

and the whole town shall be obliged to pay towards his settlement and maintainance, each man his several proportion thereof.

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

[SECT. 5.] That every town within this province, having the number of fifty householders or upwards, shall be constantly provided of a school-master to teach children and youth to read and write. And where any town or towns have the number of one hundred families or householders, there shall also be a grammar school set up in every such town, and some discreet person of good conversation, well instructed in the tongues, procured to keep such school. Every such school-master to be suitably encouraged and paid by the inhabitants. And the selectmen and inhabitants of such towns, respectively, shall take effectual care and make due provision for the settlement and maintenance of such school-master and masters. And if any town, qualified as before exprest, shall neglect the due observance of this act, for the procuring and settling of any such school-master as aforesaid, by the space of one year, every such defective town shall incur the penalty of ten pounds for every conviction of such neglect, upon complaint made unto their majesties' justices in quarter sessions, for the same county in which such defective town lieth; which penalty shall be toward the support of such school or schools within the same county, where there may be most need, at the discretion of the justices in quarter sessions, to be levied by warrant from the said court of sessions in proportion upon the inhabitants of such defective town, as other publick charges, and to be paid unto the county treasurer. [*Passed November 4.*]

School for reading and writing. Grammar school.

Schoolmasters to be supported.

Penalty for neglect.

### CHAPTER 27.

AN ACT FOR THE SETTLEMENT OF THE BOUNDS, AND DEFRAYING OF THE PUBLICK AND NECESSARY CHARGES ARISING WITHIN EACH RESPECTIVE COUNTY IN THIS PROVINCE.

*Be it ordained and enacted by the Governour, Council and Representatives in General Court assembled, and by the authority of the same,*

[SECT. 1.] That all counties, as they now lye and are named, continue and remain distinct counties to all intents and purposes in the law whatsoever; and that there be a county treasurer annually chosen for each respective county, being a freeholder within the same, and to be chosen by the votes of the freeholders and other inhabitants of each respective town, duly qualified as is provided by the act for the choice of selectmen and other town officers; and, at the same time, such votes to be given in writing, and sealed up by the constable, by him to be kept and returned unto the next quarter sessions, to be held for said county, there to be opened and sorted by such as the court shall appoint, in presence of the justices; and the person having the majority of said votes, shall be treasurer of such county for that year, and be sworn before said court.

Counties to continue as formerly.

Choice of county treasurer.

And for the due and equal raising of monies for defraying of the charges arising within each respective county for the necessary repairs and amendment of bridges, prisons, the maintainance of poor prisoners, and all other proper county charges,—

*It is further enacted by the authority aforesaid,*

[SECT. 2.] That when and so often from time to time as there shall be need of raising money for the ends aforesaid in any county, the justices in quarter sessions for such county, receiving information thereof from the county treasurer, shall agree and determine the whole

County charges, how to be defrayed.

sum to be raised, and each respective town's proportion of the same, as near as may be according to the rule for raising of money for the province charges, and shall issue forth their order unto the selectmen of the respective towns to assess the same upon the inhabitants of such town, each one his due and equal proportion thereof according to the rule before mentioned, as near as may be, to be paid in money or equivalent thereto; and to make a distinct list of each person's name and proportion under their hands, and such list commit unto the constable or constables of such town, with a warrant signed by the town clerk, directed unto the said constable or constables to levy and collect the said assessment of each one his respective proportion; and to pay in their said collections unto the county treasurer, or his order, within the time set for the same; and to make distress upon every person neglecting or refusing to make payment. And in default of goods or chattels whereon to make distress, to commit the party to the common goal of the county, until he make payment or otherwise be released by the justices in quarter sessions. And if any person or persons think themselves over-rated in any such assessment, they shall be eased by the assessors, making the same to appear, or in default thereof, by the court of quarter sessions.

*And further it is enacted,*

[SECT. 3.] That all monies so collected be improved and employed for the ends within mentioned, as the court of quarter sessions shall, from time to time, by their order in writing, direct and appoint. And the county treasurer in each respective county, shall account unto the court of quarter sessions, or whom they shall appoint, for all his receipts and payments. [*Passed November 18.*]

## CHAPTER 28.

AN ACT FOR REGULATING OF TOWNSHIPS, CHOICE OF TOWN OFFICERS, AND SETTING FORTH THEIR POWER.

*Be it ordained and enacted by the Governour, Council and Representatives in General Court assembled, and by the authority of the same,*

Bounds of townships to continue as heretofore granted, and to be run and marks renewed once in three years, under a penalty.  
 § Gray, 466.

[SECT. 1.] That the bounds of all townships shall be and continue as heretofore granted and settled respectively, and shall be run betwixt town and town, and marks renewed once in three years, by two of the selectmen of each town, or any other two persons whom the selectmen shall appoint: the selectmen of the most ancient town to give notice unto the selectmen of the next adjacent towns of the time and place of meeting for such perambulation six days beforehand, on pain of forfeiting five pounds by the selectmen of any town that shall neglect their duty in any of the particulars aforesaid, two-thirds thereof unto the use of the poor of such town, and the other third unto the selectmen of any of the next adjacent towns that shall inform and sue for the same in the inferiour court of [common] pleas within the same county, to be recovered by action or information.

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

Proprietors of lands unfenced or in common fields to run the lines once in two years.

[SECT. 2.] That each proprietor of lands lying unfenced, or in any common field, shall once in two years, on six days' warning before given him by the next proprietor or proprietors adjoining, run the lines, make and keep up the bounds between them, by sufficient mete-stones, on pain that every party so neglecting or refusing shall forfeit the sum of ten shillings, one-half to the party moving, and the other half to the use of the poor of the town, being convented and convicted of such