THE LAWS

OF THE

STATE OF NEW-HAMPSHIRE,

WITH

An Appendix

CONTAINING SUCH OF THE REPEALED LAWS AS ARE NECESSARY TO BE KNOWN.

VOLUME II.

PUBLISHED BY AUTHORITY.

EXETER:
PRINTED BY CHARLES NORRIS & CO. FOR THE STATE.
1815.
BY a late vote of the legislature, the chief justice of the supreme judicial court is authorized to cause to be published all the publick acts, passed at each session, together with such of the ancient laws as he may judge proper. The nature and design of the appendix is explained in the advertisement prefixed to the first volume. The whole of the repealed laws necessary to be reprint- ed will probably not exceed 250 pages. When the numbers successively published at the end of each session shall be sufficient in bulk for a volume, they may be bound, the repealed laws being placed together in the appendix.

When this volume is completed, a chronological table of the several acts composing the appendix in both volumes may be framed: this will be useful as a table of contents, and will at the same time furnish the best mode of reference.

It will be observed that the acts of June session, are placed in the order in which they passed, each being deemed a chapter. It is proposed in future to observe this method, the acts passed by the same legislature between the general election of one year, and the next succeeding general election, constituting one series.

The publisher need scarcely recommend to the proprietors of the numbers, as they are printed, the utility of preserving them, so that they may be bound together when the volume is complete.

Exeter, September 1, 1815.
LAWS
OF THE
STATE OF NEW-HAMPSHIRE,
JUNE SESSION, 1815.

CHAP. I.
An act in addition to an act, entitled, "An act in addition and amendment of an act, entitled, an act to incorporate a company by the name of The Proprietors of Waterque- chee Falls Canal," passed June 14, 1805. Approved June 13, 1815.

CHAP. II.
An act granting to John L. Sullivan the exclusive right for a term of time to navigate Merrimack river with Steam Boats. Approved June 15, 1815.

CHAP. III.
An act in addition to an act, entitled, "An act granting to John L. Sullivan the exclusive right for a term of time to navigate Merrimack river with Steam Boats." Approved June 16, 1815.

CHAP. IV.
An act in addition to an act, entitled, "An act to incorporate The Proprietors of Union Locks and Canal." Approved June 20, 1815.

CHAP. V.
An act authorizing Margaret Wiggin to convey all the right which Sherburn Wiggin, late of Concord deceased, had at the time of his death to certain land in said Concord. Approved June 20, 1815.
Private Acts.

CHAP. VI.

An act to incorporate certain persons in the town of Grafton by the name of The Grafton Social Library. Approved June 20, 1815.

CHAP. VII.

An act to incorporate sundry persons in Durham by the name of The Old Hundred Sacred Musick Society. Approved June 20, 1815.

CHAP. VIII.

An act to incorporate Ebenezer Smith and others by the name of The Proprietors of Durham Social Library. Approved June 20, 1815.

CHAP. IX.

An act to incorporate sundry persons by the name of The Rochester Fire Society. Approved June 20, 1815.

CHAP. X.

An act to authorize the judge of probate for the county of Cheshire, to appoint commissioners of insolvency in a certain case. Approved June 21, 1815.

CHAP. XI.

An act authorizing the judge of probate for the county of Cheshire, to extend the commission of insolvency for settling the estate of Samuel Ashley, late of Claremont in said county, deceased, and for appointing new commissioners for that purpose. Approved June 21, 1815.

CHAP. XII.

An act to incorporate Beard Plumer, Esq. and others into a society by the name of The Congregational Society in Milton. Approved June 21, 1815.

CHAP. XIII.

An act to divide the town of Haverhill into two distinct parishes by the name of The North and South parishes in Haverhill. Approved June 21, 1815.
An act to incorporate sundry persons by the name of The Congregational Society in Epsom. Approved June 21, 1815.

An act authorizing the judge of probate in the county of Coos, to extend the commission of insolvency for settling the estate of Nathaniel White. Approved June 21, 1815.

An act to incorporate Samuel A. Pearson, William Lovejoy and others by the name of The Coos Sacred Musick Society. Approved June 21, 1815.

An act in addition to, and amendment of an act, entitled, "An act to incorporate a company by the name of The Proprietors of the Rindge Turnpike Road in New-Hampshire." Approved June 21, 1815.

An act to incorporate Nathan Bachelor, John Gordon and Benjamin Hoit and their successors and assigns by the name of The Rockingham Cotton Manufactory. Approved June 21, 1815.

An act authorizing the judge of probate for the county of Cheshire, to extend the commission of insolvency for settling the estate of Moses Bennett, and for appointing new commissioners for that purpose. Approved June 21, 1815.

Resolved by the senate and house of representatives, in general court convened, That the inhabitants of the town of Wentworth in the county of Grafton, be, and hereby are authorized to send a representative to the general court of this state, until otherwise ordered by the legislature. Approved June 22, 1815.
Private Acts.

CHAP. XXI.

An act in addition to, and amendment of an act, entitled, "An act to incorporate certain persons by the name of Hinsdale Bridge, and the Sixth New-Hampshire Turnpike Corporation." Approved June 17, 1802.

The foregoing bill having passed both houses of the general court, was on the 16th day of June, 1815, presented to the governor for his approbation and signature; and the same bill not having been approved by the governor, nor returned by him within five days (exclusive of Sunday,) after it was presented, and the legislature not having adjourned till the 29th day of the same June, it became a law, June 22, 1815.

CHAP. XXII.

An act to incorporate Nathaniel Ambrose and others into a society by the name of The First Congregational Society in Ossipee. Approved June 22, 1815.

CHAP. XXIII.

An act to incorporate William Rice, Elijah Hall, John F. Parrott, Thomas Manning, Titus Salter, James Shapley, Enoch G. Parrott and others, into a company by the name of The Union Insurance Company. Approved June 22, 1815.

CHAP. XXIV.

An act to incorporate Josiah Stevens and others by the name of The Congregational Society in Claremont. Approved June 22, 1815.

CHAP. XXV.

An act to incorporate Laban Ainsworth, Adonijah How and others by the name of The Congregational Church in Jaffrey. Approved June 22, 1815.

CHAP. XXVI.

An act for reviving and extending the grant made to certain persons for building a bridge over Pemigewasset at Mc. Norton's falls in Peeling, and for supporting the same, Passed June 15, 1807.—Approved June 22, 1815.
Private Acts.

CHAP. XXVII. A.D. 1815.
An act to alter the name of Samuel French, jun. of Gilman ton in this state. Approved June 22, 1815.

CHAP. XXVIII.
An act altering the name of John Morse, the third. Approved June 22, 1815.

CHAP. XXIX.
An act altering the name of Margaret Gookin Emery. Approved June 22, 1815.

CHAP. XXX.
An act to alter the name of Henry Wicket. Approved June 22, 1815.

CHAP. XXXI.
An act to alter the name of Jonathan Greeley. Approved June 22, 1815.

CHAP. XXXII.
An act altering the name of Matthias Savage. Approved June 22, 1815.

CHAP. XXXIII.
An act authorizing Billy Barker to assume the name of William Barker. Approved June 22, 1815.

CHAP. XXXIV.
An act to incorporate certain persons by the name and style of the proprietors of The Gilmanton Academy Social Library, approved June 22, 1815.

CHAP. XXXV.
An act to incorporate certain persons by the name of the proprietors of The Mechanics Social Library in Exeter, Approved June 22, 1815.
A.D. 1815.

CHAP. XXXVI.

An act for disannexing lands owned by Robert Buntin, Phillip Sargeant and William Hazeltine, from the town of Bow and annexing them to the town of Allenstown. Approved June 22, 1815.

CHAP. XXXVII.

An act to incorporate The First Congregational Society in Wakefield. Approved June 22, 1815.

CHAP. XXXVIII.

AN ACT in addition to, and in amendment of an act, entitled, "An act for regulating towns, and the choice of town officers," passed February 5th, A.D. 1791.

WHEREAS doubts have arisen in the minds of some respecting the right of persons over seventy years of age to vote in town meetings in certain cases; Therefore,

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That from and after the passing this act, every male inhabitant of each town in this state of twenty one years of age and upwards, excepting paupers and persons excused from paying taxes at their own request, shall have a right to vote in the town where he lives, or of which he is an inhabitant, in any public town meeting in any matter that may come before such town.

Sect. 2. And be it further enacted, That so much of said act to which this is an amendment, as is in the following words, viz. "That every male inhabitant of each town in this state, of twenty one years of age and upwards, paying for himself a poll tax, shall have a right to vote in the town where he lives, or of which he is an inhabitant, in any public town meeting, in any matter that shall come before such town," be, and the same is hereby repealed.

Approved June 23, 1815.

CHAP. XXXIX.

An act to incorporate the inhabitants of the southerly part of Marlborough, the North part of Fitzwilliam and the easterly parts of Swanzey and Richmond into a separate township* with all the privileges and immunities of other towns in this state. Approved June 23, 1815.

* By the name of Troy.
Habeas Corpus.

CHAP. XL.  

An act empowering the selectmen of Thornton to assess a tax of two cents on each acre of land in said Thornton for the purpose of building a bridge. Approved June 23, 1815.

CHAP. XLI.  

An act to incorporate the Trustees of the Widow's Charitable fund. Approved June 23, 1815.

CHAP. XLII.  

An act to incorporate sundry persons by the name of Wakefield Musical Society. Approved June 23, 1815.

CHAP. XLIII.  

An act to incorporate a company by the name of The Sunapee Turnpike Corporation. Approved June 23, 1815.

CHAP. XLIV.  

An act to incorporate a company by the name of The Proprietors of Milford Turnpike Corporation in New-Hampshire. Approved June 23, 1815.

CHAP. XLV.  

AN ACT to prevent unjust imprisonment, and to secure the privilege and benefit of the Writ of Habeas Corpus. Passed June 26, 1815.

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That any person imprisoned in any common prison, or otherwise restrained of his or her personal liberty, by any officer or officers, or by any other person or persons, for any cause, or under any colour or pretence whatever; such person, or any person in his or her behalf may complain in writing to the supreme judicial court of this state in term time, in any county, whether the court be holden by one or more of the justices thereof, or to the chief justice, or any one or more of the associate justices, either in term time or in vacation; and upon such complaint and upon view of the copy of the warrant (if any) by which such person stands committed, or is held or detained; or upon affidavit of the complainant,
Habeas Corpus.

A.D. 1615. certified by a justice of the peace or notary publick, or on
the testimony of any credible witness (and in case such
witness live more than twenty miles from the court or justice
applied to, then on the affidavit of such witness certified as
foresaid) that a copy of such warrant has been demanded
and denied; the said court in term time, and the said chief
justice and associate justice or justices in vacation or in term
time (the said chief justice or associate justice or justices
not being then engaged in holding a supreme judicial court)
are hereby respectively authorized and required to award a
writ of habeas corpus (the privilege and benefit of the ha-
beas corpus not being suspended by the legislature agreea-
bly to the constitution) directed to the officer or person im-
prisoning, detaining or restraining the complainant; unless
the complainant be, or stand committed by any court or
judge of the United States for trial before some court of the
United States, and where a state court or the judges thereof
have by law no authority to discharge or admit to bail; or
unless the complainant be convict, or in execution by legal
process, criminal or civil; or committed by mesne process
in any civil action for want of reasonable bail: Provided
always, That the said court or justice, so applied to, shall
not be bound to issue the said writ where the complainant
shall be, or stand committed or detained for treason, murder,
rape, arson, forgery, or for any felony, or voluntary escapes
in any such case plainly and specially expressed in the warr-
ant of commitment; but in such cases the said court or
justice may grant or refuse the same as on consideration of
all the circumstances to them in their discretion may seem
just and proper.

Section 2. And be it further enacted, That the said writ
when issued by the supreme judicial court, may be made
returnable immediately to the court in any county, or at any
time and place certain; or before the chief justice or any
associate justice of the same court immediately at a certain
place therein directed, or at a time and place certain, the
supreme judicial court not being then in session. And in
case said writ be awarded by the chief justice, or any asso-
ciate justice, it may be made returnable before the justice
awarding the same, or any other justice of the supreme ju-
dicial court immediately at a place therein directed, or at a
time and place certain, or before the supreme judicial court
immediately, or at the next term in a particular county there-
in mentioned. And in all cases it shall be the duty of the
court or justice awarding the said writ of habeas corpus to
make the same returnable in the way and manner that shall
best secure to the people the enjoyment of the same writ in
the most free, easy, cheap, expeditious and ample manner.

Section 3. And be it further enacted, That the said writ
of habeas corpus shall be in the name of the state, and
when awarded by the court, shall be under the seal of the
court, tested by the chief justice or first justice who is not a party, and be signed by the clerk, and when awarded by the chief justice or any associate justice, shall be under the hand and seal of the justice.

Sect. 4. And be it further enacted, That the said writ may be in the form following:—

THE STATE OF NEW-HAMPSHIRE.

ss. To

Greeting. We command you that the body of A. B. in our prison under your custody detained [or by you imprisoned and restrained of his liberty] as it is said, together with the day and cause of the taking and detaining of the said A. B. by whatever name the said A. B. may be called or charged, you have before our justices of our supreme judicial court holden at ............ within and for the county of ............ immediately after the receipt of this writ, to undergo and receive what our said justices shall then and there consider of him [or her] in this behalf;—and have you then there this writ. Witness .................. at ................ this .............. day of ............ in the year of our Lord ............

And the necessary alterations in the form shall be made when the writ is awarded by the chief justice or any associate justice, and where a different return is ordered.

Sect. 5. And be it further enacted, That the court or justice awarding such writ may, in his or their discretion take security either by the complainant's own bond, or otherwise (to be made to the person to whom the writ is directed, or for his benefit) for the payment of the charges of carrying him or her back, in case he or she be remanded, and that he or she will not escape by the way; and may also order that the charges of bringing the prisoner or person restrained, be paid or tendered at the time of the delivery of the writ, and in such case the said court or justice shall ascertain and fix the sum to be paid or tendered, and endorse the same on the writ for the information of all concerned.

Sect. 6. And be it further enacted, That the service of such writ shall be by delivering the same to the person to whom directed, and in case the complainant be in prison, it may be delivered to, or left with any gaoler or deputy keeper at the gaol, and the proof of such service may be when delivered or left by any officer competent to serve legal process by certificate of such officer on the back of a copy of the writ; and when delivered by any other person by affidavit of such person on the back of such copy, and where such delivery shall be more than twenty miles from the court or justice to which such writ is returnable, such affidavit may be certified by a justice of the peace or notary publick.
Habeas Corpus.

Sect. 7. And be it further enacted, That the person to whom such writ is directed is hereby required to receive the same when offered, and on payment or tender of charges, where such payment is required, shall yield due obedience to the command of such writ, and shall make due return of the same, and have the body of the complainant, unless committed or detained for some one or more of the causes aforesaid before the court or justice at the time and place mentioned, and where no time shall be fixed for such return, the same writ being returnable immediately, then within three days after such service, or if the prisoner is to be brought more than twenty miles, then within so many days more as will be equal to one day for every ten miles of such further distance; and shall also certify on the said writ the true and all the cause or causes of the taking and detaining of the complainant.

Sect. 8. And be it further enacted, That if any officer in whose custody any prisoner shall be, shall not within six hours after demand made, deliver such prisoner a true copy of the warrant or process by which he or she stands committed, such officer shall forfeit to the party grieved the sum of two hundred dollars. And if any officer or person to whom any writ of habeas corpus shall be directed, shall refuse to receive the same, or shall conceal himself, or avoid, so that the same writ cannot be delivered to him, or after the receipt thereof shall refuse or neglect to yield such obedience thereto as this act requires (the complainant paying or tendering charges where required to do so) unless prevented by the sickness of the prisoner, or other necessity, such person shall forfeit to the party grieved for such refusal or neglect, concealing or avoiding, in each and every particular, the sum of five hundred dollars; and for any false return to such writ, shall be further liable to the action of the party grieved, and also to any action at common law for false imprisonment or unlawful restraint.

Sect. 9. And be it further enacted, That the court or justice awarding the said writ, or to whom it may be made returnable, may punish every disobedience to such writ as for a contempt, and may compel obedience thereto by process of attachment.

Sect. 10. And be it further enacted, That if the supreme judicial court shall sit in any county where any person shall be imprisoned or restrained of his liberty, or within fifty miles (though in another county) after any habeas corpus awarded by the chief justice, or any associate justice, and before the same shall have been returned, the same writ shall be returned before such court, though not made returnable therein, and such proceedings shall and may be had thereon as if the same writ had been made returnable by the tenor thereof to said court. And any justice of the supreme judicial court may in his discretion at any time when a ha-
Habeas Corpus.

And be it further enacted, That no person enlarged by habeas corpus shall again be imprisoned or restrained of his liberty for the same cause, unless he shall be indicted therefor, or convicted thereof, or shall neglect to appear on the recognizance taken, or to find bail when ordered thereunto; and if any officer or other person shall presume after such discharge again to imprison or restrain the person discharged, except as above mentioned, he shall forfeit and pay to the party grieved the sum of eight hundred dollars.

And be it further enacted, That all actions and prosecutions for any offences against this act shall be commenced and sued within two years next after the offence.
Defendant may plead general issue.

Right of action not to cease by death of parties.

Passed June 26, 1815.

S. J. Court to appoint a reporter.

Compensation.

Passed June 26, 1815.

AN ACT to provide for publishing Reports of the Decisions of the Supreme Judicial Court.

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That the supreme judicial court shall, as soon as may be after the passing of this act, appoint some suitable person, learned in the law, to be reporter of the decisions of said court, who shall hold his office at the pleasure of said court; and it shall be the duty of said reporter to obtain authentick reports of the decisions of the late superior court of judicature, and also of the said supreme judicial court, and annually to publish the same.

Sect. 2. And be it further enacted, That every attorney practising at the said supreme judicial court, shall be required to pay annually to the clerk of said court, within the first quarter of every year, the sum of five dollars; and the said clerk shall pay the same to the person who is reporter for the time being by virtue of the provisions of this act: which shall be in full compensation for all the services performed by said reporter as aforesaid.

Approved June 26, 1815.

CHAP. XLVII.

AN ACT establishing the compensation of members and witnesses of courts martial, and pointing out the mode in which they shall be paid.

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That from and
after the passing this act, each member of any court martial, appointed in conformity to the laws of this state, for the trial of any commissioned officer, shall be paid out of the treasury of this state the sum of one dollar and twenty-five cents for each day's actual attendance at such court, and four cents per mile for travel to and from the place of holding such court.

Sect. 2. And be it further enacted, That it shall be the duty of the president of such court martial to certify to his excellency the governor, for the time being, the name, the number of days' attendance, and the travel of each member composing such court martial, who is hereby authorized and empowered to draw on the treasurer of this state for the payment of said sums in conformity to the provisions of this act.

Sect. 3. And be it further enacted, That all witnesses summoned by the president of any court martial, and actually attending such trial, shall be allowed and paid the same fees as are allowed to witnesses attending the supreme judicial court; and the attendance and travel shall be certified by the president of such court to the governor, and paid in the same manner as is provided in this act for the payment of members of courts martial.

Approved June 26, 1815.

CHAP. XLVIII.

An act to incorporate sundry persons by the name of The Lebanon Mechanic's Cotton and Woolen Factory. Approved June 26, 1815.

CHAP. XLIX.

An act to incorporate the proprietors of The Cotton and Woolen Manufactory in Nelson. Approved June 26, 1815.

CHAP. L.

An act to extend the grant made to the proprietors of Wells river bridge across Connecticut river. Approved June 26, 1815.

CHAP. LI.

An act to incorporate certain persons by the name of The Proprietors of Hancock Social Library. Approved June 26, 1815.
Militia.

CHAP. LII.
An act to extend the grant made to the Amherst Turnpike Corporation. Approved June 26, 1815.

CHAP. LIII.
An act to incorporate a Congregational Society in Pembroke. Approved June 26, 1815.

CHAP. LIV.
An act to change the style of Blodget's Canal. Approved June 26, 1815.

CHAP. LV.
An act to alter the name of Richard Currier, the second. Approved June 26, 1815.

CHAP. LVI.
An act to incorporate certain persons by the name of The Proprietors of the Philosophical Library in Nelson. Approved June 26, 1815.

CHAP. LVII.
An act altering the name of John Pickering, jun. Approved June 26, 1815.

CHAP. LVIII.
AN ACT repealing a part of the twelfth section of an act, entitled, "An act for arranging, forming and regulating the militia within this state, and for repealing all laws heretofore made for that purpose."

Be it enacted by the senate and house of representatives, in general court convened, That so much of said section which makes it the duty of the selectmen of the several towns and unincorporated places within this state to furnish one quarter of a pound of powder to each non commissioned officer and soldier on regimental and battalion muster days, at the expense of said towns and places, as also so much of said section as makes it the duty of each soldier to consume said powder when directed by his commanding officer; likewise so much of said section as imposes a fine on the selectmen aforesaid for neglect to furnish such powder, be, and the same is hereby repealed.

Approved June 28, 1815.
CHAP. LIX.

An act to incorporate Samuel Tibbets and others into a society by the name of The First Congregational Society in Wolfborough. Approved June 28, 1815.

CHAP. LX.

An act to incorporate sundry persons by the name of Enfield Musical Society. Approved June 28, 1815.

CHAP. LXI.

An act to authorize the collector of the non resident taxes in Peeling, to return a new list to the deputy secretary. Approved June 28, 1815.

CHAP. LXII.

An act for the relief of the collector of non resident taxes in Rumney for the year 1815. Approved June 28, 1815.

CHAP. LXIII.

An act altering the name of Billey Plumer. Approved June 28, 1815.

CHAP. LXIV.

An act incorporating the Handellian Instrumental Musick Society in Hawke. Approved June 28, 1815.

CHAP. LXV.

AN ACT directing the mode of conveying lands belonging to any county in this state.

Passed June 29, 1815.

The justices of the C.C.C. Pleas may direct the sale of county lands.

Be it enacted by the senate and house of representatives, in general court convened, That whenever the justices of either of the circuit courts of common pleas for the eastern or western circuit in this state, shall conceive that any lands belonging to either of the counties within either of said circuits, ought to be sold for the benefit of such county, said justices are hereby empowered to authorize and direct the treasurer of said county, to make, execute and deliver to any purchaser or purchasers of such lands a good valid
A.D. 1815. conveyance thereof, and to receive of such purchaser or purchasers the consideration money directed by said justices, to be named in such deed of conveyance: and said treasurer is hereby authorized to execute such deed, and to receive said money, and is directed to deposit the same in the treasury of said county, to be appropriated in the manner by law authorized in other cases.

Approved June 29, 1815.

CHAP. LXVI.

AN ACT for repealing a part of an act, entitled, "An act for arranging, forming and regulating the militia within this state, and for repealing all laws heretofore made for that purpose," passed December 22, A.D. 1808.

Be it enacted by the senate and house of representatives, in general court convened, That so much of the seventh section of said act as is in the following words, viz. "That to each piece of ordnance be annually allowed fourteen dollars, for the purpose of furnishing said piece with powder and port fire," be, and the same is hereby repealed.

Approved June 29, 1815.

CHAP. LXVII.

AN ACT for raising forty thousand dollars for the use of this state.

Be it enacted by the senate and house of representatives, in general court convened, That there shall be raised for the use of this state the sum of forty thousand dollars, which sum shall be assessed, collected and paid into the treasury on or before the first day of November, in the year of our Lord one thousand eight hundred and sixteen; and the treasurer be, and he hereby is directed, seasonably to issue his warrants to the selectmen or assessors of the several towns, parishes and districts within this state agreeably to the last proportion act; and the selectmen and assessors of the several towns, parishes and districts aforesaid, are hereby respectively required to assess and levy the sums in the treasurer's warrants specified, and cause the same to be paid into the treasury of this state, on or before the first day of November, one thousand eight hundred and sixteen; and the treasurer shall issue extents for all taxes which may then remain unpaid.

Approved June 29, 1815.
**CHAP. LXVIII.**

**Resolved.**

Whereas the office of attorney general is now vacant; Therefore,

Resolved that the solicitors in their several counties in this state shall severally have and receive out of the treasury of this state the following sums, to wit: the solicitor for the county of Rockingham, one hundred dollars; for the county of Strafford, one hundred dollars; for the county of Hillsborough, one hundred dollars; for the county of Cheshire, seventy-five dollars; for the county of Grafton, seventy-five dollars; for the county of Coos, fifty dollars, per year, in full compensation for their services; and the same rate of compensation for a period less than a year.

Approved June 29, 1815.

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**CHAP. LIX.**

Resolved that the inhabitants of the town of Troy in the county of Cheshire, be, and they hereby are empowered to send a representative to the general court of this state until the legislature thereof shall otherwise order.

Approved June 29, 1815.

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**CHAP. LXX.**

An act to incorporate sundry persons by the name of The First Church and Congregational Society in Winchester. Approved June 29, 1815.

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**CHAP. LXXI.**

An act to incorporate certain inhabitants of the town of Alstead into a society by the name of The Society of the First Parish in Alstead. Approved June 29, 1815.
APPENDIX.

ACTS RELATIVE TO THE ASSESSING AND COLLECTING OF PUBLICK TAXES.

See repealed acts on those subjects. Vol. I. p. 510—554.—All the acts relative to making Rates and Taxes were repealed by act June 20, 1792. Vol. I. p. 480.

AN additional act for the more equal assessing and collecting of publick Taxes, in this province.

Whereas the act enjoining every person within this province to give in true and perfect account of all his rateable estate, is found by experience not to attain the end proposed, and thereby sundry of her majesty's good subjects are forced to bear the greater burden: for prevention whereof, and as an addition to the said law:

Be it enacted, and it is hereby enacted by his excellency the governor, council, and representatives, convened in general assembly, and by the authority of the same, That the justices yearly in December, at their session, shall appoint one freeholder in every town within this province to whom they, or any two of her majesty's justices of peace within this province, shall administer an oath for the faithful performance of the trust reposed in him, in going through the town he belongs unto, to every inhabitant thereof to take a just and true account of each person's rateable estate, which he shall deliver unto the selectmen of such town where he belongs, sometime between December and March, every year; which person so appointed shall have power to make choice of one or more person or persons to be assisting in taking a just and true account, as aforesaid: and every person or persons, appointed as aforesaid, shall have the like oath administered to him or them for the faithful performance of what he is betrusted with; and shall deliver the account so taken into the hands of the selectmen within the time limited, as aforesaid; which person so appointed shall have for his pains and labour for himself and assistants in taking of the account of the said estates, the sum of five pounds; to be paid by the selectmen in every town, who are empowered to make assessments on their inhabitants for
APPENDIX.

the same, and to be collected by the constable or constables, with their assessments made for the defraying other town charges: any law or usage to the contrary notwithstanding.


AN ACT to prevent the concealing estates from assessors.

Be it enacted by the governor, council and representatives, convened in general assembly, and by the authority of the same, That whosoever shall after the date hereof, leave out any part of his rateable estate, and not give in the same in his invoice or particular, when called thereto by the selectmen and commissioners; for every pound rateable estate that shall be so left out and not discovered, the selectmen with the assessors shall have power to rate such person that shall so conceal, and not discover the same, the sum of five shillings, for every pound that shall be so concealed and not discovered as aforesaid.


AN ACT relating to constables collecting rates or assessments.

Sect. 1. Be it enacted by his excellency the governor, council and representatives, in general assembly convened, and by the authority of the same, That the constables within the several towns of this province, who have had, or hereafter shall have any rates or assessments for the defraying the publick charges orderly made and committed unto them to collect, the accounts and payments whereof are not issued, or that at any time or times hereafter, shall not pay in and issue their accounts thereof with the selectmen, or other person appointed by the town for that end, by the time preixt in the warrants to them respectively given, for the collecting and paying in thereof, or within the space of one month next after the expiration of such time; every such defective constable shall be liable to have such sum or sums of money then due from him distrained, by warrant under the hand and seal of the treasurer of this province, directed to the sheriff or his deputy, if such money be for the use of the province; but in case such money be for the use of the town or any particular parish, then it shall be distrained by warrant under the hands and seals of the selectmen of such town, or the major part of them; and one justice of the peace, or church wardens, with a justice of the peace respectively; which distress shall be made on such constable's estate, real or personal, returning the overplus, if any
be; and for want of such estate, to take the bodies of such defective constables and to imprison them, until they pay the same: which warrant the sheriff or his deputy is hereby authorized and required to serve accordingly.

**Sect. 2.** *And be it further enacted, by the authority aforesaid,* That at any time when any constable in any the respective towns in this province, shall take goods by distress for payment of his rates, he shall keep such goods so distrained by the space of four days at the cost and charges of the owner thereof; and if the said owner do not pay the sum and sums of money so assessed upon him within the said four days, then the said distress to be openly sold at an outcry by the said constable, for payment of the said money, notice of such sale being posted up in some publick place in the same town twenty-four hours before hand, and the overplus coming by the said sale, if any he, over and above the charges of taking and keeping the said distress to be immediately restored to the owner.

**Sect. 3.** *And be it further enacted, by the authority aforesaid,* That where any person or persons shall remove from any town or place where he or they lived, or had his or their residence, at the time of making the list of rates or taxes, not having before paid the respective sum or sums set upon him, or them, in such lists: it shall be lawful to and for the constable to whom any such tax, or rate, shall be committed, with warrant to collect, and he is hereby authorized and empowered to demand the sum or sums of money assessed upon such person or persons, in what town or place soever he or they may be found in this province; and upon refusal or neglect to pay the same, to distrain the said person or persons, by his goods or chattels, as aforesaid; and for want of such distress to commit the party to the common gaol, there to remain until payment be made.

**Sect. 4.** *And be it enacted by the authority aforesaid,* That where the owner or tenant of any lands liable to publick taxes, shall not reside or be an inhabitant of the town or precinct in which such lands lie, and no stock, corn, or hay can be found upon the said lands, whereof the said constable may make distress to satisfy such sum or sums, as from time to time such lands shall be assessed at, either to the province, town or parish charge; in such case any justice of the peace in this province, upon application to him made by the constable to whom the list wherein such lands shall be assessed, shall be committed, and upon sight of the same, or authentick copy thereof, may, and hereby is empowered, and required to grant a warrant unto the constable of the precinct where such occupant dwells, or resides, to distrain such occupant by his goods or chattels, the full sums at which such lands are set in such list or assessment, with the charge of making such distress, and to satisfy the same by sale thereof, re-
turning the overplus, if any be, to the owner; and in case no goods or chattels of the party can be found, whereon to distrain, then to commit him to the common gaol, there to remain without bail or mainprize, until he pay and satisfy the sum or sums so assessed, with the charges.

And when and so often as it happens, that constables be anew chosen and sworn for any town before the former constables have perfected their collection, of any tax or assessment to them committed to gather, such former constables are notwithstanding hereby fully empowered and required to perfect all such collections, and may exercise the same powers and authorities for the gathering and enforcing the payment thereof, as by this act they might have done, before other constables were chosen and sworn.

Sect. 5. And be it further enacted, by the authority aforesaid, That where the sheriff or his deputy, shall by legal warrant to him directed, distrain and levy the lands or tenements of any constable, for his default in not collecting or not paying into the treasurer or selectmen, or their order respectively, any sum or sums of money, which ought to be by them collected, levied and paid in, as aforesaid, in every such case the sheriff or his deputy executing such warrant or warrants of distress, shall cause a due appraisement to be made of any houses or lands so levied, by the oaths of two or three sufficient freeholders in the same town; (which oath any justice of the peace is hereby authorized to administer:) and after appraisement thereof so made, is hereby fully authorized and empowered to make sale of such houses or lands; and to make, seal, acknowledge and execute good and sufficient deeds and conveyances for the same; and out of the produce thereof to pay and satisfy such sum or sums of money, for which the estate shall be levied, with all charges arising thereon, and to return the overplus upon such sale, if any be, unto the owner: and all deeds and conveyances of any such estate in houses or lands duly executed, as aforesaid, shall be good and effectual in the law unto the purchaser and his heirs and assigns forever, to all intents and purposes.

Provided notwithstanding, That in no case whatsoever any distress shall be made, or taken from any person or persons of his or their beasts, belonging to the plough, nor of tools or implements necessary for his or their trade and occupation, nor of his or their arms or utensils of household necessary for upholding of life, nor of bedding or apparel necessary for him or themselves or family: any law, usage or custom to the contrary notwithstanding.

AN ACT for the more easy and speedy assessing and collecting the province Rates and Taxes.

Passed 12 Geo. 2.

Whereas the laws in force in this province are in some measure defective with respect to directions for assessing and levying the province rates and taxes:

Sect. 1. Be it therefore enacted by the governor, council and representatives, in general assembly convened, and by the authority of the same, That all rates, taxes, and assessments on the polls and estates of the inhabitants of any towns, parishes, or precincts within this province, as their respective proportion of the province tax and charges that have heretofore been made, agreeable to the usual practice and custom of the towns within the same that are already collected; and also all such rates and assessments that are made as aforesaid, and not yet collected, shall be held good, firm, and valid in law, and are hereby declared so to be to all intents and purposes, notwithstanding any want of express and particular direction in the laws of this province concerning the same: and all constables of the said towns, parishes, or precincts, are hereby ordered, empowered and authorized to collect and levy all such rates and taxes in the same method, manner and form as they are by law enabled to levy and collect town rates and assessments: and in case of default or failure, to collect and pay all rates, taxes and assessments for defraying the province charge, and belonging to the same, that are or shall be committed to any constable within, and belonging to any town in this province, according to the directions given him in his warrant for collecting the same, and issuing the accounts thereof according to law, every such defective constable shall be liable to the same sort of process as is already provided in and by an act or law of this province, entitled, An act relating to constables collecting rates or assessments.

Sect. 2. And be it further enacted, by the authority aforesaid, That the selectmen and assessors of the said towns, parishes and precincts, are hereby authorized and enabled to assess the polls and estates of the inhabitants within their respective districts, each one according to his known ability, their proportion of all province charge and taxes yearly upon the receipt of the treasurer’s warrant, to be directed to the selectmen as has been usual. The rates and assessments to be made under the hands of the selectmen and assessors: to be committed to the constable or constables within the said towns with a warrant for collecting and levying the same in the method, form and manner as the law directs respecting town rates.

AN ACT to enforce the assessing and collecting of Rates and Taxes.

Whereas the neglect or delay of seasonably making and collecting the taxes imposed by law in this province, and to be annually paid is very prejudicial to the publick affairs; for the preventing of which, some further provision is necessary to be made:

Sect. 1. Be it therefore enacted by the governor, council and assembly, That the treasurer of this province, for the time being, is hereby ordered to issue his warrant, directed to the respective selectmen of the several towns, parishes or districts within this province, obliged to pay any part of the province rates, immediately after the passing of this act, for the present year; and to the selectmen as aforesaid, for the time then being after this year, some time in the month of May annually, directing them to assess the polls and estates within their respective limits, liable by law to be taxed, the sum in bills of credit of this province, each town, parish or district is to pay of said rates, and to pay the same into the province treasury, or cause it to be so paid by the time limited by the respective acts, pursuant to which the same shall be paid, or otherwise agreeable to said acts.

And if any of the said selectmen, having seasonably received the treasurer’s warrant as aforesaid, shall neglect their duty herein as above prescribed, their person and estates shall be liable, and are hereby subjected to be taken in execution, for the sum they were respectively directed to assess, and cause to be paid as aforesaid, to be issued under the hand and seal of the said treasurer, to be directed and executed as the law directs against delinquent constables, for not collecting and paying the taxes orderly made and committed to them. Provided nevertheless, no such execution shall be issued, until twenty days after the time appointed by the treasurer’s warrant for the payment thereof as aforesaid.

Sect. 2. And be it further enacted, That when any constable shall be liable to an execution as aforesaid, and the same shall not be issued against him within the year for which he is or shall be chosen to serve, the selectmen for the time being afterwards, are hereby authorized to do the same as effectually to all intents as the selectmen within the year might have done. And the selectmen of any parish, or the church wardens, where any such are or shall be chosen, are and shall be hereby invested with the same power and authority in this respect, as the selectmen of towns have by this, and any other act or law of this province.

And as the treasurer aforesaid, is by law enabled to issue such execution against any constable, having any part of the
province tax to collect, who shall be delinquent therein as aforesaid, the selectmen of the said towns, parishes and districts, are hereby directed to send the name or names of the constable or constables, within their respective limits, who shall have any part of the province tax to collect, the sum each is to collect, the date of the warrant given him for that purpose, and the time when he was ordered to pay the same into the treasury as aforesaid.

And where any person shall be chosen and appointed to collect rates and taxes, by the name of a collector, instead of constable, he shall be hereby invested with the same power and authority in that regard which a constable has; and such collector is also hereby subjected to the same kind of process, and to be proceeded against in the same manner, in case of neglect of duty therein, as constables are. And where it is herein directed that the selectmen, or church wardens are authorized to do any matter or thing, in pursuance of this act, the major part of them doing the same, shall be valid to all intents as if the whole had done the same.


AN ACT in addition to an act, entitled, An act to enforce the assessing and collecting of Rates and Taxes, made and passed in the twenty-seventh year of his majesty's reign.

Whereas the before recited act doth not fully answer the ends and purposes proposed and designed in and by the said act: for remedy whereof,

Be it enacted by his excellency the governor, council and assembly, That the treasurer of the province for the time being, shall be, and hereby is enabled, authorized and directed to proceed against the selectmen of any town, parish or precinct within this province, who heretofore have been, still are, or hereafter shall be delinquent and negligent of their duty in making the province rates agreeable to the respective warrants they have already received, or hereafter shall receive from the treasurer of this province, for making such rates, or in returning to the treasurer the name of the constable or collector respectively, who was to collect the same, or hereafter shall have such rates committed to them to be collected, in the same manner, and take the same remedy as is by law prescribed to be taken against any constable, who is negligent in collecting any such taxes, or for not paying the money when collected, agreeable to the warrant or orders given him for that end. And the polls and estates of such delinquent selectmen shall be, and hereby are subjected to the same.

AN ACT, authorizing the choosing or agreeing with persons to collect the publck Taxes, and enabling and obliging them to discharge that office in the same manner as constables may, and by law are obliged to do.

WHEREAS it is thought by many persons, that choosing or agreeing with suitable persons to collect the publck taxes within the several towns and parishes in this province, would be a more expeditious (as well as otherways a more convenient) method of collecting the same, than the usual way of the constables making those collections, if the persons that might be so appointed to that service, had the same power in that regard that constables have by law:

SECT. 1. Be it therefore enacted by the governor, counsel and assembly, That any town or parish within the province of New-Hampshire may, whenever they shall judge it proper, choose any number of such persons as they shall see cause, to collect the publck rates, taxes, or assessments made annually within the same, or may direct and authorize the selectmen of such town or parish, to choose and agree with such persons to be collectors of the rates, taxes and assessments aforesaid; and the warrants for levying and collecting the same, shall be made in the usual and customary form within the respective towns and parishes, only directed to such collector instead of a constable. And every such collector being sworn to the faithful discharge of his office according to law, shall hereby be authorized and enabled to collect and levy the rates, taxes and assessments committed to him, as fully and effectually and in the same manner that any constable by law is enabled to do, when such warrant is directed, and such rates committed unto him: and the said collectors are hereby directed to observe the same rules in collecting and levying such rates and taxes as are by law prescribed to constables in such cases, and shall hereby have the same power and authority to execute the same that the law has given and granted to any constable for collecting and levying any rates, taxes and assessments.

And every such collector taking upon him the said office, as aforesaid, who shall prove delinquent in not perfecting and accomplishing his collection, and paying the same agreeable to his warrant, shall be liable and subjected to the same kind of process, and the town or parish for which he was employed as a collector, shall have the same remedy against him and his estate, as is by law given and granted against constables in such cases.

And whereas some doubt has been made who were the persons intended by the law to sign and issue the process aforesaid against defective constables in such cases; for removing of which doubt,

SECT. 2. Be it enacted, That when the money not collected is due to the province, or is for the province rates,
the execution to be issued against such defective or delinquent constable, or collector, shall be under the hand and seal of the treasurer of this province for the time then being. When the said money is for the use of any town, then such execution shall be issued under the hands and seals of the selectmen of such town, or the major part of them for the time then being. And when such money shall be for the use of any parish, such execution shall be issued under the hand and seals of the wardens or selectmen of such parish or the major part of them (without any justice of the peace joining therein, as was directed by a former law) for the time then being, when such executions shall be issued.


AN ACT to regulate the fine set on persons chosen to the office of Constable, and refusing to serve in said office.

Whereas it is found that the sum of five pounds set and imposed, by an act passed in the fifth year of the reign of his late majesty king George the first, as a fine upon persons chosen to the office of constable, and refusing to serve therein, is too high, and as the nominal value of money is greatly increased since the passing of the aforesaid act; therefore,  

Be it enacted, by the governor, council and assembly, That for the said penalty of five pounds, there shall henceforth be demanded and taken for the neglect and offence aforesaid, the sum of three pounds, and no more.


AN ACT to establish an equitable method of making Rates and Taxes, and determining who shall be legal voters in town affairs.

