

able price therefor. And any justice of the peace, upon application of the selectmen for the purpose before mentioned, is hereby authorized and [i][e]mpowered to grant his warrant accordingly; and in any towns and plantation[s] where there are no selectmen, the committee of correspondence, &c., shall have the same power as is by this act given to selectmen.

And be it further enacted by the authority aforesaid,

Penalty, in case any person hurts the credit of the bills of this or any of the United States by refusing to take them for merchandise, etc.

[SECT. 2.] That if any person shall use any ways or means to hurt or destroy the credit of the public bills of this state or of the United States of America, by refusing to take them for any article of merchandize, or any country produce, or for the rent of houses or land, or shall withhold for said bills any merchandize, or any country produce, each and every person so offending, and being thereof convicted, shall forfeit and pay a fine not exceeding five hundred pounds, nor less than fifty pounds (one moiety thereof to the use of the town or plantation where such offence is committed, and the other moiety thereof to the informer or prosecutor), and for want thereof, shall suffer six months' imprisonment, without bail or mainprize. And all convictions upon this act may be upon indictment or complaint, before the general sessions of the peace, or the superior court of judicature, court of assize and general goal delivery.

Mode of conviction.

And be it further enacted by the authority aforesaid,

Offenders to find sureties upon complaint made to a justice of the peace.

[SECT. 3.] That any justice of the peace, upon complaint made to him of such offence, and finding presumptive evidence that the same is true, shall order such offender to find sureties for his appearance at the next court of general sessions of the peace to be held in the county where such offence is committed; and in default thereof, to commit such offender to the common goal. And all sheriffs, constables, grand-jurors and tythingmen, are directed and enjoined to make presentment and complaint of all such offences as shall come to their knowledge, respectively.

Sheriffs, etc., enjoined to make presentment.

Limitation.

[SECT. 4.] This act to continue and be in force for the term of one year from the time of passing the same, and no longer. [*Passed June 24.*]

CHAPTER 8.

AN ACT TO ENABLE THE BOARD OF WAR, OF THIS STATE, TO SUE AND BE SUEED.

Preamble.

WHEREAS, in the course of business transacted by the Board of War for this state, it may be necessary to commence and prosecute lawsuits, —

Be it therefore enacted by the Council and House of Representatives in General Court assembled, and by the authority of the same,

Board of War, etc., empowered to sue.

[SECT. 1.] That the said Board of War, by the name of the Board of War of Massachusetts Bay, be, and they hereby are, [i][e]mpowered, by themselves, their agents or attornies, to sue, commence and prosecute any suits or actions, necessary for the executing the office aforesaid, in any court proper to try the same, to final judgment and execution; and in like manner to defend all such suits and actions as shall be commenced against them in their said capacity.

And be it further enacted by the authority aforesaid,

[SECT. 2.] That the said Board of War, or the major part of them, be and hereby are [i][e]mpowered to choose an agent or agents, attorney or attorneys, to prosecute or defend any suit or action that shall be brought for or against them: such choice being certified by their secretary shall be deemed valid in law.

Said Board of War empowered to choose agents or attorneys to defend any suit brought against them.

And be it further enacted by the authority aforesaid,

[SECT. 3.] That when any suit or action shall be brought against the said Board of War, it shall be sufficient notice to oblige them to appear and answer, to leave an attested copy of the writ or summons, in their office, with their secretary, fourteen days at least before the s[e][i]tting of the court where the case is to be heard. [Passed June 24.]

The manner in which any suit or action shall be brought against the Board of War.

CHAPTER 9.

AN ACT TO PREVENT DESERTERS FROM THE AMERICAN TROOPS, ENTERING ON BOARD SHIPS OF WAR.

WHEREAS desertions from the Continental forces, and from the regiments in the service and pay of this state, are greatly encouraged by the commanders and officers of armed ships and vessels entering deserters on board their several vessels, and carrying them off the continent upon crui[s][z]es; and whereas there are many hous[e]holders of this state so lost to all sense of love to their country as to countenance and secrete such deserters; for prevention whereof, —

Preamble. 1776-77, chap. 36.

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

[SECT. 1.] That any and every commander or other naval officer belonging to any armed ship or vessel lying, or which hereafter may lie, in any of the ports or harbours within this state, who shall presume to inlist or enter on board such armed ship or vessel, any soldier or soldiers belonging to any Continental reg[imen]t or corps, or being in the service and pay of this state, or shall conceal him or them on shore, and shall thereof be convicted, shall forfeit and pay for every such deserter, inlisted, concealed or carried off as aforesaid, the sum of five hundred pounds; and any hous[e]holder who shall conceal in his or her house, w[h]arehouse, barn, out-house, or other building, any such deserter as aforesaid, shall, upon conviction thereof, forfeit and pay, for each and every deserter so concealed, the sum of three hundred pounds.

All commanders of armed vessels lying in any of the ports within this state forbidden to enlist Continental soldiers.

Penalty.

Be it further enacted by the authority aforesaid,

[SECT. 2.] That if any person shall be concerned in hiring to go on board any armed vessel, any person who belongs to any corps in the service of the United States or of this state, he shall forfeit and pay a sum not exceeding five hundred pounds nor less than fifty pounds.

Persons attempting to hire on board any armed vessels Continental soldiers.

Penalty.

Be it further enacted by the authority aforesaid,

[SECT. 3.] That if any arms, accoutrements or cloathing having such mark thereon as is used to distinguish articles suppl[y][i]ed by the United States or this state, are found in the possession of any person except such as belong to the army or are discharged therefrom, the possessor of any such article shall forfeit and pay a sum not less

Arms, clothing, etc., found in the possession of any person except such as belong to the army. Penalty.