

## CHAPTER 12.

AN ACT TO APPROPRIATE THE SUM OF SIXTEEN THOUSAND AND SEVENTY-THREE POUNDS FOUR SHILLINGS AND FIVEPENCE, THE SURPLUS OF SEVERAL APPROPRIATIONS NOW LYING IN THE HANDS OF THE TREASURER.

Preamble.

WHEREAS there is a supply of five hundred and five pounds three shillings and fivepence, bills of credit of the new tenor, [and] also of fourteen thousand five hundred and fifty-seven pounds fourteen shillings and twopence, in bills of the old tenor, now remaining in the hands of the treasurer, being the ballance or remains of sundry appropriations formerly made, at sundry times, by this court, and then reserved for their further order,—

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

£16,073 4s. and  
5d. in the treas-  
ury to be issued.

[SECT. 1.] That the treasurer be and hereby is impowered and ordered to issue forth the sum of sixteen thousand and seventy-three pounds four shillings and fivepence, in bills of the old tenor, as being equal in value to the above-mentioned sums; which shall be employed for the necessary support and defence of the governm[en]t, and for the protection and preservation of the inhabitants thereof; vizt.,—

Appropriations.

£3,000 for the  
garrisons.

[SECT. 2.] Three thousand pounds, part of the aforesaid sum of sixteen thousand and seventy-three pounds four shillings and fivepence, to be appl[ie]d to pay the wages that now are due by virtue of the establishment of the several forts and garrisons.

£1,144 19s. 5d.  
for payment of  
the council,  
and grants of  
court, &c.

[SECT. 3.] And eleven hundred and forty-four pounds nineteen shillings and fivepence more, part of the aforesaid sum of sixteen thousand and seventy-three pounds four shillings and fivepence, shall be appl[ie]d for the payment of the members of his majesty's council, for their travel to and from, and attendance at, the general court, the present session, in the same manner as they were last paid; and also for payment of such grants as are or shall be made by this court; and for payment of stipends, bounties and præmiums established by law; and for all other matters and things which this court have, or shall, either by law or order, provide for the paym[en]t of, and for no other purpose whatsoever.

£7,200 for put-  
ting the provin-  
ce in a defen-  
sive posture.

[SECT. 4.] And the sum of seven thousand two hundred pounds, part of the aforesaid sum of sixteen thousand and seventy-three pounds four shillings and fivepence, shall be applied for putting the province into a posture of defence, pursuant to such grants as have or hereafter may be made for that purpose.

£1,677 for the  
remaining  
charge of the  
transports.

[SECT. 5.] And the sum of one thousand six hundred and seventy-seven pounds, part of the aforesaid sum of sixteen thousand and seventy-three pounds four shillings and fivepence, shall be appl[ie]d to defray the remaining charge the committee of this court have been at in fitting out the transports from hence on his majesty's expedition to the West Indies.

£600 for the  
discharge of  
debts, where  
there is no es-  
tablishment.

[SECT. 6.] And the sum of six hundred pounds, part of the aforesaid sum of sixteen thousand and seventy-three pounds four shillings and fivepence, shall be applied for the discharge of other debts, owing from this province to persons who have served or shall serve them by order of this court, in such matters and things where there is no establishment, nor any certain sum assigned for such services, and for paper, printing and writing for this court, expences of committees of council or of the house, or of both houses, the surgeon of Castle William, and wooding said castle.

[SECT. 7.] And the sum of two hundred pounds, part of the aforesaid sum of sixteen thousand and seventy-three pounds four shillings and fivepence, shall be appl[ie]d for the payment of expresses and such other contingent, unforeseen charges as may arise.

£200 for expresses and contingent charges.

[SECT. 8.] And the sum of two thousand two hundred and fifty-one pounds five shillings, the remaining part of the aforesaid sum of sixteen thousand and seventy-three pounds four shillings and fivepence, shall be appl[ie]d for the paym[en]t of the members of the house of representatives for their travel to and from and attendance at the general court, the present session, in the same manner they were last paid; and such sum or sums which shall be paid to the several represent[ati]ves as aforesaid, shall be levied and assessed on the pol[iti]c[al]s and estates of the inhabitants of the several towns, according to what their respective representatives shall so receive; which sums shall be set on the said towns in the next province tax. [*Passed January 9; published January 13, 1740-41.*]

£2,251 5s. for payment of the representatives.

## CHAPTER 13.

AN ACT FOR ALTERING THE TIMES FOR HOLDING THE SUPERIOR COURTS OF JUDICATURE, COURTS OF ASSIZE AND GENERAL GOAL DELIVERY, WITHIN THE COUNTYS OF PLIMOUTH AND BARNSTABLE, AND THE INFERIOR COURT OF COMMON PLEAS HELD AT BOSTON, WITHIN AND FOR THE COUNTY OF SUFFOLK.

WHEREAS the time appointed by law for holding the superior court at Plymouth, within and for the county of Plymouth (being the week before the superior court at Barnstable), is found to be inconvenient, and the altering thereof cannot conveniently be done without altering the times for holding the said superior court at Barnstable, and the inferior court of common pleas held at Boston, within and for the county of Suffolk, on the first Tuesday of April, annually,—

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 the superior court of judicature, court of assize and general goal delivery, appointed to be held at Plymouth, within and for the county of Plymouth, on the Tuesday immediately preceeding the last Tuesday of April, annually, shall be henceforth holden and kept at Plymouth aforesaid, for the said county of Plymouth, on the second Tuesday of April, annually; and that the said superior court of judicature, court of assize and general goal delivery, appointed to be held at Barnstable, for the counties of Barnstable and Dukes County, on the last Tuesday of April, yearly, shall be henceforth held and kept at Barnstable aforesaid, for the counties of Barnstable and Dukes County, on the fourth Tuesday of April, annually; and the inferior court of common pleas, held at Boston, within and for the county of Suffolk, on the first Tuesday of April, annually, shall be henceforth holden and kept at Boston aforesaid, within and for the county of Suffolk, on the third Tuesday of March, yearly.

Superior court at Plymouth to be held the second Tuesday of April.

1733-34, chap. 9, § 1.

Superior court at Barnstable to be held the fourth Tuesday of April.

1733-34, chap. 9, § 1.

Inferior court at Boston to be held the third Tuesday of March.

1699-1700, chap. 2, § 2.

*And be it further enacted by the authority aforesaid,*

[SECT. 2.] That all actions, appeals, reviews, recognizances, warrants or other processes already issued, taken, filed or to be filed, continued, or any ways depending, &c., which are to be heard and tryed in the respective courts aforesaid, shall not fail or be discontinued, but be valid and stand good to all intents and purposes in the law, and be

All actions, &c., depending, to stand good.