Whereas there is no rule established by law for making rates and taxes, so that every person may be compelled to pay in proportion to his income, but the same hath been left altogether to the arbitrary determination of selectmen and assessors in the several towns and parishes within this province, which causeth much uneasiness and many complaints. For preventing whereof, and for the more equal and just distribution of the burthen of taxes on the polls and estates, within the province, as also for ascertaining who are legal voters in town and parish meetings;

Be it enacted by the governor, council and assembly, That henceforward all publick rates and taxes shall be made and assessed in proportion to the amount of each person's
poliis, rateable estate and faculty, which shall be estimated as followeth, viz. all male polls from eighteen years old and upwards shall be estimated at eighteen shillings each. All male slaves from sixteen years old and to the age of fifty at sixteen shillings each. All female slaves from sixteen to fifty years old at eight shillings each. Horses and oxen four years old and upwards, three shillings each. Cows four years old and upwards, two shillings each. Cattle and horses three years old one shilling and six pence each. Cattle and horses two years old one shilling each. Cattle and horses one year old, six pence each. All improved lands to be estimated at six pence per acre, provided it does not exceed the sum, which the stock said land does or might keep summer and winter is estimated at. And all houses, mills, ware houses, and other buildings, wharfs and ferry's shall be estimated at one tenth part of their neat yearly value. And all stock, whether money at interest or improved in trade, shall be estimated at the rate of one per cent. And any person's faculty may be estimated by the selectmen of each town or parish at their discretion, not exceeding twenty pounds rateable estate: and no province, town or parish taxes, shall be held legal, except such as shall be made according to the foregoing proportion.

And the selectmen of each town and parish within this province, shall forthwith proceed to make a perfect invoice of each person's polls and rateable estates as before mentioned, in eight columns, viz. one column for the amount of each person's poll, one for the amount of each person's improved lands, one for the amount of slaves, one for the amount of live stock, one for other real estate, one for stock at interest, or in trade, one for faculty, and one column for the sum total of what each person is to be rated for as aforesaid. And the said invoice shall be revised, renewed and settled annually by the selectmen, between the first of April and the first of July: and in case any person shall remove to another town or parish, after his invoice is taken, he shall pay his tax for that year where his invoice was first taken.

And the church wardens or assessors of such parishes as have no selectmen, and have only power to raise taxes for the support of the gospel ministry, shall be furnished with copies of such invoices respectively, so far as respects their parishes for making their ministers' taxes, allowing fees as for copies in other cases.

And the inhabitants of the town of Portsmouth are hereby required to bring in to the selectmen, at such time and place as they shall appoint within the term aforesaid, each one a just and true account of his polls and rateable estate aforesaid.

And if any person or persons within said town of Portsmouth shall refuse to bring in, or if any person or persons
in any of the towns or parishes in this province shall refuse to render an account on oath, if required, which oath, any selectman may administer, of his or their rateable estate, in any of the articles before mentioned, the selectmen or the major part of them may set down to such person or persons as much as they judge equitable by way of doomage, and make their rate or tax accordingly, from which doomage there shall be no appeal.

And if any person or persons shall come from any place out of this province, to reside or inhabit in any town or parish in this province for the benefit of trading, although for less time than a year, such person or persons shall be rated one year's rates for their polls, and such stock as they bring, either on their own account or on commissions, during their residence.

And every person rateable for thirty shillings rateable estate, including his poll according to the rules aforesaid, shall be deemed a legal voter, in all affairs of the town or parish, where he dwells, except choosing representatives.

This act to continue and be in force for the space of three years and no longer, from the 12th of April 1770.

AN ACT to establish an equitable method of making Rates and Taxes, and determining who shall be legal voters in town affairs.

WHEREAS it is necessary there should be an equitable rule established by law, for making rates and taxes, so that every person may be compelled to pay in proportion to his income, and also for ascertaining who are legal voters in town and parish meetings:

Be it enacted by the governor, council and assembly, That henceforward all publick rates and taxes shall be made and assessed in proportion to the amount of each person's poll, rateable estate and faculty, which shall be estimated as follows, viz. all male polls from eighteen years old and upwards, shall be estimated at twelve shillings each; all male slaves from sixteen years to the age of forty-five, at ten shillings each; all female slaves, from sixteen years old to forty-five, five shillings each; horses and oxen four years old and upwards, three shillings each; cows four years old and upwards, two shillings each; cattle and horses three years old, one shilling and six pence each; cattle and horses two years old, one shilling each; cattle and horses one year old, six pence each, (no cattle nor horses to be accounted one year old, until they have been wintered over two winters) all improved lands to be estimated as follows, viz, orchards one shilling per acre, accounting so much orchard.
as will one year with another, produce ten barrels of cider, one acre; arable land, eight pence per acre, accounting so much land as will produce twenty-five bushels of grain, to be one acre; mowing land eight pence per acre; accounting so much land as will produce one ton of hay, one year with another, to be one acre; pasture land, three pence per acre, accounting so much land as will summer a cow, to be four acres; all mills, wharfs and ferries shall be estimated at one twelfth part of their neat yearly income; all stock, whether money in hand, or at interest, more than the person gives interest for, and all money improved in trade shall be estimated at the half of one per cent., and any person's faculty may be estimated by the selectmen and assessors of each town or parish at their discretion, not exceeding twenty pounds rateable estate, saving a right of appeal to any person aggrieved by such estimation: and no province, town or parish taxes shall be held legal except such as shall be made according to the foregoing proportion, excepting and reserving to every town and parish the liberty at their annual meeting, to rate all houses, warehouses and other buildings, so as that they are not estimated at more than one twelfth part of their neat yearly income; and the said invoice shall be taken in the month of April annually; and in case any person shall remove to another town or parish after his invoice is taken, he shall pay his tax for that year where his invoice was first taken; and if any person or persons shall come from any place out of this province, to reside or inhabit in any town or parish in this province for the benefit of trading, although for less time than a year, such person or persons shall be rated one year's rates for their polls, and such stock as they bring either on their own account, or on commissions during their residence, and every person rateable for eighteen shillings rateable estate, including his poll, according to the rules aforesaid, and every freeholder shall be deemed a legal voter in all affairs of the town or parish where he dwells, except choosing representatives, and if any person or persons in any of the towns or parishes in this province shall refuse to render an account on oath, if required, which oath any selectman may administer of his or their rateable estate in any of the articles before mentioned, the selectmen or the major part of them, may set down to such person or persons as much as they judge equitable by way of doomage, and make their rate or tax accordingly; from which doomage there shall be no appeal, unless such person or persons are unable to give in such inventory, and are ready to make oath that that is the case; and the inhabitants of the town of Portsmouth are hereby required to bring in to the selectmen at such time and place as they shall appoint within the term aforesaid, each one a just and true account of his polls and rateable estate aforesaid. And the several parishes in the town of Portsmouth shall have
liberty at their parish meetings to raise their ministerial tax in any manner they shall judge proper, and the selectmen of the several towns and parishes shall have liberty to make such abatements as shall appear to them to be reasonable and just.

This act to continue and be in force for the space of three years and no longer, from January 30, 1773.

AN ACT for making and establishing a new proportion of the Province Tax, among the towns and parishes paying the same, and to authorize the treasurer to issue his warrants for levying the same agreeable thereto.

And whereas there are sundry places among the foregoing names of places, which are not incorporated, and have no method to assess the sums to be raised; Therefore,

Be it enacted, That Benjamin Hall of Keene, is hereby appointed to call a meeting of the inhabitants of such said places, as are in the county of Cheshire; and John Goffe, of Derryfield, Esq.; is hereby appointed to call a meeting of the inhabitants of all such places as are in the counties of Rockingham, Hillsborough, and Grafton; and Joseph Badger of Gilmantown, Esq.; hereby appointed to call a meeting of the inhabitants of all such places, as are in the county of Strafford, which meetings shall choose the necessary officers for assessing and collecting the several sums proportioned and set to their respective names in the foregoing lists of names, which meetings are to be called by the 20th of June next, for accomplishing the business and design of said meetings, which officers so to be chosen, shall be authorized, and are hereby enabled to execute their respective offices, to all intents, as much as if they had been chosen under an incorporation; and the inhabitants of all such places are indulged with one month's time longer, to pay said money than the places that are incorporated, and are subjected to the same penalties as the like officers in places incorporated.

AN ACT to appoint several persons therein named to call and hold meetings in sundry places in the counties of Strafford and Cheshire that are not incorporated.

Whereas there are in the counties of Strafford and Cheshire sundry places that are not incorporated, which have been thought by the general assembly of sufficient ability to pay some part of the publick taxes, and have not power within themselves to assess and collect the same:

Therefore,

Be it enacted by the governor, council and assembly, That Ebenezer Thompson, Esq. is hereby appointed to
call a meeting of the inhabitants of all places not incorporated in the county of Strafford that are named in the list of towns and places proportioned to pay the province tax; and James Reed, Esq. is hereby appointed to call a meeting of all such places in the county of Cheshire; which meetings shall choose the necessary officers for assessing and collecting the several sums proportioned unto them, to be paid towards defraying the province and county taxes: which meetings are to be called and held by the first day of June next, for accomplishing the business and design of said meetings: which officers so to be chosen shall be authorized, and are hereby empowered and enabled to execute their respective offices to all intents and purposes as much as if they had been chosen under an incorporation. And the officers chosen as aforesaid, shall have full power and authority sometime in the month of March next following their being chosen, to call meetings in the respective places where they belong, to choose new officers, and so in succession yearly, until a new proportion of the province taxes shall be made, unless incorporated sooner. And all officers so chosen, shall be liable to the same fines and punishments for neglect of duty, as if chosen under an incorporation.

Passed Feb. 11, 1774.

Passed May 27, 1774.

**AN ACT to enable several places in this province, that are not incorporated, to take inventories of their rateable estates necessary for making publick taxes.**

WHEREAS there are in this province sundry places named in the list of towns and places proportioned to pay publick taxes, who had not in the month of April last (being the time appointed by law for taking inventories of rateable estates) any power to choose necessary officers for taking the same:

Therefore,

**Be it enacted by the governor, council and assembly,**

That all such places, named in the act for proportioning the province taxes, that had no authority to choose selectmen in the month of April last, but have since been legally empowered, and have chosen said officers, be empowered, and the said selectmen are hereby authorized at any convenient time in the present year, before their making assessment for their publick taxes, to take inventories in their respective places, in the same manner as by law the several towns in this province are directed to do in the month of April annually.

Passed May 27, 1774.
AN ACT to enable persons chosen assessors in sundry places in this province (not incorporated) pursuant to an act of the general assembly of said province in the year 1773, to call meetings in said places to choose necessary officers to assess and collect publick taxes.

WHEREAS in pursuance of an act of the general assembly, passed in the year of our Lord 1773, John Goff, Esq. held meetings in sundry places (not incorporated) in this province, who chose assessors and collectors and other officers necessary for assessing and collecting taxes for that year, which officers were not empowered to call other meetings for choosing said officers for the present year, and the same being necessary: Therefore,

Be it enacted by the governor, council and assembly, That the assessors chosen as aforesaid, be empowered to call meetings in the respective places to which they belong, as soon as may be, to choose officers necessary for assessing and collecting publick taxes; which officers, so chosen, shall have full power, sometime in the month of March next ensuing their being so chosen, to call new meetings for choosing such officers, and so in succession until a new proportion of the province taxes, unless incorporated sooner. And all officers so chosen, shall be subject to the same penalties for neglect of duty, as if chosen under an incorporation. And the assessors chosen for the year of our Lord 1773, aforesaid, upon neglect of their duty hereby enjoined, shall respectively be subject to the payment of the sum proportioned to such place or places. Passed May 27, 1774.

An act for granting unto his most excellent majesty the sum of two thousand five hundred pounds for the uses and purposes therein declared.

[special.]

An act for granting unto his most excellent majesty the sum of two thousand pounds for the uses and purposes therein declared.

[special.]

An act for granting unto his most excellent majesty the sum of two thousand pounds for the uses and purposes therein declared.

[special.]

An act for granting unto his most excellent majesty the sum of one thousand pounds for the use and purposes therein declared.

[special.]
AN ACT to remove any doubts that have or may arise concerning the Legality of any Taxes granted by the late Congress for this Colony; and to enforce the payment of Taxes in future.

Whereas doubts have arisen about the legality of the taxes granted by the late congress or congresses for this colony; and about the legal method of collecting and levying the same, and of other taxes in future; to remove which, and to direct what legal method shall be pursued for collecting and levying taxes for the future:

Be it enacted by the council and house of representatives for this colony, in general court assembled, That all taxes heretofore granted by any congress for this colony, shall be, and hereby are declared good and legal. And that the several constables, collectors of taxes in their respective towns and parishes, or the treasurer of this colony for the time being, are hereby required and directed to take, use and pursue the same method for the collecting and levying of any such taxes or any other taxes that may be legally assessed in future, as the laws of this colony provide and direct for the collecting and levying of taxes within the same. Provided nevertheless, That all warrants or processes for the collecting and levying any taxes for the future shall be made to conform in style to the law of this colony directing what style shall be used under the present form of government thereof. And that all warrants and processes for the collecting or levying of taxes that have been heretofore issued according to the form of law used and practised in this colony, shall be good and valid, notwithstanding any thing herein contained.


An act for raising the sum of two thousand five hundred pounds, lawful money, for the use of this state, and to enable the treasurer and receiver general to issue his warrants for collecting and calling in the same.

[SPECIAL-]

AN ACT to authorize the treasurer of this state, and the Treasurers of the several counties within this state to issue their executions for levying state and county taxes respectively against individuals in certain towns and places in this state.

Whereas some towns and places in this state liable by law to pay publick taxes, have through meanness or avarice refused and neglected, and may hereafter refuse and neglect to choose proper officers for assessing and levying taxes as by
law they are empowered to do, in expectation of thereby enforcing the payment of their proportion of the publick taxes:

Sect. 1. Be it therefore enacted, by the council and house of representatives, in general assembly convened, and by the authority of the same, That where any town or place within this state by law liable to pay publick taxes, have refused or neglected, or hereafter shall refuse or neglect to choose proper officers for assessing and levying taxes according to law, and the proportion of such town or place of the county or state taxes shall remain unpaid twenty days after the time appointed by the state and county treasurer’s warrants respectively for the payment thereof, the goods and estates of each individual of such town and place shall be liable, and are hereby subjected to be taken in execution for the payment of the proportion of such town or place of the annual county and state tax. And the treasurer of this state, and the treasurers of the several counties respectively, are hereby authorized and required to issue executions or warrants of distress against any two or more inhabitants of such town or place as they shall judge proper, and against whom they shall think fit, directed to the sheriff of the county wherein such town or place is situated, requiring him or either of them to levy by distress and sale of the goods or estates of the persons in such executions or warrants named, the respective sums at which such town or place is or shall be proportioned to the state or county taxes, and the sheriffs of the several counties in this state, and their deputies in their several precincts are hereby authorized and required forthwith to levy the same accordingly.

Sect. 2. And be it further enacted, by the authority aforesaid, That the persons from whom such sums shall be levied as aforesaid, shall have contribution against the other inhabitants of such town or place where they belong for such sums and all costs, charges and damages they may have been put to by such distress, and shall recover double costs of suit.


Certificates to be received in payment of all taxes.

A RESOLVE.

Whereas the certificates issued by this state for payment of interest due on securities, given by this state, and also on loan office certificates (so called) being for money loaned to the United States; and likewise those issued for payment of fifteen per centum of the debts owed by this state, have been appropriated to be received in payment of several and particular taxes, as set forth in the acts and resolves for issuing the same, which hath been found inconvenient, and a great hindrance to the speedy collecting of taxes; Therefore,
Be it resolved by the senate and house of representatives, in general court convened, That all certificates, that have been issued, or shall be issued by this state for payment of interest due on securities given by this state; or on money loaned to the United States, or in payment of the principal, or any part thereof due from this state, shall be received by the treasurer in payment of all taxes now due, or shall hereafter be due to this state; excepting the second tax issued in the year 1781, and ordered to be paid in paper bills, called the new emission, or in such future taxes, where the same shall be specially ordered to be paid otherwise.

Repealed, see Vol. I. p. 480.

AN ACT in addition to, and in explanation of an act, entitled, "An act, relating to constables collecting rates and assessments."

WHEREAS in and by the before named act, it is directed, that where the sheriff or his deputy, shall by legal warrant distrain and levy on the lands or tenements of any constable for his default in not collecting or not paying monies agreeably to his warrant, that in such case, the sheriff or his deputy, should cause a due appraisement to be made of such estate, and that afterwards the same should be sold to discharge such warrant, which direction having been found inconvenient; Therefore,

SECT. 1. Be it enacted by the senate and house of representatives, in general court convened, That when any sheriff or his deputy, shall by legal warrant distrain or levy the same on any real estate of any delinquent constable or collector, that he shall proceed and sell so much of said estate at publick vendue, as shall be sufficient to satisfy his said precept or warrant with all legal costs, giving thirty days notice of time and place of sale by advertising the same at some publick place in the town or parish, where the said estate lies, and in two other towns adjoining, without having any appraisement made of such estate, the aforesaid act notwithstanding.

SECT. 2. And be it further enacted, That in the said advertisements for the sale of such estate, the said sheriff shall particularly specify in what the taxes for which said estate is to be sold, may be paid; and shall sell said estate for the particular kinds of paper securities or specie, which are required to answer the taxes aforesaid.

SECT. 3. And be it further enacted, That the sheriff or his deputy, shall receive the poundage in future, for levying and collecting all extents in the same kinds of paper securities or specie as said extent or extents issued for, any law, usage or custom to the contrary notwithstanding.

Repealed by act June 20, 1792. p. 485.
LAWS
OF THE
STATE OF NEW-HAMPSHIRE.
JUNE SESSION, 1816.

CHAP. I.
An act altering the name of Littlefield Sibley. Approved June 11, 1816.

CHAP. II.

AN ACT to alter the name of the town of New-Holderness to the name of Holderness.

WHEREAS the inhabitants of the town of New-Holderness, in the county of Grafton, at their annual meeting in March last, by their vote expressed a wish that the name of said town may be altered to the name of Holderness; Therefore,

BE it enacted by the senate and house of representatives in general court convened, That the name of said New-Holderness be altered, and that said town be hereafter called and known by the name of Holderness; any law or usage to the contrary notwithstanding.

Approved June 12, 1816.

CHAP. III.

An act to authorise David Sanborn, Jun. of Gilmanton, to assume the name of David Edwin Sanborn. Approved June 15, 1816.
Private Acts.

CHAP. IV.
An act incorporating sundry persons by the name of the Baptist Church and Society in Dublin. Approved June 18, 1816.

CHAP. V.
An act to incorporate certain persons by the name of the Milford Musical Society. Approved June 18, 1816.

CHAP. VI.
An act to incorporate certain persons by the name of the proprietors of Mont Vernon Circulating Library. Approved June 19, 1816.

CHAP. VII.
An act to establish a corporation by the name of the Cheshire Agricultural Society. Approved June 20, 1816.

CHAP. VIII.
An act to incorporate a company by the name of the Cohas Brook Canal Corporation. Approved June 20, 1816.

CHAP. IX.
An act to incorporate certain persons in the town of Middleton, by the name of the Middleton Social Library Company. Approved June 20, 1816.

CHAP. X.
AN ACT authorizing the town of Litchfield, in the county of Hillsborough, to choose and send a representative to the general court for the residue of the present year and in future.
WHEREAS the said town of Litchfield has heretofore been classed with the town of Manchester for the purpose of electing and sending a representative to the general court; and whereas the said town of Manchester (having the constitutional number of rateable polls) has elected and sent to the general court a representative for the present year; and whereas the seat of the member from the town of Litchfield has been vacated, and thereby the town of Litchfield is unrepresented in the legislature of this State; Therefore,

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That the inhabitants of said town of Litchfield, qualified to vote in town meeting, are hereby authorized to choose a representative for said town, who shall be entitled to a seat in said legislature from the day of his election to the end of the current year.

Sect. 2. And be it further enacted, That the selectmen of said town of Litchfield for the time being are hereby empowered to call a meeting of the qualified voters of said town for the purpose of choosing a representative for the residue of the current year as soon as may be, by giving forty-eight hours personal notice of said meeting, or by leaving a notification in writing, expressing the design of such meeting, at the last and usual place of abode, of each of the qualified voters of said town, twelve hours prior to the time appointed to hold said meeting.

Sect. 3. And be it further enacted, That the inhabitants of said town of Litchfield shall forever hereafter, until otherwise ordered, have the right of choosing and sending to the legislature of this State a representative, in the same way and manner, as though said town contained the constitutional number of rateable polls; any law or usage to the contrary notwithstanding.

Approved June 20, 1816.

CHAP. XI.

An act to incorporate certain persons by the name of the Sandbornton Old Hundred Society, for the purpose of improvement in sacred music. Approved June 20, 1816.
A.D. 1816.

Canal.

CHAP. XII.

An act to incorporate Pearson Cogswell, Cotton Gilman and others, their successors and assigns, by the name of the Gilmanton Manufacturing Company. Approved June 21, 1816.

CHAP. XIII.

A RESOLVE appointing a commissioner to assist in surveying a route for a canal to connect the river Merrimac with Connecticut river.

Preamble.

WHEREAS a resolve of the legislature of the commonwealth of Massachusetts was passed on the 25th day of January, eighteen hundred and sixteen, appointing Loammi Baldwin, Esq. & John Farrar, Esq. Professor of Mathematics & Natural Philosophy at Harvard University, to be a committee to explore and survey, at the expense of the commonwealth, a route for a navigable canal from Connecticut river to the river Merrimac, as near as may be on a line drawn from the mouth of Sugar river, which empties into the Connecticut, to the bottom of Sewall's falls, near the mouth of Contoocook river, which discharges itself into Merrimac river in the northerly part of the town of Concord, in the State of New-Hampshire, comprehending the outlets and shores of Sunapee lake; ascertaining the elevation of the said lake above the waters of the said rivers, and the height of the falls and of the land on either side of the same, so that the survey may form the basis of calculation of the expense of such water communication.

And whereas the survey authorised and requested by said resolve is of a public nature, intended for the general good of the community, as well the people of the State of New-Hampshire, as of Massachusetts, it behoves this legislature to sanction, approve of, and aid the said survey and examination—Therefore,

RESOLVED, That Henry B. Chase, Esq. of Warner, be, and hereby is appointed to join with the said committee from Massachusetts and assist them in the object of their said appointment, at the expense of this State, and make report at the first session of the next general court.

Approved June 21, 1816.
Hunting of Deer. Alewives.

CHAP. XIV.

AN ACT regulating the hunting of Deer.

BE it enacted by the senate and house of representatives, in general court convened, That any person or persons who shall hunt or kill any deer, except his own tame deer or deer kept in his park, between the tenth day of January and the first day of September in any year, he or they shall forfeit and pay the sum of ten dollars for each and every deer so killed; to be recovered in any court proper to try the same, one moiety thereof to the use of the person suing for the same, the other moiety to the use of the town within which such offence shall be committed.

Approved June 21, 1816.

CHAP. XV.

AN ACT for the preservation of Alewives in Exeter river.

Sect. 1. BE it enacted by the senate and house of representatives, in general court convened, That from and after the passing of this act, no person shall be allowed to fish for alewives in Exeter river, with any seine or setting line, or with any implement whatever, except a dip-net. And if any person shall offend against this act, he shall, for every such offence, forfeit and pay the sum of six dollars, to be recovered by action or information, before any justice of the peace within the county of Rockingham, one half to the use of the State, the other half to the use of the informer.

Sect. 2. And be it further enacted, That if any seine or setting line, or any other implement than that which is allowed by this act for the catching of alewives, shall be found in said Exeter river, the same shall be forfeited to the use, and shall become the property of him or them who shall find it, and remove it from said river.

Sect. 3. And be it further enacted, That any person or persons are hereby authorised to destroy any seine or setting line, or any other implement, except that which is allowed by this act, which may be found in said river; and in case of being prosecuted therefor, he may plead the general issue, and give the special matter in evidence, and shall recover double costs.

Approved June 22, 1816.
A.D 1816.

CHAP. XVI.

AN ACT to attach the militia in the town of Troy to the Twelfth Regiment in said State.

SECT. 1. BE it enacted by the senate and house of representatives, in general court convened, That the militia in the town of Troy, in the county of Cheshire, in said State, be attached to the first battalion in the twelfth regiment of militia in said State, and form one company of infantry.

SECT. 2. And be it further enacted, That the company of infantry to be organized in said town of Troy, shall be numbered the eleventh company, and shall take rank in said twelfth regiment accordingly.

Approved June 22, 1816.

CHAP. XVII.

An act in addition to an act entitled an act to incorporate certain physicians by the name of the New-Hampshire Medical Society. Approved June 22, 1816.

CHAP. XVIII.

RESOLVED, That the adjutant general shall pay annually to the colonel or commanding officers of the several regiments composing the militia of this State, or their order, the sum of two dollars for each and every company composing such regiments, for the purpose of furnishing musical instruments for such companies, on the colonel or commanding officer’s producing a certificate of the number of companies composing his regiment; instead of paying two dollars to the commanding officer of each company, as is provided by a resolve of the legislature, passed June the 24th, 1814. And such colonel or commanding officer so receiving, shall be accountable to the captains or commanding officers of companies in his regiment.

And be it further resolved, That it shall be the duty of the adjutant general in future to attend where the Legislature shall hold their June session, on the first Tuesday of the session, for the purpose of paying over such sums.

Approved June 22, 1816.
Resolved, That a state house, agreeably to the plan communicated by Stuart G. Park at the last June session, be erected in the town of Concord and county of Rockingham, the plot of ground to be selected, and the place on which to erect said state house to be located by his excellency the governor and the honorable the council; and that they be and hereby are empowered to appoint a committee on the part and in behalf of the State, to make all necessary contracts and writings for the purpose of fully carrying the object aforesaid into effect: and that said committee be authorized and empowered to make such alterations and improvements in the plan aforesaid, by enlarging, diminishing or locating the rooms, as to them shall seem proper. And said committee shall superintend the erection of said building, and are hereby empowered and directed to have said building built and finished in such manner as will most conduce to the interest of the State.

And be it further resolved, That the committee shall commence the building aforesaid as soon as shall be found practicable, and that they be authorized to employ the convicts in the state prison in hammering and preparing the stone for said building, if they think proper.

And be it further resolved, That the sum of three thousand dollars be appropriated out of the tax payable in November next, towards defraying the expense of erecting said state house, and that said appropriation be subject to the control of said committee, they being accountable for the same. And his excellency the governor, by his warrant on the treasurer be authorized to draw the sum aforesaid from the treasury in such sums and at such times, as the committee aforesaid shall consider necessary; and the sums aforesaid, drawn from the treasury aforesaid, shall be delivered to said committee for the purpose aforesaid.

Provided nevertheless, and it is further resolved, That the foregoing resolves shall not take effect except upon the conditions hereafter mentioned being accepted and complied with by the town or inhabitants of said Concord, viz.

That the said town of Concord or individuals of said town shall convey to the state of New-Hampshire a suitable piece of ground on which to erect said state house, to the acceptance of his excellency the governor and honorable council aforesaid—shall level and well prepare said piece of ground to the acceptance of the
A D 1816. Committee to superintend the building aforesaid—shall also give all the stone necessary to be used in the erection of said building, and shall convey or have conveyed said stone, under the direction of said committee, to the place or plot of ground upon which said state house shall be erected—which conditions shall be performed free of any charge or expense to the state.

Approved June 22, 1816.

CHAP. XX.

An act to authorize John Shepard, jun. of Gilmanton, to assume the name of John William Shepard. Approved June 24, 1816.

CHAP. XXI.

AN ACT in addition to an act entitled "an act subjecting lands and tenements to the payment of debts, and directing the mode of levying executions on real and personal estate."

WHEREAS doubts have arisen as to the mode of notifying a corporation to appoint an appraiser of its real estate taken in execution; Therefore,

Be it enacted by the senate and house of representatives in general court convened. That notice from the officer having a writ of execution to be levied on the real estate of any corporation, to one of the directors, or to the clerk of the corporation, three days at least before the levy, to appoint an appraiser for the corporation, is and shall be deemed good and legal notice to such corporation; and in case of the refusal, neglect or unreasonable delay of the directors of any corporation after such notice, to appoint an appraiser on the part of the corporation, the officer shall appoint one for the corporation.

Approved June 25, 1816.

CHAP. XXII.

AN ACT authorizing the town clerk of the town of New Grafton to publish the intention of marriage within the parish of Meriden.
WHEREAS the westerly part of the town of New-Grantham has been incorporated into a parish with the easterly part of Plainfield, by the name of "the parish of Meriden," in which religious meetings are held, and by which means there are no stated religious meetings within the town of New-Grantham; Therefore,

Be it enacted by the senate and house of representatives in general court convened, That it shall and may be lawful for the town clerk of the town of New-Grantham to publish the intention of marriage of any persons applying therefor, being inhabitants of said town of New-Grantham, at any public meeting held within the parish of Meriden, in the same way and manner as is now provided by law; any law, usage or custom to the contrary notwithstanding.

Approved June 25, 1816.

CHAP. XXIII.

An act to authorize the town of Gilmanton to elect a representative to the general court. Approved June 25, 1816.

CHAP. XXIV.

An act to authorize the town of Greenland to choose a representative to the general court. Approved June 25, 1816.

CHAP. XXV.

An act to incorporate sundry persons by the name of the Northern Musical Society in the county of Strafford. Approved June 25, 1816.

CHAP. XXVI.

AN ACT granting a tax of two cents an acre on the land of Brettonwoods.

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That a tax of two cents on each and every acre of land in the town-
A.D. 1816.

Tax on Brettonwoods.

ship of Brettonwoods, in the county of Coos, public rights excepted, be assessed and collected, and that it be laid out and expended in making and repairing the road and bridges in said township leading through the same, from the state of Vermont to Portsmouth, in this State, and the road and bridges leading from the road aforesaid to the line of Jefferson; and that the sum of four hundred dollars of said tax be expended upon the road first herein mentioned, and the residue thereof upon the road leading to Jefferson.

Sect. 2. And be it further enacted, That Lot Woodbury, of Bethlehem, Samuel Willey, of Conway, and Abiel Crawford, of Hart's location, be a committee to assess and collect said tax, and lay out the same in manner aforesaid; and for these purposes they are hereby vested with all the power and authority which selectmen of towns have to assess and collect state taxes.

Sect. 3. And be it further enacted, That the owners of land in said township, whether residents or non-residents, shall have the privilege of working out their taxes on said roads under the direction of said committee, whose duty it shall be to superintend the same, or to appoint some suitable person for that purpose, for whose faithfulness therein said committee shall be accountable, at the rate of eight cents an hour for an able bodied man, finding his own tools and diet, and for oxwork including chains, at the rate of eight cents an hour for each yoke of oxen; provided said owners be ready to perform said work when called upon for that purpose by the fifteenth day of October next.

Sect. 4. And be it further enacted, That said committee shall, before receiving or collecting any part of said tax, execute their bond in the sum of one thousand dollars to the treasurer of the county of Coos, conditioned for the faithful performance of the duties assigned them by this act. And said committee shall render an account of their doings to the justices of the circuit court of common pleas for the western circuit, to be held within and for the county of Coos, at its next session after said tax shall have been collected and laid out as aforesaid, and at any other time when thereto required by said court.

Sect. 5. And be it further enacted, That said committee shall give public notice in the newspaper wherein by law the lands of non-resident owners are advertised for payment of taxes, on or before the first day of August next, of said assessment, and leave given to the owners aforesaid to work out said tax as is herein before mentioned.
Fish.

Sect. 6. And be it further enacted, That in case the said tax shall not be paid on or before the first day of January next, the said committee may proceed to enforce the collection thereof in the same way and manner as selectmen of towns are by law empowered to collect state and county taxes, excepting only, that they shall not be obliged to leave an attested copy of said tax list with the deputy secretary, for the payment of said assessment.

Sect. 7. And be it further enacted, That it shall be the duty of said committee to leave at the office of the deputy secretary a true and attested copy of all sales by them made in pursuance of this act, within sixty days from the day of sale; and the proprietors and claimants of any lands sold for the payment of said tax, shall have a right to redeem the same by payment of the tax and charges incurred thereon by said sale, with twelve per centum per annum interest on the amount from the time of sale, to the deputy secretary or said committee, or either of them, within one year from the day of sale. And the deputy secretary is hereby authorised to demand and receive such compensation for his services as by law he is entitled to receive in other cases of a similar nature; and he shall pay over, when requested, all monies by him received on account of said tax and interest, and the redemption of said land sold as aforesaid, to any one of said committee, for the benefit of any purchaser or purchasers of any lands so redeemed; and said committee shall pay over to such purchasers when required, all monies received for their benefit.

Approved June 25, 1816.

CHAP. XXVII.

An ACT to prevent fraud and deception in the packing of pickled fish, and in curing and packing smoked alewives and herrings, and to regulate the size and quality of the casks and boxes, and the sale and exportation within and from this State.

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That from and after the fifteenth day of August next, all barrels, half barrels and tierces which shall be made or used for the purpose of packing or containing pickled fish, shall be made of sound, well seasoned white oak, ash, red oak, spruce, pine or chestnut staves of rift timber, with heading of either of the said kinds of wood, sound, well season-
Fish.

Sect. 3. And be it further enacted, That it shall be the duty of the Inspector General, or his deputy, or
be sworn to the faithful discharge of their duty.

Section 2. And be it further enacted, That there shall
be an Inspector-General of all picked fish and smoked
alewives and herrings which shall be exportable from
this State, who shall be under the power, when so qualify
ed, to appoint deputy

inspectors, (who shall be removable by him at pleasure)

in every town in this State, and shall be subject

to such inspector general

for whose due discharge and duty they shall be

sworn, and shall be fully to perform the same.

and take

for whose offence he shall be answerable, and shall take

the same, and after wards to be sworn in the boxes in dry weather.

be appointed, and shall be subject to such inspector general

for whose due discharge and duty they shall be

sworn, and shall be fully to perform the same.

and take

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for whose due discharge and duty they shall be

sworn, and shall be fully to perform the same.
Fish.

A.D. 1816.

Fish, how packed and weighed.

Qualities de- signed.

Penalty.

How to divide and sort.

one of them, to see that salmon, mackerel, shad, alewives or herrings, and all other kinds of split pickled fish, or fish for barreling, intended for exportation, have been well struck with salt or pickle, in the first instance, and preserved sweet, free from rust, taint or damage. And such fish as are in good order, and of a good quality, shall be packed in tierces, barrels and half barrels; the tierces shall contain three hundred pounds; the barrels shall contain two hundred pounds; and the half barrels one hundred pounds of fish each, and the same shall be packed with good and clean salt, suitable for the purpose; and said casks, after being packed and headed up with the fish, and sufficient salt to preserve the same, shall be filled up with a clear, strong pickle, and shall be branded, Salmon, Mackerel, Shad, Alewives or Herrings (or as the case may be); those of the best quality caught in the right season, to be most approved, and free from damage, shall be branded Cargo No. 1; those which remain after the best have been selected, being sweet and free from taint, rust or damage, shall be branded Cargo No. 2; and there shall be a third quality which shall consist of the thinnest and poorest of those that are sweet and wholesome, which shall be branded Cargo No. 3. And the inspector shall also brand in plain, legible letters, on the head of each and every cask, in which inspected merchantable fish or whole fish are packed or repacked, the initials of his christian name, with his surname at large, the name of the town for which he is appointed and N. H. annexed for New-Hampshire. Each cask shall be filled with fish of one and the same kind; and if any person shall intermix, take out or shift any inspected fish, which are packed and branded as aforesaid, or put in other fish, for sale or exportation, contrary to the true intent and meaning of this act, he or they shall forfeit and pay five dollars for each and every package or box so altered: Provided however, if any casualty shall render it necessary to repack a cask or box of inspected fish, it may in all cases be done by an inspector of such fish. And if any person shall sell or export, or cause to be sold or exported, within or from this state, any tainted or damaged pickled fish, or smoked alewives or herrings, he shall forfeit and pay three dollars for every hundred weight of such pickled fish, and one dollar for each box of such smoked alewives or herrings that shall be thus sold or exported. And all smoked alewives or herrings shall be divided and sorted by the inspector or his deputy, and denominated, according to their quality, First Sort and Second Sort. The first sort shall consist of all the largest and best cured fish; the second sort, of the
How to pack.

Sect. 4. And be it further enacted, That all small fish which are usually packed whole, with dry salt, shall be put in good casks, of the size and materials mentioned in the first section of this act; said fish shall be packed close, edgewise, in the cask, and well salted; the casks shall be filled full with the fish and salt, putting no more salt with the fish than is necessary for their preservation; and the inspector shall brand all the casks containing such inspected whole fish, with the name of the fish and the quality, as described in the third section of this act.

Not to be exported, unless.

Sect. 5. And be it further enacted, That no pickled fish or smoked alewives or herrings shall be exported from this state, in casks, or boxes, by water, unless the master or owner of the vessel shall produce to the collector, or other officer authorised by the United States to clear out vessels, a certificate from the inspector or his deputy, that the same have been inspected, packed and branded according to the directions of this act; and the certificate shall express the number of barrels, half barrels, tierces and boxes thus shipped, the kind and quality of the fish they contain, with the name of the master or owner, and the name of the vessel in which such fish are received for exportation; and every such master or owner shall take and subscribe the following oath, or an affirmation to the same effect, before the officer authorised as aforesaid:

I A. B. do swear, according to the best of my knowledge and belief, the certificate hereunto annexed contains the whole quantity of pickled and barreled fish (or smoked alewives or herrings, as the case may be) on board the ——, —— master, and that no fish is shipped on board said vessel for the ship's company, or on freight or cargo, but what is inspected and branded according to the law of this State. So help me God.

Sect. 6. And be it further enacted, That if any master of a vessel or other person shall put or receive
on board any vessel or other carriage of conveyance, to transport the same from this state, any pickled or whole fish, or any smoked alewives or herrings, packed in casks or boxes which are not inspected and branded in manner by this act prescribed, he or they, on conviction, shall forfeit and pay not less than two dollars, nor more than ten dollars for each and every hundred pounds of pickled or whole fish, and one dollar for each box of smoked alewives or herrings, so uninspected.

**Sect. 7. And be it further enacted, That the inspector general and his deputies shall be paid for each certificate for exportation twenty-five cents, and for inspecting and branding each and every cask and box of fish as directed by this act, for each tierce fourteen cents, for each barrel eleven cents, for each half barrel eight cents, exclusive of the labor of packing and cooper- ing, and four cents for each box. The charge for certificates, inspecting and branding, shall be paid by the exporter or purchaser, in addition to the purchase or cost of the fish, and bills for the legal fees of inspection and certificates shall, in the first instance, be paid by the original owner of the fish, or by the person employing the inspector; and all such owners or employ- ers are hereby empowered to demand and recover the amount of said bills from the subsequent purchaser or exporter. And the inspector general shall be entitled to receive from each and every deputy he shall appoint, three cents for each tierce, three cents for each barrel, two cents for each half barrel, and one cent for each box; which said deputies shall inspect and brand a- greeably to the direction of this act; and it shall be the duty of each deputy inspector to make return to the inspector general, once in six months, of all the tierces, barrels, half-barrels and boxes which he has inspected and branded during that time. And it shall be the duty of the inspector general annually in the month of Jan- uary, to make return to the governor and council of all the fish of every kind both in casks and boxes, which have been inspected by him and by his deputies during the past year.

**Sect. 8. And be it further enacted, That if the inspector general, or either of his deputies, shall brand any cask or box, the contents of which he has not ins-pected, packed, salted, coopered and nailed, according to the true intent and meaning of this act, or if he shall permit any other person to use his brands, in violation of this act, he or they so offending shall forfeit and pay for every cask or box so branded the sum of twenty dollars, and be moreover liable to be removed from office.
Sect. 9. And be it further enacted, That if any pickled or barreled fish, or smoked alewives or herrings as aforesaid, shall be put on board any boat, vessel or carriage of conveyance, with intent to sell or export the same, contrary to the provisions of this act, it shall be lawful for any justice of the peace in the same county, upon information given him, to issue his warrant to the sheriff or his deputy, or to any constable of the town in which said boat, vessel or carriage may be, requiring them respectively to seize and secure said fish, and carry them to the inspector general, or one of his deputies, whichever may be nearest to the place where said vessel, boat or carriage may be; and said inspector general, or deputy inspector, is hereby required to open and inspect, and to pack and brand the same, as is before provided in this act, and to detain the same until the expense and charges of seizure, inspection, packing, and all other charges arising from such seizure, shall be paid; and it shall be the duty of every person, when required, to give his necessary aid to the officer having said warrant, on pain of forfeiting five dollars for his refusal.

Sect. 10. And be it further enacted, That all shelled clams, or other shelled fish, used for fish bait, hereafter offered for sale, shall be put in barrels or half barrels of the description mentioned in the first section of this act; and the casks shall be filled full and salted sufficient to preserve the same; and any person who shall offer for sale such aforesaid shell fish, which are not packed agreeably to the provisions of this act, shall forfeit and pay for each offence two dollars.

