

votes for the same, shall for each & every offence, forfeit and pay the sum of *ten pounds*.

*And be it further Enacted by the Authority aforesaid,* that it shall be the duty of the Attorney General to sue for, & recover all such fines & forfeitures as shall be incurred by a breach of this Act, for the use of this Commonwealth. How recovered,  
&c.

*March 18, 1788.*

### 1787. — Chapter 41.

[February Session, ch. 9.]

AN ACT FOR INCORPORATING A CONGREGATIONAL SOCIETY IN THE TOWN OF NEW SALEM, AND FOR REPEALING AN ACT HERETOFORE MADE FOR THAT PURPOSE. Chap. 41

*Whereas an Act passed in the year of our Lord one thousand seven hundred and eighty two, intituled "An Act to incorporate the Committee of the Congregational Church and Society in the Town of New Salem, for certain purposes," has been found inadequate for the purposes therein intended.* Preamble.

*And whereas the Members of the said Church, and the Inhabitants of the said Town, have supplicated this Court, that the said Act may be repealed, and have petitioned that the said Inhabitants may be incorporated into a Parish.*

*Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* that the said Act, and every Clause of the same, be, and is hereby repealed and declared null and void, and that all donations, subscriptions, and other securities, forming the fund of *Eight hundred pounds*, in the said Act specified, shall revert and be paid back to the respective subscribers and Donors, on condition nevertheless, that they and each of such subscribers and others, indebted to the said fund by specialtie, pay all interest due thereon, until the day of passing this Act, Former act re-  
pealed

*And be it further enacted by the authority aforesaid,* that the Inhabitants of the said Town, not before set off and annexed to the east Parish of *Pelham*, be, and they hereby are incorporated into a Parish by the name of the Congregational Society, in the Town of *New Salem*, & hereby are invested with all the powers, privileges and immunities that Precincts or Parishes within this Commonwealth do or may enjoy. Society incor-  
porated.

And that it may be known at any time, who of the Inhabitants of the said Town belong to the said Parish :

What inhabitants shall be deemed to belong to said society.

*Be it enacted by the authority aforesaid*, that all those inhabitants of the said town of *New Salem*, who usually attend public worship, with the aforesaid society, with whom the Reverend, *Joel Foster* now officiates, shall be deemed and taken to belong to the said Parish, to all intents and purposes, until they shall signify in writing under their hands to the Clerk of the said Town, their intention to attend public worship with some other religious Society.

Proviso.

*Provided* nevertheless, that all Parishoners so removing, shall signify the same as above, within two years from the date of this Act ; and shall be held to pay all arrears of taxes legally assessed on them by the said Parish before their removal.

Daniel Shaw, Esq. to call a meeting.

*And be it further enacted by the authority aforesaid*, that *Daniel Shaw*, Esquire be, & hereby is authorized and directed to issue his warrant within two months from the passing this Act, directed to some principal inhabitant belonging to the said Parish, requiring him to give notice to the inhabitants of the Parish aforesaid, qualified to vote in Parish affairs, to assemble at some suitable time and place in the said Parish, to choose all such Officers as Parishes are by Law required to choose annually, and to transact such other matters and business, as is necessary to be done in the said Parish. *March 18, 1788.*

## 1787. — Chapter 42.

[February Session, ch. 10.]

*Chap. 42* AN ACT IN ADDITION TO AND FOR EXPLAINING AN ACT PASSED IN THE YEAR OF OUR LORD, ONE THOUSAND SEVEN HUNDRED AND EIGHTY SEVEN, INTITLED, "AN ACT FOR REGULATING THE PROCEEDINGS ON PROBATE BONDS, IN THE COURTS OF COMMON LAW; AND DIRECTING THEIR FORM IN THE SUPREME COURT OF PROBATE."

Preamble.

*Whereas it is required by the aforesaid Act, that Guardians shall give bond to the Judge of Probate, with sufficient sureties for the faithful discharge of their trust; and in order to carry into effect the good purposes thereof, it is sufficient that such sureties shall be liable to satisfy the judgment which may be rendered upon such bond, so far only as the estate of the Guardian shall prove deficient, and it is unreasonable that sureties shall be compelled to satisfy*