

HOUSE...No. 158.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 24th, 1849.

The Committee on Towns, to whom was referred the petition of James Sprague and others, inhabitants of the district of Boston Corner, praying to be set off from this Commonwealth to the state of New York, and also a message from the Governor, transmitting certain Resolves of the Legislature of New York, upon the same subject, submit the following

REPORT:

Boston Corner was incorporated as a district, in 1838. It lies in the south-western angle of the State, and is bounded on two sides by the state of New York. It contains about five hundred acres of improved lands, of average value, and a population of nine freeholders, and four farmers, all of whom petition to be set off to the state of New York. The petitioners represent that they are separated from the adjacent town of Mount Washington, and from all association and sympathy with the citizens of this Commonwealth, by an impassable mountain; that there is no road across this mountain, and in order to come into this State, from the district, it is necessary to pass over the territory of New York.

They further represent, that this territory forms part of a school district, the other part of which lies within the state of

New York; that they are not justly remunerated for the taxes which they pay; that the making and repair of roads, and the support of their common schools, impose heavy burdens; and, in short, that they are in the situation of "an illegitimate child, who shares nothing in the parental estate."

In view of these facts, the committee have given the subject a careful consideration.

The committee find two principal difficulties in the way of granting the prayer of the petition. In the first place, this separation cannot be effected without the concurrence of the Legislature of New York, and the sanction of the General Government. The Resolves communicated by the Governor convey the assent of New York to the annexation of this territory, but, inasmuch as a change of these lines will involve an alteration of the limits of the congressional districts of the two States, it is doubtful whether the consent of the General Government could be obtained. In the second place, the proposed division changes the boundaries of the senatorial districts of this Commonwealth, as established by the constitution. Under these circumstances, the committee, not desiring to alienate any portion of the territory of this Commonwealth, however small, and being debarred therefrom by constitutional obstructions, with a view to inquire into the grievances of the petitioners, and to some future legislation which shall make their isolated situation tolerable, recommend the passage of the accompanying Resolve.

For the Committee,

N. W. COFFIN, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Forty-Nine.

RESOLVE

In relation to the District of Boston Corner.

Resolved, That the Governor, with the advice and consent of the Council, be, and he is hereby authorized to appoint a commissioner to inquire into the situation and grievances of the inhabitants of the district of Boston Corner, and to recommend to the next General Court such legislation as may be thought necessary and expedient, for the relief of the burdens under which they suffer: *provided*, that the expense of this commission shall not exceed the sum of fifty dollars; and the Governor is hereby authorized to draw his warrant therefor.