Sect. 11. And be it further enacted, That all persons within this state who shall have fish for packing and pickling, either in bulk, casks or boxes, to the amount of twenty barrels or forty boxes in one season, shall furnish the inspector general, or one of his deputies, with a branding iron, containing the first letter of the owner's christian name and his surname at large; and the inspector general, or his deputies, shall cause the names of such owners to be fairly branded on the head of every cask, and on one end of every box of their inspected fish; and if any such owner of fish shall refuse or neglect to furnish such brand, he shall forfeit and pay for such neglect or refusal not less than two dollars nor more than four dollars; and all kinds of pickled fish which are packed in tierces, barrels or half barrels, and smoked alewives or herrings packed in boxes, for consumption, within this state, and which are not subjected to be inspected and branded as provided...
AN ACT to establish the printing of all notifications and advertisements for the sale of non-resident lands in the New-Hampshire Patriot, printed at Concord in the county of Rockingham.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That from and after the first day of September next, all notifications and advertisements which were, by an act of this state passed on the tenth day of December, A. D. 1796, entitled "an act for taxing the lands and buildings of non-residents," required to be published in the New-Hampshire Gazette, shall be inserted, agreeably to the provisions of said act, in the New-Hampshire Patriot, printed at Concord in the county of Rockingham.

Sect. 2. And be it further enacted, That the act entitled "an act to establish the printing of all notifications and advertisements, for the sale of non-resident lands, in the Concord Gazette, printed at Concord in the county of Rockingham," passed June 24, 1814, be and the same is hereby repealed.

Approved June 25, 1816.

CHAP. XXIX.

AN ACT for the encouragement of manufactures.

Be it enacted by the senate and house of represent-
AN ACT to incorporate a company of light infantry in the town of Concord.

Whereas Josiah Rogers, Moses Long, Elliot Chickering and others, have petitioned the general court, setting forth, that they have associated for the purpose of forming themselves into a military company in Concord, by the name of the Concord Light Infantry, and praying that they and their associates, and those who may hereafter associate with them, may be incorporated into a company by the name and style aforesaid—which petition appearing reasonable; Therefore,

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That Josiah Rogers, Moses Long, and Elliot Chickering, with their associates, and those who may hereafter associate with them, be, and they hereby are incorporated into a company by the name of the Concord Light Infantry; which company shall be annexed to the eleventh regiment of militia in this state, and subject to the command of the field officers of the same: Provided nevertheless, that said company shall not at any one time consist of more in number than forty-eight rank and file.

Sect. 2. And be it further enacted, That Moses Long and Elliot Chickering, or either of them, shall call the first meeting of said company, as soon as may be, by giving personal notice to, or leaving an attested notification with the members thereof, one day at least prior to said meeting. And at said meeting said company shall choose a clerk and such other officers as they may think proper; and may then, or at any subsequent meeting, duly notified, by a majority of those present, make and establish such rules and by-laws, and annex such penalties to the breach thereof, as to them may
Private Acts.

A.D. 1816.

seem necessary; provided such rules and by-laws are not repugnant to the constitution and laws of this state.

Sect. 3. And be it further enacted, That such election as aforesaid of the officers necessary for the regulation and government of said company, certified by the clerk thereof, and approved by the field officers of the regiment, shall be deemed a sufficient recommendation for his excellency the governor to commission said officers. And all vacancies that may happen in said company shall be filled in like manner, by an election duly made by the members of said company, certified by the clerk, approved by the field officers, and thereupon commissioned by the governor as aforesaid.

Approved June 26, 1816.

CHAP. XXXI.

AN ACT to exempt from taxation for a limited time the Flint Glass Factory at Keene, and certain workmen employed therein from military duty.

WHEREAS Henry R. Schoolcraft and Nathaniel Sprague, manufacturers of flint glass, have petitioned the general court, setting forth, that they have, at considerable expense and risque, erected at Keene, in said state, a building and other works for the manufacture of that useful article, and praying for aid and encouragement in their said undertaking; Wherefore,

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That the building and works now erected at Keene for the manufacture of flint glass, and owned by Henry R. Schoolcraft and Nathaniel Sprague, and such building or buildings and other works as may hereafter be erected in connexion therewith for the manufacture of said article at said Keene, and so much land adjoining thereto as may be necessarily used for wood-yards and otherwise to accommodate said works, not exceeding three acres, together with the stock actually employed in their said factory, whether said property be owned by said Schoolcraft and Sprague, or either of them, or by any other person or persons, be, and the same is hereby exempted from taxation for the term of five years from the passing hereof; provided however, that the amount of property so exempted, do not exceed ten thousand dollars in value.

Sect. 2. And be it further enacted, That the workmen employed in said factory, of the following occupa-
Imprisonment for Debt.

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that is to say, one master stoker, two common stokers, two wood-driers, one calciner, one pot-maker, and the blowers, are hereby declared to be exempt from military duty while employed in their respective occupations and employments aforesaid in said factory.

Approved June 26, 1816.

CHAP. XXXII.

AN ACT in addition to the laws now in force for the "ease and relief of persons imprisoned for debt."

Be it enacted by the senate and house of representatives in general court convened, That any person now committed, or who may hereafter be committed to prison on execution issued upon a judgment founded on action or plea of trespass, ejectment, trover or trespass on the case, shall be permitted to have a chamber and lodging in any of the houses or apartments belonging to such prison and liberty of the prison yard, on complying with the terms and conditions, and on giving bond in the manner prescribed by law, for the ease and relief of persons imprisoned on execution founded on action or plea of "debt, covenant, contract or promise."

Approved June 26, 1816.

CHAP. XXXIII.

AN ACT to enforce the satisfaction and payment of executions against certain corporations.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That whenever any judgment has been, or may hereafter be recovered in any court of law, against any turnpike, bridge, canal, or other company incorporated by law with power to receive toll, the franchise of such corporation, with all the privileges and immunities thereof, so far as relates to the right of demanding and receiving toll, as well as other corporate property, either real or personal, shall be liable to the satisfaction and payment of such judgment, and may be taken and sold on execution at public vendue, the officer first giving notice of the time and place of sale, by posting up a notification thereof in any town, district or plantation in which the clerk, treasurer, or any of the directors of said corpo-
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ration may dwell, thirty days at least before the time of sale, and also by causing an advertisement expressing the name of the creditor, the amount of the said execution, and the time and place of sale, to be inserted three weeks successively in some public newspaper, published in any county in which either of the aforesaid officers of said corporation may dwell (if any such newspaper shall be there printed) the last publication to be at least four days before the day of sale.

Sect. 2. And be it further enacted, That in the sale of such franchise, any person who will pay and satisfy said execution, and all legal fees and expenses thereon, in consideration of being entitled to receive to his own use, for the shortest period of time, all such toll as the said corporation may by law be entitled to demand and receive, shall be considered as the highest bidder, and the same shall be struck off to him accordingly; and the officer's return on said execution shall transfer to the purchaser all the privileges and immunities, which by law belonged and appertained to said corporation, so far as relates to the right of demanding and receiving toll; and said officer shall immediately after such sale, be authorised and empowered to deliver to said purchaser possession of all the toll houses and gates belonging to said corporation, within the precinct of such officer; and the said purchaser shall thereupon be entitled to demand and receive to his own use all the toll which may accrue within the time limited by the term of his purchase, in the same manner and under the same regulations, as the said corporation was before authorised to demand and receive the same. Provided however, that the said corporation shall, in all other respects, retain the same powers, be bound to the discharge of the same duties, and liable to the same penalties and forfeitures, as before belonged to, and were required of them by law. And provided also, That if the said corporation shall, at any time within three months from the time of such sale, pay over or tender to said purchaser such sums of money as he may have paid in satisfaction of said execution, with twelve per cent. interest thereon, in addition to the toll which he may have received, then said franchise, and all the rights, privileges and immunities thereof, shall revert to said corporation, and shall in all respects belong and appertain to them, as if the same had not been sold as aforesaid.

Sec. 3. And be it further enacted, That all the rights, privileges and immunities aforesaid, shall be liable to attachment on mesne process, and when such attachment shall be made, or other service of mesne process shall be made, on any of the corporations aforesaid.
said, the officer serving the same shall leave an attested copy of said process and his return thereon with the clerk, treasurer or some one of the directors of said corporation, thirty days at least before the day of sitting of the court to which the same may be returnable.

Sect. 4. And be it further enacted, That the officer who may levy any execution by virtue of this act, shall be authorized to adjourn the venue therefrom to time to time, not exceeding ten days at any one time, until the sale shall be completed.

Sect. 5. And be it further enacted, That all proceedings under the authority of this act may be had in any county in which either the creditor, or the president, either of the directors, the treasurer or clerk of said corporation may reside or dwell.

Approved June 27, 1816.

AN ACT repealing certain acts therein mentioned, relating to the Judiciary, and making further provision for the administration of justice.

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That the act entitled "An act establishing a supreme judicial court and circuit courts of common pleas," passed the twenty-fourth day of June, anno domini 1813, and also an act entitled, "an act in addition to an act, entitled "an act establishing a supreme judicial court and circuit courts of common pleas," passed the fifth day of November, anno domini 1813, be and the same are hereby repealed. And that all acts and parts of acts, repealed by the several acts aforesaid, be, and the same are hereby revived and declared to be in full force, except such acts only, and parts of acts, as are inconsistent with the provisions of this act.

Sect. 2. And be it further enacted, That all judgments, orders, pleadings, records, processes, proceedings, matters and things, whatsoever, now existing and remaining in said supreme judicial court, shall be, and the same hereby are transferred to the superior court of judicature, and may be proceeded on, enforced and carried into execution in said superior court of judicature; and writs of review, scire facias, and all other writs, processes and proceedings whatsoever, founded thereon or concerning the same, shall be had, sustained, taken cognizance of, prosecuted, tried and determined
in said superior court of judicature, in like cases, and in the same manner, as if the same had been judgments, orders, pleadings, records, processes, proceedings, files and matters of, or in the said superior court of judicature; and all such records and files shall be considered as records and files of the said superior court of judicature, to every intent and purpose.

Sect. 3. And be it further enacted, That all writs, recognizances, warrants, complaints, and every other matter and thing, that should, after the passing of this act, be returned to, or entered at the supreme judicial court, at the times and places appointed by said act, establishing a supreme judicial court and circuit courts of common pleas; and all parties and persons, that may be required, or directed to appear and attend, at the aforesaid times and places of holding the aforesaid supreme judicial court, and all actions, matters and suits, that may be pending in the said supreme judicial court, on the day of passing this act, shall be returned to, entered, appear and attend, have day in, be tried and determined in the superior court of judicature, at the respective times and places by law established for holding the same.

Sect 4. And be it further enacted, That all judgments rendered in said supreme judicial court, and which shall be open to review at the time of the passing of this act, may be reviewed in the superior court of judicature, in the same manner as judgments rendered in the said superior court of judicature may be reviewed.

Sect. 5. And be it further enacted, That from and after the expiration of six months from the time of the passing of this act, the records of the superior court of judicature for the several counties in this state, shall be kept in their respective counties.

Sect. 6. And be it further enacted, That the judges of the superior court of judicature shall appoint a clerk in each county in this state, to keep the records and discharge all the duties of a clerk of the superior court of judicature for such county; and that until clerks shall be so appointed in the several counties in this state, and qualified to discharge the duties of their respective offices, the judges of the superior court of judicature, or any two of them, are hereby authorised and empowered, by writing, under their hands and seals, to appoint a clerk of the superior court of judicature, who shall receive of the clerk of the supreme judicial court the records and files of the superior court of judicature and of the supreme judicial court, in his keeping; and
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shall do and perform all the duties of a clerk of the superior court of judicature, in the several counties in this state; and it shall be the duty of the clerk of the supreme judicial court, to deliver over to the clerk of the superior court of judicature, so to be appointed, the records and files of the said superior court of judicature, and supreme judicial court, in his keeping. And it shall be the duty of the said clerk of the superior court of judicature, to deliver the records and files appertaining to each county in this state, to the clerk of such county when duly appointed and qualified for said office.

Sect. 7. And be it further enacted, That for the better reorganization of the courts of common pleas, the state shall be, and hereby is divided into two districts, to be limited as follows, to wit: the first district to consist of the counties of Rockingham, Strafford and Hillsborough; and the second district to consist of the counties of Cheshire, Grafton and Coos; and that in and for each district, a person of knowledge and integrity, skilled in the law, and an inhabitant of the district, shall be appointed and commissioned by the governor and council, to be chief justice of the courts of common pleas within such district; and that two persons, inhabitants of the counties for which they shall be commissioned, shall be appointed associate justices of the courts of common pleas, in and for each and every of the counties of this state; which said chief justice and associate justices shall have and execute all and singular, the powers, jurisdiction and authority, which the courts of common pleas had and executed before the passing of the act entitled "an act establishing a supreme judicial court and circuit courts of common pleas," passed June 24th, anno domini 1813—and that any two of the justices of said court of common pleas in the several and respective counties shall be a quorum.

Sect. 8. And be it further enacted, That all actions, suits, matters and things, which are pending in the several circuit courts of common pleas, in this state, and all writs, executions, warrants, recognizances, appeals and processes, which may issue previous to the first day appointed for the several and respective courts of common pleas meeting in their respective counties, returnable to, and which would have had day therein, had not this act been made, shall be returnable to, transferred, have day in, be fully acted upon, heard and determined by the courts of common pleas, as herein established. And all parties, jurors, witnesses and others, who are, or would have been holden to appear at the several circuit courts of common pleas, hereafter to
have been held in this state, had not this act been passed, shall be held to appear at the next courts of common pleas for the respective counties, at the times and places for holding the same, as established by this act.

Sect. 9. And be it further enacted. That all judgments rendered in the circuit courts of common pleas, in the several counties in this state, which might by law (had not this act been passed) have been reviewed in said circuit court of common pleas, may be reviewed, or have a new trial in the court of common pleas, established by this act, in the county in which such judgment was rendered at any time within three years from the time of the rendition of such judgment.

Sect. 10. And be it further enacted, That all the records and files of the said circuit courts of common pleas, in the several counties in this state, shall be considered as records and files of the courts of common pleas in their respective counties, as hereby constituted, to every intent and purpose. And the courts of common pleas, hereby established, shall, in their respective counties, have full power and authority to grant writs of execution, to carry into effect any judgment rendered in the circuit courts of common pleas in the respective counties in this state, in the same manner as the said circuit courts of common pleas might have done, had not this act been passed. And the clerks of the said circuit courts of common pleas shall be considered clerks of courts of common pleas, in their respective counties; and shall do and perform all the duties incident to said office in their respective counties, until the justices of the courts of common pleas shall appoint other clerks, and the same are duly qualified to discharge the duties of their respective offices; upon which, it shall be the duty of said clerks of the circuit courts of common pleas, to deliver over to the clerks of the courts of common pleas for their respective counties, all the records and files of the said circuit courts of common pleas, and all the records and files of the court of common pleas as established before the 24th day of June, 1813.

Sect. 11. And be it further enacted, That the several and respective courts of common pleas, as by this act established, shall have final and conclusive jurisdiction of all pleas and actions, wherein the sum demanded in damages shall not exceed fifty dollars, except that in which the title of real estate is drawn in question; so that no appeal shall be granted in such personal actions, as aforesaid, unless the plaintiff's demand shall exceed the sum of fifty dollars; and whenever the plaintiff
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A. D. 1816. shall demand more than fifty dollars, and shall not by the judgment of the superior court of judicature on the appeal thereof recover a larger sum than fifty dollars, the defendant shall recover his legal cost arising in such action after the appeal thereof, unless such appeal was made by the defendant, in which case the plaintiff shall be entitled to and recover cost, after making such appeal. And all actions whereof the courts of common pleas, as by this act established, shall have final and conclusive jurisdiction, may be reviewed within the same time and in the same manner that actions may be reviewed hereafter in the superior court of judicature, as re-established by this act.

Sect. 12. And be it further enacted. That the justices of the courts of common pleas hereby established shall receive the same compensation for their services as the justices of the former courts of common pleas received by an act entitled "an act, in addition to and in amendment of an act, entitled an act for establishing courts of law and designating their powers and regulating their proceedings in certain cases," passed December 8, 1803. Provided nevertheless, that the chief justice of the court of common pleas in each of said districts, shall not receive for his services in any one county of this state more than two hundred dollars per annum, and that no associate justice of said court shall receive for his services more than two hundred dollars per annum, and the residue of their respective proportions of fees for entries, if any, shall be paid by the clerks of said courts to the respective county treasurers.

Sect. 13. And be it further enacted. That the courts of common pleas hereby established shall respectively be holden at the same times and places as established for holding the circuit courts of common pleas, by an act, entitled an act establishing a supreme judicial court and circuit courts of common pleas, passed June 24, 1813.

Approved June 27, 1816.

CHAP. XXXV.

AN ACT to amend the charter and enlarge and improve the corporation of Dartmouth College.

Preamble. WHEREAS knowledge and learning generally diffused through a community are essential to the preservation of a free government, and extending the opportunities and advantages of education is highly conducive to promote this end, and by the constitution it is made the duty of the legislators and magistrates to cherish
the interests of literature and the sciences, and all seminaries established for their advancement—and as the college of this state may in the opinion of the legislature be rendered more extensively useful; Therefore,

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That the corporation, heretofore called and known by the name of the Trustees of Dartmouth College, shall ever hereafter be called and known by the name of the Trustees of Dartmouth University—And the whole number of said trustees shall be twenty-one, a majority of whom shall form a quorum for the transaction of business—And they and their successors in that capacity, as hereby constituted, shall respectively forever have, hold, use, exercise and enjoy all the powers, authorities, rights, property, liberties, privileges and immunities which have hitherto been possessed, enjoyed and used by the trustees of Dartmouth College—except so far as the same may be varied or limited by the provisions of this act. And they shall have power to determine the times and places of their meetings, and manner of notifying the same; to organize colleges in the university; to establish an Institute and elect fellows and members thereof; to appoint such officers as they may deem proper, and determine their duties and compensation, and also to displace them; to delegate the power of supplying vacancies in any of the offices of the university, for any term of time not extending beyond their next meeting; to pass ordinances for the government of the students, with reasonable penalties, not inconsistent with the constitution and laws of this state; to prescribe the course of education and confer degrees; and to arrange, invest and employ the funds of the university.

Sect. 2. And be it further enacted, That there shall be a board of overseers, who shall have perpetual succession, and whose number shall be twenty-five, fifteen of whom shall constitute a quorum for the transaction of business. The president of the senate and the speaker of the house of representatives of New-Hampshire, the governor and lieutenant-governor of Vermont, for the time being, shall be members of said board, ex-officio. The board of overseers shall have power to determine the times and places of their meetings, and manner of notifying the same; to inspect and confirm or disapprove and negative such votes and proceedings of the board of trustees as shall relate to the appointment and removal of president, professors and other permanent officers of the university, and determine their salaries; to the establishment of colleges and professorships and the erection of new college buildings.
A.D. 1816.  *Provided always,* that the said negative shall be expressed within sixty days from the time of said overseers being furnished with copies of such acts.—*Provided also,* that all votes and proceedings of the board of trustees shall be valid and effectual, to all intents and purposes, until such negative of the board of overseers be expressed according to the provisions of this act.

Sect. 3.  *Be it further enacted,* That there shall be a treasurer of said corporation, who shall be duly sworn, and who, before he enters upon the duties of his office, shall give bonds with sureties to the satisfaction of the corporation for the faithful performance thereof; and also a secretary to each of the boards of trustees and overseers, to be elected by the said boards respectively, who shall keep a just and true record of the proceedings of the board for which he was chosen. —And it shall furthermore be the duty of the secretary of the board of trustees to furnish as soon as may be the said board of overseers, copies of the records of such votes and proceedings as by the provisions of this act are made subject to their revision and control.

Sect. 4.  *Be it further enacted,* That the president of Dartmouth University, and his successors in office, shall have the superintendence of the government and instruction of the students and may preside at all meetings of the trustees; and do and execute all the duties devolving by usage on the president of a university. —He shall render annually to the governor of this state an account of the number of students, and of the state of the funds of the university; and likewise copies of all important votes and proceedings of the corporation and overseers, which shall be made out by the secretaries of the respective boards.

Sect. 5.  *Be it further enacted,* That the president and professors of the university shall be nominated by the trustees and approved by the overseers; and shall be liable to be suspended or removed from office in manner as before provided. And each of the two boards of trustees and overseers shall have power to suspend and remove any member of their respective boards.

Sect. 6.  *Be it further enacted,* That the governor and council are hereby authorized to fill all vacancies in the board of overseers, whether the same be original vacancies, or are occasioned by the death, resignation or removal of any member. And the governor and council in like manner shall, by appointments, as soon as may be, complete the present board of trustees to the number of twenty-one, as provided for by this act, and shall have power also to fill all vacancies that may oc-
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Governor and Council to inspect.

AN ACT to authorise certain towns to elect representatives to the general court.

BE it enacted by the senate and house of representatives in general court convened, That all towns in this state, that are by law entitled to elect a representative to the general court and neglected or omitted to elect such representative at the annual meeting in March last, and that are not now represented, be and they are hereby authorised and empowered to elect such repre-
CHAP. XXXVII.

AN ACT for the preservation of Alewives in Cochecho river.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, no person shall be allowed to fish for alewives in Cochecho river with any seine, or setting line, or with any implement whatever, except a dip-net. And if any person shall offend against this act, he shall, for every such offence, forfeit and pay the sum of six dollars, to be recovered by action, or information before any justice of the peace within the county of Strafford, one half to the use of the state, the other half to the use of the informer.

Sect. 2. And be it further enacted, That if any seine, or setting line, or any other implement, than that which is allowed by this act for the catching of alewives, shall be found in said Cochecho river, the same shall be forfeited to the use, and shall become the property of him or them who shall find it, and remove it from said river.

Sect. 3. And be it further enacted, That any person or persons are hereby authorised to destroy any seine, or setting-line, or any other implement for the catching of alewives, except that which is allowed by this act, which may be found in said river, and in case of being prosecuted therefor, he may plead the general issue, and give the special matter in evidence, and shall recover double cost.

Approved June 27, 1816.

CHAP. XXXVIII.

RESOLVED, That the treasurer of this state be, and he is hereby authorised and empowered to borrow for the use of this state, a sum not exceeding ten thousand dollars, at a rate not exceeding usual bank interest. And that the funds and good faith of this state are pledged for the payment of the principal and interest of the money so borrowed.

Approved June 27, 1816.
CHAP. XXXIX.

RESOLVED, That it shall be the duty of the commissary general of this state, to collect, as soon as may be, all the muskets and equipments belonging to this state, wherever they may be found, which arms so collected, together with such as are already in his possession, shall be distributed to the several towns in this state, according to the number of training soldiers belonging to the infantry in each town. And it shall be the duty of each colonel, or commanding officer of the several regiments in this state, as soon as may be, to certify to the commissary general, the precise number of infantry in each town composing his regiment, and said commissary general shall immediately, from such lists, make out a fair and equal dividend of the arms aforesaid in his office, according to the number of soldiers in each town as aforesaid. And it shall be the duty of the said commissary general, as soon as he shall have made the dividend as aforesaid, to give public notice thereof in the New-Hampshire Patriot, printed at Concord, three weeks successively, and it shall be the duty of the selectmen of the several towns in this State, as soon as may be after such notice, to send for their portion of the arms as aforesaid at the expense of said town, and such arms so received shall be kept by the selectmen as aforesaid and be by them distributed under the same regulations and restrictions as are provided in the thirty-third section of an act, passed December 22, A. D. 1808, entitled "an act for arranging, forming, and regulating the militia within this state, and for repealing all laws heretofore made for that purpose."

Approved June 27, 1816.

CHAP. XL.

An act in addition to an act entitled "an act to incorporate the Mayhew Turnpike corporation."

Approved June 27, 1816.

CHAP. XLI.

An act to incorporate Daniel Norris and others into a society by the name of the First Congregational Society in Raymond.

Approved June 27, 1816.
Private Acts.

A.D. 1816.

CHAP. XLII.
An act to incorporate the Congregational Religious Society in Bradford.
Approved June 27, 1816.

CHAP. XLIII.
An act to incorporate sundry persons by the name of the Second Baptist Society in Sandbornton.
Approved June 27, 1816.

CHAP. XLIV.
An act to incorporate certain persons by the name of the Congregational Church and Society in Gilsun.
Approved June 28, 1816.

CHAP. XLV.
An act to incorporate the Union Baptist Society of Candia.
Approved June 28, 1816.

CHAP. XLVI.
An act granting permission to John Hill of Portsmouth in the county of Rockingham to build a distillery within the limits of said town, which may be more than twelve feet in height.
Approved June 28, 1816.

CHAP. XLVII.
An act to incorporate certain persons by the name of the Proprietors of the Bartlett Bridge.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That John Pendexter, jun. Silas Meserve and Elijah Seva, and their associates and successors, be, and they hereby are incorporated and made a body corporate and politic by
the name of the Proprietors of the Bartlett Bridge, and by that name may sue and be sued, may plead and be impleaded, may prosecute and be prosecuted, and may defend and be defended, to final judgment and execution, and they are hereby invested with all the powers and privileges which by law are incident to corporations of a similar nature, subject however to the reservations herein after named.

Sect. 2. And be it further enacted, That the said John Pendexter, Jun. and Silas Meserve, or either of them, may call a meeting of said proprietors to be held at any suitable time and place within the town of Bartlett, in the county of Coos, by posting up a notification in said town of Bartlett, at least thirty days prior to said meeting; and the proprietors, by a vote of a majority of them present or represented at said meeting, accounting and allowing one vote to each share, in all cases, shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office, and shall also agree on a method of calling future meetings, and may elect such officers and make and establish such rules and by-laws as to them shall seem necessary and convenient for the regulation and government of said corporation, for carrying into effect the purposes aforesaid, and for collecting the tolls and duties herein after established, and the same by-laws may cause, to be executed, and annex penalties to the breach thereof: Provided said rules and by-laws are not repugnant to the constitution of this state, and, all representations shall be proved by writing, signed by the person to be represented, and which shall be filed with the clerk; and that this act and all rules, regulations and bye-laws and proceedings of said corporation shall be truly and fairly recorded by said clerk in a book or books to be provided and kept for that purpose.

Sect. 3. And be it further enacted, That said proprietors be, and hereby are authorized to erect and keep in repair a bridge over Saco river, at or near where the bridge now is, in said town of Bartlett, being on the main road which leads from Lancaster, in said county, to Portland, in the District of Maine, and also, on the road which leads from Northumberland to said Portland. That said proprietors shall have the exclusive privilege of building and keeping in repair a bridge over said river, at the place aforesaid, and are hereby empowered to purchase any lands adjoining said bridge, not exceeding two acres, for the purposes of the incorporation, and the share or shares in said bridge may be
transferred by will or deed, duly executed and recorded by the clerk, of said proprietors on their records; and the share or shares of any of said proprietors may be sold by any of said corporation for non-payment of assessments, duly made agreeably to the bye-laws that may be agreed on by said proprietors; and said proprietors may maintain and prosecute to final judgment and execution an action of debt or on the case against any proprietor or proprietors for the non-payment of any assessment duly made according to the bye-laws aforesaid.

Sect. 4. And be it further enacted, That for the purpose of reimbursing said proprietors the money by them expended in building and supporting said bridge, a toll be, and hereby is granted and established for the benefit of said proprietors, according to the rates following, namely; for each foot passenger, one cent; for each horse and rider or leader, three cents; for each chaise or other carriage of pleasure with two wheels and one horse, ten cents; for each carriage of pleasure or with passengers with four wheels, twenty cents; for the like carriage with four horses, twenty-five cents; for each sleigh with one horse, three cents; for each sleigh with two horses, six cents, and two cents for each additional horse; for each cart, waggon, sled or other carriage of burden, drawn by one horse, three cents, for the like carriage drawn by two beasts, five cents; if by more than two beasts, two cents for each additional pair of horses or yoke of oxen; for sheep and swine, half one cent each; for cattle and horses one cent each; to each team one person only shall be allowed to pass free of toll; and at all times when the toll-gatherer shall not attend his duty the gate shall be left open. And said proprietors are hereby empowered to erect and fix upon and across said bridge a gate, and appoint such and so many toll-gatherers as shall be necessary to collect and receive of and from all persons using said bridge the rates of toll as above established, and to stop and detain every person from passing the same until he, she, or they shall have respectively paid toll as aforesaid; Provided however, persons going to and from religious worship, and officers and soldiers of the militia when ordered on military duty shall pass free of toll.

Sect. 5. And be it further enacted, That said proprietors may be indicted for defect of repairs of said bridge after said toll-gate is erected, and while the same is kept up, and be fined in the same way and manner as towns are by law liable for suffering bridges to be out of repair, and in case any special damage shall happen to any
person or persons, or to his or their team or teams, cattle or carriages, by means of the insufficiency or want of repair of said bridge at any time when the gate is kept up, the party injured or aggrieved shall recover his or their damages in an action of trespass on the case against said proprietors in any court of competent jurisdiction.

Sect. 6. And be it further enacted, That if the said bridge shall not be completed in two years from the passing of this act, or if it shall be destroyed and not rebuilt and kept in repair for the space of two years according to the provisions herein contained, then this act and every part and clause thereof shall be null and void,

Sect. 7. And be it further enacted, That the annual meeting of said proprietors shall be holden at said Bartlett, on the first Wednesday of September; at which annual meeting they may choose all such officers as may be found necessary for the orderly conducting the affairs of said corporation, who shall continue in office until others are chosen in their rooms; and the said proprietors may assemble as often as may be found necessary for the filling up any vacancies which may happen in said offices, and for transacting all other business for the good of said corporation, except the raising of money, which shall always be done at their annual meeting and at no other time, at which annual meeting they shall vote all such sums as shall be necessary for defraying the annual expense of building said bridge and keeping the same in repair; and shall make and establish such rules, regulations and bye-laws for the government of said corporation as may from time to time be found necessary; provided the same be not repugnant with the constitution and laws of this state.

Approved June 23, 1816.

CHAP. XLVIII.

AN ACT directing the mode of ballotting for and appointing Electors of this state for the election of a President and Vice-President of the United States.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That the inhabitants of the several towns, plantations and places in this state, qualified to vote in the choice of senators for the state legislature, shall assemble in their respective towns, plantations and places, on the first Monday of November next, to vote for eight persons, inhabitants of this State, who shall not be senators or representatives
in congress or persons holding offices of profit or trust under the United States, to be electors of President and Vice-President of the United States; and the selectmen of the towns, plantations and places shall give fifteen days notice of the time, place and design of such meeting; and the meeting shall be governed by a moderator chosen for that purpose, who shall impartially preside, and with the selectmen, whose duty it shall be to attend at such meeting, shall receive from all the inhabitants of such towns, plantations and places respectively, present and qualified as aforesaid, votes for such electors (each voter giving in on one ballot or ticket the names of the persons he votes for) and shall in open meeting sort and count the same; of all which the clerk of each town, plantation or place respectively, shall make a fair record in the presence of the said selectmen of the name of every person voted for, and the number of votes against his name, and a full and fair copy of such record shall be made out and attested by the said selectmen or clerks respectively, and sealed up and directed to the secretary of the state, with a superscription expressing the purport thereof, and transmitted by said town clerks to the sheriffs of the respective counties to which they belong, within seven days after said meetings, or to the secretary's office on or before the twenty-first day of November next. And the several sheriffs shall, on or before the twenty-first day of November next, transmit to the secretary's office all votes that shall be in manner aforesaid transmitted or delivered to them; and the respective sheriffs and clerks aforesaid shall be liable to the same penalties for neglect of the duties enjoined on them respectively by this act, as they are liable to by law for omissions in transmitting the votes for governor and senators for this state; and the secretary shall, on the twenty-second day of November next, lay the same before the senate and houses of representatives in convention to be by them examined and counted; and in case there shall appear to be any or the full number who have a majority of votes, shall be declared electors; Provided, that not more than eight persons have such majority; but in case more than eight persons shall have a majority of votes, then those eight persons who have the highest number of votes (if such there be) shall be declared electors. And in case the state of the votes will not admit of the designation of eight persons by the highest number of votes, then so many as can be designated, shall be declared electors; and from the remaining number of those who have a majority of the votes, the senate and house of representatives, in convention, shall forthwith elect by ballot, one person at a time, so
many persons as added to those already declared electors, shall complete the number of eight. But if there shall not be any or the whole number who have such majority of votes of the people, the senate and house of representatives in convention as aforesaid, shall cause to be made out a list of the persons not chosen, having the highest number of votes equal to double the number of electors wanted; and if in making out such list, it shall happen that two or more persons voted for have an equal number of votes, which number is also high enough to entitle the candidate to a place in said list, the names of such persons shall be put into a box, and the secretary, not being one of the candidates, shall, in presence of said convention, draw the number wanted to complete said list; from which list said convention shall elect by ballot, one person at a time, the number of electors wanted, and the person or persons having a majority of such votes, shall be appointed and declared electors.

Sect. 2. And be it further enacted, That in cases where the secretary shall be a candidate, and his name shall be put into the box as aforesaid, said convention shall appoint some other suitable person in his stead, to draw out the name or names of the person or persons, in manner herein before directed.

Sect. 3. And be it further enacted, That his excellency the governor of this state, &c., and he hereby is requested to cause the several persons who may be chosen electors, to be seasonably notified of their appointment, and request their attendance at Concord, on the first Tuesday of December next, at ten of the clock in the forenoon.

Sect. 4. And be it further enacted, That the electors chosen as aforesaid, shall meet at said Concord on said first Tuesday of December, and by twelve of the clock at mid-day of said first Tuesday of December give notice to the legislature of the number of electors present who accept of said trust, and if from such notice it shall appear that eight electors are not all then present, and accept of said appointment, the two houses of the legislature shall then immediately meet in convention, and by joint ballot elect the number wanting to complete said board. And if any person chosen as elector on the said first Tuesday of December, shall not then attend and accept of said trust, said convention shall then immediately proceed as aforesaid, and choose others to supply such vacancy.

Sect. 5. And be it further enacted, That the electors chosen and appointed as aforesaid, shall give their votes
Representatives.

A.D. 1816.

for president and vice-president of the United States, at Concord, on the first Wednesday of December next, and shall proceed to transact and do all the duties, incumbent on them as electors, in manner prescribed by law.

Sect. 6. And be it further enacted, That his excellency the governor be, and hereby is requested seasonably to issue precepts to the several towns, plantations and places within this state, directing them to notify and hold meetings on said first Monday of November next, for the purpose of voting for electors as aforesaid.

Approved June 28, 1816.

CHAP. XLIX.

Resolved, that his excellency the governor be requested to issue precepts to the selectmen of the several towns, parishes, plantations and places in this state, directing said selectmen to notify, in the manner prescribed by law, the inhabitants of said towns, parishes, plantations and places, qualified to vote in the choice of senators in the state legislature, to assemble in their respective towns, parishes, plantations or places, on the first Monday of November next, to elect by ballot, six persons duly qualified for representatives in the fifteenth congress of the United States.

Approved June 28, 1816.

CHAP. L.

Resolved, by the senate and house of representatives in general court convened, That the selectmen, or the major part of them, at the charge of the town, parish or place to which they belong, shall transmit an inventory of the polls and rateable estates of the several towns, parishes and places within this state, as taken for the current year; which inventory shall consist of all male polls from eighteen to seventy years of age, except such from eighteen to twenty-one as shall be enrolled in the militia, president, professors, tutors, instructors and students of colleges, ordained ministers and preceptors of academies, paupers and idiots; also, of the following articles which each person shall have been possessed of on the first day of April last, viz: Orchard, arable, mowing and pasture land, accounting so much orchard land as will, in a common season, produce ten
barrels of eyder or perry, one acre; so much pasture land as will summer a cow, four acres; and what mowing land will produce commonly one ton of good English hay yearly, or meadow hay in proportion, one acre; and what arable or tillage land will commonly produce twenty-five bushels of corn yearly, one acre; in which is to be considered all land planted with Indian corn, potatoes and beans, and sown with grain, flax or peas; all stallions or stud horses that have been wintered three winters; all other horses and mares, distinguishing those that have been wintered two, three, four and five winters; all jacks that have been wintered three winters; all mules, distinguishing those that have been wintered two, three and four winters; all oxen, cows and young cattle, distinguishing those that have been wintered two, three, four and five winters; cows that have been wintered four winters and oxen that have been wintered five winters; all mills, wharves and ferries, and the yearly rent thereof, yearly repairs thereof being first deducted, according to the judgment of the persons taking the inventory; the sum total of all bank stock; the sum total of the value of all real estate, viz: lands and buildings not included in the above mentioned articles, exclusive of all toll-bridges, whether owned by residents or non-residents, except such as are appropriated to public use; the sum total of the value of all stock in trade; the sum total of all money on hand, or at interest, more than the party pays interest for: That said inventory, taken as above, be made agreeable to the following form, and be returned into the secretary's office on or before the first Wednesday of the next session of the general court.

A.D. 1816.
Inventory.

Polls from 18 to 70 years of age, excepting those from 18 to 21 enrolled in the militia, president, professors, tutors, instructors and students of colleges, ordained ministers, preceptors of academies, paupers and idiots.

| Acres of orchard land. |
| Acres of arable land. |
| Acres of mowing land. |
| Acres of pasture land. |

Stallions or stud horses that have been wintered three winters and upwards.

| Other horses and mares that have been wintered five winters. |
| Other horses and mares wintered four winters. |
| Other horses and mares, wintered three winters. |
| Horses and mares wintered two winters. |
| Jacks that have been wintered three winters. |
| Mules that have been wintered four winters. |
| Mules that have been wintered three winters. |
| Mules that have been wintered two winters. |
| Oxen wintered five winters. |
| Oxen wintered four winters. |
| Cows wintered four winters. |
| All neat stock wintered but three winters. |
| All neat stock wintered but two winters. |
| Yearly rent or income of wharves, mills and terrics, yearly repairs deducted. |

| Sum total of all bank stock. |
| Sum total of the value of all buildings and real estate improved and owned by residents and non-residents, not included in the above. |
| Sum total of the value of all improved lands, owned by residents or non-residents. |

Yearly rent or income of wharves, mills and terric, yearly repairs deducted.

| Sum total of the value of all buildings and real estate improved and owned by residents and non-residents, not included in the above. |
| Sum total of the value of all stock in trade. |
| Sum total of money at interest, including stock in the funds, and securities for any kind of property at interest more than interest, is paid for. |
| Sum total of the value of all unimproved lands, owned by residents or non-residents. |
| All chaises, coaches, sulkies and other wheeled carriages of pleasure. |

That in all cases where a copy of the inventory, taken in April last, cannot be had, every person is required to give in a true and faithful inventory of all the foregoing articles belonging to him respectively, on oath, if required thereto by the person or persons taking said inventory, who are hereby empowered to administer the same, and on refusal or neglect thereof, the person or persons taking said inventory are to set
A. D. 1816.

Persons neglecting to exhibit inventories to be doomed.

Selectmen to make returns.

Approved June 28, 1816.

CHAP. LI.

AN ACT in addition to and in amendment of an act entitled "An act for arranging, forming and regulating the militia within this state, and for repealing all laws heretofore made for that purpose.

Sect. 1. Be it enacted by the senate and house of representatives, in general court convened, That from and after the passing of this act there shall be to each regiment of militia in this state, one colonel, one lieutenant colonel and one major, and in no case shall the two latter reside in one battalion.

Sect. 2. And be it further enacted, That each and every free able bodied white male citizen of this state, resident therein, who is or shall be of the age of eighteen years and under the age of forty-five years, except such as are excused by the fifth section of an act, passed December 22d, A. D. 1808, entitled "an act for arranging, forming and regulating the militia within this state and for repealing all laws heretofore made for that purpose"—shall severally and respectively be enrolled in the militia by the commanding officer of the
company within whose bounds such citizen shall reside, and any legal notice or warning to the citizens so enrolled, to attend a company, battalion or regimental muster or training, shall be deemed a legal notice of his enrolment.

Sect. 3. And be it further enacted, That the rules and regulations for the field exercise and manoeuvres of infantry, compiled and adopted for the organization of the army of the United States, agreeably to a resolve of congress, passed December, 1814, be received, adopted and established as the rules of discipline for the militia of this state.

Sect. 4. And be it further enacted, That if any soldier on any muster or training days shall neglect to have his musket and bayonet bright and in complete order, he shall for every such neglect forfeit and pay a fine of fifty cents, to be recovered in the same way and manner, as is provided for neglecting to appear equipped as the law directs.

Sect. 5. And be it further enacted, That all courts martial appointed by a major general, shall consist of nine members; and all courts martial appointed by a brigadier-general shall consist of seven members, any law, usage or custom, to the contrary notwithstanding.

Sect. 6. And be it further enacted, That the fourth section, the twenty-second section, and so much of the thirty-ninth section of the act to which this is in addition as is in the words following, viz. "all courts martial, appointed by a major-general, shall consist of thirteen members," and "all courts martial appointed by a brigadier shall consist of thirteen members," be and the same are hereby repealed.

Approved June 28, 1816.

CHAP. LIII.

WHEREAS, by an act of this state, passed the present session, it is among other things enacted, that all persons by law liable to military duty shall be liable to perform such duty until they arrive to the age of forty-five years, which would include persons who had previous to the passage of said act been discharged from military duty.—And whereas those who were exempted by age, at the time of passing said act, ought not again to be enrolled: Therefore,

RESOLVED, That all persons who were at the time of the passage of the act aforesaid of the age of forty years and upwards, and not by law liable to military
Congress Salary.

