

and to alter the same as they shall see most convenient and needful for the better government of the said society and managing the affairs thereof, and for the more effectual promoting the aforesaid design. And the said society is hereby [e][i]mpowered, upon the death of their president, vice-president, treasurer, secretary or other officers, or upon their acting unfaithfully, or not attending their respective stations, and their removal upon these or any other just and necessary accounts (the society being hereby [e][i]mpowered to make such removal), to chuse others at any other quarterly meeting to succeed: *provided, always*, that no member shall be removed, or officer displaced, unless at a quarterly meeting as aforesaid.

Proviso.

And to the end that the members of the said society, and all contributors to the said design, may know the state of the society's stock, and the dispositions of the profits thereof, and of all donations made to the said society,—

Be it further enacted,

[SECT. 8.] That a particular account of such stock and disposition shall be exhibited by the treasurer, at every quarterly meeting, which account the secretary or a committee of the said society, having examined the same, shall certify to be true; and fair entries shall be made, in proper books provided for that purpose, of all donations made to the said society, and of all the estate, both real and personal, belonging to the society, and of the incomes thereof, and also of all transactions, either by themselves or by their officers or committees, for or on account of the society; and the said books shall be brought to the quarterly meetings of the said society, and be there open for the perusal and examination of the members. [*Passed February 11,* 1762.*]

Accounts to be exhibited.

“We are humbly of opinion that this Act is liable to several Objections for in the first place the operation of the Act, tho' the Society itself would consist only of the Inhabitants of the Massachusetts erected by an Act of that Province, would extend beyond the limits of the Province itself and in the second so extensive a power given to one Colony may hereafter interfere with any general Plan Your Majesty may think it advisable to pursue for the management of Indian Affairs in No^a America.

We are authorized in this apprehension by the late experience, We have had of like inconveniences from the conduct of the Committee of Assembly of Pennsylvania the consequence of which proceedings are set forth in the Papers annexed to the Representation of the said Board to Your Majesty dated the 14th of Jan^y last.

We beg leave to add that the Society is by the Act subject to no control Audit or Examination tho' they are made capable of receiving any Grants of Land and of disbursing Sums for services to a very great extent.

For these Reasons We humbly propose that this Act should receive Your Majesty's disallowance.”—*Representation of the Lords of Trade, 18 March, 1763: “Mass. Bay, B. T.” vol. 86, p. 157.*

CHAPTER 33.

AN ACT FOR ALTERING THE PLACE FOR HOLDING THE COURTS OF GENERAL SESSIONS OF THE PEACE AND INFERIO[U]R COURT OF COMMON PLEAS HERETOFORE BY LAW HELD AT EDGARTOWN [IN] DUKES COUNTY IN OCTOBER ANNUALLY.

FOR the better accomodation of the inhabitants of Dukes County,—

Be it enacted by the Governor, Council and House of Representatives,

That the court of general sessions of the peace and inferio[u]r court of common pleas for the county of Dukes County, appointed by law to be holden on the last Tuesday of October, annually, shall, instead

Courts altered in Dukes County.

* Signed March 6, according to the record.

And be it further enacted,

Creatures to be impounded.

[SECT. 2.] That if any neat cattle, horse-kind, sheep or swine shall, at any time hereafter, be found feeding on the said beaches, meadows or shores that l[y][i]e between said Quivet harbour and said Sesu[e][i]t harbour in said Yarmouth, it shall and may be lawful[1] for any person to impound the same, immediately giving notice thereof to the owners [*thereof*], if known, otherwise to give publick notice thereof by posting the same up in some publick place in said town and the two next adjoining towns; and the impounder shall relieve the said creatures with suitable meat and water while impounded; and if the owner thereof appear to redeem his impounded creatures, he shall pay one shilling and sixpence to the impounder, for each neat beast and horse-kind, and sixpence for each sheep and swine, and the reasonable cost of relieving, besides the poundkeeper's fees as by law appointed for such creatures. And if no owner appear within the space of six days to redeem the said cattle, horse-kind, sheep or swine so impounded, and pay the cost and damage occasioned by impounding the same, then and in every such case the person impounding such cattle or horse-kind, sheep or swine, shall cause the same to be sold at publick vendue, and pay the cost and charges arising about the same (publick notice of the time and place of such sale, to be given in the said town of Yarmouth, and in the towns of Barnstable and Harwich, forty-eight hours beforehand), and the overplus, if any there be, arising by such sale, to be returned to the owner of such cattle or horse-kind, sheep or swine, at any time within twelve months next after, upon his demanding the same; but if no owner appear within the said twelve months, then the said overplus shall be one half to the party impounding such cattle, horse-kind, sheep or swine, and the other half to the use of the poor of the said town of Yarmouth.

Fees and costs of impounding.

Provided,—

Proviso.

[SECT. 3.] That nothing in this act shall be construed to prevent the owner or owners of such beach or meadows, or any improving under them, from turning on their horses they ride, or cattle they improve in their teams, to feed on said beach or meadows while they are cutting or carting their salt hay off said beach or meadows.

Provided, also,—

[SECT. 4.] That the owners of the meadows shall keep up and maintain their fences pursuant to former agreements.

[SECT. 5.] This act to continue and be in force for the space of ten years from the first day of March next, and no longer. [*Passed February 11; published February 15, 1762.*]

CHAPTER 32.

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE SOCIETY FOR PROPAGATING CHRISTIAN KNOWLEDGE AMONG THE INDIANS OF NORTH AMERICA.

Disallowed by the privy council, May 20, 1763.
Preamble.

THE signal success with which it has pleased Almighty God to crown his majesty's arms, calls upon us to express our grateful acknowledg[em]ents to the Author of it, and to demonstrate our gratitude, by endeavouring to spread the knowledge of his religion; a favourable opportunity of doing this among the Indians of America seems now to present itself, as the French of Canada, being subjected to his majesty's dominion, have it less in their power to obstruct so good a work; for [*the*]