the penalty shall be the forfeiture of the said bill, and twenty-one shillings beside, in province bills, and so, proportionably, for any greater or less bill or bills, or any sum of bills or notes; to be recovered by bill, plaint or information, before any justice of the peace or court of record, according as the penalties, being less or greater, are respectively cognizable, the one-half to him that shall inform or sue for the same, and the other moiety to the poor of the town where the crime is or shall be committed. [*Passed and published April 18, 1735.*]

Penalty.

NOTES.—There were four sessions of the General Court this year; the last three held by adjournment. (See NOTES to 1732-33, *ante*.) No acts were passed at the second session. Chapter 18, although passed to be enacted at the first session (June 8), was not signed by the Governour until April 18, 1735.

The engrossments of all the foregoing acts are preserved; and all, but chapters 12 and 13, were printed with the sessions acts.

The acts of the first session were laid before the Privy Council, December 19, 1734; and the remaining acts, August 21, 1735. The Privy Council referred them to their committee on plantation affairs, upon the following dates: acts of the first session, January 9, 1734-35; and of the third and fourth sessions, October 13, 1735. From this committee they were, respectively, sent to the Lords of Trade, January 13, 1734-35, and October 27, 1735. The Lords of Trade thereupon referred them to Mr. Fane, in the order of the dates of their reception, February 7, 1734-35, and November 6, 1735. Mr. Fane reported upon the acts first sent to him, May 14, and upon the last instalment, November 29, 1735, stating that he had no objection to any of them, in point of law. The acts of the last session were again laid before the Privy Council, with the acts of the first session of 1735-36, and went through the usual routine, until they reached Mr. Fane, when it was, probably, discovered that they had already been passed upon, as they were not again reported upon by him.

The report of the Lords of Trade to the committee of the Privy Council, on the acts of the first session, bears date February 9, 1736-37. In this report, chapters 8, 12, 13 and 18, which last was passed to be enacted at the first session, are declared to "either have had their full effect before this time, or, at least, little remains depending thereon;" chapters 2, 3, 4, 5, 6, 7, 9, 10 and 11 are described as "enacted for the private convenience of the province," and are recommended for confirmation; while chapter 1, having been "enacted for issuing paper bills of credit," and objected to for that reason, was recommended to be allowed to expire according to its own limitation, as in the case of chapters 7 and 11, of 1733-34, which were included in the same report. (See NOTES to that year, *ante*.) A special report was also made upon chapter 21, March 17, 1735-36. By an order in council, dated April 21, 1737, chapters 2, 3, 4, 5, 6, 7, 9, 10 and 11 were confirmed, in accordance with the above recommendation. The action of the Home Government upon other acts of this year is hereunder given in notes to the several chapters, except to chapters 14, 17, 19 and 20, upon which no report has been found.

Chap. 1. The following is the additional instruction referred to in the NOTES to 1733-34, in which chapters 7 and 11 of the acts of that year are referred to, as well as this chapter. The words enclosed in brackets were interlined or added, and those in italics were struck out, by the Privy Council:—

"Additional Instruction to Our Trusty and Wellbeloved Jonathan Belcher Esq^{re} Our Capt. General and Governour in Chief in and over Our Province of the Massachusetts Bay in New England in America or to the Commander in Chief of the s^d Province for the time being, Given at Our Court at St. James's the day of 1736-7 in the tenth year of our Reign*"

Whereas by the 16th Article of Our Royal Instructions to you as Governour of our said Province of the Massachusetts Bay You are ordered and directed 'not to give your assent to or pass any Act in our said Province of the Massachusetts Bay under your Government, whereby Bills of Credit may be struck or issued in lieu of Money without a clause being in-

* This was dated the 30th of April, 1737.