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duty, shall not again be enroled, or liable hereafter A.D. 1816, to perform military duty; any thing in the act aforesaid to the contrary notwithstanding.

Approved June 28, 1816.

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CHAP. LIII.

RESOLVED, That each and every militia officer within this State shall, as soon as may be, be furnished by the adjutant general of this State with the rules and regulations for the field exercise and discipline of infantry, compiled and adopted for the army of the United States, agreeably to a resolve of Congress, passed December 1814, and the plates therewith connected.—And the adjutant-general is hereby required, under the direction of his excellency the Governor to purchase or procure the printing of the books and engraved plates in such a manner as his excellency may deem most expedient.

And the said adjutant general shall, at the expense of this state, deliver to the commanding officer of each regiment in this state, one book, with a plate annexed, for each and every commissioned officer belonging to his regiment, taking his receipt for the same; and whenever any such officer, having received of the commanding officer of the regiment a book and plate as aforesaid, shall resign his commission be shall immediately deliver to the commanding officer of said regiment, for the time being, such book and plate to be by him furnished to the successor in said office.

Approved June 28, 1816.

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CHAP. LIV.

WHEREAS the congress of the United States by a law, approved March 19th, 1816, increased the pay of the members of the senate and house of representatives, and delegates from territories, to an amount which in the opinion of this legislature is not only much more than an adequate compensation, but directly leads to consequences the most pernicious; inasmuch as, far from calling forth virtue and patriotism, qualities essential in a free government, it presents the most inviting inducements to avarice and ambition; justice and the best policy require, that the representatives of a free people should receive a compensation commensurate with their actual services; more than this will serve to introduce a monopolizing power, contaminate our elections, and endanger our dearest rights; Therefore,
A.D. 1816. **Resolved** by the senate and house of representatives, in general court convened, That the senators of this state in the congress of the United States be instructed, and the representatives requested to use their influence to effect a repeal of said law; and that his excellency the governor be requested to communicate this preamble and resolve to each of said senators and representatives, before the next session of congress.

Approved June 29, 1816.

**CHAP. LV.**

**Resolved.** That the secretary of state be, and he hereby is directed after the end of this session, as soon as may [be] to cause all public acts passed at this session, to be published, with a list of private acts, on good paper and with good type, corresponding with the last edition of the laws of this state, and that the secretary be requested to distribute the same to the several towns, and the respective members of the house of representatives, of the senate and the honorable council.

Approved June 29, 1816.

The following act having been repealed, and therefore omitted in the last edition of the laws, and being now revived, is added to the laws of the present session:

AN ACT for establishing salaries of the Justices of the Superior Court of Judicature.

Be it enacted by the senate and house of representatives in general court convened, That the chief justice of the superior court of judicature have and receive out of the treasury of this state, the sum of twelve hundred dollars annually as a salary for his services as chief justice, and that each of the other justices of said court have and receive out of the treasury of this state, the sum of one thousand dollars annually as their respective salaries for their services as justices of the superior court of judicature; which salaries shall be paid in quarterly payments as the same become due, by orders drawn on the treasurer and signed by the governor. And that all acts and resolves heretofore made and passed for allowing salaries to the justices of said court be and hereby are repealed: And that the fees which said justices may receive in the course of their office, shall be severally accounted for, and deducted from their salaries; and it shall be the duty of the clerk of said court to certify to the secretary the fees paid said justices at the close of every circuit.

Approved June 28, 1809.
AN ACT in addition to an act entitled "an act for preventing frauds in the transfer of real estate," passed November 5, 1813.

Be it enacted by the senate and house of representatives, in general court convened, That from and after the passing of this act, whenever any execution shall be served and satisfied, in whole or in part by being levied on real estate, it shall not be necessary to record the same or the return thereon in the clerk's office, from which the same issued, nor shall there be charged in the cost of levying any execution on real estate, any sum for recording such execution or the return thereon in the clerk's office, as aforesaid.

Approved December 7, 1816.

CHAP. LVII.

An act to disannex a certain piece of land from the town of Hampton-Falls, and to annex it to the town of Seabrook.

Approved December 7, 1816.

CHAP. LVIII.

An act to incorporate Martin P. Simpson, John Rogers, Hezekiah S. Chaplin, Elisha Abbot, Elijah Abbot, Noah Nickols, Luther M. Harris, James Rogers, Broadstreet Stevens, by the name of Orford and Piermont Hubbard Musical Society.

Approved December 7, 1816.
Private Acts.

A.D. 1816.

CHAP. LIX.

An act in addition to an act to incorporate sundry persons by the name of the Second Baptist Society in Sandbornton.

Approved December 7, 1816.

CHAP. LX.

An act to authorise Peter Folsom 3d of Gilmanton to assume the name of Peter Lawrence Folsom.

Approved December 7, 1816.

CHAP. LXI.

An act in addition to an act entitled "an act to incorporate certain persons for the purpose of building a bridge over the river Merrimac, at a place called Clement's Ferry, from Boscawen to Canterbury, and for supporting the same."

Approved Dec. 10, 1816.

CHAP. LXII.

An act to incorporate Arthur Latham, John Fairfield and their associates.

Approved Dec. 10, 1816.

CHAP. LXIII.

An act to incorporate sundry persons by the name of the Religious Union Society in Goffstown.

Approved December 11, 1816.

CHAP. LXIV.

An act to incorporate certain persons by the name of the First Congregational Society in New-Chester.

Approved Dec. 11, 1816.

CHAP. LXV.

An act to incorporate certain persons by the name of the First Congregational Society in Loudon.

Approved December 11, 1816.
An act to incorporate sundry persons by the name of the
Campton Sacred Music Society. Approved Dec. 11, 1816.

CHAP. LXVII.
An act to authorise Reuben Lovering, of Loudon, to as-
sume the name of Reuben Mason. Approved Dec. 11, 1816.

CHAP. LXVIII.
An act in addition to an act entitled an act to incorpo-
rerate a company by the name of the Londonderry
Branch Turnpike Corporation, passed June 17, 1812. Approved Dec. 11, 1816.

CHAP. LXIX.
An act to incorporate sundry persons into a Society, by
the name of the Walpole Episcopal Society. Approved Dec. 11, 1816.

CHAP. LXX.
An act to authorise Thomas Hall to erect a dam across
a part of Connecticut river. Approved Dec. 12, 1816.

CHAP. LXXI.
AN ACT authorising the town of Bartlett to erect and keep in repair a Bridge over Saco River.

SEC. 1. BE it enacted by the senate and house of representatives in general court convened, That the town of Bartlett in the county of Coos, be, and hereby is authorised and empowered to erect, finish and keep in repair a bridge over Saco river in said town, at or near the place in said town where the old bridge now stands.

SEC. 2. And be it further enacted, That the said town of Bartlett, at a legal meeting of the inhabitants duly notified and warned, may authorise the selectmen...
A.D. 1816. for the time being, to assess on the inhabitants of said

town in the same proportion, one with another, as they
are assessed for state and county taxes, a sum sufficient

to build and finish said bridge, and said town of Bart-

lett may then and there choose and appoint five direc-
tors to superintend the making, building and finishing
of the same; and said directors shall give bond with
sufficient sureties for the faithful discharge of their
duty.

SEC. 3. And be it further enacted, That said inhab-

bitants shall have liberty to work out said tax on the
bridge so to be made and built, and shall be allowed for
their labor at the rate of eight cents per hour for every
able bodied man finding his own diet and tools, and for
ox-work at the same price per yoke, provided that the
said labor be offered at any time when the selectmen

aforesaid shall require the same to be performed; and
if the tax aforesaid is not duly paid, or worked out, as
herein provided, or before the first day of October
annually, provided the same had been required as
aforesaid, then the selectmen aforesaid shall proceed in
collecting the same in the same way and manner as
collectors of state and county taxes are by law direct-
ed to do.

SEC 4. And be it further enacted, That when the
said bridge shall be completed according to this act, and
shall be made so to appear to the justices of the superior
court of judicature, or court of common pleas for the
county of Coos, the said selectmen may erect a toll-
gate, appoint a collector and receive toll as is hereinaf-

fter permitted.

SEC. 5. And be it further enacted, That it shall and
may be lawful for the toll-gatherer, so to be appointed,
to collect of and from all and every person or persons,
using said bridge, the rates and tolls hereinafter men-
tioned, and to stop any person from passing over said
bridge until the toll shall be paid:—That is to say, for
every horse and his rider, four cents; for each two-
wheeled carriage with one horse, twelve cents, and
three cents for each additional horse; for each four-
wheeled waggon, drawn by one horse, six cents; and
three cents for each additional horse; for each four-
wheeled carriage of pleasure, or for passengers, drawn
by two horses, twenty cents; and three cents for each
additional horse; for each sleigh drawn by one horse,
five cents, and three cents for each additional horse;
for each cart, sled, waggon or other carriage of burthen,
drawn by one yoke of oxen, six cents, and four cents
for each additional yoke of oxen or pair of horses; for each horse, except those ridden on, or each neat creature, one and a half cent, and for each sheep or swine, one half cent. Provided however, that no toll shall be taken from any militia officer or soldier belonging to Bartlett or any other town, going to or returning from any training or place of muster, or going to or returning from places of public worship on the sabbath, or from persons attending a funeral; and at all times when the toll-gatherer does not attend his duty, the gate shall be left open.

SEC 6. And be it further enacted, That the town of Bartlett may be indicted for want of repairs of said bridge after the toll-gate is erected, and may be fined in the same way and manner as towns are by law liable for suffering highways and bridges to be out of repair.

SEC 7. And be it further enacted, That at the end of every four years after the setting up of the toll-gate as aforesaid an account of the expenditures upon said bridge and the profits arising therefrom shall be laid before the justices of the superior court of judicature for the time being under penalty of the forfeiture, for the neglect thereof, of the privileges of this act in future. And if the net profits for the four years aforesaid shall exceed twelve per centum per annum, the said justices may reduce the future rate of toll so far as that it may not exceed twelve per centum per annum; and if the said profits shall not amount to eight per centum per annum, the said court may raise the future rate of toll so that it shall not be less than eight nor more than twelve per centum per annum.

SEC 8. And be it further enacted, That the net proceeds of toll so to be collected shall be appropriated in manner following, to wit: so much thereof as shall be equal to six per cent, on the amount of expense of building said bridge, shall go to the town of Bartlett as interest on the money so laid out, and the remainder shall be considered a sinking fund to be appropriated towards a reimbursement to the town of Bartlett of the expenses of building said bridge; and as said expense shall be diminished, so shall the town of Bartlett be entitled from time to time to appropriate for the payment of interest, only so much of said toll as will pay six per cent. on the balance of the account of expenditures for building and finishing said bridge, and shall appropriate the balance of said toll towards the future extinguishment of said balance of account of expenditures.
And after a sum has been collected sufficient to pay the expense of building and finishing said bridge, and to pay six per cent. interest on the amount of said expense, then and afterwards the said bridge shall be free from toll, and no toll shall be taken for passing thereon until such time as the justices aforesaid shall be of opinion and determine that repairs are necessary, or that a new bridge ought to be built, and in such case the said town of Bartlett shall repair or rebuild said bridge, as said determination may be, and shall be entitled to and receive the toll granted and established by this act, subject to all the limitations and restrictions therein made and set forth.

SEC. 9. And be it further enacted, That if in two years after the passing of this act, the said bridge shall not be finished and completed agreeably to the provisions of this act, every part and clause thereof shall be null and void.

Approved Dec. 13, 1816.

CHAP. LXXII.

An act authorising Molly Cummings to assume the name of Mary Cummings. Approved Dec. 13, 1816.

CHAP. LXXIII.

An act authorising Josiah Babcock, jun. to assume the name of Josiah Babcock. Approved Dec. 14, 1816.

CHAP. LXXIV.

AN ACT to prevent the circulation and currency of certain bank bills of a denomination less than one dollar.

Be it enacted by the senate and house of representatives in general court convened, That from and after the first day of February next, no person shall pay in discharge of any contract or bargain, or for any valuable consideration whatever, any bank bill of a less denomination than one dollar, issued by any bank or banking company, other than banks incorporated by the authority of this state, under penalty of five dollars; to be recovered of the person so paying the same, by action of debt, with cost of suit, to the use of any person who shall, within six months thereafter, prosecute for the same.

Approved December 14, 1816.
Militia.

CHAP. LXXV.

An act to alter the name of Samuel Wortley Hadlock.

Approved December 16, 1816.

CHAP. LXXVI.

An act to empower John Hayes, junior, to assume the name of John Pray Hayes.

Approved December 16, 1816.

CHAP. LXXVII.

An act to incorporate sundry persons by the name of the First Freewill Baptist Society in North-Hampton.

Approved December 18, 1816.

CHAP. LXXVIII.

AN ACT to constitute two companies of cavalry in the sixth regiment of militia in said state.

WHEREAS the company of cavalry belonging to said regiment is composed of soldiers of each town which constitute said regiment: in consequence thereof, and the local situation being such, said company has become broken, disorganized and destitute of officers; and in its present remote situation, it is difficult, if not impossible, to organize and discipline said company as the law directs; Therefore,

BE it enacted by the senate and house of representatives, in general court convened, That instead of one company, there shall be two companies of cavalry annexed to said regiment of militia, each to consist of not more than thirty-two rank and file. The officers and soldiers residing within the towns of Winchester, Swanzey and Richmond shall constitute one of said companies, and the officers and soldiers residing within the towns of Chesterfield and Hinsdale shall constitute the other of said companies; and said companies shall be formed, and the officers thereof appointed and commissioned agreeably to the laws of this state.

Approved December 18, 1816.
Dartmouth University.

A.D. 1816.

CHAP. LXXXIX.

An act to incorporate sundry persons by the name of the Congregational Society in Plaistow.

Approved December 18, 1816.

CHAP. LXXX.

AN ACT in addition to and in amendment of an act, entitled, "An act to amend the charter and enlarge and improve the corporation of Dartmouth College."

WHEREAS the meetings of the Trustees and Overseers of Dartmouth University, which were summoned agreeably to the provisions of said act, failed of being duly holden, in consequence of a quorum of neither said trustees nor overseers attending at the time and place appointed, whereby the proceedings of said corporation have hitherto been and still are delayed:

SECTION 1. BE it enacted by the senate and house of representatives, in general court convened, That the governor be, and he is hereby authorized and requested to summon a meeting of the trustees of Dartmouth University, at such time and place as he may deem expedient. And the said trustees, at such meeting, may do and transact any matter or thing, within the limits of their jurisdiction and power, as such trustees, to every intent and purpose, and as fully and completely as if the same were transacted at any annual or other meeting. And the governor, with advice of council, is authorized to fill all vacancies that have happened or may happen in the board of said trustees, previous to their next annual meeting. And the governor is hereby authorized to summon a meeting of the overseers of said University, at such time and place as he may consider proper, and provided a less number than a quorum of said board of overseers convene at the time and place appointed for such meeting of their board, they shall have power to adjourn, from time to time, until a quorum shall have convened.

SECTION 2. And be it further enacted, That so much of the act, to which this is an addition, as makes necessary any particular number of trustees or overseers of said University to constitute a quorum for the transaction of business, be and the same hereby is repealed; and that hereafter nine of said trustees, convened agreeably to the provisions of this act, or to those of that to which this is an addition, shall be a quorum for trans-
Private Acts.

acting business; and that in the board of trustees six votes at least shall be necessary for the passage of any act or resolution. And provided also that any smaller number than nine of said trustees, convened at the time and place appointed for any meeting of their board, according to the provisions of this act, or that to which this is an addition, shall have power to adjourn from time to time, until a quorum shall have convened.

Sect. 3. And be it further enacted, That each member of said board of trustees, already appointed or chosen, or hereafter appointed or chosen, shall, before entering on the duties of his office, make and subscribe an oath for the faithful discharge of the duties aforesaid; which oath shall be returned to and filed in the office of the secretary of state, previous to the next regular meeting of said board, after said member enters on the duties of his office as aforesaid.

Approved December 18, 1816.

CHAP. LXXXI.
An act authorizing Bazilla Hayford to assume and use the name of William B. Hayford.

Approved Dec. 13, 1816.

CHAP. LXXXII.
An ACT to repeal an act entitled "An act to provide for publishing reports of the supreme judicial court."

Be it enacted by the senate and house of representatives, in general court convened, That the act, entitled "An act to provide for publishing the decisions of the supreme judicial court," passed June 26, 1815, be, and the same is hereby repealed.

Approved Dec. 18, 1816.

CHAP. LXXXIII.
An act in addition to, and amendment of an act, entitled "an act to incorporate the proprietors of Lancaster Social Library."

Approved Dec. 18, 1816.
RESOLVED, That his excellency the governor be, and hereby is requested to make a communication to the governor of the commonwealth of Massachusetts representing the advantages that would result to a large proportion of this state from some modification of the law of that commonwealth relative to the inspection of provisions, whereby an inspection thereof duly made at Concord, in this state, might be accepted; and that provisions inspected as aforesaid may be exported from the district of Boston and Charlestown without undergoing a new inspection and the expences unnecessarily attending the same.

Approved Dec. 18, 1816.

CHAP. LXXXV.

RESOLVED, That each and every town in this state, have and receive one of the maps of the state of New-Hampshire, furnished by Philip Carrigain, esq. (except the town of Portsmouth, which shall have two) on producing to the legislature satisfactory evidence that such town at their own expense caused a survey thereof to be made for the purpose of completing the map aforesaid.

Approved Dec. 18, 1816.

CHAP. LXXXVI.

AN ACT to repeal all acts heretofore passed relative to the passage of alewives and other fish, in Easternme and Tarbell's brooks, in Nottingham-West, in the county of Hillsborough.

WHEREAS the existing laws, that regulate and prohibit the taking of fish in Easternme and Tarbell's brooks, in Nottingham-West, in the county of Hillsborough, up which only a few alewives run, require the keeping open fish-courses, and impose other restrictions relative to the waters and dams in said brooks, which prevent the mills thereon, some weeks in the summer season, from grinding grain for the inhabitants of said town, as might otherwise be done; whereby the inhabitants of said town suffer great inconvenience and loss.

Therefore,
BE it enacted by the senate and house of representatives in general court convened, That "An act for removing the obstructions to the free passage of alewives and other fish, in a brook running from Woodturnick-Pond, in Nottingham-West, in the county of Hillsborough, to Merrimac river, passed March 6th, 1778—and also "An act for altering an act, entitled an act for removing the obstructions to the free passage of alewives & other fish in a brook running from Woodturnick-pond in Nottingham-West, in the county of Hillsborough, to Merrimac river," passed March 26th, 1779—and all other acts, heretofore passed, relative to the passage of fish in Eastermae and Tarbell's brooks, now so called, in Nottingham-West, in the county of Hillsborough, be, and the same hereby are repealed: Provided, however, that nothing in this act contained, shall be construed to affect any action or right of action to recover a penalty heretofore incurred under the provisions of any of the acts aforesaid.

Approved December 19, 1816.

CHAP. LXXXVII.
An act to incorporate certain persons by the name of The Centre Congregational Society in New-Chester.
Approved Dec. 19, 1816.

CHAP. LXXXVIII.
An act to incorporate certain persons by the name of the Congregational Society in Lebanon.
Approved December 19, 1816.

CHAP. LXXXIX.
An act to incorporate certain persons by the name of the First Universalist Society in Lebanon.
Approved Dec. 19, 1816.

CHAP. XC.
An act to incorporate sundry persons by the name of the First Baptist Society in Loudon.
Approved December 19, 1816.
An act to incorporate a company by the name of the proprietors of the Locks and Canals, at Dodge's Falls.

Approved Dec. 19, 1816.

CHAP. XCII.

AN ACT requiring the cashiers of Banks in this state to give information in certain cases.

SEC. 1. Be it enacted by the senate and house of representatives in general court convened, That the assessors, or selectmen acting as assessors, of the several towns in this state, be, and hereby are empowered, either personally or in writing, to demand of the cashier or other principal officer of any bank, incorporated by, and acting under the authority of this state, an account in writing of all the shares in such bank, and their amount in value, owned by any inhabitant or resident of the town of which the persons so applying shall then be selectmen or assessors. And it is hereby made the duty of such cashier or principal officer, on such application to furnish at said bank said applicants with an account in writing of all the shares, and their amount in value, which shall then be owned in said bank by any inhabitant or resident of the town of which said applicants shall be the selectmen or assessors, within four days from the time of such application.

SEC. 2. And be it further enacted, That if any cashier, or other principal officer of any bank, who may be applied to by any selectmen or assessors for the purposes aforesaid, shall refuse or neglect to furnish such selectmen or assessors with an account of all the shares owned by any inhabitants or residents of the respective towns of which said applicants shall then be the selectmen or assessors—said cashier, or principal officer shall forfeit and pay for such refusal or neglect, a sum not less than one hundred dollars, nor exceeding four hundred dollars, to be sued for and recovered in the name and for the use of the town of which the said applicants shall be the selectmen or assessors, before any court of competent jurisdiction.

Approved December 19, 1816.
Marking of Sheep.

CHAP. XCIII.

A.D.1816.

AN ACT relating to the branding or marking of sheep.

Be it enacted by the senate and house of representatives in general court convened, that the owner of any sheep may ear-mark or brand the same as he or she may think proper, and cause their several marks or brands to be recorded in the town-clerk's office in the town in which such owner shall reside, or in which the sheep may be kept, and the town-clerk shall be entitled to receive six cents for recording the same.

Sect. 2. And be it further enacted, That if any person shall wilfully alter, cut out or deface the mark or brand of any sheep so marked or branded as aforesaid, not being the proper owner thereof, or if any person under pretence of marking his own sheep shall cut off the whole of an ear or of the ears of such sheep; every person so offending shall forfeit five dollars for every sheep, the mark or brand of which shall be so altered, cut out or defaced, or whose ear or ears shall be so cut off as aforesaid:—to be recovered by action in any court proper to try the same, the one half to him, her or them who shall prosecute the same to effect, and the other half to the treasury of the town in which the offence shall be committed.

Approved December 20, 1816.

CHAP. XCIV.

AN ACT, granting a tax of three cents an acre on the lands in Lincoln.

Be it enacted by the senate and house of representatives, in general court convened, That there be and hereby is granted a tax of three cents on each and every acre of land in the township of Lincoln, in the county of Grafton, public rights, and such other rights as are by law exempted from taxation, excepted; and that the money arising from said tax be laid out and expended in altering and repairing the road and the bridges thereon, leading through said township from Peeling to Franconia.

And be it further enacted, That Enoch Colby, Joseph Webster and Thomas Walker, all of Thornton, in said county of Grafton, are hereby appointed a committee with full power and authority to assess said tax, and to
A.D. 1816.

May appoint agents.

Collector appointed.

Shall be sworn & give bonds.

Copy of list of taxes to be lodged with dep. county notice to be given thereof.

Collector may sell land of delinquent, after a certain time.

Sale to be any day in month of August, in town of Portsmouth.

Copy of sales to be lodged with deputy sec'y.

Proprietors of land so sold may redeem within one year.

Tax.

lay out the same in making such beneficial alterations therein, and in repairing the road aforesaid and the bridges thereon, as shall in their opinion be conducive to the interest of the proprietors and the public; and for this purpose to appoint an agent or agents if necessary; to hire laborers and teams, and to superintend and direct the application of the work necessary to be done upon said road and bridges.

And be it further enacted, That Stephen P. Webster of Haverhill, esquire, who is hereby appointed the collector of said tax, shall, before he enters upon the duties of his office, be sworn to the faithful discharge thereof; shall give bond with surety to the committee seasonably to collect and pay over to them all monies by him received, and in all respects faithfully to perform the duties of said office; and for this purpose he is hereby vested with all the authority of a collector of state or county taxes assessed upon the lands of non-resident owners or proprietors.

And said collector shall, on or before the last day of January next, lodge with the deputy Secretary a true and attested copy of his list of taxes, and within thirty days thereafter give public notice thereof, three weeks successively in the newspapers wherein it is by law required to notify the sale of the lands of non-residents, for non-payment of State taxes, and such copy shall remain in the office of the deputy secretary until the last day of the next June session of the general court, where any proprietor or owner may have liberty to pay his or her proportion of said tax.

And be it further enacted, That after the last day of the next June session of the general court, the said collector may proceed to advertise as aforesaid, three weeks successively, that so much of the lands of any proprietor or owner, who shall be delinquent in the payment of said tax, will be sold at public vendue, as will be sufficient to pay the same with incidental charges. And said collector is hereby authorized to hold such vendue on any day in the month of August next, and in the town of Portsmouth, and to adjourn the same from time to time, until all necessary sales shall be effected.

And be it further enacted, That said collector shall, within thirty days after the last day of sale, leave with the deputy secretary a true and attested copy of all sales made by virtue of this act; and any proprietor, owner or claimant of any lands, so sold, may at any time within one year from and after the time of sale, redeem the same by paying to the deputy secretary, or
Proportion.

collector, the amount for which his or her land was sold, with interest at twelve per centum per annum, reckoning from the day of sale. And the deputy secretary is hereby authorised to demand and receive such compensation for his services, as he is entitled to receive in other cases of a similar nature; and he shall pay over, when requested, all monies by him received on account of said taxes, interest and redemption of lands sold as aforesaid, to said collector for the benefit of any proprietor, owner or purchaser of any lands so redeemed; and the collector shall, on demand, pay over all monies by him received of the deputy secretary, or otherwise for the redemption of land, to any purchaser of land sold as aforesaid.

And be it further enacted, That the aforesaid committee before they receive or lay out any part of the monies arising from the tax herein granted, shall give bond with surety to the treasurer of the county of Grafton, in the penal sum of one thousand dollars, conditioned for the prudent expenditure of said monies, and the faithful performance of the duties assigned them by this act, and they shall within two years from the passing hereof, exhibit to the justices of the court of common pleas, for the county of Grafton, a just account under oath, of their proceedings in the premises, and of their expenditures of the monies herein granted, and shall be entitled to receive such compensation for their services, as said court may allow.

And be it further enacted, That the said collector shall be allowed the same travel in all cases contemplated by this act, and the same compensation for services, as is allowed to collectors of non-resident taxes.

Approved Dec. 20, 1816.

CHAP. XCV.

AN ACT for making and establishing a new proportion for the assessment of public taxes among the several towns and places within this state, and to authorize the treasurer to issue his warrants for levying the same.

Be it enacted by the senate and house of representatives in general court convened, That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place within this state shall pay, and for which the treasurer of this state is
Proportion.

A.D.1816. hereby authorized and directed to issue his warrants, shall be as follows, to wit:

<table>
<thead>
<tr>
<th>COUNTY OF ROCKINGHAM</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allenstown, one dollar thirty-seven cents</td>
<td>$1 37</td>
</tr>
<tr>
<td>Atkinson, two dollars ninety cents</td>
<td>$2 90</td>
</tr>
<tr>
<td>Bow, three dollars twenty cents</td>
<td>$3 20</td>
</tr>
<tr>
<td>Brentwood, four dollars forty-six cents</td>
<td>$4 46</td>
</tr>
<tr>
<td>Candia, five dollars fifty-two cents</td>
<td>$5 52</td>
</tr>
<tr>
<td>Canterbury, seven dollars six cents</td>
<td>$7 06</td>
</tr>
<tr>
<td>Chester, eight dollars sixty cents</td>
<td>$8 60</td>
</tr>
<tr>
<td>Chichester, three dollars twenty cents</td>
<td>$3 20</td>
</tr>
<tr>
<td>Concord, twelve dollars twenty cents</td>
<td>$12 20</td>
</tr>
<tr>
<td>Deerfield, nine dollars forty-seven cents</td>
<td>$9 47</td>
</tr>
<tr>
<td>East-Kingston, two dollars sixteen cents</td>
<td>$2 16</td>
</tr>
<tr>
<td>Epping, six dollars seventy-five cents</td>
<td>$6 75</td>
</tr>
<tr>
<td>Epsom, five dollars fifty-four cents</td>
<td>$5 54</td>
</tr>
<tr>
<td>Exeter, nine dollars four cents</td>
<td>$9 04</td>
</tr>
<tr>
<td>Greenland, three dollars forty cents</td>
<td>$3 40</td>
</tr>
<tr>
<td>Hampton, four dollars ten cents</td>
<td>$4 10</td>
</tr>
<tr>
<td>Hampstead, three dollars fifty-two cents</td>
<td>$3 52</td>
</tr>
<tr>
<td>Hampton-Falls, three dollars fifty-seven cents</td>
<td>$3 57</td>
</tr>
<tr>
<td>Hawke, one dollar eighty-five cents</td>
<td>$1 85</td>
</tr>
<tr>
<td>Kensington, four dollars fifteen cents</td>
<td>$4 15</td>
</tr>
<tr>
<td>Kingston, three dollars thirty-six cents</td>
<td>$3 36</td>
</tr>
<tr>
<td>Londonderry, thirteen dollars twenty-two cents</td>
<td>$13 22</td>
</tr>
<tr>
<td>Loudon, seven dollars eighty-two cents</td>
<td>$7 82</td>
</tr>
<tr>
<td>New-Castle, one dollar eighteen cents</td>
<td>$1 18</td>
</tr>
<tr>
<td>Newington, two dollars thirty-three cents</td>
<td>$2 33</td>
</tr>
<tr>
<td>New-Market, three dollars ninety-four cents</td>
<td>$3 94</td>
</tr>
<tr>
<td>Newtown, one dollar seventy-six cents</td>
<td>$1 76</td>
</tr>
<tr>
<td>Northfield, five dollars thirty cents</td>
<td>$5 30</td>
</tr>
<tr>
<td>North-Hampton, three dollars fifty-seven cents</td>
<td>$3 57</td>
</tr>
<tr>
<td>Northwood, five dollars thirty-five cents</td>
<td>$5 35</td>
</tr>
<tr>
<td>Nottingham, four dollars eighty cents</td>
<td>$4 80</td>
</tr>
<tr>
<td>Pelham, four dollars thirty-eight cents</td>
<td>$4 38</td>
</tr>
<tr>
<td>Pembroke, five dollars eighty-two cents</td>
<td>$5 82</td>
</tr>
<tr>
<td>Pittsfield, five dollars twenty-six cents</td>
<td>$5 26</td>
</tr>
<tr>
<td>Plaistow, two dollars twenty cents</td>
<td>$2 20</td>
</tr>
<tr>
<td>Poplin, one dollar ninety-two cents</td>
<td>$1 92</td>
</tr>
<tr>
<td>Portsmouth, fifty-five dollars thirty cents</td>
<td>$55 30</td>
</tr>
<tr>
<td>Raymond, three dollars fifty-eight cents</td>
<td>$3 58</td>
</tr>
<tr>
<td>Rye, three dollars sixty-seven cents</td>
<td>$3 67</td>
</tr>
<tr>
<td>Salem, five dollars eighteen cents</td>
<td>$5 18</td>
</tr>
<tr>
<td>Sandown, two dollars fifty-five cents</td>
<td>$2 55</td>
</tr>
<tr>
<td>Seabrook, two dollars eighty-three cents</td>
<td>$2 83</td>
</tr>
<tr>
<td>South-Hampton, two dollars thirty cents</td>
<td>$2 30</td>
</tr>
<tr>
<td>Stratham, four dollars fifty-eight cents</td>
<td>$4 58</td>
</tr>
<tr>
<td>Windham, three dollars ninety-six cents</td>
<td>$3 96</td>
</tr>
</tbody>
</table>

$258 22
### COUNTY OF STRAFFORD.

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alton</td>
<td>5 42 dollars forty-two cents</td>
</tr>
<tr>
<td>Barnstead</td>
<td>5 87 dollars eighty-seven cents</td>
</tr>
<tr>
<td>Barrington</td>
<td>13 63 dollars sixty-four cents</td>
</tr>
<tr>
<td>Brookfield</td>
<td>2 75 dollars seventy-five cents</td>
</tr>
<tr>
<td>Burton</td>
<td>4 2 cents</td>
</tr>
<tr>
<td>Center Harbor</td>
<td>1 77 dollars seventy-seven cents</td>
</tr>
<tr>
<td>Conway</td>
<td>4 44 dollars forty-four cents</td>
</tr>
<tr>
<td>Dover</td>
<td>11 23 dollars twenty-three cents</td>
</tr>
<tr>
<td>Durham</td>
<td>7 40 dollars forty cents</td>
</tr>
<tr>
<td>Eaton</td>
<td>2 96 dollars ninety-six cents</td>
</tr>
<tr>
<td>Effingham</td>
<td>4 26 dollars twenty-six cents</td>
</tr>
<tr>
<td>Farmington</td>
<td>4 93 dollars ninety-three cents</td>
</tr>
<tr>
<td>Gilmanton</td>
<td>13 62 dollars sixty-two cents</td>
</tr>
<tr>
<td>Gilford</td>
<td>6 48 dollars forty-eight cents</td>
</tr>
<tr>
<td>Lee</td>
<td>4 05 dollars five cents</td>
</tr>
<tr>
<td>Madbury</td>
<td>2 83 dollars eighty-three cents</td>
</tr>
<tr>
<td>Meredith</td>
<td>9 28 dollars twenty-eight cents</td>
</tr>
<tr>
<td>Middleton</td>
<td>1 58 dollars fifty-eight cents</td>
</tr>
<tr>
<td>Milton</td>
<td>4 61 dollars sixty-one cents</td>
</tr>
<tr>
<td>Moultonborough</td>
<td>4 58 dollars fifty-eight cents</td>
</tr>
<tr>
<td>New-Durham</td>
<td>3 96 dollars ninety-six cents</td>
</tr>
<tr>
<td>New-Hampton</td>
<td>5 92 dollars ninety-two cents</td>
</tr>
<tr>
<td>Ossipee</td>
<td>5 07 dollars seven cents</td>
</tr>
<tr>
<td>Ossipee Gore</td>
<td>7 0 cents</td>
</tr>
<tr>
<td>Rochester</td>
<td>9 10 dollars ten cents</td>
</tr>
<tr>
<td>Sandhornton</td>
<td>13 01 dollars thirteen one cent</td>
</tr>
<tr>
<td>Sandwich</td>
<td>8 11 dollars eight dollars eleven cents</td>
</tr>
<tr>
<td>Somersworth</td>
<td>3 43 dollars forty-three cents</td>
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<tr>
<td>Tamworth</td>
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<tr>
<td>Tuftonborough</td>
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<tr>
<td>Wakefield</td>
<td>5 44 dollars forty-four cents</td>
</tr>
<tr>
<td>Wolfborough</td>
<td>5 58 dollars fifty-eight cents</td>
</tr>
</tbody>
</table>

### COUNTY OF HILLSBOROUGH.

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amherst</td>
<td>6 94 dollars ninety-four cents</td>
</tr>
<tr>
<td>Andover</td>
<td>6 15 dollars fifteen cents</td>
</tr>
<tr>
<td>Antrim</td>
<td>5 12 dollars twelve cents</td>
</tr>
<tr>
<td>Bedford</td>
<td>5 15 dollars fifteen cents</td>
</tr>
<tr>
<td>Boseawen</td>
<td>8 20 dollars twenty cents</td>
</tr>
<tr>
<td>Brookline</td>
<td>1 75 dollars seventy-five cents</td>
</tr>
<tr>
<td>Bradford</td>
<td>4 40 dollars forty cents</td>
</tr>
<tr>
<td>Deering</td>
<td>5 89 dollars eighty-nine cents</td>
</tr>
<tr>
<td>Dunbarton</td>
<td>5 05 dollars and five cents</td>
</tr>
<tr>
<td>Dunstable</td>
<td>4 46 dollars forty-six cents</td>
</tr>
<tr>
<td>Fishersfield</td>
<td>2 68 dollars sixty-eight cents</td>
</tr>
<tr>
<td>Francestown</td>
<td>7 33 dollars thirty-three cents</td>
</tr>
<tr>
<td>Goffstown</td>
<td>7 26 dollars twenty-six cents</td>
</tr>
</tbody>
</table>

Total: 181 27
## Proportion.

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenfield, four dollars</td>
<td>4.00</td>
</tr>
<tr>
<td>Hancock, five dollars forty-seven cents</td>
<td>5.47</td>
</tr>
<tr>
<td>Hemiker, eight dollars sixty-seven cents</td>
<td>8.67</td>
</tr>
<tr>
<td>Hillsborough, seven dollars eighty cents</td>
<td>7.80</td>
</tr>
<tr>
<td>Holles, five dollars thirteen cents</td>
<td>5.13</td>
</tr>
<tr>
<td>Hopkinton, eleven dollars seventy-eight cents</td>
<td>11.78</td>
</tr>
<tr>
<td>Lyndeborough, four dollars forty-four cents</td>
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<tr>
<td>Litchfield, one dollar eighty-six cents</td>
<td>1.86</td>
</tr>
<tr>
<td>Kearsarge-Gore, forty-five cents</td>
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</tr>
<tr>
<td>Manchester, two dollars forty-three cents</td>
<td>2.43</td>
</tr>
<tr>
<td>Mason, four dollars forty cents</td>
<td>4.40</td>
</tr>
<tr>
<td>Merrimack, four dollars twenty cents</td>
<td>4.20</td>
</tr>
<tr>
<td>Milford, four dollars sixty-five cents</td>
<td>4.65</td>
</tr>
<tr>
<td>Mont Vernon, three dollars four cents</td>
<td>3.04</td>
</tr>
<tr>
<td>New-Boston, seven dollars</td>
<td>7.00</td>
</tr>
<tr>
<td>New-Ipswich, six dollars twenty-four cents</td>
<td>6.24</td>
</tr>
<tr>
<td>New-London, three dollars ten cents</td>
<td>3.10</td>
</tr>
<tr>
<td>Nottingham-West, five dollars twenty-two cents</td>
<td>5.22</td>
</tr>
<tr>
<td>Peterborough, six dollars thirty cents</td>
<td>6.30</td>
</tr>
<tr>
<td>Salisbury, nine dollars fifty cents</td>
<td>9.50</td>
</tr>
<tr>
<td>Sharon, one dollar forty-two cents</td>
<td>1.42</td>
</tr>
<tr>
<td>Society-Land, forty-nine cents</td>
<td>1.49</td>
</tr>
<tr>
<td>Sutton, five dollars six cents</td>
<td>5.06</td>
</tr>
<tr>
<td>Temple, three dollars five cents</td>
<td>3.05</td>
</tr>
<tr>
<td>Warner, seven dollars eighty-two cents</td>
<td>7.82</td>
</tr>
<tr>
<td>Weare, twelve dollars sixty-one cents</td>
<td>12.61</td>
</tr>
<tr>
<td>Windsor, ninety-seven cents</td>
<td>9.76</td>
</tr>
<tr>
<td>Wilton, four dollars twenty-five cents</td>
<td>4.25</td>
</tr>
<tr>
<td>Wilmot, one dollar sixty cents</td>
<td>1.60</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>213.35</strong></td>
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</tbody>
</table>

**County of Cheshire.**

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aeworth, seven dollars forty-nine cents</td>
<td>7.49</td>
</tr>
<tr>
<td>Alstead, seven dollars, forty cents</td>
<td>7.40</td>
</tr>
<tr>
<td>Charlestown, seven dollars sixty-four cents</td>
<td>7.64</td>
</tr>
<tr>
<td>Chesterfield, eight dollars sixty-six cents</td>
<td>8.66</td>
</tr>
<tr>
<td>Claremont, eleven dollars twenty cents</td>
<td>11.20</td>
</tr>
<tr>
<td>Cornish, eight dollars thirty-seven cents</td>
<td>8.37</td>
</tr>
<tr>
<td>Croydon, three dollars eighty-four cents</td>
<td>3.84</td>
</tr>
<tr>
<td>Dublin, five dollars sixty-six cents</td>
<td>5.66</td>
</tr>
<tr>
<td>Fitzwilliam, four dollars forty-eight cents</td>
<td>4.48</td>
</tr>
<tr>
<td>Hinsdale, two dollars ninety-two cents</td>
<td>2.92</td>
</tr>
<tr>
<td>Gilsum, two dollars fifteen cents</td>
<td>2.15</td>
</tr>
<tr>
<td>Goshen, two dollars forty-nine cents</td>
<td>2.49</td>
</tr>
<tr>
<td>Jaffrey, six dollars sixty-five cents</td>
<td>6.65</td>
</tr>
<tr>
<td>Keene, nine dollars twenty-eight cents</td>
<td>9.28</td>
</tr>
<tr>
<td>Langdon, three dollars thirty-six cents</td>
<td>3.36</td>
</tr>
<tr>
<td>Lempster, three dollars ninety-three cents</td>
<td>3.93</td>
</tr>
<tr>
<td>Marlborough, three dollars fifty-seven cents</td>
<td>3.57</td>
</tr>
</tbody>
</table>
Proportion.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Marlow, two dollars ninety-two cents</td>
<td>2 92</td>
</tr>
<tr>
<td>New-Grantham, three dollars eighty-nine cents</td>
<td>3 89</td>
</tr>
<tr>
<td>Newport, seven dollars fifty-two cents</td>
<td>7 52</td>
</tr>
<tr>
<td>Nelson, four dollars twenty-five cents</td>
<td>4 25</td>
</tr>
<tr>
<td>Plainfield, seven dollars fifty-two cents</td>
<td>7 52</td>
</tr>
<tr>
<td>Richmond, five dollars fifty-six cents</td>
<td>5 56</td>
</tr>
<tr>
<td>Rindge, five dollars ninety-two cents</td>
<td>5 92</td>
</tr>
<tr>
<td>Roxbury, one dollar eighty-seven cents</td>
<td>1 87</td>
</tr>
<tr>
<td>Springfield, three dollars fifty-six cents</td>
<td>3 56</td>
</tr>
<tr>
<td>Stoddard, five dollars thirty-two cents</td>
<td>5 32</td>
</tr>
<tr>
<td>Sullivan, two dollars eighty cents</td>
<td>2 80</td>
</tr>
<tr>
<td>Surry, two dollars sixty-eight cents</td>
<td>2 68</td>
</tr>
<tr>
<td>Swanzey, six dollars forty-two cents</td>
<td>6 42</td>
</tr>
<tr>
<td>Troy, two dollars fifty-eight cents</td>
<td>2 58</td>
</tr>
<tr>
<td>Unity, five dollars forty-one cents</td>
<td>5 41</td>
</tr>
<tr>
<td>Walpole, eleven dollars thirty-four cents</td>
<td>11 34</td>
</tr>
<tr>
<td>Washington, four dollars thirty-three cents</td>
<td>4 33</td>
</tr>
<tr>
<td>Wendell, two dollars eighteen cents</td>
<td>2 18</td>
</tr>
<tr>
<td>Westmoreland, eight dollars seventy-five cents</td>
<td>8 75</td>
</tr>
<tr>
<td>Winchester, six dollars sixty-nine cents</td>
<td>6 69</td>
</tr>
</tbody>
</table>

COUNTY OF GRAFTON.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexandria, two dollars, eighteen cents</td>
<td>2 18</td>
</tr>
<tr>
<td>Bath, five dollars ninety-three cents</td>
<td>5 93</td>
</tr>
<tr>
<td>Bethlehem, one dollar sixty-nine cents</td>
<td>1 69</td>
</tr>
<tr>
<td>Bridgewater, four dollars thirty-four cents</td>
<td>4 34</td>
</tr>
<tr>
<td>Campton, three dollars ninety-five cents</td>
<td>3 95</td>
</tr>
<tr>
<td>Canaan, four dollars seventy-eight cents</td>
<td>4 78</td>
</tr>
<tr>
<td>Concord, three dollars seventy-nine cents</td>
<td>3 79</td>
</tr>
<tr>
<td>Coventry, ninety-four cents</td>
<td>9 4</td>
</tr>
<tr>
<td>Danbury, one dollar sixty-four cents</td>
<td>1 64</td>
</tr>
<tr>
<td>Dorchester, two dollars twenty cents</td>
<td>2 20</td>
</tr>
<tr>
<td>Dame's Gore, thirteen cents</td>
<td>13</td>
</tr>
<tr>
<td>Ellsworth, sixty-three cents</td>
<td>63</td>
</tr>
<tr>
<td>Enfield, six dollars twenty cents</td>
<td>6 20</td>
</tr>
<tr>
<td>Franconia, one dollar twelve cents</td>
<td>1 12</td>
</tr>
<tr>
<td>Grafton, three dollars eighty cents</td>
<td>3 80</td>
</tr>
<tr>
<td>Groton, two dollars thirty-one cents</td>
<td>2 31</td>
</tr>
<tr>
<td>Hanover, eight dollars fifty-five cents</td>
<td>8 55</td>
</tr>
<tr>
<td>Haverhill, six dollars sixteen cents</td>
<td>6 16</td>
</tr>
<tr>
<td>Hebron, two dollars nine cents</td>
<td>2 9</td>
</tr>
<tr>
<td>Landaff, three dollars two cents</td>
<td>3 02</td>
</tr>
<tr>
<td>Lebanon, eight dollars forty-four cents</td>
<td>8 44</td>
</tr>
<tr>
<td>Lyme, seven dollars thirty-two cents</td>
<td>7 32</td>
</tr>
<tr>
<td>Lincoln, ten cents</td>
<td>10</td>
</tr>
<tr>
<td>Littleton, three dollars sixty-six cents</td>
<td>3 66</td>
</tr>
<tr>
<td>Lyman, four dollars forty-six cents</td>
<td>4 46</td>
</tr>
<tr>
<td>New-Chester, four dollars eighteen cents</td>
<td>4 18</td>
</tr>
</tbody>
</table>
Proportion.

