

such estate or interest, as they shall agree, the voices always to be collected according to the interest where the same is known; and no other affair to be acted at such meeting, but what is express'd in the warrant and notification of such meeting.

And be it further enacted,

[SECT. 2.] That when it shall happen suit shall be brought against any proprietors in any real estate besides lands, the plaintiff bringing forward such suit, shall cause the clerk of such propriety, or some principal proprietor in such estate, to be served with a copy of the writ or summons, at least thirty days before the day of the sitting of the court to which the same shall be returnable. [*Passed and published July 3.*]

When suit is brought against the proprietors, the clerk to be served.

CHAPTER 6.

AN ACT TO SUBJECT THE UNIMPROVED LANDS WITHIN THIS PROVINCE TO BE SOLD FOR PAYMENT OF TAXES ASSESSED ON THEM, BY ORDER OF THE GREAT AND GENERAL COURT, AND VOTES AND AGREEMENTS OF THE PROPRIETORS THEREOF.

WHEREAS it frequently happens that the proprietors of unimproved lands, within the several towns, precincts, new plantations and proprieties of this province, neglect or delay to pay their proportions of the sums from time to time assessed on such lands by order of the great and general court, and according to their own agreements, towards defraying the publick charges arising within such towns, precincts, new plantations and proprieties,—

Preamble.

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

[SECT. 1.] That if the assessors of any of the towns, precincts, new plantations or propriet[ie][y]s within this province, have, or at any time to come, shall, pursuant to the direction or orders of the general court, levy or assess a tax upon the unimproved lands of the proprietors, situate in any of the towns within this province, for defraying the publick charges arising in the said towns, precincts, new plantations or proprieties; or if the assessors chosen by the proprietors of the common and undivided land in any of the towns or new plantations within this province, pursuant to the votes and agreements of such propriety, have or shall levy or assess a tax upon such proprietors by them thought necessary to carry on and prosecute any actions or suits that may be brought by or against them, or for the carrying on and managing of any other publick affair relating to such proprietors, or performance of the conditions of their grant, respectively, and such proprietors shall neglect or delay to pay to the collector or collectors the sums from time to time levied or assessed upon their lands as aforesaid, for sixty days after such assessment is made, and published by posting up the same in the town or precinct where such land l[ie][y]es, and in the shire town of the county, that then and in such case it shall and may be lawful for such assessors, respectively, to post up in some publick place or places in the town or precinct where the lands lye, notifications of the intended sale of so much and no more, of such delinquent proprietors' land or common rights, as they shall think necessary to pay and satisf[y][ie] such rates and taxes and other necessary intervening charges, three months before the same be sold; and also the assessors shall be obliged, for the notification of the non-resident proprietors, to advertize in the publick prints three several weeks, the intended sale, at least

Proprietors' lands to be sold upon their not paying assessments.

Notification to be given of the sale.

three months before the land be sold; and if any delinquent proprietors do not by that time pay such rates or assessments and charges, then and in such case it shall and may be lawful for the assessors, at a public vendue, to sell and execute absolute deeds in the law for the conveyance of such lands of the proprietors, to the person or persons who will give most for the same; which deeds shall be good and valid, to all intents and purposes in the law, for conveying such estates to the grantees, their heirs and assigns for ever.

[SECT. 2.] And if the said lands be sold for more, then the overplus, after all charges arising about the same are subducted, to be paid to such delinquent proprietors or their order; the money w[hi]ch the said lands shall be sold for, to be lodged in the hands of the treasurers of the respective towns, precincts or properties who are hereby directed to attend the orders of the assessors of such towns, precincts or properties for payment of the same, pursuant to the true intent and meaning of this act; reserving to such non-resident proprietors as are not inhabitants of this province, their heirs or assigns, a liberty for redemption of their lands so sold, they paying to the grantees or their heirs, respectively, within one year afterwards, the sums for which the said lands were sold, with double damages until[1] the same be redeemed.

[SECT. 3.] This act to continue and be in force for the space of seven years from the publication, and no longer. [*Passed and published July 3.*]

Liberty of redemption to proprietors that are out of the province.

CHAPTER 7.

AN ACT FOR THE EASE OF PRISONERS FOR DEBT.

Preamble.
1730, chap. 4.

FORASMUCH as, in divers counties within this province, the prisons are so small that, when there are any number of prisoners, there are not rooms or apartments sufficient for the receiving and securing of them, without lodging felons and other criminals, and prisoners for debt, together in one and the same room; which ought not to be,—

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

Prisons to have apartments for prisoners for debt.

[SECT. 1.] That in the several counties within this province, the prisons that are or shall be erected within the said counties, shall be made so large as that there may and shall be sufficient and convenient apartments for the receiving and lodging of prisoners for debt, sep[ar]ate and distinct from felons and other criminals.

And be it further enacted by the authority aforesaid,

Prisoners for debt allowed to lodge in the prison-keeper's house.

[SECT. 2.] That any person imprisoned for debt, either upon mean process or execution, shall be permitted and allowed to have a chamber and lodging in any of the houses or apartments belonging to such prisons, and liberty of the yard within the same, in the day time, but not to pass without the limits of the prison, upon reasonable payment to be made for chamber room, not exceeding one shilling and sixpence per week, such prisoner giving bond to the sheriff, with two sufficient sureties, being freeholders, bound jointly and severally in double the sum for which he is imprisoned, with the condition underwritten in form following; vizt.,—

Recognizance.

That if the above-bounden A. B., now prisoner in his majesty's prison in B., within the county of S., at the suit of C. D., do and shall from henceforth continue and be a true prisoner in the custody, guard and safe keeping of J. S., keeper of