A.D. 1816.

<table>
<thead>
<tr>
<th>Location</th>
<th>Proportion</th>
</tr>
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<tbody>
<tr>
<td>Holderness</td>
<td>$4 20</td>
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<tr>
<td>Orange</td>
<td>$6 40</td>
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<tr>
<td>Orford</td>
<td>$3 65</td>
</tr>
<tr>
<td>Peeling</td>
<td>$4 23</td>
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<tr>
<td>Piermont</td>
<td>$3 17</td>
</tr>
<tr>
<td>Plymouth</td>
<td>$2 31</td>
</tr>
<tr>
<td>Rumney</td>
<td>$3 20</td>
</tr>
<tr>
<td>Thornton</td>
<td>$3 08</td>
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<tr>
<td>Warren</td>
<td>$2 34</td>
</tr>
<tr>
<td>Wentworth</td>
<td>$2 30</td>
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COUNTY OF COOS.

<table>
<thead>
<tr>
<th>Location</th>
<th>Proportion</th>
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<tbody>
<tr>
<td>Adams</td>
<td>$1 05</td>
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<tr>
<td>Bartlett</td>
<td>$1 68</td>
</tr>
<tr>
<td>Bretton-Woods</td>
<td>$2 49</td>
</tr>
<tr>
<td>Cambridge</td>
<td>$1 97</td>
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<tr>
<td>Chatham</td>
<td>$1 26</td>
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<tr>
<td>Columbia</td>
<td>$0 97</td>
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<tr>
<td>Colebrook</td>
<td>$1 67</td>
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<tr>
<td>Dalton</td>
<td>$1 03</td>
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<tr>
<td>Dixville</td>
<td>$0 05</td>
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<td>Dummer</td>
<td>$0 29</td>
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<tr>
<td>Durand</td>
<td>$0 33</td>
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<tr>
<td>Errol</td>
<td>$0 36</td>
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<tr>
<td>Jefferson</td>
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<tr>
<td>Kilkenny</td>
<td>$0 36</td>
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<td>Lancaster</td>
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<td>Millsfield</td>
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<td>Northumberland</td>
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<td>Paulsburgh</td>
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<td>Piercey</td>
<td>$0 78</td>
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<tr>
<td>Stratford</td>
<td>$0 63</td>
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<tr>
<td>Shelburn and Additions</td>
<td>$0 11</td>
</tr>
<tr>
<td>Stewartstown</td>
<td>$0 45</td>
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<tr>
<td>Success</td>
<td>$0 23</td>
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<tr>
<td>Whitefield</td>
<td>$0 67</td>
</tr>
<tr>
<td>Barker's Location</td>
<td>$0 06</td>
</tr>
<tr>
<td>Nash and Sawyer's</td>
<td>$0 07</td>
</tr>
<tr>
<td>Warner's do.</td>
<td>$0 09</td>
</tr>
<tr>
<td>Winslow's do.</td>
<td>$0 03</td>
</tr>
<tr>
<td>Hart's do.</td>
<td>$0 08</td>
</tr>
</tbody>
</table>

And be it further enacted, That the same shall be the proportion for the assessment of all public taxes, until a new proportion shall be made and established; and that the treasurer for the time being, issue his warrants accordingly.

Approved Dec. 21, 1816.
Ammariscoggin Bridge.

CHAP. XCVI.

A.D. 1816.

Resolved, That his excellency the governor be, and he hereby is requested to forward, as soon as may be, to the president of the United States, the president of the senate and house of representatives of the United States, and to each of the governors of the several states composing the Union, the maps of the state of New-Hampshire, agreeably to the resolve this day passed, making distribution of the maps aforesaid; and also to forward to the president of Dartmouth University the three maps by the legislature assigned to that institution.

Approved Dec. 21, 1816.

CHAP. XC VII.

AN ACT to incorporate certain persons for the purpose of building a bridge over Ammariscoggin river in Errol.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That Lewis Loomis, Daniel Harvey, Joseph Loomis, Samuel Pratt and Edmund Chamberlin, and their associates, and those who may hereafter become proprietors in said bridge, shall be a corporation and body politic for the purpose aforesaid, by the name of the proprietors of the Ammariscoggin bridge, and by that name may sue and be sued to final judgment and execution, and be known and distinguished in their acts and proceedings in all cases whatever, and may have and use a common seal, and the same at pleasure may alter and renew.

Sect. 2. And be it further enacted, That Lewis Loomis and Daniel Harvey, or either of them, shall call the first meeting of said proprietors, by posting notifications for that purpose at some public place in the towns of Colebrook and Errol, to be held at any suitable time and place in said Colebrook, after fourteen days from the time of posting the same, and the said proprietors, by a vote of those present or represented at said meeting, allowing one vote to each share in all cases, shall choose a clerk, who shall be duly sworn, and shall agree on the method of calling future meetings, and at the same, or any subsequent meeting, may elect such officers, and make and establish such by-laws, as to them shall seem necessary and prop.
A.D. 1816.

for the purposes intended by this act, and may cause the same to be executed, and annex penalties for the breach thereof not exceeding ten dollars, provided said by-laws are not repugnant to the laws of this state; and all representations at any meeting of said corporation shall be proved in writing, signed by the person represented and filed with the clerk; and this act and all by-laws and proceedings of said corporation shall be fairly and truly recorded by the clerk, in a book or books to be kept for that purpose.

Sect. 3. And be it further enacted, That the proprietors aforesaid are hereby invested with the exclusive right of building and keeping in repair a bridge over said Ammariscoggin river, near where the road strikes said river, in the town of Errol, in the county of Coos, and are hereby empowered to purchase any land adjoining said bridge, and to hold the same to them and their successors and assigns in fee simple, provided it shall not exceed three acres; and the share or shares of any of said proprietors may be transferred by deed duly executed and recorded by the clerk of said corporation.

Sect. 4. And be it further enacted, That for the purpose of reimbursing the proprietors the money by them expended in building and supporting said bridge, a toll be and hereby is established for their benefit, according to the rates following, to wit: for each foot passenger, one cent; for each horse and rider, or led horse, eight cents; for each chaise, chair, sulkey, or other wheel carriage drawn by one horse, twelve cents; for each riding sleigh drawn by one horse only, ten cents; for each riding sleigh, drawn by more than one horse, twenty cents; for each coach, chariot, phaeton or other four wheeled carriage, drawn by more than one horse, forty cents; for each currie, fifty cents; for each waggon drawn by one horse, ten cents; for each cart, waggon or other carriage of burthen drawn by two beasts, twenty cents, and three cents for each additional beast; for each horse or neat creature, exclusive of those rode on or in carriages, one cent; for sheep and swine, one half cent each; and to each team one person only shall be allowed to pass free of toll. And at all times when the toll-gatherer shall be absent from his duty, the gate shall be left open.

Sect. 5. And be it further enacted, That if any tax or assessment made by said corporation for completing or repairing said bridge, on the several shares, shall be unpaid at the time limited for the payment of the same, they may proceed to sell the delinquent's share, at public auction, as the proprietors may agree and determine,
and if any overplus remain after paying the tax or assessments and charges, it shall be returned to such delinquent proprietor, on demand.

SEC. 6. And be it further enacted, That if said bridge shall not be completed and made fit for passing within four years from the passage of this act, then the same and every part thereof shall be null and void.

SEC. 7. And be it further enacted, That it shall not be lawful for said proprietors to erect said bridge, in such a manner as to obstruct or prevent the passage of boats and rafts up and down said river.

Approved Dec. 23, 1816.

CHAP. XCV.

AN ACT prescribing the mode of keeping records in the offices of the state and county treasurers.

BE it enacted by the senate and house of representatives in general court convened, That it shall be the duty of the treasurer of this state, and the treasurers of the several counties within this state, to provide, at the expense of the state, and of the several counties respectively, a suitable book for records, in which they shall each keep a fair and correct account of all sums of money received into, and paid from, the several treasuries aforesaid.

And be it further enacted, That it shall be the duty of the treasurer of this state to keep a separate account with every officer of the government who receives a salary from the state, in which account shall be regularly entered all sums of money paid to each on account of their salaries, specifying the amount paid on account of each year's salary; and all sums of money which may be paid from the treasury on account of appropriations made by any general law of this state, shall be entered on separate accounts which shall be opened for the purpose, so that the amount appropriated and paid under each particular act, may distinctly appear.

And be it further enacted, That this act shall not take effect until after the first Wednesday of June next.

Approved Dec. 24, 1816.

CHAP. XCIX.

An act to revive and extend an act, entitled "an act to incorporate Ebenezer Eastman, Andrew Lovejoy and
AN ACT in addition to an act, entitled "an act regulating fees," passed Dec. 16th, 1796.

Sect. 1. BE it enacted by the senate and house of representatives in general court convened, That the sheriffs of the several counties in this state, while attending the superior court of judicature, or any of the courts of common pleas, shall hereafter have and receive for such attendance, each three dollars a day; their deputies, who attend by order of the justices of said court, shall receive for their attendance, each two dollars a day; and the criers of the several courts, as a full compensation for services, shall each receive for his attendance, two dollars and fifty cents a day; and their accounts for such services, allowed by the justices of the courts, shall be paid out of the treasuries of their respective counties.

Sect. 2. And be it further enacted, That the fees heretofore allowed by law to the sheriffs and criers for attending the courts, shall hereafter be paid by the clerks of the courts into the treasuries of the counties respectively for the use thereof.

Sect. 3. And be it further enacted, That the clerks of the courts of common pleas shall immediately after each term of said court in their respective counties account with and pay over to the respective county treasurers all monies by them received for the use of the counties; and it shall be the duty of the justice presiding at each term of said court at the close thereof to certify the account of the clerk attending—a certified copy of which shall be left with the county treasurer.

Sect. 4. And be it further enacted, That all that part of the section of the act to which this is in addition, which is in the following words, to wit: "for every trial eleven cents to be paid with the jurors' fees; for every default six cents; for attending the grand jury thirty-four cents per day; for attending the petit jury twelve and a half cents each case to be paid with the jurors' fees;" and also that section which is in the fol-
AN ACT in addition to an act entitled "an act to ascertain the ways and means by which persons may gain a settlement in any town or district within this state, so as to entitle them to support therein, if they shall be poor and unable to support themselves," passed Jan. 1, 1796.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That any person who shall be admitted an inhabitant by any town or district at a legal meeting, in the warrant for which, an article shall be inserted for that purpose, or shall be chosen and actually serve one year in the office of clerk, treasurer, selectman or overseer of the poor, being duly elected thereto, in any town or district in this state, shall thereby gain a settlement in said town or district.

Sec. 2. And be it further enacted, That the paragraph in said act to which this is in addition, marked 5. which is in the following words, to wit: "any person who shall be admitted an inhabitant by any town or district, at a legal meeting, in the warrant for which an article shall be inserted for that purpose, or shall be chosen and actually serve one year in the office of clerk, treasurer, selectman, overseer of the poor, assessor, constable, or other town officer liable to be fined for not accepting his office, being duly elected thereto in any town or district within this state, shall thereby gain a settlement in said town or district," be, and the same is hereby repealed.

Approved December 25, 1816.
Senatorial Districts.

A.D. 1816.

Estates of ordained ministers to be taxed.

Provided, personal estates of all ordained ministers of the gospel of every denomination, within this state, shall hereafter be assessed and taxed in the same way and manner as other estates are now, or hereafter may by law be taxed; any law, usage or custom to the contrary notwithstanding. Provided nevertheless, that nothing in this act shall be so construed as to affect any contract in writing, heretofore made between any town in this state, and the minister thereof.

Approved December 25, 1816.

CHAP. CIII.

Resolved, That the towns of Windsor and Society-Land, in the county of Hillsborough, be hereafter classed for the purpose of sending a representative to the general court of this state, until such time as the legislature shall otherwise order.

Approved December 25, 1816.

CHAP. CIV.

AN ACT to divide the state into districts for the choice of senators.

Be it enacted by the senate and house of representatives, in general court convened, That the state be divided into the following districts, numbered from one to twelve, each of which shall have the right of choosing one senator for said state, annually, pursuant to the constitution:


District No. 3. To contain Bedford, Bow, Chester, Dunbarton, Goffstown, Londonderry, Litchfield, Manchester, Merrimac, Nottingham-West, Pelham, Salem, Weare, and Windham.
Senatorial Districts.

District No. 4. To contain Allenstown, Andover, Boxford, Concord, Canterbury, Chichester, Epsom, Londonderry, Northfield, Northwood, Pembroke, Pittsfield, and Salisbury.

District No. 5. To contain Alton, Barrington, Barnstead, Brookfield, Dover, Farmington, Lee, Madbury, Middleton, Milton, New-Durham, Rochester, Somersworth, Wakefield, and Wolfsborough.

District No. 6. To contain Sandwich, Centre-Harbort, Eaton, Enfield, Gilmanton, Gilford, Tamworth, Meredith, Moultonborough, New-Hampton, Ossipee, Ossipee-Gore, Sandbornton, and Tuftonborough.


District No. 9. To contain Chesterfield, Dublin, Fitzwilliam, Gilsum, Hillsdale, Jaffrey, Keene, Marlborough, Richmond, Roxbury, Sullivan, Surry, Swanzey, Troy, Westmoreland, and Winchester.

District No. 10. To contain Aeworth, Alstead, Charlestown, Cornish, Claremont, Croydon, Langdon, Lempster, Marlow, Newport, Unity, Walpole and Wendell.


District No. 12. To contain the county of Coos, and all the towns in the counties of Grafton and Strafford, that are not included in some of the before mentioned districts.

Approved Dec. 26, 1816.

CHAP. CV.

AN ACT in addition to an act, entitled "an act in addition to and in amendment of an act entitled an act
Dartmouth University.

A.D. 1816.

Be it enacted by the senate and house of representatives in general court convened, That if any person or persons shall assume the office of president, trustees, professor, secretary, treasurer, librarian, or other officer of Dartmouth University, or by any name or under any pretext shall directly or indirectly take upon himself or themselves the discharge of any of the duties of either of those offices, except it be pursuant to and in conformity with the provisions of an act, entitled "an act to amend the charter and enlarge and improve the corporation of Dartmouth College," or of the "act in addition to and in amendment of an act entitled an act to amend the charter and enlarge and improve the corporation of Dartmouth College," or shall in any way directly or indirectly wilfully impede or hinder any such officer or officers already existing, or hereafter to be appointed, agreeably to the provisions of the acts aforesaid, in the free and entire discharge of the duties of their respective offices, conformably to the provisions of said acts, the person or persons so offending shall for each offence forfeit and pay the sum of five hundred dollars, to be recovered by any person who shall sue therefor, one half thereof to the use of the prosecutor, and the other half to the use of said University.

And be it further enacted, That the person or persons who sustained the offices of secretary and treasurer of Dartmouth College, next before the passage of the act entitled "an act to amend the charter and enlarge and improve the corporation of Dartmouth College," shall continue to hold and discharge the duties of those offices, as secretary and treasurer of the trustees of Dartmouth University, until another person or persons be appointed in his or their stead by the trustees of said University. And that the treasurer of said University, so existing, shall in his office have the care, management, direction, and superintendence of the property of said corporation, whether real or personal, until a quorum of said trustees shall have convened in a regular meeting.

Approved December 26, 1816.

CHAP. CVI.

AN ACT in addition to an act entitled "an act for making and establishing a new proportion for the as-
By it enacted by the senate and house of representatives in general court convened, That so much of the act aforesaid as fixes the proportion of the town of Nottingham-West, for the assessment of public taxes among the several towns and places in this state, at the sum of five dollars twenty two cents, be, and the same is hereby repealed; and that the proportion of said town of Nottingham-West for assessment of public taxes be fixed and stand at the sum of four dollars twenty two cents, and that the treasurer issue his warrant accordingly; any law to the contrary notwithstanding.

Approved Dec. 26, 1816,

Chap. CVII.

An act, to enable the justices of the superior court of judicature to fix and determine the boundaries of gaol-yards within the several counties, and for repealing a certain act therein mentioned.

Whereas doubts have arisen whether either the justices of the courts of common pleas or superior court of judicature have, by the existing laws, authority to make any alteration in the boundaries of the gaol-yards in the respective counties, by reason of which uncertainty manifest injury may arise:—For remedy whereof,

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That the justices of the superior court of judicature in this state shall, as soon as may be after the publication of this act, fix and determine the boundaries of the gaol-yards appertaining to the several gaols in the several counties, and extend the bounds and limits of the same, as far as the local situation of the gaols, and the convenience and accommodation of the prisoners require; provided said gaol yards shall not extend more than two hundred rods each way from said gaols: and provided further, that no alteration in the boundaries of any gaol-yard shall be made until one session of the said court within the county where application for that purpose may
be made to said court, shall have intervened. And the justices of said court shall, a reasonable time previous to their making an order fixing the limits of any gaol-yard in pursuance of this act, give public notice, in such way and manner as they may deem expedient, of the time and place when and where they will meet for that purpose, so that all persons interested may attend and be heard upon the subject, if they see fit.

SECT. 2. And be it further enacted, That the act entitled "an act to enable the justices of the inferior court of common pleas to fix and determine the boundaries of the gaol yards, in their respective counties, passed February 14, 1791," be, and the same is hereby repealed:—Provided nevertheless, that the limits of the gaol-yards in the several counties in this state shall be and remain as they now are, until the same shall be altered in the manner prescribed by this act.

Approved Dec. 26, 1816.

CHAP. CVIII.

AN ACT to prevent the destruction of fish in Rolfe's pond, so called, in Hopkinton, in the county of Hillsborough.

Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, if any person or persons shall use any spear, seine, or stab for the purpose of catching or destroying any fish in said pond, such person or persons so offending, shall, for every fish so caught, or destroyed, forfeit and pay the sum of two dollars; to be recovered, with cost, by action of debt, by any person who shall sue for the same, before any justice of the peace in the county of Hillsborough, one half of said sum of two dollars, so recovered, as aforesaid, to be appropriated by the person who shall sue for the same, and the other half to remain for the use of said county of Hillsborough.

Approved Dec. 26, 1816.

CHAP. CIX.

AN ACT to repeal "an act to incorporate certain persons by the name of the proprietors of the Bartlett bridge."
W H E R E A S the legislature of the state of New-
Hampshire, at their last June session, passed an act au-
thorizing John Pendexter, jun. Silas Meserve, and Eli-
jah Seva, to build and keep in repair a bridge over Saco
river, in the town of Bartlett; And whereas it appears
to have been the wish of the above named grantees, that
the rights to them conveyed by said act, should have
been vested in the town of Bartlett; and an act having
passed, the present session, for that purpose;—Therefore,

BE it enacted by the senate and house of represent-
atives in general court convened, That an act entitled
"an act to incorporate certain persons by the name of
the proprietors of the Bartlett bridge," passed June 28,
A. D. 1816, be, and the same is hereby repealed.

Approved Dec. 26, 1816.

CHAP. CX.

R E S O L V E D, That the clerk of the house of rep-
resentatives be directed to procure five hundred printed
copies of the journals of the house, and the clerk of the
senate be directed to procure five hundred printed cop-
ies of the journals of the senate, and that they be re-
quested to distribute them to the several towns, and
the respective members of the house of representatives,
of the senate, and honorable council, as soon as
may be, and that the printer or printers be directed to
lay their accounts before the legislature for allowance.

Approved Dec. 26, 1816.

CHAP. CXL.

R E S O L V E D, That the secretary of state be, and
he is hereby directed, after the end of this session, as
soon as may be, to cause all public acts passed at this
session, to be published, with a list of private acts, on
good paper, with a type corresponding with the last
edition of the laws of this state, and that he be re-
quested to distribute them to the several towns, and the
respective members of the house of representatives,
of the senate and the honorable council, as soon as may
be.

Approved Dec. 26, 1816.


State House.

A.D.1816.

CHAP. CXII.

Resolved, That his excellency the governor be, and he hereby is authorized to draw on the treasurer, for the sum of one thousand dollars, for the purpose of furnishing materials and other necessary expenses for the state prison the ensuing year, subject to the orders of the warden of said prison, under such regulations as are prescribed in the act providing for the regulation and government of said prison.

Approved Dec. 26, 1816.

CHAP. CXIII.

Resolved, by the senate and house of representatives in general court convened, That the sum of four thousand dollars be and the same is hereby appropriated towards the erection of the state house, in the town of Concord; and that his excellency the governor, by warrant on the treasurer, be authorized to draw said sum from the treasury, in such sums and at such times, as the committee to superintend the building of said state-house, shall consider necessary; and the sums aforesaid, drawn from the treasury aforesaid, shall be delivered to said committee for the purpose aforesaid.

Approved December 26, 1816.

CHAP. CXIV.

Resolved, That the treasurer of this state be, and he hereby is authorized and directed to sell the new funded stock belonging to this state, in the funds of the United States, bearing an interest of six per cent. amounting to forty-three thousand six hundred and seventy-seven dollars and sixty-one cents, provided the same can be sold at par, and apply the proceeds of said sale to the payment of the debts due from this state to sundry banks, for which the state is now paying common bank interest, and the remainder, if any there be, place in the treasury for the future disposal of the legislature.

Approved Dec. 27, 1816.
CHAP. CXV.

Resolved, That Col. James Poole, of Hanover, be and he hereby is appointed agent in behalf of this state, to take charge of the medical building, in said Hanover; to rent the rooms thereof, and, on the first Wednesday of June annually, to account with and pay to the treasurer of this state all monies, by him so received.

And be it further resolved, That said Poole is hereby requested and authorized to call upon doctor Nathan Smith, of said Hanover, and obtain from him a statement of all he may have heretofore received for rent of the rooms aforesaid; and also to call upon and receive from Henry Hutchinson, esquire, of said Hanover, all the rent that has before the date hereof been secured or paid to him for the use of said building.

And be it further resolved, That said Poole, shall then forthwith pay over to said Smith all the monies he shall receive as aforesaid, of said Hutchinson; and soon as may be thereafter, report to his excellency the governor of this state, all his doings under the second section of this resolve.

And be it further resolved, That his excellency the governor, after deducting from eleven hundred and nine dollars and fifty-two cents all the sums said Smith may appear, either himself or from said Poole, to have received as above—he thereupon authorized to draw an order in favor of said Smith, on the treasurer of this state for the balance of said eleven hundred and nine dollars fifty-two cents, with interest on the whole sum from January the 1st, A.D.1812—which order the said treasurer is hereby empowered and directed to pay.

Approved Dec. 27, 1816.

CHAP. CXVI.

An act to incorporate certain persons by the name of the North Church in Portsmouth.

Approved Dec. 27, 1816.
AN ACT for raising thirty thousand dollars for the use of this state.

Be it enacted by the senate and house of representatives in general court convened, That there shall be raised for the use of this state the sum of thirty thousand dollars, which sum shall be assessed, collected and paid into the treasury on or before the first day of December, in the year of our Lord one thousand eight hundred and seventeen; and the treasurer be, and he hereby is directed, seasonably to issue his warrants to the selectmen or assessors of the several towns, parishes and districts within this state, agreeably to the last proportion act; and the selectmen and assessors of the several towns, parishes and districts aforesaid, are hereby respectively required to assess and levy the sums in the treasurer’s warrants specified, and cause the same to be paid into the treasury of this state, on or before the first day of December, one thousand eight hundred and seventeen; and the treasurer shall issue extents for all taxes which may then remain unpaid.

Approved December 27, 1816.
LAWS

OF THE

STATE OF NEW-HAMPSHIRE.

JUNE SESSION, 1817.

CHAP. I.

An act granting permission to John Bowles of Portsmouth in the county of Rockingham, esquire, to erect a grist-mill within the limits of said town, of wood, which may be more than twelve feet in height. Approved June 12, 1817.

CHAP. II.

An act to authorise Alonzo Snow to assume the name of Alonzo Snow Grenville. Approved June 17, 1817.

CHAP. III.

An act authorising Benjamin Quimby to assume the name of Johnson Davis Quimby. Approved June 17, 1817.

CHAP. IV.

An act to authorise Zelophehad Cooledge of Troy to assume the name of Oscar Cooledge. Approved June 17, 1817.
Public Lands.

CHAP. V.

An act authorising John Sargent the third to assume the name of John Lepri-lice Sargent. Approved June 17, 1817.

CHAP. VI.

WHEREAS certain persons have petitioned the legislature for grants of unlocated lands belonging to the state, in and adjoining the south-eastern section of the county of Coos, and there being no satisfactory evidence before the legislature as to the situation or value of said lands;—Therefore,

RESOLVED by the senate and house of representatives of the state of New-Hampshire, in general court convened, That Richard Odell, esquire, of Conway, be, and he hereby is appointed an agent on the part of the state to receive proposals for the purchase of lands belonging to the same, in and adjoining the section aforesaid; to examine and survey said lands, if necessary, at the expense of the applicants, and to report to the legislature at their session next following such application, the situation and extent of any tract or parcel of land prayed for, with the value, in his opinion, and such other information as may be necessary to form a correct opinion as to the propriety of disposing of the same.

Approved June 17, 1817.

CHAP. VII.

An act to authorise the judge of probate to issue anew or extend the commission of insolvency upon the estate of Thomas Mitchell. Approved June 18, 1817.

CHAP. VIII.

An act to incorporate the proprietors of the Dover Iron and Nail Manufacturing Company. Approved June 18, 1817.
JSTeiv-Hampshire and Vermont Bridge.

CHAP. IX.

An act vesting in Benjamin Stevens the privilege of keeping a ferry over a certain part of Connecticut river. Approved June 19, 1817.

CHAP. X.

AN ACT to incorporate the proprietors of the New-Hampshire and Vermont Bridge Company.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That Ebenezer Stearns, Robert L. Hurd, Preston Farewell, Luther Gibson, Samuel Gibson, Jerre Lyons, Calvin Gibson, Marcus Holbrook, and Henry White, and such persons as may associate with them hereafter, be and hereby are incorporated and made a body corporate and politic by the name of the Proprietors of the New-Hampshire and Vermont Bridge Company, and by that name may sue, prosecute and defend, and be sued, prosecuted and defended to final judgment, execution and satisfaction, and hereby invested with all the powers and privileges incidental to corporations of a similar nature, subject however to reservations and limitations hereinafter expressed.

Sect. 2. And be it further enacted, That there be and hereby is granted to the said proprietors and their associates the sole and exclusive right and privilege of building, erecting and keeping a toll-bridge over and across the Connecticut river between Chesterfield in this state and Dummerston in the state of Vermont, to connect with the road from Keene through Chesterfield to Vermont.

Sect. 3. And be it further enacted, That the said Ebenezer Stearns, Robert L. Hurd, Preston Farewell, Calvin Gibson, Luther Gibson, or either of them, be and hereby are empowered to call a meeting of said proprietors to be holden at some public place in said Chesterfield, to be notified by posting advertisements at some public place in said Chesterfield and Dummerston, at least thirty days prior to such meeting. At which said meeting the said proprietors by the major vote of those present or represented, may choose a clerk & such other officers as they may think necessary, who shall be sworn to the faithful discharge of the duties of their
respective offices; may agree on a method of calling
future meetings, may divide said corporation into such
number of shares as they may think proper, and may
make and establish such by-laws as they may think ne-
cessary for the better regulation of the affairs of said
corporation, and for carrying into effect the purposes of
the same, provided such by-laws shall not be repugnant
to the laws of this state. And all representations shall
be proved by writing signed by the person represented,
and filed with the clerk. And this act, the by-laws of
said corporation, and all the proceedings thereof, shall
be recorded by the clerk in a proper book or books kept
for that purpose.

Sect. 4. And be it further enacted, That said pro-
prietors are hereby empowered to purchase any lands
adjoining said bridge not exceeding four acres, and hold
the same so long as they keep the conditions of this
charter, hereinafter expressed, and the shares of said
corporation may be transferred by will, or by deed, ac-
knowledged, and recorded by the clerk of said corpora-
tion and shall be considered as personal property.

Sect. 5. And be it further enacted, That said pro-
prietors at any meeting regularly called, may vote as-
sessments upon said shares, and for the non-payment
thereof may sell such shares at auction in such manner
as by their by-laws may be established, or said proprie-
tors may recover such assessments against delinquent
proprietors, after due notice, by any court of competent
jurisdiction.

Sect. 6. And be it further enacted, That a toll be
and hereby is granted and established to said proprie-
tors as the legal rates of toll, (to wit)—for each foot
passenger, two cents; for each horse and rider, six
cents; and each additional rider, one cent; for each
cha\ise, chair, sulkey or other pleasure carriage drawn
by one horse only, sixteen cents; for each chariot,
pha\eton, coach or other four-wheeled carriage for pas-
sengers, drawn by two horses only, twenty-five cents;
if drawn by four horses, thirty cents; for each cart or
wagon drawn by one beast, ten cents; if by two beasts,
sixteen cents; by three beasts, twenty cents; if by
four, twenty-five cents; for each pleasure sleigh drawn
by one horse, eight cents; if drawn by two horses,
twelve cents; for each sleigh or sled drawn by four
horses or oxen, twenty cents; and for each additional
beast, three cents; for each horse without a team or
rider, three cents; for mules and cattle, two cents each;
to each team one person only shall be allowed to pass free of toll; and for each sheep and swine, one half cent each. And the said proprietors are hereby empowered to erect a gate across said bridge, and appoint necessary toll-gatherers, who are hereby empowered to stop all persons from passing the same, until he, she or they may have paid or tendered their toll at the rates aforesaid. Provided, that when there shall be no toll-gatherer, or he shall not attend to his duty, the gate shall be left open.

Sect. 7. And be it further enacted, That whenever said gate may be erected, and while the same shall be kept up, the said corporation may be indicted and fined for defect or want of repairs in said bridge, in the same manner that town corporations are by law indictable and liable for defects and want of repairs in their bridges. And any person or persons who may sustain any injury or damage by reason of any defect or want of repairs in said bridge, shall recover his damages against said corporation by action of trespass on the case, in any court of competent jurisdiction.

Sect. 8. And be it further enacted, That in case said bridge should not be built within four years, or should be discontinued or out of repair for the space of three years, then this act, and every part thereof, to be null and void.

Approved June 19, 1817.

CHAP. XI.

AN ACT to incorporate certain persons for the purpose of building a bridge over Merrimack river, in the county of Hillsborough, and for supporting the same.

Be it enacted by the senate and house of representatives in general court convened, That John Dwinell, Samuel P. Kidder, Robert Hall, John Stark, jun. Moses Haseltine, John Ray, Elisha Quimby, James Griffin, with those who are or who shall become proprietors in said bridge, so long as they continue proprietors thereof, shall be a corporation and body politic under the name and style of the Proprietors of the Amoskeig Bridge, and by that name may sue and be sued to final judgment and execution, and do and suffer all matters, acts and things which bodies politic may or ought to
A.D.1817.

Amoskeig Bridge.

do or suffer; and the said corporation may have and use a common seal, and the same may break, alter and renew at pleasure.

And be it further enacted, That the said Samuel P. Kidder and Robert Hall, or either of them, shall call a meeting of said proprietors by advertisement in the New-Hampshire Patriot, printed at Concord, to be held at any suitable time and place after thirty days from the first publication of said advertisement. And the proprietors, by a vote of the majority of those present or represented at said meeting, (accounting and allowing one vote to each share in all cases) shall choose a clerk who shall be sworn to the faithful discharge of his said office, and shall also agree on a method of calling future meetings, and at the same or any subsequent meeting may elect such officers and make and establish such rules and by-laws as to them shall seem necessary and convenient for the government of the said corporation, for carrying into effect the purpose aforesaid, and for the collecting the toll hereinafter granted and established, and the same rules and by-laws may cause to be executed and may annex penalties to the breach thereof, not exceeding six dollars for any one breach, provided said rules and by-laws are not repugnant to the constitution and laws of this state. And all representations at any meeting of said corporation shall be proved by writing signed by the person to be represented, which shall be filed with the clerk. And this act and all rules, by-laws, regulations and proceedings of the said corporation, shall be fairly and truly recorded by the clerk in a book or books to be provided and kept for that purpose.

And be it further enacted, That the proprietors aforesaid be and they are hereby permitted and allowed to erect a bridge over Merrimack river below Amoskeig falls, between the towns of Goffstown and Manchester, in the county of Hillsborough, at or near the place where the old bridge now stands. And the said proprietors are hereby authorised and empowered to purchase and hold in fee simple any lands necessary and convenient for their purpose, adjoining said bridge. And the property of said corporation shall be divided into one hundred shares, and the same may be transferred by the owner or owners thereof, by deed duly executed, acknowledged and recorded by the clerk of said proprietors in their records.
And be it further enacted, That for the purpose of reimbursing the proprietors the money by them to be expended in building and repairing said bridge, a toll be and hereby is granted and established for the benefit of said corporation, according to the rates following, namely—for each foot passenger, one cent; for each horse and rider, four cents; for each horse and chaise, chair or sulkey, ten cents; for each riding sleigh drawn by one horse, six cents; for each riding sleigh drawn by more than one horse, ten cents; for each coach, chariot, pheton or other four-wheeled carriage for passengers, twenty-five cents; for each curricle, twenty cents; for each cart or other carriage of burthen drawn by one beast, ten cents; for each waggan, cart or other carriage drawn by two beasts, twelve and an half cents; by more than two, four cents for each additional yoke of oxen or pair of horses; for each horse or neat creature exclusive of those rode or in carriages two cents; for sheep and swine one half cent each; and to each team one person and no more shall be allowed as a driver to pass free of toll; and at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open. Provided nevertheless, that the justices of the superior court of judicature may from time to time make such alterations in the rates of toll to be received as aforesaid, as to them shall appear to be just, except that the nett proceeds of the toll so to be received shall not be more than twelve per centum per annum on the costs of building said bridge, after deducting the annual expenditures for repairs of the same; And provided also, that said bridge be built and completed within four years from the passing of this act.

And be it further enacted, That said proprietors shall have power to erect and fix upon and across said bridge a gate or gates and appoint such and so many toll gatherers as shall be necessary to collect and receive of and from all persons using said bridge the rates of toll aforesaid, and to stop and detain all persons from passing the same until their respective tolls shall be paid. Provided however, that persons going to and from public worship, and officers and soldiers actually ordered on military duty, shall pass free of toll.

Approved June 19, 1817.
AN ACT to annex a part of the town of Wendell to the town of New-London.

Be it enacted by the senate and house of representatives in general court convened, That all that part of the town of Wendell, in the county of Cheshire, situate and lying southeastwardly of the line herein described, to wit, beginning at Great Susapec pond at the south-westwardly corner of lot numbered twelve in the eighth range of eighty-five-acre lots in said town of Wendell, and now occupied by John Pike and John Currier; thence running north sixteen degrees east on the eastwardly line of land now owned and occupied by Daniel George, one hundred and eight rods to Otter pond, and thence on the same point across said pond to Springfield south line, be, and the same hereby is disannexed, with the inhabitants thereof, from said town of Wendell, and annexed to the town of New-London in the county of Hillsborough; and that said territory shall hereafter constitute and be a part of said town of New-London and county of Hillsborough; and the inhabitants thereof shall do the same duties and enjoy the same privileges as the other inhabitants of said New-London: subject however to the payment of all taxes legally assessed upon them or their property by said town of Wendell prior to the passing of this act. Provided, that this act shall not take effect until the first day of September next.

Approved June 19, 1817.

CHAP. XIII.

AN ACT declaring the tenure of the office of coroner.

Be it enacted by the senate and house of representatives in general court convened, That all coroners who now are, or may hereafter be, appointed within this state, shall hold their office, subject to be removed by impeachment by the senate, or by the governor, with consent of the council, on the address of both houses of the legislature.

Approved June 19, 1817.
CHAP. XIV.

An act to authorise Elijah Belding Gunn, of Swanzey, to assume the name of Elijah Carr Belding. Approved June 19, 1817.

CHAP. XV.

An act to alter the name of Hosea Snow. Approved June 19, 1817.

CHAP. XVI.

An act to incorporate the First Congregational Society in Meredith. Approved June 19, 1817.

CHAP. XVII.

An act to incorporate a religious society by the name of the First Parish in Washington. Approved June 19, 1817.

CHAP. XVIII.

An act granting to Dolly Merrill, as administratrix of the estate of Benjamin Merrill, late of Portsmouth, deceased, and the other legal representatives of said deceased, or such other persons or parties as may be interested, a new trial on a certain appeal from a decree of the judge of probate for the county of Rockingham. Approved June 19, 1817.

CHAP. XIX.

An act to incorporate sundry persons into a society by the name of the Universal Society in Rindge, and its vicinity. Approved June 20, 1817.
AN ACT, in addition to an act, entitled, "an act for the conveyance of real estate in certain cases," passed Dec. 17, 1797.

Be it enacted by the senate and house of representatives in general court convened, That the judge ofprobate in any county in this state, be hereby authorised to grant licence to, and empower, the executor or executors of the last will and testament, or the administrator or administrators of the goods and estate, of any deceased person, to make and execute a conveyance or conveyances of any real estate to any person or persons with whom the testator or intestate may have contracted, by bond, covenant, or other written contract to convey such real estate, but was prevented by death,—in the manner, and under the regulations mentioned in the act to which this is in addition, although such testator or intestate may not have dwelt or been a resident in this state; Provided, such real estate be situate in the county where such application to the judge of probate shall be made, and such will shall have been duly filed in the probate office, or administration shall have been duly granted, in the same county.

Approved June 20, 1817.
Judge Advocates.

CHAP. XXIV.

AN ACT, authorising his excellency the governor with
advice of council, to appoint and commission judge
advocates.

Be it enacted by the senate and house of representatives
in general court convened, That from and after the
passing of this act, his excellency the governor with ad-
vise of council, is hereby authorised and empowered to
appoint and commission one suitable person in each
brigade of militia in this state as judge advocate, whose
duty it shall be to attend all courts martial within the
brigade to which he belongs, when called upon by the
officer appointing such court.

And be it further enacted, That the judge advocates
so appointed shall rank as majors, and be allowed the
same pay and travel for attending courts martial as is
allowed by law to other members attending the same.

Approved June 20, 1817.

CHAP. XXV.

AN ACT, annexing Heath's gore to the town of Spring-
field.

Be it enacted by the senate and house of representa-
tives in general court convened, That the tract of land
now called and known by the name of Heath's gore, ad-
joining the towns of Springfield and Enfield, be and the
same hereby is annexed to the town of Springfield, in
the county of Cheshire; and that said territory shall
hereafter constitute and be a part of said town of Spring-
field, in the county of Cheshire. And the inhabitants
thereof shall do the same duties and enjoy the same
privileges as the other inhabitants of said town of Spring-
field.

Approved June 20, 1817.

CHAP. XXVI.

Resolved, that the towns of Bartlett and Adams,
in the county of Coos, be hereafter classed for the pur-
Stewartstown Bridge.

A.D. 1817. Pose of sending a representative to the general court of this state, until such time as the legislature shall otherwise order.

Approved June 20, 1817.

CHAP. XXVII.

Resolved, that the town of Chatham, in the county of Coos, be hereafter classed with the town of Burton, in the county of Strafford, for the purpose of sending a representative to the general court of this state, until such time as the legislature shall otherwise order, any act or resolve to the contrary notwithstanding.

Approved June 20, 1817.

CHAP. XXVIII.

AN ACT to incorporate certain persons by the name of the Proprietors of Stewartstown Bridge.

Be it enacted by the senate and house of representatives in general court convened, That Jeremiah Eames, Benjamin F. Ingham, John M. Tillotson and Adino N. Brackett, and their associates and successors, be and they hereby are incorporated and made a body corporate and politic by the name of the Proprietors of Stewartstown Bridge. And by that name may sue and be sued, plead and be impaled, prosecute and defend to final judgment and execution; and they are hereby invested with all the powers and privileges which by law are incident to corporations of a similar nature.

§ And be it further enacted, That said Jeremiah Eames and Adino N. Brackett, esquires, or either of them, may call a meeting of said proprietors to be held at any suitable time and place within the town of Stewartstown, in the county of Coos, by posting up advertisements for that purpose in the towns of Stewartstown, aforesaid and Canaan in the state of Vermont, three weeks prior to said meeting. And the proprietors, by a vote of a majority of those present or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office, and shall also agree on a method of calling
Stewartstown Bridge.

future meetings, and may elect such officers and make and establish such rules and by-laws as to them shall seem necessary and convenient for the regulation and government of said corporation, for carrying into effect the purposes aforesaid, and for collecting the tolls hereinafter established, and the same by-laws may cause to be executed, and annex penalties to the breach thereof; Provided, said rules and by-laws are not repugnant to the constitution and laws of this state. And all representations shall be made in writing signed by the person represented, which shall be filed with the clerk; and this act and all rules, by-laws and proceedings of said corporation shall be truly recorded by the clerk, in a book or books to be kept for that purpose.

§ And be it further enacted, That said proprietors be and they are hereby vested with an exclusive right to erect, finish and keep in repair a bridge over Connecticut river, at any place they may elect within one mile above or below Eames' Mills in Stewartstown, in said county of Coos, and are authorised to purchase any lands adjoining said bridge not exceeding ten acres for the purposes of said incorporation, and the share or shares of any of said proprietors may be sold by said corporation for non-payment of assessments duly made agreeably to the by-laws that may be agreed on by said proprietors, and the overplus, if any, shall be truly paid over to the delinquents whose share or shares were so sold.

§ And be it further enacted, That for the purpose of re-imburseing said proprietors the money by them expended in building and supporting said bridge, a toll be and hereby is established according to the rates following, to wit, for each foot passenger, two cents; for each horse and rider or led horse, six cents; for each chaise or other carriage of pleasure with two wheels and one horse, twelve cents; for each carriage of pleasure or with passengers with four wheels and two horses, twenty cents; for the like carriage with four horses, twenty-five cents; for each sleigh with one horse,eight cents; for each sleigh with two horses, twelve cents; and two cents for each additional horse; for each cart, waggon, sled or other carriage of burden drawn by one horse, six cents; for the like carriage drawn by two beasts, ten cents; if by more than two beasts, four cents; for each additional pair of horses or yoke of oxen; for sheep and swine, one cent each; for cattle and horses, two cents each; and to each team one person only shall be allowed free of toll; and at all times when the toll gatherer shall not

A.D.1817.

Powers of corporation.

May purchase & hold lands adjoining bridge.

Rates of toll.
Stewartstown Bridge.

A.D. 1817.

attend his duty the gate shall be left open. And said proprietors are hereby empowered to erect and fix upon and across said bridge a gate, and appoint toll gath-

evers one or more, as shall be necessary, to collect and receive of and from all persons using said bridge the rates of toll aforesaid, and to stop and detain every per-

son from passing the same until he, she or they shall have paid toll as aforesaid. Provided however, that all persons going to and from religious worship on Sundays, and officers and soldiers who are actually ordered on military duty shall pass free of toll.

§ And be it further enacted, That said proprietors may be indicted for defect of repairs of said bridge after said toll-gate is erected and while the same is kept up, and be fined in the same way and manner as towns are by law liable for suffering bridges to be out of repair; and in case any special damage shall happen to any person or persons, or to his or their teams, cattle or carriages by means of the insufficiency or want of re-

pairs of said bridge at any time when the gate is kept up, the party injured or aggrieved shall recover his or their damages in an action or plea of trespass on the case, against said proprietors, in any court of com-

petent jurisdiction.

§ And be it further enacted, That the annual meet-

ing of said corporation shall be held at Stewarts-
town on the first Tuesday in May annually forever, at which time they may choose all such officers as may be found necessary, who shall continue in office until oth-

ers are chosen and qualified in their room; and said proprietors may assemble as often as may be found necessary for filling up any vacancies which may hap-

pen in said offices, and for transacting all other busi-

ness, except the raising of money, which shall be done at the annual meetings only, at which all nec-

essary sums shall be voted, and at which they may make and establish rules, regulations and by-laws not repugnant to the constitution and laws of this state.

§ And be it further enacted, That if the said bridge shall not be completed in five years from the passing of this act, or if it shall be destroyed and not rebuilt and kept in repair for the space of five years according to the provisions herein contained, then this act, and every part and clause thereof, shall be null and void.

§ And be it further enacted, That the justices of the superior court of judicature may from time to time make such alterations in the rates of toll herein estab-
Private Acts.

A.D. 1817.

Approved June 20, 1817.

CHAP. XXIX.

An act to incorporate certain persons by the name of the Francestown Musical Society. Approved June 20, 1817.

CHAP. XXX.

An ACT in addition to an act entitled "an act granting a tax of three cents an acre on the lands in Lincoln," passed Dec. 20, 1816.

WHEREAS certain provisions in said act to which this is in addition have not been strictly observed and carried into effect—Therefore,

BE it enacted by the Senate and House of Representatives in General Court convened, That the collector in and by said act appointed shall take the oath of office, give bonds for the faithful discharge of his duty, and give notice in the New-Hampshire Patriot within thirty days from the passage of this act of his having lodged with the deputy secretary a copy of the list of taxes committed to him for collection in conformity to said act, which said list of taxes shall remain with the deputy secretary till the first day of September next, that any owner or proprietor may pay his proportion of said tax as by said act provided; and that after said first day of September, said collector may proceed to collect said tax of all delinquent proprietors and owners in the same way and manner, and giving the same notice as is provided by law for the collection of state and county taxes of non-residents, excepting as otherwise provided in and by said act to which this is in addition.

Approved June 20, 1817.
Private Acts.

CHAP. XXXI.
An act to give the inhabitants of School Dist. No. 1 in Washington, the power of a corporation for certain purposes. Approved June 20, 1817.

CHAP. XXXII.
An act to give Dist. No. 4 in Washington, the power of a corporation for certain purposes. Approved June 20, 1817.

CHAP. XXXIII.
An act to amend an act entitled an act to incorporate a number of the inhabitants of the town of Milford and other towns adjacent in the county of Hillsborough into a religious society by the name of the First Baptist Society in Milford. Approved June 21, 1817.

CHAP. XXXIV.
An act to incorporate certain persons by the name of the Proprietors of the Portsmouth Athenæum. Approved June 21, 1817.

CHAP. XXXV.
An act for reviving an act entitled, "an act to incorporate Elijah Hall and others, his associates, with the exclusive right and privilege of cutting a canal and constructing locks and slips from Winnipisekee lake to Piscataqua river." passed June 18, 1811.—Approved June 21, 1817.

CHAP. XXXVI.
An act to extend the grant made to the proprietors of Wells river bridge across Connecticut river.

Be it enacted by the senate and house of representatives in general court convened, That the proprietors
of Wells river bridge, across Connecticut river, be and
they hereby are allowed three years from and after the
first day of November next, to rebuild and complete said
bridge, any thing in any former law to the contrary
notwithstanding.

Approved June 21, 1817.

CHAP. XXXVII.

AN ACT directing the mode of serving of writs of
seire facias in certain cases.

Be it enacted by the senate and house of representa-
tives in general court convened, That all writs of seire
facias to revive the judgment of any court in this state,
when the person against whom such seire facias shall
issue is not an inhabitant of this state, may be served
by reading the same to the defendant, or giving him a
copy of such seire facias and affidavit made thereof.—
And such seire facias may also be served by giving the
attorney who appeared in the suit for the party against
whom such writ of seire facias issues, a copy of such
seire facias and return made thereof by any proper of-
ficer.

Approved June 21, 1817.

CHAP. XXXVIII.

AN ACT to annex the tract of territory called War-
ers location, in the county of Coos, to Chatham.

Be it enacted by the senate and house of representa-
tives in general court convened, That the tract of ter-
ritory, in the county of Coos, known by the name of War-
ner's location, and the inhabitants residing in said ter-
ritory, be and the same is hereby annexed to and made
a part of the town of Chatham, in said county of Coos;
and the inhabitants of said annexed territory shall hence-
forth be entitled to the same privileges and immunities,
and subject to the same liabilities, which the existing
inhabitants of said Chatham are liable to or enjoy.

Approved June 23, 1817.
A.D. 1817.

Passed June 24, 1817.

AN ACT to repeal an act entitled "an act establishing the times and places of holding the probate court in the county of Grafton."

Be it enacted by the senate and house of representatives in general court convened, That the act, entitled, "an act establishing the times and places of holding the probate court in the county of Grafton," approved June the twenty-third, one thousand eight hundred and thirteen, be and the same is hereby repealed.

Approved June 24, 1817.

CHAP. XL.

An act in addition to and in amendment of an act, entitled "an act to incorporate certain persons by the name of the New-Hampshire Cotton and Woollen Factory at Hillsborough," passed June 20, 1811. Approved June 24, 1817.

CHAP. XLI.

An act incorporating sundry persons by the name of the Methodist Episcopal Church in Concord in the county of Grafton. Approved June 24, 1817.

CHAP. XLII.

Passed June 25, 1817.

AN ACT authorising and empowering the inhabitants of the town of Dalton to assess and collect a tax of four cents per acre on each acre of land in said town, public rights excepted.

Be it enacted by the senate and house of representatives in general court convened, That a tax of four cents per acre on each and every acre of land in the town of Dalton (public rights excepted) be assessed and collected, and that it be laid out and expended in making and repairing the road laid out through said town leading...
from near the mouth of John's river in a direction to intersect the turnpike near Capt. Rosbrook's who lives near the notch of the White Hills.

And be it further enacted, That capt. Joel Crandal, Paul Cushman, esq. and Mr. John Blakesley, all of said Dalton, be a committee with full power to assess and collect and to lay out in manner aforesaid said tax; and they hereby are vested with all the power and authority necessary for the purpose aforesaid which selectmen have to assess and collect state taxes.

And be it further enacted, That the owners of land in said town whether residents or non-residents shall have the privilege of working out their taxes on said road under the direction of said committee, whose duty it shall be to superintend the same or appoint some suitable person for that purpose, for whose faithfulness therein said committee shall be accountable, at the rate of eight cents per hour for an able-bodied man finding his own tools and diet, and for ox work, including chains, at the rate of eight cents per hour for each yoke of oxen; provided they shall be ready to perform said work when called upon by said committee, by the last day of September next.

And be it further enacted, That said committee shall, before receiving or collecting any part of said tax, execute their bond in the sum of two thousand dollars to the clerk of the court of common pleas for the county of Coos for the faithful performance of the duties assigned them by this act. And said committee shall render an account of their doings to the justices of said court to be held in said county, at their next session after said tax shall have been collected and laid out as aforesaid, and at any other time when thereto required by said court.

And be it further enacted, That said committee shall give public notice in the New-Hampshire Patriot and Dartmouth Gazette three weeks successively on or before the last day of August next of said assessment, and leave granted to the owners aforesaid to work out said tax as is hereinbefore mentioned.

And be it further enacted, That in case the said taxes shall not be paid on or before the last day of December next, the said committee may proceed to enforce the collection thereof in the same way and manner as selectmen are by law empowered to collect state and county taxes, excepting only that they shall not be obliged to leave an attested copy of said tax list with the deputy secretary for the payment of assessments.
And be it further enacted, That it shall be the duty of the committee aforesaid to leave at the office of the deputy secretary of this state a true and attested copy of all sales by them made in pursuance of this act, within thirty days of the time of sale. And the proprietors and claimants of any lands sold for the payments of said taxes, shall have a right to redeem the same by payment of the tax and charges incurred thereon by said sale with twelve per cent. interest on the amount from the time of sale, to the deputy secretary or said committee or either of them within one year from the day of the sale. And the deputy secretary is hereby authorised to demand and receive such compensation for his services as by law he is entitled to receive in other cases of a similar nature, and he shall pay over at the end of the year, or sooner if requested, all monies received therefor to any one of said committee, or to their written order, for the benefit of any purchaser or purchasers of any lands so redeemed.

Approved June 25, 1817.

CHAP. XLIII.
An act to incorporate the Trustees of Durham Academy. Approved June 25, 1817.

CHAP. XLIV.
An act to alter the name of Francis Bean. Approved June 25, 1817.

CHAP. XLV.
An act to alter the name of Nathan Aldrich. Approved June 25, 1817.

CHAP. XLVI.
AN ACT for the division of the eleventh regiment and for disannexing the companies in the towns of Allenstown and Chichester from their respective regiments.

SECTION 1. Be it enacted by the senate and house of representatives in general court convened, That the
companies in the town of Concord, shall form a first battalion; and the companies in the towns of Pembroke, Bow and Allenstown, shall form the second battalion, which shall constitute the eleventh regiment. And the companies in the towns of Canterbury and Northfield, shall form a first battalion; and the companies in the towns of Loudon and Chichester, shall form a second battalion, which shall constitute the thirty-eighth regiment, any law to the contrary notwithstanding.

SEC. 2. And be it further enacted, That all officers commissioned to commands in the eleventh and eighteenth regiments, and who by this division fall within the thirty-eighth regiment, shall retain the same rank and have the same commands in the said thirty-eighth regiment which they respectively held in the eleventh and eighteenth regiments before the passing of this act. And all officers commissioned to commands in the seventeenth regiment, and who by this division fall within the eleventh regiment, shall retain the same rank and have the same commands in said eleventh regiment which they respectively held in the seventh regiment before the passing of this act.

Approved June 25, 1817.

CHAP. XLVII.

Resolved, That the sum of thirty thousand dollars be and hereby is appropriated, toward the erection and completion of the state-house in the town of Concord; and that his excellency the governor, by warrant on the treasurer, be authorised to draw said sum from the treasury at such times and in such sums as the committee to superintend the building of said state-house may consider necessary. And the sums aforesaid, drawn from the treasury as aforesaid, shall be delivered to said committee for the purposes aforesaid.

Approved June 25, 1817.

CHAP. XLVIII.

An act to incorporate sundry persons by the name of the First Congregational Society in Gilmanton. Approved June 26, 1817.
AN ACT to raise thirty thousand dollars for the use of this state.

Be it enacted by the senate and house of representatives in general court convened, That there be raised for the use of this state the sum of thirty thousand dollars, which sum shall be assessed, collected and paid into the treasury on or before the first day of December in the year of our Lord one thousand eight hundred and eighteen; and the treasurer is hereby directed seasonably to issue his warrants to the selectmen or assessors of the several towns, parishes and districts within this state agreeably to the last proportion act; and the selectmen and assessors of the several towns, parishes and districts aforesaid, are hereby respectively required to assess and collect the sums in the treasurer's warrants specified, and cause the same to be paid into the treasury of this state, on or before the first day of December one thousand eight hundred and eighteen, and the treasurer shall issue extents for all taxes which may then remain unpaid.

Approved June 26, 1817.

CHAP. L.

AN ACT in addition to an act making compensation to grand and petit jurors, passed December 10, 1800.

Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, each grand and petit juror, who shall attend the superior court of judicature, and each petit juror who shall attend the court of common pleas in the several counties in this state, be allowed one dollar and twenty-five cents per day for each day's attendance at such courts, instead of one dollar per day as is now allowed; any law to the contrary notwithstanding.

Approved June 26, 1817.

CHAP. LI.

An act granting relief to Isaac Hodsdon in certain proceedings had before the supreme judicial court. Approved June 26, 1817.
An act in addition to an act, entitled “an act to incorporate sundry persons by the name of the Sunapee Turnpike Corporation.” Approved June 26, 1817.

AN ACT allowing a certain premium for killing crows.

Be it enacted by the senate and house of representatives in general court convened, That if any person shall kill any crow within this state, and shall bring the same to any one of the selectmen of the town or place where the same was killed; or if there be no selectmen in such town or place, then to one of the selectmen of the town or place next adjoining thereto, and shall prove to the satisfaction of such selectman, that he killed the crow thus brought as aforesaid within such town or place aforesaid, the said selectman shall cut off the head of such crow, and shall otherwise disfigure it so that it shall not be produced for the like purpose again; and the said selectman shall pay to the person who killed such crow, twelve and a half cents therefor, and take such person’s receipt for such payment; and the selectmen of the several towns in this state, upon presenting to the treasurer of this state their respective accounts for monies paid by them or either of them respectively, to any person or persons as a premium for killing crows as aforesaid, shall receive the amount of such accounts out of the state treasury. And the treasurer of this state is hereby authorised and directed to pay the same accordingly.

Approved June 27, 1817.

AN ACT in addition to, and amendment of an act, entitled “an act regulating fees.”

Be it enacted by the senate and house of representatives in general court convened, That for every action, petition or complaint, entered in the court of common pleas, there shall be paid at the time of entry in addi-
A.D.1817.

Section to the ninety cents for the justices of said court, the sum of thirty cents, of which the clerk thereof shall receive fifteen cents in full for entry, verdict, non-suit or default, judgment, recording and every other service relative to such action, petition or complaint, for which no fees are otherwise particularly prescribed by said act, and the remainder of the fees for the entry of actions, petitions or complaints shall be paid by the clerks of said courts of common pleas into the treasuries of said counties respectively for the use thereof.

Be it further enacted, That all that part of the section of the act to which this is in addition, which is in the following words, to wit, “for every action, petition or complaint, entered in the court of common pleas, the clerk thereof shall receive sixty cents in full for entry, verdict, non-suit or default, judgment, recording and every other other service relative to such action, petition or complaint, for which no fees are otherwise particularly prescribed by this act, the said clerk paying thereout the erier's and sheriff's fees for default or non-suit, said sum together with ninety cents for the justices, to be paid at the time of entry”—be and the same is hereby repealed.

Be it further enacted, That an act entitled “an act in addition to, and amendment of an act, entitled an act regulating fees,” passed June 19, 1805, be, and the same is hereby repealed.

Approved June 27, 1817.

CHAP. LV.

An act to incorporate Richard Bradley and others by the name of the Concord and Boston Boating Company. Approved June 27, 1817.

CHAP. LVI.

An act to incorporate John Dearborn and others into a religious society, to be known by the name of the First Baptist Society in Hampton. Approved June 27, 1817.
AN ACT providing for the support of Paupers in certain cases.

BE it enacted by the senate and house of representatives in general court convened, That if any town in this state is now unorganized, or shall hereafter become unorganized, so as to be without town officers, legally appointed and qualified, all paupers for whose maintenance such town was while organized, liable, shall, so long as such town remains unorganized, be supported at the expense of the county in which such town is situated, and such county shall be liable for the support of any such pauper or paupers, in the same manner as counties are now liable by law, for the support of paupers, who have no relations in the line prescribed by the act to which this is an addition of sufficient ability, and who have no legal settlement in any town in this state.

Approved June 27, 1817.

AN ACT granting a tax of four cents on each acre of land in Durand.

SEC. 1. BE it enacted by the senate and house of representatives in general court convened, That a tax of four cents on each and every acre of land in the town of Durand in the county of Coos (public rights excepted) be assessed and collected, and that the same be laid out and expended in making and repairing the road and bridges in said town which lead from Shelburne to Lancaster.

SEC. 2. And be it further enacted, That Reuben Stephenson of Lancaster, Moses Ingalls, esq. of Shelburne and John Bowman of Durand, be a committee to assess and collect said tax, and lay out the same in manner aforesaid; and for these purposes they are hereby vested with all the power and authority which select men have to assess and collect state taxes.
A.D.1817.

**Tax.**

Sec. 3. *And be it further enacted*, That the owners of land in said Durand, whether residents or non-residents, shall have the privilege of working out their taxes on said road, under the direction of said committee, whose duty it shall be to superintend the same, or appoint some person for that purpose, for whose faithfulness therein said committee shall be accountable at the rate of eight eents per hour for every able-bodied man finding his own tools and diet; and for ox work, including chains, at the rate of eight eents an hour for each yoke of oxen; provided said owners be ready to perform said work when called upon for that purpose.

Sec. 4. *And be it further enacted*, That said committee shall have a right, by the fifteenth day of September next, to demand of each owner of land as aforesaid, the amount of one half of the tax against him, to be paid in work as aforesaid, or in money, at the option of the person taxed; and by the fifteenth day of June, eighteen hundred and eighteen, said committee shall have a right to demand payment in the same way and manner, of the remaining half of said tax.

Sec. 5. *And be it further enacted*, That said committee shall, before receiving or collecting any part of said tax, execute their bond in the sum of fifteen hundred dollars to the treasurer of the county of Coos, conditioned for the faithful performance of the duties assigned them by this act. And said committee shall render an account of their doings to the justices of the court of common pleas to be helden within and for the county of Coos, in the second district, at its next session after said tax shall have been collected and expended as aforesaid, and at any other time when thereto required by said court.

Sec. 6. *And be it further enacted*, That said committee shall give notice in the newspaper wherein, by law, the lands of nonresident owners are advertised for the payment of taxes, on or before the first day of August next, of said assessment, and leave given as aforesaid to the owners, to work out said tax as is herein mentioned.

Sec. 7. *And be it further enacted*, That in case the said tax shall not have been paid before the first day of January, eighteen hundred and nineteen, then said committee may proceed to enforce the collection of the same, or such part thereof as shall remain unpaid, in
the same way and manner that selectmen of towns are
e empowered to collect state and county taxes, excepting
only, that they shall not be obliged to leave an attested
copy of said list with the deputy secretary for the pay-
ment of said assessment.

Sec. 8. *And be it further enacted*, That it shall be
the duty of said committee to leave at the office of the
deputy secretary, a true and attested copy of all sales
by them made in pursuance of this act, by the eighth
day of the June session of the general court, next after
said sale; and the proprietors and claimants of any
land sold for the payment of said tax, shall have a right
to redeem the same, by payment of the tax, and the
charges incurred thereon by said sale with twelve per
centum per annum interest on the amount from the day
of sale, to the deputy secretary or to said committee,
within one year from the time said copy shall have been
so deposited in the deputy secretary’s office. And the
deputy secretary is hereby authorised to demand and
receive such compensation for his services, as by law he
is entitled to receive in cases of a similar nature; and
he shall pay over, when requested, all monies by him
received on account of said tax and interest, and for the
redemption of any land sold as aforesaid, to any one of
said committee, or to his order, for the benefit and use
of any purchaser or purchasers of any lands so re-
deemed; and said committee shall pay over to such
purchasers, when required, all monies and interest re-
ceived for their benefit.

Approved June 27, 1817.

CHAP. LIX.

RESOLVED, That his excellency the Governor be,
and he hereby is authorised, to draw on the treasurer for
the sum of eight thousand dollars, for the purpose of fur-
nishing materials and other necessary expenses for the
state prison the ensuing year; subject to the orders of
the warden of said prison, under such regulations as
are prescribed in the act provided for the regulation
and government of said prison.

Approved June 27, 1817.
CHAP. LX.

AN ACT declaring the tenure and providing for the removal from office, of registers of probate.

Be it enacted by the senate and house of representatives in general court convened, That all registers of probate who may hereafter be appointed within this state, shall hold their office until they arrive to the age of seventy years, subject to be removed by the governor, with consent of the council, upon the address of both houses of the legislature.

Approved June 28, 1817.
LAWS

OF THE

State of New-Hampshire.

June Session, 1818.

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CHAP. I.

An act for reviving an act entitled an act to incorporate a company by the name and style of the Proprietors of the Lime Bridge Company, approved June 24, 1809. Approved June 12, 1818.

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CHAP. II.

AN ACT for the preservation of Alewives in Exeter river.

Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, no person or persons shall be allowed to fish for alewives, in Exeter river, within the limits of the town of Exeter, in the county of Rockingham, with any seine or setting line, or with any other implement whatever excepting a dipnet, without first obtaining a license or permit in writing from the selectmen of the said town of Exeter. And every person offending against the provision of this act, shall for every such offence, forfeit and pay the sum of ten dollars, to be recovered by action or information before any justice of the peace within the said county of Rockingham, to the use of the said town of Exeter.

And be it further enacted, That the selectmen of the said town of Exeter are hereby authorised to grant a permit, or otherwise to license any person or persons to fish, in said river within the limits of said town, for alewives, with seines or
And be it further enacted, That any person or persons are hereby authorised to destroy any seine or setting line or any other implement for the catching of alewives except that which is allowed by this act, which may be found in said river within the limits of said town contrary to the provision of this act, and in case of being prosecuted therefor, he may plead the general issue and give the special matter in evidence.

And be it further enacted, That an act, entitled "an act for the preservation of alewives in Exeter river," passed the twenty second day of June, A.D. one thousand eight hundred and sixteen, be and the same is hereby repealed.

Approved June 12, 1818.

CHAP. III.

An act to incorporate certain persons by the name of the Proprietors of the Social Library in Sullivan. Approved June 12, 1818.

CHAP. IV.

AN ACT to alter the name of New-Grantham to the name of Grantham.

WHEREAS the inhabitants of the town of New-Grantham, in the county of Cheshire, at their annual meeting held in March last, by their vote, expressed a wish that the name of said town may be altered to the name of Grantham. Therefore—

BE it enacted by the senate and house of representatives in general court convened, That the name of said New-Grantham be altered, and that said town be hereafter called and known by the name of Grantham, any law or usage to the contrary notwithstanding.

Approved June 12, 1818.
Kearsarge Gore.

CHAP. V. A.D. 1818.
An act to disannex certain persons with their estates from the town of Dublin and to annex them to the town of Marlborough. Approved June 13, 1818.

CHAP. VI.
An act to incorporate sundry persons into a society by the name of the First Methodist Society in Dover. Approved June 13, 1818.

CHAP. VII.
An act incorporating sundry persons by the name of the Methodist Episcopal Church in Landaff. Approved June 13, 1818.

CHAP. VIII.
An act to incorporate an association for a library in the north parish in Charlestown. Approved June 13, 1818.

CHAP. IX.
An ACT to annex Kearsarge Gore to the town of Warner. Passed June 13, 1818.

BE it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act the tract of land or territory called and known by the name of Kearsage Gore be, and the same is hereby annexed to the town of Warner: and that said tract of land or territory with the inhabitants thereof shall hereafter constitute and be a part of said town of Warner.

Approved June 13, 1818.

CHAP. X.
An act to incorporate sundry persons by the name of the First Baptist Society in Exeter. Approved June 17, 1818.
A.D. 1818.

**Thirty-eighth Regiment.**

**CHAP. XI.**

An act to incorporate certain persons by the name of the Baptist Society in Nelson. Approved June 17, 1818.

**CHAP. XII.**

An act to incorporate and establish a society by the name of the Strafford Agricultural Society. Approved June 17, 1818.

**CHAP. XIII.**

An act to incorporate a society for the promotion of Agriculture and Domestic Manufactures in the county of Hillsborough. Approved June 18, 1818.

**CHAP. XIV.**

An act in addition to and in amendment of an act entitled an act to incorporate certain persons by the name of the Warren and Wentworth Social Library, passed December 26, 1799. Approved, June 18, 1818.

**CHAP. XV.**

Passed June 18, 1818.

**AN ACT** to annex the thirty-eighth regiment to the third brigade.

Be it enacted by the senate and house of representatives in general court convened, That the thirty-eighth regiment of militia in this state be annexed to the third brigade.

Approved June 18, 1818.

**CHAP. XVI.**

Passed June 18, 1818.

**RESOLVED,** That the workmen employed in building the state house be exempted from military duty while they shall be so employed, and that a certificate from either of the
Antiquarian Society.

The state house committee of this fact shall be sufficient evidence thereof.

Approved June 13, 1818.

CHAP. XVII.

An act to constitute a corporation by the name of King Solomon's Lodge. Approved June 13, 1818.

CHAP. XVIII.

An act to incorporate certain persons by the name of the Universal Society of Atkinson and Hampstead. Approved June 13, 1818.

CHAP. XIX.

WHEREAS the American Antiquarian Society is desirous of collecting and preserving in one place, for the benefit of future ages, copies of all the public records of our common country, and also of each of the United States, and has requested of the legislature of this state a copy of the statute laws thereof, and of the journals of the proceedings of the legislature:—Therefore, for the due encouragement of the American Antiquarian Society, and to aid that society in the attainment of an object so important,

RESOLVED, That a copy of the statute laws and of the journals of the proceedings of the legislature hereafter published be granted to said society, and that the secretary of this state forward, from time to time, to such person in the town of Boston as said society may appoint, one copy of all such statutes and journals as soon as convenient after their publication, and that he communicate to said society a copy of the foregoing resolve.

Approved June 19, 1818.
AN ACT to establish the south lines of Lee and Durham and the north lines of Epping and New-Market.

WHEREAS a committee appointed by the legislature of said state to examine and run the lines between the towns of Lee and Durham in the county of Strafford on one side, and the towns of Epping and New-Market in the county of Rockingham on the other side, having made report thereon, accompanied with a plan of survey, made by and under the direction of said committee, and the same having been accepted—Therefore,

BE it enacted by the senate and house of representatives in general court convened, That the line between the towns of Lee and Durham in the county of Strafford on one side, and the towns of Epping and New-Market in the county of Rockingham on the other side, be, and the same is hereby established a straight line from an ancient red oak tree, being the south corner bounds of the town of Nottingham, and the western boundary between said Lee and Epping, to a large picked rock in the south butment of Durham and Lamprey river bridge so called, beginning at said red oak tree, and running south eighty-three degrees east, nine hundred and fifty-five rods to the easterly line of Epping and the westerly line of New-Market; thence the same course four hundred and eighty-seven rods to the westerly line of Durham; thence the same course six hundred and ninety-eight rods to the aforesaid picked rock; and all persons whose situation is hereby changed in relation to the towns in which they heretofore may have been considered inhabitants, shall do the same duties and enjoy the same privileges as the other inhabitants of the town to which they belong; subject however to the payment of all taxes legally assessed upon them or their property by any of the towns aforesaid prior to the passing of this act.

Approved June 19, 1818.

CHAP. XXI.

An act to incorporate sundry persons by the name of the Portsmouth and Concord Wagon Company. Approved June 19, 1818.
An act to incorporate a religious society by the name of the First Congregational Society in Hopkinton. Approved June 19, 1818.

An act to incorporate certain persons by the name of Salisbury Sacred Musick Society. Approved June 19, 1818.

An act authorising the directors of Cheshire Turnpike Corporation to make a survey of the location of Cheshire Turnpike Road. Approved June 19, 1818.

An act to incorporate certain persons by the name of the New-Hampshire Musical Society. Approved June 19, 1818.

RESOLVED, That it shall be the duty of the adjutant general in future to attend, where the legislature shall hold their June session, on the second Tuesday of the session, for the purpose of paying over to the colonels or commanding officers of the several regiments in the militia of this state, or their order, the sum of two dollars for each and every company composing such regiments, as required by the resolve of June 22, 1816.

Approved June 22, 1818.

WHEREAS certain persons have petitioned the legislature for grants of unlocated lands belonging to the state in and ad-
A.D. 1818. joining the south eastern section of the county of Coos; and
there being no satisfactory evidence before the legislature,
as to the situation or value of said lands—Therefore,

RESOLVED by the senate and house of representatives of
the state of New-Hampshire in general court convened, That
the honorable Obed Hall of Bartlett be and he hereby is ap-
pointed an agent on the part of the state to receive proposals
for the purchase of lands belonging to the same in and ad-
joining the section aforesaid; to examine and survey said
lands, if necessary, at the expense of the applicants, and to
report to the legislature at their session next following such
application, the situation and extent of any tract or parcel of
land prayed for, with the value in his opinion, and such other
information as may be necessary to form a correct opinion
as to the propriety of disposing of the same.

And it is hereby further resolved, That the resolve passed
June 16, 1817, appointing Richard Odell, esquire, agent for
the above purpose, be, and the same is hereby repealed.

Approved June 22, 1818.

CHAP. XXVIII.

AN ACT empowering the proprietors of turnpike roads to
make alterations in certain cases.

Sec. 1. Be it enacted by the senate and house of representatives
in general court convened, That when the proprietors of any turn-
pike corporation in this state shall wish to make any alteration
in their turnpike road, they may apply, by petition therefor, to
the court of common pleas, holden in the county where such
alteration is requested, and if it appear to said court that said
petitioners have agreed with the owners of the land, through
which the road to be altered is to pass, and that the public
good will be promoted by granting the prayer of said petition;
the court aforesaid shall order such notice as they may think
proper, to all persons concerned, to shew cause, if any they
have, why the prayer of said petition should not be granted—
and if no sufficient cause be shown to the contrary, said court
may adjudge that the alteration in said turnpike road be
made according to the prayer of said petition.
Sec. 2. And be it further enacted, That whenever the A.D. 1818, proprietors of any turnpike corporation shall have made, according to the provisions of the first section of this act, any alteration in their turnpike road, they may discontinue the part of said road for which the alteration is a substitute and hold and occupy the road so altered and substituted as a part of their grant.

Approved June 22, 1818.

CHAP. XXIX.

An act to incorporate the Chesterfield Universal Restoration Society. Approved June 22, 1818.

CHAP. XXX.

AN ACT to alter the first section of an act, entitled "an act to prevent the destruction of salmon, shad and alewives in Merrimack river, and the several streams falling into the same, and for repealing certain laws heretofore made for that purpose," passed June 20, 1811.

Be it enacted by the senate and house of representatives in general court convened, That any citizen or inhabitant of this state, after the passing of this act, may, at any time between sun setting on any Wednesday and sun setting on the Saturday following, take alewives in Alewive brook (being the eastern branch of little river) in the town of Plaistow, and no person shall at any other time catch, kill or destroy any alewife in said brook on penalty of forfeiting for each one so caught, killed or destroyed, the sum of five dollars, to any person, who will sue for the same.

Approved June 23, 1818.

CHAP. XXXI.

AN ACT to alter the May terms of the superior court of judicature in the counties of Grafton and Coos.

Be it enacted by the senate and house of representatives in general court convened, That the superior court of judicature
A.D. 1818. shall hereafter be held at Haverhill within and for the county of Grafton, on the fourth Tuesday of May annually instead of the third Tuesday of May—And that the said superior court of judicature shall hereafter be held at Lancaster in and for the county of Coos, on the third Tuesday of May annually instead of the fourth Tuesday of May, anything in any former law or act to the contrary notwithstanding.

Approved June 23, 1818.

CHAP. XXXII.

An act to establish a corporation by the name of the Grafton Agricultural Society. Approved June 23, 1818.

CHAP. XXXIII.

AN ACT altering the times of holding the probate court in Londonderry in the county of Rockingham.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, a probate court shall be held at Londonderry in the county of Rockingham, on the first Wednesday of August annually.

Sec. 2. And be it further enacted, That so much of an act or resolve passed on the eighteenth day of January one thousand seven hundred and ninety as provides for the holding a probate court at said Londonderry on the third Wednesday of August annually be, and the same hereby is repealed. And all orders, notices, returns, matters and causes whatsoever, which would have been returnable to the probate court at Londonderry, on the third Wednesday of August next, and which would have had day therein had not this act passed, shall be returnable to, have day in, and be fully acted upon at the probate court to be held at said Londonderry, on the first Wednesday of August next.

Approved June 23, 1818.
CHAP. XXXI.

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in addition to an act entitled an act prescribing the
duty and directing the mode of choosing registers of deeds
and county treasurers.

BE it enacted by the senate and house of representatives in
general court convened, That the clerk of each town and
place in the respective counties in this state, shall transmit
an attested copy of the record of the votes for register of
deeds and county treasurer to the court of common pleas in
the same county, on or before the third day of the sitting of
said court, at the stated term next after the second Tuesday
of March in every year; any law or usage to the contrary
notwithstanding.

Approved June 23, 1818.

CHAP. XXXV.

AN ACT in addition to an act, entitled an act regulating
bail in civil causes.

SEC. 1. BE it enacted by the senate and house of representa-
tives in general court convened, That it shall be lawful for any
person who may have become, or who may hereafter become
bail for any debtor or other person arrested upon civil process,
to commit to the common jail in the county where such ar-
rest was made, or to the common jail in the county to which
the writ is returnable, the body of the principal debtor for
whom he became bail; and the bail so committing the prin-
cipal shall, at the time of such commitment, leave with the
jailor or prison-keeper an attested copy of the writ or pro-
cess whereby the arrest was made, and the officer’s return
endorsed thereon. And such jailor or prison-keeper is here-
by authorized and required to receive the person so com-
mitted into custody, in the same manner as if he had been
committed by the officer making the arrest; and the bail so
committing their principal, and giving the notice herein re-
quired, shall forever be discharged from all liabilities on ac-
count of becoming bail in such suit. Provided nevertheless,
that in all cases of commitment as aforesaid, the bail shall

Passed June 23, 1818.
Bail in civil causes.

A.D. 1813. within fifteen days from the time of said commitment, notify in writing the plaintiff in the original suit, or the attorney, who commenced or who appeared in said suit, of the time when and the place where the principal has been committed. And provided also, that no person shall have the benefit of this act unless he shall have committed his principal as aforesaid before final judgment on scire facias; and if the commitment shall be made after the writ of scire facias shall have issued, he shall pay the costs of that suit before he shall be discharged.

Sec. 2. And be it further enacted, That the creditor in any civil action intending to charge the bail in such action, shall deliver his execution to an officer, with the name or names, place or places of residence of the person or persons who became bail in such action, and the officer shall, at least fifteen days before the return day of said execution, deliver to at least one of the bail in such suit, or leave at his dwelling-house or last and usual place of abode, a notice in writing, stating that such execution is in his hands, the amount of the same, and when returnable. And the officer shall keep such execution in his hands until the return day thereof, in order that the bail may produce the principal to the officer, that he may arrest him on said execution. And if the bail shall at any time before the return day, produce the body of the principal to such officer so that he may arrest him, said bail shall forever be discharged from all liabilities as bail in such action. And no return of non est inventus shall be sufficient to charge the bail unless the officer also certify on said execution that notice as aforesaid was given to the bail.

Sec. 3. And be it further enacted, That in all cases where at the time of rendering final judgment against the principal, or at any time afterwards, the bail shall surrender the principal in court, or commit him to jail in the manner prescribed by this act, the principal shall remain in the custody of the prison-keeper the time specified by the act to which this is an addition, but such prisoner shall not be obliged to remain in close confinement, but may have the liberty of the jail-yard on giving bond to the creditor with sufficient sureties, to be approved in the same way as bonds for the liberty of
Hart Island Bridge.

the yard now are, to remain a true prisoner within the limits of said prison yard until the expiration of thirty days from the time of commitment.

Sec. 4. And be it further enacted, That the officer taking bail in any civil action shall insert in his return on such precept the name and place of abode of the person or persons becoming bail in such suit.

Sec. 5. And be it further enacted, That this act shall not take effect and be in force till the first Tuesday of September next.

Approved June 23, 1818.

CHAP. XXXVI.

An act in addition to an act entitled an act to divide the town of Haverhill into two distinct parishes by the name of the North and South parishes in Haverhill. Approved June 23, 1818.

CHAP. XXXVII.


CHAP. XXXVIII.

AN ACT to incorporate the proprietors of the Hart Island Bridge.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That Elihu Luce, David H. Sumner, Charles Marble and Aaron Willard, and such persons as may associate with them hereafter, be and hereby are incorporated and made a body corporate and politic by the name of the proprietors of Hart Island Bridge, and by that name may sue, prosecute and defend, and be sued, prosecuted and defended to final judgment, execution and satisfaction, and are hereby invested with all the privileges incident to
corporations of a similar nature; subject however to reservations and limitations hereinafter expressed.

Sec. 2. And be it further enacted, That there be and hereby is granted to said proprietors and their associates, the sole and exclusive right and privilege of building, erecting and keeping a toll bridge over and across Connecticut river between the towns of Plainfield in this state, and Hartland in Vermont, at or near a place in said Plainfield called Hart Island.

Sec. 3. And be it further enacted, That the said Elihu Luce, David H. Sumner, Charles Marble and Aaron Willard, or either of them, be and hereby are empowered to call a meeting of said proprietors to be holden at some public place in said Plainfield, to be notified by an advertisement to be published in Spooners' Vermont Journal printed at Windsor in Vermont, three weeks successively, the first of which publications shall be thirty days at least previous to said meeting. At which meeting the said proprietors, by a majority vote of those present or represented, may choose a clerk and such other officers as they may think necessary, who shall be sworn to the faithful discharge of the duties of their respective offices; may agree on a method of calling future meetings; may divide said corporation into such number of shares as they may think proper, and may make and establish such by-laws as they may think necessary for the better regulation of the affairs of said corporation, and for carrying into effect the purposes of the same; provided such by-laws shall not be repugnant to the laws of this state. And all representations shall be proved by a writing signed by the person represented and filed with the clerk. And this act, the by-laws of said corporation, and all the proceedings thereof shall be recorded by the clerk in a proper book or books kept for that purpose.

Sec. 4. And be it further enacted, That said proprietors are hereby empowered to purchase any lands adjoining said bridge, not exceeding four acres, and hold the same so long as they keep the conditions of this charter hereinafter expressed. And the shares of said corporation may be transferred by will or by deed acknowledged and recorded by the clerk of said corporation, and shall be considered as personal property.
Sec. 5. And be it further enacted, That said proprietors, at any meeting regularly called, may vote assessments upon said shares, and for the non-payment thereof may sell such shares at auction in such manner as by their by-laws may be established; and said proprietors may recover such assessments against delinquent proprietors, after due notice, in any court of competent jurisdiction.

Sec. 6. And be it further enacted, That a toll be and hereby is granted and established to said proprietors as the legal rates of toll, to wit: For each foot passenger, one cent; for each horse and rider, six cents, and each additional rider, one cent; for each chaise, chair, sulkey or other pleasure carriage drawn by one horse only, twelve and a half cents; for each chariot, phaeton, coach or other four wheel carriage for passengers, drawn by two horses only, twenty cents—if drawn by four horses, twenty-five cents; for each cart or waggon drawn by one beast, eight cents—if by two beasts, twelve cents; by three beasts, sixteen cents—if by four beasts, twenty cents; for each pleasure sleigh drawn by one horse, eight cents—if drawn by two horses, twelve cents; for each sleigh or sled drawn by four horses or oxen, twenty cents, and for each additional beast, three cents; for each horse without a team or rider, three cents; for mules and cattle, two cents each: to each team one person only shall be allowed to pass free of toll; and for each sheep and swine, one half cent.

And the said proprietors are hereby empowered to erect a gate across said bridge, and appoint necessary toll-gatherers, who are hereby empowered to stop all persons from passing the same, until he, she or they shall have paid or tendered their toll at the rates aforesaid: provided, that when there shall be no toll-gatherer, or when he shall not attend to his duty, the gate shall be left open.

Sec. 7. And be it further enacted, That whenever said gate may be erected and while the same shall be kept up, the said corporation may be indicted and fined for defect and want of repairs in said bridge in the same manner that town corporations are by law indictable and liable for defects or want of repairs in their bridges. And any person or persons who may sustain any injury or damage by reason of any defect or want of repairs in said bridge, shall recover his dam-

Assessment, how collected.

Rates of toll.

Toll-gatherers.

Corporation indictable for want of repairs.
A.D. 1818. Agriculture Societies.

Agricultural Societies.

In any court of competent jurisdiction.

Sec. 8. And it further enacted, That in case said bridge shall not be built within five years from and after the passing of this act, or shall at any time thereafter be discontinued or out of repair for the space of three years, then this act and every part thereof to be null and void.

Approved June 23, 1818.

CHAP. XXXIX.

An act incorporating sundry persons by the name of the Methodist Society in Bridgewater. Approved June 23, 1818.

CHAP. XL.

An act to incorporate a religious society by the name of the Congregational Society in Hillsborough. Approved June 23, 1818.

CHAP. XLI.

An act to incorporate a religious society by the name of the Congregational Society in Wilton. Approved June 23, 1818.

CHAP. XLII.

Resolved by the senate and house of representatives in general court convened, That the Agricultural Societies in the counties of Rockingham and Cheshire have and receive out of the treasury of this state the sum of two hundred dollars each, and that the Agricultural Societies in the counties of Strafford, Hillsborough and Grafton, have and receive out of the treasury of this state, the sum of two hundred dollars each as soon as they are organized under their acts of incorporation: Provided, such societies shall organize before the
Bank Bills.

next session of the legislature, and the treasurer is directed A.D. 1818.
to pay the same to the treasurers of said societies; which is to be inclusive of the grant made by the legislature at their last session to societies not then incorporated.

Approved June 24, 1818.

CHAP. XLIII.

AN ACT in addition to an act, entitled "an act to prevent the circulation and currency of certain bank bills of a denomination less than one dollar," passed November 14, 1816.

BE it enacted by the senate and house of representatives in general court convened, That from and after the first day of January next, no person shall pass in payment as currency or for any valuable consideration whatever except to the bank from which the same issued, any bank bill or note of a less denomination than one dollar, issued by any banking company in this state, under penalty of five dollars, to be recovered of the person so passing the same, by action of debt with costs of suit, to the use of any person who shall, within six months after, prosecute for the same.

Approved June 25, 1818.

CHAP. XLIV.

An act to incorporate a Congregational Society in Campton. Approved June 25, 1818.

CHAP. XLV.

An act to incorporate certain persons by the name of the Concord Instrumental Band. Approved June 25, 1818.

CHAP. XLVI.

An act to incorporate a Baptist Society in Wilton. Approved June 25, 1818.
AN ACT for establishing salaries of the justices of the superior court of judicature.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That the chief justice of the superior court of judicature have and receive out of the treasury of this state the sum of fourteen hundred dollars annually as a salary for his services as chief justice, and that each of the other justices of said court have and receive out of the treasury of this state the sum of twelve hundred dollars annually as their respective salaries for their services as justices of the superior court of judicature, which salaries shall be paid in quarterly payments as the same become due, by orders drawn on the treasurer and signed by the governor. And the fees which said justices may receive in the discharge of the duties of their office, shall be severally accounted for and deducted from their salaries; and it shall be the duty of the clerks of said court to certify to the secretary the amount of fees paid said justices, at the close of every term in the respective counties.

Sec. 2. And be it further enacted, That an act passed June 28, 1809, entitled "an act for establishing salaries of the justices of the superior court of judicature" and all other acts and resolves, heretofore made and passed, for allowing salaries to the justices of said court, be and the same are hereby repealed.

Approved June 25, 1818.

CHAP. XLVIII.

AN ACT in addition to an act, entitled "an act for the ease and relief of persons imprisoned for debt."

Be it enacted by the senate and house of representatives in general court convened, That when any person has been, or may hereafter be convicted of any crime which disqualifies him or her from giving testimony in a court of law, and shall afterwards be imprisoned on execution, and desirous to take the oath prescribed in the act to which this is an addition,
said conviction shall not operate to prevent said oath being administered in the same way and manner as to other persons.

Approved June 25, 1818.

CHAP. XLIX.

An act to authorise the judge of probate to decree anew on the administration account of Wealthy Wilcox. Approved June 25, 1818.

CHAP. L.

AN ACT for the preservation of alewives in Salmon-fall river.

SEC. 1. Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act no person shall be allowed to fish for alewives in that part of Salmon-fall river which lies within this state between Cocheco point and the bridge across said river leading from Somersworth to South Berwick, with any seine or setting line or any implement whatever except a dip-net. And if any person shall offend against this act, he shall forfeit and pay the sum of eight dollars to be recovered in any court proper to try the same, one half to the use of the state and the other half to the use of the prosecutor.

Sec. 2. And be it further enacted, That if any seine or setting line or any other implement other than that which is allowed by this act for the catching of alewives, shall be found in said river within the limits aforesaid, the same shall be forfeited to the use and shall become the property of him or them who shall find it and remove it from said river.

Sec. 3. And be it further enacted, That any person or persons are hereby authorised to destroy any seine or setting line or any other implement, except that which is allowed by this act, which may be found in said river, within the limits aforesaid, and in case of being prosecuted therefor, he may plead the general issue and give this act and the special matter in evidence, and shall recover double costs.

Approved June 25, 1818.
A.D.1818.

Salmon-Brook.

CHAP. LI.

An act to incorporate certain persons by the name of the Union Harmony Society. Approved June 25, 1818.

CHAP. LII.

AN ACT in addition to and amendment of an act, entitled "an act granting relief to the proprietors and owners of mill seats, manufactories and dams on Salmon brook, so called, in Dunstable," passed June 23, 1814.

WHEREAS it is provided by the act to which this is an addition, that no person owning or occupying mill seats, or who are proprietors and owners of mills, manufactories or dams upon or across Salmon brook, so called, in the town of Dunstable and county of Hillsborough, shall be deemed liable and obliged to keep open a sufficient passage-way for the fish to pass up said brook, except from the fifteenth day of May to the twenty-fifth thereof annually—And, whereas the time therein specified is too short for the object therein intended—Therefore,

BE it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, all owners and occupants of mill seats, mills, manufactories or dams upon or across the aforesaid Salmon brook in Dunstable shall be deemed liable and obliged to keep open a sufficient passage-way for the fish to pass up said brook, from the twentieth day of May to the tenth day of June annually, any law, usage or custom to the contrary notwithstanding.

Approved June 25, 1818.

CHAP. LIII.

An act to empower John Davis and his several sons and daughters to assume and bear the name of Washington. Approved June 25, 1818.

CHAP. LIV.

An act to alter the name of George Lane and Timothy Lane. Approved June 25, 1818.
AN ACT for the preservation of the fish in the several ponds within the town of Greenfield.

BE it enacted by the senate and house of representatives in general court convened, That after the passing of this act, if any person shall use any spear or seine for the purpose of catching or destroying any fish in any of the ponds within said town, such person so offending shall for every fish so caught or destroyed, forfeit and pay the sum of two dollars to be recovered in an action of debt, by any person who shall sue for the same before any justice of the peace within the county of Hillsborough; one half of the said sum of two dollars so recovered as aforesaid, to be appropriated by the person who shall sue for the same, and the other half to be and remain for the use of the said county of Hillsborough.

Approved June 25, 1818.

CHAP. LVII.

AN ACT granting a tax of two cents an acre on the land in Winslow's Location, Paulsburgh and Maynesborough in the county of Coos.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That there be and hereby is granted a tax of two cents to be assessed on the lots on each and every acre of land in Winslow's Location, Paulsburgh and Maynesborough in the county of Coos, public rights and such other rights as are by law exempted from taxation, excepted; and that the money arising from said tax be laid out and expended in repairing the roads and bridges in said Winslow's Location, Paulsburgh and Maynesborough in proportion to the amount of the tax raised on each of the said towns or places.

Sec. 2. And be it further enacted, That Ephraim H. Mahurin, esquire, of Strafford, David Bundy of Columbia, and Isaac Hagar of Paulsburgh, all in said county of Coos, are hereby appointed a committee, with full power and authority to assess, collect and lay out in manner aforesaid said tax; and
they are hereby vested with full power and authority for the
purpose aforesaid.

Sec. 3. *And be it further enacted, That the owners of
land in said Winslow's Location, Paulsborough and Maynesborough,
whether residents or non-residents, shall have the privi-
lege of working out their taxes on said roads and bridges
under the direction of said committee, whose duty it shall be
to superintend the same, or appoint some suitable person for
that purpose, for whose faithfulness therein said committee
shall be accountable, at the rate of eight cents per hour for
an able bodied man finding his own tools and diet, and for ox-
work including chains at the rate of eight cents per hour for
each yoke of oxen—provided they shall be ready to perform
said work when called upon by said committee, by the first
day of November next.

Sec. 4. *And be it further enacted, That said committee
shall, before receiving or collecting any part of said tax, ex-
cute their bond in the sum of three thousand dollars with
sufficient surety to the clerk of the court of common pleas
for the county of Coos, for the faithful performance of the
duties assigned them by this act, and said committee shall ren-
der on oath an account of their doings to the justices of said
court at their next session to be holden in said county after
said tax shall have been collected and laid out as aforesaid,
and at any other time when thereto required by said court.

Sec. 5. *And be it further enacted, That said committee
shall give public notice in the New-Hampshire Patriot three
weeks successively in the month of August next, of said as-
essment, and the time allowed the proprietors of said lands
to work out said tax as is herein before mentioned.

Sec. 6. *And be it further enacted, That it shall be the du-
y of said committee to leave at the office of the deputy sec-
retary of this state a true and attested copy of the list of said
taxes by the first day of August next, which shall remain in
said office till the first day of November next, where any pro-
prietor may have liberty to pay his or her proportion of said
taxes.

Sec. 7. *And be it further enacted, That after said first day
of November said committee may proceed to advertise in
the New-Hampshire Patriot three weeks successively that
so much of the lands of any proprietor or owner who shall
be delinquent in the payment of said tax, will be sold at public vendue, as will be sufficient to pay the same with incidental charges. And said committee is hereby authorized to hold such vendue on any day in the month of April next, and in the town of Lancaster in said county, and to adjourn the same from day to day until all necessary sales shall be effected.

Sec. 8. And be it further enacted, That said committee shall within thirty days after the last day of sale, leave with the deputy secretary a true and attested copy of all sales made by virtue of this act, and any proprietor, owner or claimant of any lands so sold, may at any time within one year from and after the day of sale redeem the same by paying to the deputy secretary or committee the amount for which his or her land was sold with interest at twelve per centum per annum, computing the same from the day of sale; and the deputy secretary is hereby authorized to demand and receive such compensation for his services as he is entitled to receive in other cases of a similar nature; and he shall pay over when requested all monies by him received on account of said taxes, redemption money and interest of lands sold as aforesaid, to said committee, for the benefit of any proprietor, owner or purchaser of any lands so redeemed. And the committee shall on demand pay over all monies by them received of the deputy secretary or otherwise for the redemption of land, to any purchaser of land sold as aforesaid.

Sec. 9. And be it further enacted, That said committee shall be allowed such compensation for their services and monies expended in the collection of said tax as by said court shall be adjudged reasonable.

Approved June 25, 1818.

CHAP. LVII.

An act to vest in Edward Webber the privilege of keeping a ferry over a certain part of Pemiggewasset river. Approved June 25, 1818.
An act to incorporate sundry persons by the name of the Trustees of Pembroke Academy. Approved June 25, 1818.

An act to incorporate the First Congregational Parish in Barrington. Approved June 25, 1818.

An act to incorporate certain persons by the name of the First Baptist Society in Mason. Approved June 25, 1818.

An act to incorporate sundry persons by the name of the First Universal Restoration Society in Westmoreland. Approved June 25, 1818.

An act to alter the name of Zadoc Dow. Approved June 25, 1818.

An act to alter the name of John Monroe Nute. Approved June 26, 1818.

An act to authorise Bela Adams to assume the name of Weston Bela Adams. Approved June 26, 1818.
AN ACT in addition to an act entitled "an act for the better regulation of schools, and for repealing certain laws now in force repealing the same," passed December 22, 1808.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That the selectmen of the several towns, parishes and places within this state, be and they are hereby empowered and required to assess annually the inhabitants of their respective towns, parishes and places, according to their polls and ratable estates, together with the improved and unimproved lands and buildings of non-residents, in a sum to be computed at the rate of ninety dollars for every one dollar of their proportion for public taxes for the time being, and so for a greater or less sum; which sums, when collected, shall be appropriated to the sole purpose of keeping an English school, or schools, within the towns, parishes and places for which the same shall be assessed, for teaching the various sounds and powers of the letters in the English language, reading, writing, English grammar, arithmetic, geography, and such other branches of education as it may be necessary to teach in an English school, including the purchase of necessary wood or fuel for such schools.

Sec. 2. And be it further enacted, That the first section of the act to which this is an addition be and the same is hereby repealed.

Approved June 27, 1818.

CHAP. LXVI.

AN ACT to exempt students of academies and of other incorporated literary seminaries from military duty and taxation in certain cases.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That students of academies and of other incorporated literary seminaries in this state who shall, on or before the fifth day of March in any year hereafter, make request of the selectmen of the town where
such academy or seminary is situated, to be excused from doing military duty and from paying taxes shall for that year be exempted from military duty and from paying taxes in said town, except in cases where such student has a legal settlement in the town where such academy or seminary is situated; Provided however, that any student who shall enter any such academy or incorporated literary seminary, after the fifth day of March in any year, upon making request as aforesaid shall be exempted as aforesaid from the time of making such request until the fifth day of March then next following. And provided also that the person so applying has not previous to the said application voted at any town meeting, holden in the town where the said seminary is located, for the choice of state, county or town officers, or for other purposes for the year in which said exemption is requested.

Sec. 2. And be it further enacted, That so much of an act passed December 22, 1808, entitled "an act for arranging, forming and regulating the militia in this state and for repealing all laws heretofore made for that purpose," as exempts students of Colleges from doing military duty, be and the same is hereby repealed.

Sec. 3. And be it further enacted, That so much of an act passed December 16, 1812, entitled "an act to establish the rate at which polls and ratable estate shall be valued in making and assessing direct taxes" as exempts students of colleges from taxation, be and the same hereby is repealed. Provided nevertheless that this act shall not take effect until the first day of January next.

Approved June 27, 1818.

CHAP. LXVII.

AN ACT in addition to an act entitled an act providing for the regulation and government of the state prison.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That the governor and council for the time being, may appoint during pleasure all such officers, agents and servants as they may deem necessary, for the
Extinguishing Fires. A.D. 1818.

well ordering, upholding and maintaining the state prison; and may define their powers, prescribe their duties and ascertain and fix their compensations, and may make, ordain and establish all such rules, by-laws, orders and regulations, not repugnant to the laws of the state, as they may from time to time see fit, for the government and direction of the said warden, and other officers, agents and servants of said prison as may be proper for the maintenance and instruction of the convicts, and for the purchase of all materials, machines, tools and implements, provisions, medicines and clothing for the use of the agents, officers and convicts, and for the sale and disposition of any articles, tools and manufactories, which belong to said prison; and they shall have the sole and exclusive power of directing all matters and things relating to said prison, the officers, agents and servants thereof, and all convicts therein, and may make such contracts for boarding, clothing and supporting the convicts in said prison, and for the income and profits of their labour as they see fit; and may make such additional buildings and alterations within the limits of the prison as they see fit.

Sec. 2. And be it further enacted, That the warden afore-said shall receive eight hundred dollars annually in full compensation for all services by him rendered in that office, and the governor and council shall receive a suitable compensation for their services.

Sec. 3. And be it further enacted, That the fourth and twelfth sections of an act to which this is an addition be, and the same are hereby repealed.

Approved June 27, 1818.

CHAP. LXVIII.

AN ACT in addition to "an act to regulate the proceedings for extinguishing fires, that may be accidentally or otherwise kindled."

WHEREAS the acts heretofore made for extinguishing fires, are found by experience to be deficient, inasmuch as they do not empower the firewards to exercise sufficient au-
A.D.1818. Authority over the engines or other implements used in time of
fire, nor over the persons specially appointed to use the
same, except only during the existence and progress of the
fire.

And whereas it is deemed necessary, for the due organiza-
tion of the several engine, axe and other companies whose
duty it is to extinguish fires and prevent the spread of the
same; and also for the purpose of keeping the several en-
gines and other fire implements in constant good order and
condition, to empower the firewards of Portsmouth in this
state, to choose or accept the persons whom they may think
best qualified to serve in the capacity of fire-engine men,
axemen or other companies of the kind, that now are or
may be hereafter established in said town—Therefore,

BE it enacted by the senate and house of representatives in
general court convened, That the firewards now chosen, or
that may be hereafter chosen in said Portsmouth shall have
at all times, the entire control and direction of all fire-engines,
fire-hooks, hoses and other implements now in use, or that
may hereafter be used for extinguishing or preventing the
spread of fire in said Portsmouth. And that they shall have,
at all times, the general direction and control of each and
every person chosen or accepted by them to serve in any
engine company, axe company, or any other association of
persons, whose special duty it may be to aid in the extin-
guishing of fire, in all matters and things appertaining to the
duties of their several appointments.

SEC. 2. And be it further enacted, That it shall be the
duty of the firewards in said Portsmouth to give a warrant
in writing, under the hand of their chairman, to be recorded
and countersigned by their secretary, to each and every per-
son chosen or accepted by them to serve in any of the com-
panies aforementioned; and that these warrants shall be
valid for one year only from their several dates.

SEC. 3. And be further enacted, That every person to
whom these warrants shall be granted, shall be exempted
from training in the militia, or serving as jurors during the
term for which his warrant was granted: Provided that ev-
evy such person who may be required to train or serve as a
juror shall produce and exhibit his warrant duly executed
according to this law, to the proper officers so requiring him to train or serve as a juror, and not otherwise; any thing in any former law to the contrary notwithstanding.

Sec. 4. And be it further enacted, That any town or towns in this state other than said Portsmouth, at their annual meeting, or any other meeting called for that purpose, may adopt this act or any part thereof and also the act to which this is an addition, and the several additional acts or any part or parts of the said acts, in which case the said acts or such part or parts thereof as shall be thus adopted, shall be considered to extend to such town or towns adopting the same as fully to all intents and purposes, as to the town of Portsmouth.

Approved June 27, 1818

CHAP. LXIX.

An act to incorporate an Engine Company in the town of Mont-Vernon. Approved June 27, 1818.

CHAP. LXX.

AN ACT authorising the town of Wilmot to elect and send a representative to the general court.

Be it enacted by the senate and house of representatives in general court convened, That the town of Wilmot in the county of Hillsborough be and is hereby authorised to elect and send a representative to the general court until otherwise ordered, any law or usage heretofore practised to the contrary notwithstanding.

Approved June 27, 1818.

CHAP. LXXI.

An act to incorporate sundry persons by the name of the First Baptist Society in Chichester. Approved June 27, 1818.
Fish.

A.D. 1818.

CHAP. LXXII.
An act to incorporate certain persons by the name of the Eastern Stage company. Approved June 27, 1818.

CHAP. LXXIII.
AN ACT for the preservation of fish in Kezar’s pond and Giles’s pond, in the town of Sutton in the county of Hillsborough.

BE it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, if any person or persons shall use any seine, spear or stab, for the purpose of catching or destroying any fish in said ponds, such person or persons so offending shall for every fish so caught or destroyed, forfeit and pay the sum of two dollars, to be recovered with cost of suit, in an action of debt, by any person who shall sue for the same, before any justice of the peace within the county of Hillsborough, one half thereof to the the use of the person who may sue for the same, and the other half to the use of said town of Sutton.

Approved June 27, 1818.

CHAP. LXXIV.
An act to incorporate sundry persons by the name of the United Christian Society. Approved June 27, 1818.

CHAP. LXXV.
AN ACT to incorporate certain persons by the name of the Proprietors of Dalton Bridge.

SEC. 1. BE it enacted by the senate and house of representatives in general court convened, That Paul Cushman, Elisha Cushman and Williard G. Cushman and their associates and successors be and they hereby are incorporated and made a body corporate and politic by the name of the Proprietors of Dalton Bridge, and by that name may sue and be sued, plead
and be impeded, prosecute and defend to final judgment and execution; and they are hereby invested with all the powers and privileges which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Paul Cushman and Adino N. Brackett, Esq. or either of them may call a meeting of said proprietors to be holden at any suitable time and place within said town of Dalton in the county of Coos, by posting up advertisements for that purpose in the towns of Dalton and Lancaster in said county and in the town of Littleton in the county of Grafton, three weeks prior to said meeting. And the proprietors by a vote of a majority of those present or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a clerk who shall be sworn to the faithful discharge of the duties of his office and shall also agree on a method of calling future meetings, and may elect such officers and make and establish such rules and by-laws as to them shall seem necessary and convenient for the regulation and government of said corporation, for carrying into effect the purposes aforesaid, and for collecting the tolls hereinafter established; and the same by-laws may cause to be executed and annex penalties to the breach thereof; Provided, said rules and by-laws are not repugnant to the constitution and laws of this state. And all representations shall be made in writing signed by the person represented, which shall be filed with the clerk; and this act and all rules, by-laws and proceedings of said corporation shall be truly recorded by the clerk in a book or books to be kept for that purpose.

Sec. 3. And be it further enacted, That the said proprietors be and they are hereby vested with an exclusive right to erect, finish and keep in repair a bridge over Connecticut river at any place they may elect northerly of the southerly line of said town of Dalton and the head of the fifteen miles falls so called, in said county of Coos, and are authorised to purchase any lands adjoining said bridge not exceeding ten acres, for the purposes of said corporation, and the share or shares of any of said proprietors may be sold by said corporation for non-payment of assessments duly made agreeably to the by-laws that may be agreed on by said proprietors, and the over-
A.D. 1818. Sec. 4. And be it further enacted, That for the purpose of reimbursing said proprietors the money by them expended in building and supporting said bridge, a toll be and hereby is established according to the rates following, (to wit:) for each foot passenger, two cents; for each horse and rider or led horse, six cents; for each chaise or other carriage of pleasure with two wheels and one horse, twelve cents; for each carriage of pleasure or with passengers, with four wheels and two horses, twenty cents; for the like carriage with four horses, twenty-five cents; for each sleigh with one horse, eight cents; for each sleigh with two horses, twelve cents, and two cents for each additional horse; for each cart, waggon, sled or other carriage of burden drawn by one horse, six cents; for the like carriage drawn by two beasts, ten cents; if drawn by more than two beasts, four cents for each additional pair of horses or yoke of oxen; for sheep and swine one cent each; for cattle and horses two cents each; and to each team one person only shall be allowed free of toll; and at all times when the toll gatherer shall not attend his duty, the gate shall be left open. And said proprietors are hereby empowered to erect and fix upon and across said bridge a gate, and appoint toll gatherers, one or more as shall be necessary to collect and receive of and from all persons using said bridge the rates of toll aforesaid, and to stop and detain every person from passing the same until he, she or they shall have paid toll as aforesaid. Provided however, that all persons going to and from religious worship on Sundays, and officers and soldiers who are actually ordered on military duty, shall pass free of toll.

Sec. 5. And be it further enacted, That said proprietors may be indicted for the defect of repairs of said bridge, after said toll gate is erected, and while the same is kept up, and be fined in the same way and manner as towns are by law finable for suffering bridges to be out of repair; and in case any special damage shall happen to any person or persons, or to his or their teams, cattle or carriages by means of the insufficiency or want of repairs of said bridge at any time when the gate is kept up; the party injured or aggrieved shall recover his or their damages in an action or plea of
trespass on the case, against said proprietors, in any court of competent jurisdiction.

Sec. 6. And be it further enacted, That the annual meetings of said corporation shall be held at Dalton on the first Tuesday of May annually forever, at which time they may choose all such officers as may be found necessary, who shall continue in office until others are chosen and qualified in their room; and said proprietors may assemble as often as may be found necessary, for filling up any vacancies which may happen in said offices, and for transacting all other business except the raising of money, which shall be done at the annual meetings only, at which all necessary sums shall be voted, and at which they may make and establish rules, regulations and by-laws not repugnant to the constitution and laws of this state.

Sec. 7. And be it further enacted, That if the said bridge shall not be completed in five years from the passing of this act, or if it shall be destroyed and not rebuilt and kept in repair for the space of five years, according to the provisions herein contained, then this act and every part and clause thereof shall be null and void.

Sec. 8. And be it further enacted, That the justices of the superior court of judicature may from time to time make such alterations in the rates of toll herein established as to them shall appear just and reasonable. Provided, the nett proceeds of said toll shall not be more than twelve per centum on the original cost of building and finishing said bridge, after deducting the annual expenditures for repairing the same.

Approved June 27, 1818.

CHAP. LXXVI.

An act to incorporate certain persons by the name of "the Northfield Improving Society for the promotion of useful knowledge." Approved June 27, 1818.

CHAP. LXXVII.

An act in addition to an act entitled "an act to revive and extend an act entitled an act to incorporate Ebenezer
A.D. 1812. Eastman, Andrew Lovejoy and others by the name of the proprietors of the Hillsborough and Strafford Locks and Canal," approved Dec. 16, 1812.

Approved June 27, 1812.

CHAP. LXXVIII.

AN ACT altering the jurisdictional powers of the courts of law in certain cases and for limiting the right of review.

SEC. 1. Be it enacted by the senate and house of representatives in general court convened, That the superior court of judicature shall have original and exclusive jurisdiction of all real actions, and original jurisdiction concurrent with the several courts of common pleas, of all personal actions, wherein the sum demanded in damages shall exceed the sum of fifty dollars.

SEC. 2. And be it further enacted, That the several courts of common pleas shall have final and conclusive jurisdiction of all personal actions wherein the sum demanded in damages does not exceed the sum of twenty-five dollars, and no other.

SEC. 3. And be it further enacted, That no action of review shall be brought after the expiration of one year from the time of rendering the judgment to be reviewed—saving unto any infant, feme covert, person non compos mentis, person imprisoned, in captivity, or out of the United States of America, the right of such review any time within one year after such disability shall have been removed. Provided, that no action of review shall be brought where, by any particular statute in any particular case, the liberty of review shall be expressly taken away.

SEC. 4. And be it further enacted, That all acts and parts of acts heretofore passed, inconsistent with this act, or any provision thereof, be and the same hereby are repealed.

SEC. 5. And be it further enacted, That this act shall not take effect until the first day of January next; Provided, that nothing herein contained shall affect any action commenced prior to the passing of this act.

Approved June 29, 1818.
CHAP. LXXIX.

AN ACT to raise forty thousand dollars for the use of this state.

Be it enacted by the senate and house of representatives in general court convened, That there be raised for the use of this state, the sum of forty thousand dollars, which sum shall be assessed, collected and paid into the treasury on or before the first day of December in the year of our Lord one thousand eight hundred and nineteen; and the treasurer is hereby directed seasonably to issue his warrants to the selectmen or assessors of the several towns, parishes and districts within this state, agreeably to the last proportion act; and the selectmen and assessors of the several towns, parishes and districts aforesaid, are hereby respectively required to assess and collect the sums in the treasurer’s warrants specified, and cause the same to be paid into the treasury of this state, on or before the first day of December one thousand eight hundred and nineteen, and the treasurer shall issue extents for all taxes which may then remain unpaid.

Approved June 29, 1818.

CHAP. LXXX.

An act to incorporate certain persons by the name of the Salisbury Fire Engine Company Number one. Approved June 29, 1818.

CHAP. LXXXI.

AN ACT requiring certain officers to file certificates of their age in the secretary’s office.

WHEREAS it is provided by the constitution that no person shall hold the office of judge of any court, judge of probate or sheriff of any county, after he has attained the age of seventy years, and whereas this provision of the constitution has in certain cases been disregarded—Therefore,

Be it enacted by the senate and house of representatives in general court convened, That no person hereafter to be ap-
pointed to the office of judge of any court, judge of probate or sheriff of any county, shall hold said appointment or exercise any act, or receive any salary, fee or emolument in consequence thereof, until he shall have deposited in the office of the secretary of this state an attested copy of the record of the time of his birth from the town clerk of the town where such person may have been born, or in default of the same, an affidavit, by him subscribed and sworn to, stating according to the best of his knowledge and belief the place of his birth, and his age at the time of such appointment.

Approved June 29, 1818.

CHAP. LXXXII.

AN ACT in amendment of an act entitled "an act for taxing the lands and buildings of non-residents."

Be it enacted by the senate and house of representatives in general court convened, That non-resident owners, taxed agreeably to the provisions of said act, and paying such tax in labor, shall have liberty to pay the same in labor as aforesaid, at the same rate per hour or day as resident owners shall at the time of paying such tax, have in the several towns and places in this state, any law, custom or usage to the contrary notwithstanding.

Approved June 29, 1818.

CHAP. LXXXIII.

AN ACT in addition to an act entitled an act for the regulating fees; passed the sixteenth day of December, 1796.

Be it enacted by the senate and house of representatives in general court convened, That the fees for the entry of all personal actions, at the superior court, originally commenced for entry at said court, excepting actions of review and of scire facias, shall be the same as are by law to be paid for entries of actions at the court of common pleas, fifteen cents of which sum shall be retained by the clerk of said superior
Exemption from Military Duty.

CHAP. LXXXIV.

AN ACT to exempt certain persons belonging to the New-Hampshire Iron Manufactory, from military duty.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That all such persons as are actually employed as furnace-men in the New-Hampshire Iron Manufactory in Franconia in the county of Grafton in said state, be and they hereby are exempted from military duty during such time as said furnace may be in blast, and no longer.

Sec. 2. And be it further enacted, That a certificate signed by a majority of the selectmen of said Franconia for the time being, certifying that the person or persons named therein are actually employed as furnace-men as aforesaid, and that said furnace is in blast, shall be deemed and taken as sufficient evidence of the exemption of such person or persons from military duty as aforesaid.

Approved June 29, 1818.

CHAP. LXXXV.

RESOLVED that it is inexpedient to amend the constitution of the United States as proposed by the state of Kentucky, to wit: "that no law varying the compensation of the members of the congress of the United States shall take effect until the term for which the members of the house of representatives of that congress by which the law was passed shall have expired," and that his excellency the governor be requested to forward a copy of this resolution to the executives of the several states.

Approved June 29, 1818.
WHEREAS the general assembly of the state of New-Jersey hath proposed an amendment to the constitution of the United States in the following words, to wit:

"That for the purpose of choosing representatives in the congress of the United States, each state shall by its legislature be divided into a number of districts equal to the number of representatives to which such state may be entitled. The districts shall be formed of contiguous territory and contain as nearly as may be an equal number of inhabitants entitled by the constitution to be represented. In each district the qualified voters shall elect one representative and no more. That for the purpose of appointing electors for the president and vice-president of the United States in each district, entitled to elect a representative in the congress of the United States, the persons qualified to vote for representatives shall appoint one elector and no more. The additional two electors to which each state is entitled shall be appointed in such manner as the legislature thereof may direct. The electors when convened shall have power in case any of them appointed as above prescribed shall fail to attend for the purposes of their said appointment, on the day prescribed for giving their votes for president and vice-president of the United States, to appoint another or others to act in the place of him or them so failing to attend. Neither the districts for choosing representatives nor those for appointing electors shall be altered in any state until a census and apportionment of representatives under it subsequent to the division of the states into districts shall be made. The division of states into districts hereby provided for, shall take place immediately after this amendment shall be adopted, and ratified as a part of the constitution of the United States; and successively immediately afterwards whenever a census and apportionment of representatives under it shall be made. The division of each state into districts for the purposes both of choosing representatives and of appointing electors, shall be altered agreeably to the provisions of this amendment, and on no other occasion."

RESOLVED, that our senators in the congress of the United States be instructed and our representatives requested
Resolved, That his excellency the governor of this state be requested to forward a copy of the preceding resolution to each of our senators and representatives in the congress of the United States, and also to the governors of the several states, with a request that the same may be laid before their respective legislatures for their consideration and adoption. Approved June 30, 1818.

CHAP. LXXXVII.

AN ACT in addition to an act entitled “an act for arranging, forming and regulating the militia within this state, and for repealing all laws heretofore made for that purpose,” passed December 22, 1808.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That the commanding officer of each company of militia in this state, shall make, or cause to be made, an accurate return of his company to the commanding officer of the regiment to which he belongs, before the first day of August annually, and in case of neglecting so to do, he shall pay a fine of ten dollars; that the commanding officer of each regiment shall cause to be made an accurate return of his regiment, and according to the returns furnished him by the commanding officers of the several companies composing his regiment, to the brigade major before the first day of September annually on penalty of paying a fine of thirty dollars for neglecting so to do; and that each brigade major shall make to the adjutant general a return of his brigade before the first day of October annually, and for neglecting so to do shall pay a fine of thirty dollars.

Sec. 2. And be it further enacted, That every fine arising from any breach of this act may be recovered by bill, plaint or information in any court proper to try the same.

Sec. 3. And be it further enacted, That all fines recovered as aforesaid of commanding officers of companies, shall within thirty days after the recovery of the same be delivered to the commanding officers of their respective regiments.
to be appropriated for the benefit of music in the company of any officer from whom the same may be recovered; that all fines recovered of commanding officers of regiments and brigade majors for neglect as aforesaid shall within ninety days after the recovery of the same, be delivered to the adjutant general, who shall annually account to the state for all fines so received.

Sec. 4. And be it further enacted, That so much of the sixth and twenty-fourth sections of the act of which this is in amendment, as requires officers to reside within the limits of their respective commands, be so far repealed as respects towns which now do, or hereafter may constitute one entire regiment; Provided however, that the officers belonging to such regiment shall reside within the limits of the same.

Approved June 30, 1818.

CHAP. LXXXVIII.

AN ACT requiring the attorney general, solicitors of the several counties, and the clerks of the several courts in this state to give bonds.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That any attorney general of this state who may hereafter be appointed, shall give bond with sufficient sureties, to be approved by one or more of the judges of the superior court, in the penal sum of five thousand dollars made payable to the state of New-Hampshire and conditioned to account for, and pay over all monies by him received as attorney general, to the state, county or individuals to whom the same by law belongs, which bond shall be lodged with the secretary of state.

Sec. 2. And be it further enacted, That each and every solicitor of any county in this state, who may hereafter be appointed, shall give bond with two or more sureties, to be approved by one or more of the judges of the court of common pleas for the county in which he is or shall be commissioned, in the penal sum of one thousand dollars made payable to the state of New-Hampshire, and conditioned for the faithful discharge of the duties of his said office, and the pay-
ment of all monies by him received as solicitor, to the state, county or individuals as the law directs, which bond shall be lodged with the secretary of state.

Sec. 3. And be it further enacted, That the attorney general shall render an account annually on or before the first day of June to the state treasurer of all monies by him received for the state, and that the attorney general and solicitors shall on or before the first day of June annually render to the county treasurers of the county for whose use they may have received any monies, an account of all the monies they may have so received.

Sec. 4. And be it further enacted, That each and every clerk of the superior court and of the several courts of common pleas in this state, that may hereafter be appointed, shall before he enters upon the duties of his said office, give bond to the treasurer of the county to which he belongs, and his successor in office in the penal sum of five thousand dollars, with two or more sufficient sureties to be approved of by one or more of the judges of the court of which he is clerk, conditioned for the faithful discharge of the duties of his said office, and the payment of all monies by him received as clerk, to the state, county or individuals as the law directs, and for the safe keeping and immediate delivery of all the records, files and papers belonging to his said office, immediately upon his leaving his said office.

Sec. 5. And be it further enacted, That it is and shall be the duty of each and every of the clerks of the several courts aforesaid who is already appointed to give bond in the manner prescribed by the last preceding section of this act at and during the first session of the court of which he is clerk, that shall be holden after the passing of this act.

Sec. 6. And be it further enacted, That the attorney general already appointed shall at the first term of the superior court of judicature next to be holden in the county of Rockingham, give bonds as is herein provided for attorney generals, who may hereafter be appointed; and that the solicitors of the several counties already appointed shall at the first term of the court of common pleas next to be holden in the
Relief of poor Debtors.

Passed June 30, 1818.

AN ACT for the relief of poor debtors, and for regulating appeals from judgments of justices of the peace.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That no person shall be committed to gaol or be liable to be imprisoned on any execution issued on any judgment founded on contract made or entered into after the first day of January next unless the original debt or damage in such process or execution shall exceed the sum of thirteen dollars and thirty-three cents, and it shall be the duty of the clerk of the court or justice of the peace who may issue execution upon any judgment founded upon contract, the amount of which judgment exclusive of costs does not exceed the sum of thirteen dollars thirty-three cents, so to vary the form of such execution as that the same shall not run against the body of such debtor.

Sec. 2. And be it further enacted, That if any plaintiff in any civil suit founded on contract shall appeal from the judgment of a justice of the peace and shall not at the court appealed to recover damages to a greater amount than the justice awarded, the defendant shall recover his costs on such appeal, and if a defendant in any civil suit founded on contract shall appeal from the judgment of a justice of the peace, an appeal shall not be granted by such justice unless such defendant, so claiming an appeal, shall enter into a recognizance to the plaintiff with sufficient surety or sureties in such sum as such justice shall direct not exceeding twenty dollars, conditioned that such defendant shall pay to the plaintiff all such costs as the plaintiff shall recover against him in such suit.

Approved June 30, 1818.
5. New clause.

•c-

Repealing clause.

Jess, Provise.

laws

all its regiments.
Duty of clerk or justice.

Regulations relative to appeals.

Ex. origin. exceed 33.

Duty of clerk or justice.
AN ACT for arranging and regulating the militia within this State, and for repealing all laws heretofore made for that purpose.

Section 1. Be it enacted by the senate and house of representatives, in general court convened, That the several laws heretofore made for arranging, forming, and regulating the militia, be and hereby are repealed. Provided nevertheless, that all officers actually in commission, agreeably to the laws which are hereby repealed, shall continue in commission in the same manner and in the same authority they would in case the said laws were still in force; and that all proceedings done and transacted by virtue of said laws shall be good and valid in the same manner as if said laws were not repealed.

Sec. 2. And be it further enacted,
1. That the companies in the town of Portsmouth shall constitute the first regiment.

2. That the companies in the towns of Dover, Somersworth, Rochester, Farmington, and Milton, shall constitute the second regiment.

3. That the companies in the towns of Hampton, North Hampton, Hamptonfallis, Seabrook, Kensington, and South Hampton, shall constitute the third regiment.

4. That the companies in the towns of Exeter, New Market, Brentwood, Poplin, and Epping, shall constitute the fourth regiment.
Militia.

A.D. 1819. 5. That the companies in the towns of Amherst, Merrimack, Litchfield, Mont-Vernon, Milford, Dunstable, Holles, Nottingham-West, and Brookline, shall constitute the fifth regiment.

6. That the companies in the towns of Richmond, Winchester, Swanzey, Chesterfield, and Hinsdale, shall constitute the sixth regiment.

7. That the companies in the towns of Kingston, East-Kingston, Hawke, Newtown, Atkinson, Plaistow, Hampstead, and Sandown, shall constitute the seventh regiment.

8. That the companies in the towns of Londonderry, Salem, Pelham, and Windham, shall constitute the eighth regiment.

9. That the companies in the towns of Manchester, Goffstown, Dunbarton, Bedford, New-Boston, and Weare, shall constitute the ninth regiment.

10. That the companies in the towns of Gilmanton, Gilford, and Barnstead, shall constitute the tenth regiment.

11. That the companies in the towns of Concord, Pembroke, Bow, and Allenstown, shall constitute the eleventh regiment.

12. That the companies in the towns of Rindge, Jaffrey, Fitzwilliam, Roxbury, Dublin, Marlborough, Nelson, and Troy, shall constitute the twelfth regiment.

13. That the companies in the towns of Haverhill, Piermont, Orford, Wentworth, Warren, and Coventry, shall constitute the thirteenth regiment.

14. That the companies in the towns of Plymouth, Holderness, Rumney, Campton, Thornton, Ellsworth, Peeling, the inhabitants of Lincoln on the east side of the mountain, the inhabitants of Thornton Gore, and the inhabitants of Gillis’ and Foss’s Grant, shall constitute the fourteenth regiment.

15. That the companies in the towns of Plainfield, Cornish, Claremont, and the west company in Grantham, shall constitute the fifteenth regiment.

16. That the companies in the towns of Charlestown,
Langdon, Acworth, and Unity, shall constitute the sixteenth regiment.

17. That the companies in the towns of Chester, Candia, and Raymond, shall constitute the seventeenth regiment.

18. That the companies in the towns of Nottingham, Deerfield, Epsom, Northwood, and Pittsfield, shall constitute the eighteenth regiment.

19. That the companies in the towns of Moultonborough, Centre-Harbour, Sandwich, and Tamworth, shall constitute the nineteenth regiment.

20. That the companies in the towns of Walpole, Westmoreland, Keene, Surry, Gilsum, and Sullivan, shall constitute the twentieth regiment.

21. That the companies in the towns of Boscawen, Hopkinton, Salisbury, and Andover, shall constitute the twenty-first regiment.

22. That the companies in the towns of New-Ipswich, Sharon, Mason, Peterborough, Temple, Lyndeborough, and Wilton, shall constitute the twenty-second regiment.

23. That the companies in the towns of Lebanon, Hancover, and Lime, shall constitute the twenty-third regiment.

24. That the companies in the towns of Lancaster, Jefferson, Dalton, Northumberland, Whitefield, Bretton-Woods, Kilkenny, Durand, and Nash and Sawyer's Location, Piercy, Stratford, Wales' Gore, Columbia, Colebrook, Stewartstown, Errol, and the College Grant, shall constitute the twenty-fourth regiment.

25. That the companies in the towns of Durham, Lee, Madbury, and Barrington, shall constitute the twenty-fifth regiment.

26. That the companies in the towns of Antrim, Deering, Henniker, Hillsborough, Windsor, Hancock, Francestown, Greenfield, and Society-Land, shall constitute the twenty-sixth regiment.

27. That the companies in the towns of Wolfeborough, Tuftonborough, Ossipee, Effingham, Ossipee-Gore, and the north company in Wakefield, shall constitute the twenty-seventh regiment.
28. That the companies in the towns of Alstead, Marlow, Lempster, Stoddard, and Washington, shall constitute the twenty-eighth regiment.

29. That the companies in the towns of Sandbornton, Meredith, and New-Hampton, shall constitute the twenty-ninth regiment.


31. That the companies in the towns of Newport, Wendell, Goshen, Croydon, Springfield, and the east company in Grantham, shall constitute the thirty-first regiment.

32. That the companies in the towns of Bath, Lyman, Landaff, Concord (in the county of Grafton) Littleton, Bethlehem, Franconia, and that part of Lincoln on the west side of the mountain, shall constitute the thirty-second regiment.

33. That the companies in the towns of New-Durham, Alton, Middleton, Brookfield, and the southerly company in Wakefield, shall constitute the thirty-third regiment.

34. That the companies in the towns of New-Chester, Bridgewater, Alexandria, Groton, Hebron, and Danbury, shall constitute the thirty-fourth regiment.

35. That the companies in the towns of New-Castle, Rye, Greenland, Newington, and Stratham, shall constitute the thirty-fifth regiment.

36. That the companies in the towns of Eaton, Burton, Conway, Bartlett, Adams, and Chatham, shall constitute the thirty-sixth regiment.

37. That the companies in the towns of Canaan, Dame’s Gore, Dorchester, Orange, Enfield, and Grafton, shall constitute the thirty-seventh regiment.

38. That the companies in the towns of Chichester, Canterbury, Loudon, and Northfield, shall constitute the thirty-eighth regiment.

Sec. 3. And be it further enacted,

1. That the first, third, fourth, seventh and thirty-fifth regiments shall compose the first brigade.
2. That the second, tenth, nineteenth, twenty-fifth, twenty-seventh, twenty-ninth, thirty-third, and thirty-sixth regiments shall compose the second brigade.

3. That the eighth, eleventh, seventeenth, eighteenth and thirty-eighth regiments shall compose the third brigade.

4. That the fifth, ninth, twenty-first, twenty-second, twenty-sixth and thirtieth regiments shall compose the fourth brigade.

5. That the sixth, twelfth, fifteenth, sixteenth, twenty-eighth and thirty-first regiments shall compose the fifth brigade.

6. That the thirteenth, fourteenth, twenty-third, twenty-fourth, thirty-second, thirty-fourth, and thirty-seventh regiments shall compose the sixth brigade.

And that the first and third brigades shall form the first division.

That the second and sixth brigades shall form the second division.

That the fourth and fifth brigades shall form the third division.

Sec. 4. And be it further enacted, That each and every free, able-bodied white male citizens of this State, resident therein, who is or shall be of the age of eighteen years and under the age of forty-five years (except such as are hereinafter absolutely excused) shall severally and respectively be enrolled in the militia by the captain or commanding officer of the company within whose bounds such citizen shall reside; and it shall at all times be the duty of the captain or commanding officer of every company to enrol every such citizen as aforesaid; and also those who shall from time to time arrive at the age of eighteen years, or being of the age of eighteen years and under the age of forty-five years, shall come to reside within his bounds, shall be enrolled as soon as may be after such citizen shall come to reside within the limits of such company; and in all cases of doubt respecting the age of any person enrolled or intended to be enrolled, the party questioned shall prove his age to the satisfaction of the captain or commanding officer of the company within whose bounds he may reside; and if any person shall ne-
A. D. 1819.

glect or refuse to prove his age when called upon as aforesaid, he shall forfeit and pay ten dollars, to the use of the company within whose bounds he may reside; and any legal notice or warning to the citizen enrolled as aforesaid to attend a company or regimental muster, or training, shall be a legal notice of his enrollment. Provided nevertheless, that all persons who had attained the age of forty years on or before the twenty-eighth day of June, A. D. one thousand eight hundred and sixteen, shall not be enrolled or liable hereafter to perform military duty, any thing in this act to the contrary notwithstanding.

Sec. 5. And be it further enacted, That the Vice-President of the United States; the officers judicial and executive of the government of the United States; members of both Houses of Congress, and their respective officers; all custom-house officers, with their clerks; all post officers and stage-drivers, who are employed in the care and conveyance of the mail of the post-office of the United States; all ferry-men necessarily employed at any ferry on the post road; all inspectors of exports; all pilots; all mariners actually employed in the sea service of any citizen or merchant within the United States; the members of the executive Council; the judges of the Superior Court and Courts of Common Pleas; the members of the Legislature and its officers while the same is in session; judges of probate; registers of probate; registers of deeds; the attorney-general, the secretary and treasurer; all officers of any college actually resident there; preceptors of academies, while actually employed as such; ministers of the gospel of every denomination; all officers who have heretofore held commissions in the militia of this State, in the army or navy of the United States, or in the militia of any other state in the Union, for the term of four years and have been regularly discharged, or who have been superseded and discharged; all officers who shall hereafter hold commissions in any of the above places for a term of six years or shall be superseded and discharged; all officers and guards employed at the State Prison; and every person of the religious sect or denomination of Quakers and Shakers, who shall annually on or before the first Tuesday of May produce and deliver a certificate to the commanding officer of
the company within whose bounds such Quaker or Shaker resides, signed by two or more of the elders or overseers and countersigned by the clerk of the meeting or society with which he meets for worship, in substance as follows:

"We, the subscribers, elders (or overseers, as the case may be) of the meeting or society of ............... in the town of .......... in the county of ............ do hereby certify that ............... frequently and usually attends with said society for public worship, and is a regular member thereof, and we believe is conscientiously scrupulous of bearing arms.

A. B. \ Elders (or Overseers, as the case may be.)
C. D. \\
E. F. Clerk."

Provided always, that each certificate, so signed, produced and delivered as aforesaid, shall exempt the person therein named from doing military duty for the term of one year and no longer; be and hereby are excused absolutely from military duty;—all persons who are, or who may hereafter be, between the ages of forty and forty-five years; all engine men (not exceeding eighteen to each fire engine) who shall annually produce to the commanding officer of the company within whose bounds they reside, certificates from the selectmen of their respective towns that they have been legally appointed and are bound to perform the duties of engine men; be and they are hereby exempted from all militia duty except that of keeping themselves constantly furnished with the arms and equipments required by this act for privates of infantry, and the duty of carrying or sending them on the first Tuesday of May annually to the place of inspection, or view of arms, of the company within whose bounds they may reside, and in which they are enrolled: Provided however, that the persons conditionally exempted as aforesaid (engine men excepted) shall pay to the selectmen of the town or district within which such exempt resides, two dollars annually, and shall produce their receipt therefor to the commanding officer of the company, on or before the first Tuesday of May in each year; and the said selectmen shall keep an account of all monies so received by them, and such monies shall be expended by them for the sole purpose of
arming and equipping the militia of such towns or districts as may not be conveniently able to arm and equip themselves.

SEC. 6. And be it further enacted, That each division within this State shall be commanded by one major-general, who shall have two aids-de-camp with the rank of major to be by him appointed. That each brigade shall be commanded by one brigadier-general, who shall have one brigade inspector who is also to perform the duty of brigade major; one brigade quarter-master with the rank of major, and one aid-de-camp with the rank of captain, to be appointed by the brigadier-general. And to each brigade there shall be one judge advocate to be appointed and commissioned by the governor with advice of council, and whose duty it shall be to attend all courts-martial within the brigade, when called upon by the officer appointing such court, who shall rank as major, and be allowed the same pay and travel for attending courts-martial as is allowed by law to other members attending the same.

There shall be to each regiment one colonel, one lieutenant-colonel and one major. The regimental staff shall consist of one adjutant, one quarter-master, and one paymaster, to rank as lieutenants; one chaplain, one surgeon, one surgeon's mate, one quarter-master sergeant, one sergeant major, one fife major and one drum major, to be appointed by the colonel or commandant of the regiment.

That each company of infantry shall consist of one captain, one lieutenant, one ensign, four sergeants, of whom the first or orderly sergeant shall be clerk of the company, four corporals, one drummer, one fifer and sixty-four rank and file, the corporals to be included in the rank and file.

That all commissioned officers on foot shall be armed with a sword or hanger, and that all officers whose duty it is to be mounted on horseback, shall be armed with a sword or hanger and a pair of pistols.

That all non-commissioned officers and privates belonging to the infantry, light infantry, or grenadiers, shall be armed with a good firelock, with a steel or iron ramrod, priming-wire and brush, bayonet, scabbard and belt, cartridge-box that will contain twenty-four cartridges suited to the bore of his firelock, two spare flints, a knapsack and canteen.
That there shall be to each regiment two companies of light infantry or grenadiers, consisting of forty-eight rank and file, to be officered and equipped in the same manner as the infantry companies. And the field officers of any regiment may, with consent of the brigadier general, organize one company of riflemen, which may consist of thirty-six rank and file, to be officered like the infantry, and each non-commissioned officer and private shall be armed with a good rifle and equipped as riflemen usually are in actual service.

That there shall be to each regiment one company of artillery, to consist of one captain, two lieutenants, four sergeants, four corporals, six gunners, six bombardiers, one drummer, one fifer and sixteen matrosses, to be armed with swords or hangers.

That each company of artillery now formed, or that may hereafter be formed, when organized, be furnished at the expense of the state, with one piece of ordnance, with carriage, harness and apparatus complete, one baggage or ammunition waggon and harness, suitable to the piece, and one standard; that to each piece of ordnance be annually allowed twelve dollars for furnishing said piece with powder and port fire, for hiring horses on regimental muster days, and the ordinary repairs of the piece, waggon and harnesses; and each commanding officer of a company of artillery is hereby authorized to enlist two drivers, who shall be exempt from other military duty.

That there shall be to each regiment one company of cavalry, to consist of one captain, two lieutenants, one cornet, four sergeants, four corporals, two musicians, one farrier, one saddler, and fifty privates, each of whom shall be armed with a sword or hanger, and a pair of pistols; and each of whom shall furnish himself with a good horse of at least fourteen and an half hands high, a good saddle and bridle, mail-pillion and valise, holster, the caps of which shall be of bearskin, a cartridge-box to contain twelve cartridges, and a pair of boots and spurs; and each company of cavalry so formed shall be furnished with a standard or color.

The several companies of light infantry, grenadiers, artillery and cavalry shall be formed by voluntary enlistment.
from the regiment in which the persons enlisting shall reside; provided that not more than one eleventh part of any one company shall enlist into either of said corps without the consent of the field officers of the regiment in which said company is to be formed; and the said several companies when so formed, shall be under the command of the field officers of such regiment.

Sec. 7. And be it further enacted, That the captain of each company of cavalry now formed (who has not received his music money) and the captain of each company that may hereafter be formed, shall be entitled to receive out of the treasury twenty-five dollars for the purpose of furnishing such company with instruments of music; and the governor, it being certified by the commanding officer of the regiment, that a company of cavalry belonging to the same is organized agreeably to law, shall give the captain of such company an order on the treasurer for the aforesaid sum.

That the captain of each company of infantry, light infantry, grenadiers or artillery now formed (who has not received his music money) and the captain of each of the companies aforesaid that may hereafter be formed, shall be entitled to receive out of the treasury the sum of eight dollars for the purpose of furnishing his company with instruments of music, who is to observe the rules for obtaining the same, that are pointed out for the cavalry.

That each captain of infantry, light infantry, grenadiers, artillery or cavalry now formed, or that may hereafter be formed, shall receive annually the sum of two dollars, for the purchase and repairs of instruments of music in their respective companies, to be paid as provided in the [seventeenth] section of this act.

Sec. 8. And be it further enacted, That there shall be provided, at the expense of this state, a standard for each regiment, and when any regimental standard or colors belonging to the artillery or cavalry shall become useless, the adjutant and inspector general shall furnish new ones for such regiment or company, at the expense of the state, upon a certificate being produced from the brigade inspector that such standard or colors are necessary. And all colors shall be

Companies to receive music money.

Standards &c. provided.
made of good scarlet silk with the number of the regiment or company marked on them with white silk, by the officer receiving them.

That every commanding officer of a company shall parade his company on the first Tuesday of May annually, at one of the clock in the afternoon, for the purpose of inspecting, examining and taking an exact account of all the equipments of his men, and for noting all delinquencies of appearance and deficiencies of equipment, and for correcting his company roll, in order that a thorough inspection of each company in the state may be made. And it shall be the duty of every commanding officer of a company to parade his company by his own order on two several days in the year for training in addition to the company inspection and regimental muster aforesaid; and on the several days of training to use his best exertions in instructing and perfecting his men in their company exercise and evolutions. And whenever the commanding officer of a company shall order out his company for inspection or training, or for any regimental, brigade, or division inspection or review, he shall issue his orders to one or more of the non-commissioned officers or privates of his company, requiring him or them to notify the men belonging to his company to appear at the time and place appointed, and it shall be the duty of the person or persons so ordered to notify the men as aforesaid, to give notice of the time and place appointed for parade of said company, to each and every man he or they shall have been ordered to notify, by delivering to each man in person, or by leaving at his usual place of abode, a written or printed order. And no notice shall be legal for any company, regimental, brigade or division inspection or review, unless the same shall be given four days at least previous to the time appointed therefor. And if any non-commissioned officer or private, after such notification, shall unnecessarily neglect to appear, he shall pay a fine of three dollars for regimental, brigade, and division musters, and two dollars for each and every other training. Provided always, that in case of actual or threatened invasion, insurrection, or other emergency, any notice however short shall be legal and binding. And in all cases the testimony of the person who shall have received orders to notify the whole or any part of the men of any company, to appear at a time and place appointed for
military duty, shall be conclusive to prove that due notice was given, unless such testimony be invalidated by other evidence. And whenever any company shall be paraded the commanding officer of such company is hereby authorized verbally to notify the men so paraded to appear on some future day not exceeding thirty days from the time of such notification, and such notice shall be legal as it respects the men present.

Sec. 9. And be it further enacted, That the selectmen of the several towns and unincorporated places within this state shall furnish suitable meats and drinks for the refreshment of all non-commissioned officers and soldiers within their several towns and places, on each regimental, brigade or division muster; the meats and drinks to be furnished on parade where such musters are; the number of men ascertained by a roll certified by the commanding officer of the company to which they belong; and if the selectmen of any town or place after proper notice of such muster, shall neglect or refuse to furnish the supplies aforesaid, they shall forfeit and pay the sum of fifty cents for each non-commissioned officer or soldier whom they shall neglect to furnish, to be recovered by the commanding officer of the company which shall be so neglected, in any court proper to try the same, to be appropriated towards defraying the expenses of said company.

Sec. 10. And be it further enacted, That any person, who has already enlisted, or may hereafter enlist from any company of infantry into any company of artillery, cavalry, light infantry, grenadiers or riflemen, shall not be exempted or excused from doing military duty in the company from which he enlisted, until he is uniformed and equipped to do duty in the company into which he enlists—and if any non-commissioned officer or private of any company of artillery, cavalry, light infantry, grenadiers or riflemen shall appear at a company or regimental muster, without the uniform of the company to which he belongs, he shall forfeit two dollars, to be collected in the same manner as is provided in this act for the collection of fines for non appearance and deficiencies of equipment.

Sec. 11. And be it further enacted, That every officer, non-commissioned officer and private, shall hold his uniform.
arms and equipments exempted from all suits, distresses, executions or sales for debt or the payment of taxes. And no officer, non-commissioned officer, musician, or private, shall be arrested on any civil process, during his going unto, returning from, or his performance of military duty; and no officer shall be arrested on any civil process while going unto, serving upon, or returning from any court martial or court of inquiry, upon which it may be the duty of such officer to attend.

Sec. 12. And be it further enacted, That no non-commissioned officer or private soldier shall, upon any muster day, or evening of the same day, discharge or fire off a musket or pistol, in any public road or near thereunto, or in or near to any house, or on or near the place of parade, unless leave therefor be first had from a commissioned officer, on penalty of paying for each offence so committed, the sum of two dollars, to be recovered by action before any justice of the peace within the county where such offence shall be committed, by any person who shall sue for the same, with cost of prosecution.

Sec. 13. And be it further enacted, That where there are or hereafter may be any company or companies of militia unorganized, and where suitable characters cannot be found within the limits of said companies, necessary for the organization of the same, the field officers within whose limits such company or companies are, may annex such persons as are liable to do duty in the train-band to any organized company or companies contiguous thereto, as may be most convenient; and the persons so annexed shall be liable to do duty, and subjected to penalties, in the same manner as though they were officered by persons living within the particular town or district in which they reside.

Sec. 14. And be it further enacted, That the captain of each company of artillery, organized according to law, (who has not received his money for building a gun-house) be entitled to receive out of the treasury the sum of fifty dollars for the purpose of erecting a gun-house for the safe keeping of the ordnance, carriages, harnesses and apparatus belonging to his company, and the governor, it being certified by the commanding officer of a regiment that a company of artillery is organized within the same as aforesaid, shall give the
A.D. 1819. Captain of such company an order on the treasury for the a-
foresaid sum, and if after the erection and completion of said
gun-house, any part of said sum shall remain unexpended, the
sum so remaining shall be appropriated for the purpose of
instructing the military musicians in the regiment, in which
said company of artillery may be formed; that in case any
captain shall neglect or omit to appropriate the money by
him received by virtue of this section, for the purposes here-
in expressed, within one year from the time of his receiving
the same, he shall forfeit and pay the sum of one hundred
dollars, to be recovered by any person who may first sue for
the same, before any court in this state of competent jurisdi-
tion; the one half to the use of the regiment in which such
company of artillery may be formed, to be appropriated for
instruments and instructing the military musicians in said reg-
iment, and the other half to the use of the person suing for
the same; and that the field officers of the respective regi-
ments shall locate the place where such gun-house shall be
erected; and that a deed conveying the fee of the land on
which the same shall be erected, shall be executed to the
state of New-Hampshire, and be lodged in the secretary's
office before the buildings are completed. Provided, that
the field officers of the regiment to which any gun-house may
belong, shall have power to remove the same, whenever in
their opinion the artillery company in such regiment shall be
better accommodated thereby; they first causing the title of
the land to which such gun-house may be removed, to be ves-
ted in this state, and shall have power to dispose of the land
from which such gun-house may be removed, the proceeds
of the sale of which, after paying for the lot to which such
gun-house may have been removed, if a balance shall re-
main, shall be appropriated for the purpose of instructing the
military musicians in the regiment to which such company
belongs.

Sec. 15. And be it further enacted, That in case the cap-
tain of any company of infantry, light infantry, grenadiers,
avillery, cavalry or riflemen, shall neglect or omit to appro-
priate the money by him received for the purpose expressed
in this act, within six months from the time of receiving the
same, he shall forfeit and pay the sum of thirty dollars, to be
recovered by any person who may sue for the same, before any court in this state of competent jurisdiction, the one half to the use of the company to which said money was to be appropriated, and the other half to the use of the person suing for the same.

Sec. 16. And be it further enacted, That the captain-general be and hereby is authorized to appoint such number of aids-de-camp as he may think necessary, to be commissioned with the rank of colonel.

Sec. 17. And be it further enacted, That there shall be an adjutant and inspector general, whose duty it shall be to distribute all orders from the commander in chief of the militia to the several corps; to attend all public reviews when the commander in chief shall review the militia or any part thereof; to obey all orders from him relative to carrying into execution and perfecting the system of military discipline established by law; to furnish the division adjutants and inspectors with blank forms for all the different returns that may be required; to explain the principles on which they should be made; to keep an orderly book and record therein all orders issued by the commander in chief; a summary of the proceedings of all general courts martial with the orders of the governor thereon; all alterations or amendments of the laws of the United States, or of this state relative to the militia—copies of all which he shall make out, certify and forward without delay to the major-general, or to the adjutant and inspector of each division. He shall also keep a record of all appointments made and all resignations accepted by the commander-in-chief, and give notice thereof in general orders, which shall be forwarded immediately to the commanding officer or the adjutant and inspector of the division where each appointment or resignation is to take effect. He shall also keep a roster of the general field and staff of the militia, from which he shall detail all officers for general courts martial, or other special service ordered by the commander-in-chief. He shall pay annually to the colonels or commanding officers of the several regiments composing the militia of this state, or their order, the sum of two dollars for each and every company composing such regiments, for the purpose of furnishing and repairing the musical instruments of such com-
panies, on the colonel or commanding officer's producing a certificate of the number of companies composing his regiment, and such colonel or commanding officer, so receiving monies as aforesaid, shall be accountable for the same to the captains or commanding officers of companies in his regiment. And it shall be the duty of the adjutant and inspector general in future to attend where the legislature shall hold their June session, on the second Tuesday of the session, for the purpose of paying over such sums: he shall also perform all other duties which by law or custom appertain to the office of adjutant and inspector general; and such compensation shall be made to him for his services, from time to time by the legislature, as they shall think just.

Sec. 13. And be it further enacted, That there shall be an adjutant and inspector general of each division with the rank of colonel, whose duty it shall be to distribute all orders from the major general or commanding officer of his division to the several brigades; to attend all reviews when the major general shall review the militia, or any part thereof; and inspect the same when the division shall be called out; to furnish the brigade major and inspector of each brigade with blank forms for all the returns that may be required, and explain the principles on which such returns should be made; to keep an orderly book and record all orders, laws and other official communications which may be received by him or the commanding officer of his division, or issued by him—a summary of the proceedings of all courts martial ordered by the commander in chief or the commander of his division, with the sentence and order thereon; copies of all which shall be immediately transmitted by him to the commanders or brigade inspectors of the several brigades in his division. He shall also keep a record of all appointments and resignations in his division, notice of which shall be immediately transmitted in orders to the brigade where each appointment or resignation is to take effect—he shall also keep a roster of the general field and staff of his division, from which he shall make all details for courts martial and other service, noting thereon the special services performed by each officer; and do and perform all other things which by law or custom appertain to the duties of an adjutant and inspector of division.
Sec. 19. [1.] And be it further enacted, That it shall be the duty of the brigade major and inspector of each brigade to distribute all orders from the brigadier general or commanding officer of his brigade to the several regiments; to attend with the brigadier general or commanding officer of his brigade, all reviews, inspections, or other military parades, to carefully inspect all the militia of his brigade at their annual musters in each year; to superintend their exercise and manoeuvres; to introduce the system of discipline established by law, and instruct them therein; to make a correct report of their arms, accoutrements, discipline and state of improvements, to the division adjutant and inspector; to furnish the adjutants of each regiment with blank forms for such returns as may be required, and explain the principles on which they should be made; to keep an orderly book and record all general, division, and brigade orders, laws, the proceedings of courts martial, and all other official communications, which he or the commanding officer of his brigade may receive from the division adjutant and inspector, copies of all which shall be immediately transmitted to the adjutants or commanding officers of the several regiments in his brigade. He shall also keep a record of all appointments, which shall be made or resignations accepted in his brigade, notice of which shall be transmitted to the adjutants or commanding officers of the several regiments where such appointments or resignations are to take effect without delay; he shall also keep a roster of the field and staff of his brigade from which all details for duty shall be made, and shall note the special services performed by each officer; and shall do and perform all other duties which by law or custom appertain to his office. And the several brigade inspectors shall be allowed for their services as follows: for inspecting each regiment separately two dollars, and for each mile of necessary travel to do said duty eight cents, to be calculated from his place of residence to the place of parade, and for making out to the adjutant general the return of the brigade by him inspected, one dollar.

Sec. 19. [2.] And be it further enacted, That it shall be the duty of the adjutant of each regiment to distribute all orders
from his colonel or commanding officer of the several companies; to attend the commanding officer of his regiment whenever he shall be on military duty, and to see that all his orders are properly executed; to keep an orderly book, and record all orders and other official communications, which may be received by him, or the commanding officer of his regiment, and all orders which may be issued by the colonel or commanding officer of his regiment, and shall, without delay, send or transmit copies thereof to the captain or commanding officers of each company in his regiment— he shall also furnish them with forms for all the returns which may be required, and explain the principles on which they should be made—he shall also keep a roster of the officers of his regiment from which all details for courts martial or other service shall be made, and note the services performed by each officer, and the number of non-commissioned officers and privates furnished by each company for guard or other special service—he shall also keep a register of the non-commissioned officers of his regiment with the date of their appointments respectively—he shall occasionally attend the company drills, and introduce and explain the discipline established by law—he shall act as judge advocate at all regimental courts martial, record the proceedings, and see the sentence executed—he shall also do and perform all other duties which by law or custom appertain to the office of regimental adjutant.

The orderly sergeant of each company, or the sergeant doing the duty of orderly sergeant, shall, and any other sergeant doing the duty of orderly sergeant shall, and any other sergeant shall when ordered by his commanding officer, distribute the orders of the captain or commanding officer to the other non-commissioned officers and privates of the company, and see them executed—shall, in an orderly book to be kept by the captain for that purpose, record all general, division, brigade, regimental and company orders; the proceedings of all courts martial, and all laws or other official communications received by the captain of his company—all of which under the direction of his captain or commanding officer, shall be read publicly before the company, immediately after roll call, the first time the company shall be together after
such orders or official communications shall have been made.

It shall be the duty of the sergeant major to act as an assistant to the adjutant; to distribute all orders given him for that purpose; to keep a roster of the non-commissioned officers of his regiment, and make all details from them for service.

The quarter master sergeant shall act as an assistant to the quarter master, and shall distribute and execute his orders.

The fife major shall have the command of the musicians belonging to his regiment.

The orderly sergeant of each company under the direction of his commanding officer shall, at the annual company inspections in May, and also at the regimental review in September or October, and at such other times as may be ordered by the colonel or commanding officer of the regiment, make out a correct return, in such form as may be prescribed, of the strength, arms, accoutrements and situation of his company; the number present and absent at each time, distinguishing between those who are excused, and those who are absent without excuse, which return shall be signed by him, countersigned by the captain or commanding officer of the company, recorded in his orderly book, and immediately handed or transmitted to the adjutant of the regiment, and for which the captain or commanding officer of the company for the time being shall be held accountable.

The adjutant of each regiment shall immediately on receiving the returns of the several companies consolidate them into one return, in such form as shall be prescribed, so as to exhibit at one view the exact strength and situation of each company, and of the regiment, their arms, accoutrements, &c. which shall be signed by him, countersigned by the colonel or commanding officer of the regiment, recorded in the orderly book, and immediately handed or transmitted to the brigade major; for which the colonel or commanding officer of the regiment and the adjutant shall both be held responsible.

The brigade major of each brigade shall on receiving the returns of the several regiments make out a correct report of his brigade, which shall exhibit a view of the strength, arms
and accoutrements of each regiment and the brigade, which
shall be signed by him, countersigned by the brigadier gen-
eral, and immediately transmitted to the division adjutant and
inspector: and the brigade major shall accompany his report
with such remarks and observations on the state of discipline
and improvement in his brigade, and in each regiment sepa-
rately, as may be necessary to give to the major general cor-
correct information on those subjects.

The division adjutant and inspector of each division shall,
immediately on the receipt of the brigade reports; consoli-
date them and make out a return which shall exhibit the ex-
act strength and situation of his division, and add thereto
such other information as he may have received respecting
the discipline and improvement of the several brigades, which
shall be countersigned by the major general, recorded in his
orderly book, and transmitted to the adjutant and inspector
general of the state.

The adjutant and inspector general, on receipt of the di-
vision returns, shall from the information they contain make
out a return, which shall exhibit the strength and situation of
each division, and of the whole militia of the state, their
arms, accoutrements, &c. and shall add thereto such other in-
formation as he may have received, and shall lay the same
before the commander in chief; shall put one copy thereof
on file in his office, and transmit a copy to the president of
the United States, or to the secretary of war.

Sec. 20. And be it further enacted, That there shall be a
quarter master general with the rank of brigadier general,
to be appointed by the governor and council. And it shall
be his duty to furnish all camp equipage, field pieces, ord-
nance and military stores, and all and every other thing
which by law or custom belongs to his department, or which
now or may hereafter be authorized by law to be purchased
for the use of the militia of this state; to have all such arti-
cles as are usually wanted, or are liable to be called for, de-
posited with the several brigade quarter masters, to be issued
on the orders of the brigadier generals; to pay all the con-
tingent expenses of the militia, which are now or may here-
after be authorized by law.

The captains or commanding officers of each company
shall in the month of April in each year make out a correct return of the artillery, camp equipage, ordnance and military stores, standards, books, blank forms and public property of every name and description in their several companies, which have been furnished at the expense of the state, in such form as shall be required, and shall hand or transmit the same, accompanied with a requisition for such articles as are wanting, to the quarter master of the regiment. The regimental quarter masters shall immediately consolidate the returns and requisitions of the several companies, according to forms which shall be furnished for that purpose, so as to exhibit an exact account of what is on hand in each company and what is required; adding thereto what is in his own keeping for the use of his regiment and what is further required, which shall be recorded and signed by him, countersigned by the colonel or commanding officer of his regiment, and forwarded immediately to the brigade quarter master.

The several brigade quarter-masters shall, on the orders of the brigadier generals or commanding officers of their several brigades, issue to the regimental quarter masters all such articles authorized by law as are required by them, taking duplicate receipts therefor; and the regimental quarter-masters, on the orders of the colonel or commanding officer of their regiment, shall issue to the companies according to their requisitions, taking duplicate receipts therefor from the captain or commanding officer of the company; one of which receipts shall be transmitted to the brigade quarter master with his next return. And it shall be the duty of each brigade quarter master to consolidate the returns of the regimental quarter master so as to exhibit an exact account of every article on hand in the several regiments of his brigade, adding thereto all articles in his own possession for the use of his brigade, and forward the same to the quarter master general. He shall also from time to time make such requisitions on the quarter master general for such articles authorized by law as may be required for his brigade, and for such funds as may be necessary to defray such contingent expenses therein as are authorized by law to be paid, so as to have on hand such articles as are usually wanted or are liable to be called for in his brigade.
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The quarter master general shall in the month of May in each year, and at any other time when required by the commander in chief, consolidate the returns of the several brigade quarter masters so as to exhibit at one view all the articles of public property in the several brigades and in his own keeping. He shall also add to it an account of all articles received or purchased by him, and issued to the brigade quarter masters; which shall be laid by him before the commander in chief for his information.

Pennies for neglect of making due returns.

The captain or commanding officer of each company shall within ten days after the annual company inspection in May, and on the day of the regimental review in September or October, furnish the adjutant of his regiment with a report of his company in the manner and form prescribed in this act; and in default thereof shall pay a fine of ten dollars.

The adjutant of each regiment shall make his returns to the brigade major within twenty days from such inspection and muster; and in default thereof shall pay a fine of twenty dollars.

The brigade major of each brigade shall make his return to the division adjutant and inspector within forty days from such inspection and muster; and in default thereof shall pay a fine of twenty dollars.

The division adjutant and inspector shall make his return to the adjutant and inspector general of the state within sixty days from such inspection and muster; and in default thereof shall pay a fine of thirty dollars.

And the adjutant and inspector general of the state shall make his return to the commander in chief within eighty days from such inspection or muster, and to the secretary of war within one hundred days from such inspection; and in default thereof shall pay a fine of forty dollars.

All which fines shall be recovered on complaint of the officer to whom such returns should have been made, or the judge advocate of the brigade, in any court proper to try the same, with costs of suit—unless such officer shall make it appear to the satisfaction of the court that he was utterly unable from sickness, or some other cause, to make his return within the time specified. And if any officer from whom re-
turns are required by this act shall refuse or neglect to make such returns for the space of one month beyond the time limited; or shall neglect to do and perform any of the duties required of him by this act within a reasonable and proper time, he shall be arrested on the written complaint of any officer having knowledge of such neglect or refusal, tried by court-martial, and, if found guilty, shall be cashiered.

Sec. 21. And be it further enacted, That all regimental or drum-head courts-martial shall consist of not less than three nor more than five officers, at the discretion of the officer ordering the same.

The postage or other reasonable expense incurred in the transmission of any orders or returns required or authorized by this act, shall be paid by the quarter master general, or by the brigade quarter master, on such vouchers being produced as shall satisfy them that the expenditure was actually and necessarily incurred, and was just and reasonable.

The pay allowed to officers employed on courts martial, and the contingent expenses attending the same, shall be paid by the quarter master general or brigade quarter master, on the certificate of the president of the court martial and judge advocate that such expenses were just and legal.

The quarter master general, the adjutant and inspector general, and all other officers to whom special services are assigned by this act, shall be allowed such compensation as the legislature shall think just and reasonable.

Sec. 22. And be it further enacted, That the rules and regulations for the field exercise and manoeuvres of infantry compiled and adopted for the organization of the army of the United States, agreeably to a resolve of Congress passed December, A. D. one thousand eight hundred and fourteen, be received, adopted and established as the rules of discipline for the militia of this state, except that part which relates to the formation of a regiment in order of battle or line and the rank of companies, which shall be as follows:

Each regiment when on duty shall be formed and paraded as follows, viz.—The cavalry on the extreme right, and if more than one company, the oldest captain with his company on the right. The artillery on the left of the cavalry, and
if more than one company, the oldest captain with his company on the right. On the left of the artillery, all the companies of light infantry and grenadiers, the oldest captain with his company on the right, the next oldest with his company on the left, and the others, if any, in the center. On the left of the light infantry, the infantry in one battalion, as follows: the oldest captain or first in rank with his company on the right—the second or next in rank with his company on the left—the third in rank with his company on the left of the right or first captain—the fourth in rank with his company on the right of the left or second captain—and the remaining captains with their companies alternately on the left of the right and on the right of the left, verging towards the center, till the whole is formed. The company of riflemen, if any, on the left of the infantry or extreme left of the regiment. The respective ranks of the captains shall, in all cases, be determined by the date of their commissions; and when it shall happen that two or more captains have commissions of the same date, their respective ranks shall be determined by their prior pretensions or former commissions, and if they have no prior pretensions, the oldest man shall rank first. The cavalry, artillery, light infantry, infantry and riflemen shall be equally under the command of the colonel of the regiment, or in his absence of the lieutenant-colonel, or in their absence of the major, or in the absence of each of them, of the oldest captain, &c.—and when formed in regiment all the music except cavalry music shall be placed together in such place as the commanding officer shall direct.

Sec. 23. And be it further enacted, That non-commissioned officers may be reduced to the ranks for any misdemeanor, which in the opinion of the commissioned officers of the company, and the commanding officer of the regiment, shall deserve such punishment.

Sec. 24. And be it further enacted, That the field officers of each and every regiment shall form and arrange the companies in their several regiments, from time to time, as they shall think the public good may require.

Sec. 25. And be it further enacted, That the color and fashion of the uniform of the cavalry, artillery, light infantry and grenadiers shall be determined by the field officers of the
regiment in which such corps may be formed, and that the color of the uniform of the infantry shall be determined on by the commander in chief.

Sec. 26. And be it further enacted, That each non-commissioned officer or private who shall appear on parade not completely equipped according to law, shall for each article with which he shall neglect to appear, pay the following sums as fines for the equipments with which he shall not be provided, viz.: a gun, eighty cents; steel or iron ram-rod, twenty cents; bayonet, scabbard and belt, twenty-five cents; for neglecting to have his musket and bayonet bright and in complete order, fifty cents; pistol, forty cents; sword or hanger, forty cents; two spare flints, ten cents; priming-wire and brush, ten cents; cartridge-box capable of containing twenty-four rounds as aforesaid, twenty-five cents; knapsack, twenty cents; and canteen, ten cents.

Sec. 27. And be it further enacted, That every officer, non-commissioned officer and private, shall constantly keep himself furnished and provided with the arms and equipments required by this act, except such private of infantry as shall not be able to provide himself; and no private shall be considered unable to provide himself with the arms and equipments required as aforesaid, unless he shall produce after the first day of April and before the first day of May annually, to the commanding officer of the company to which he belongs a certificate of such inability from the overseers of the poor of the town or district where he resides; and the commanding officer of the company to which such private belongs shall forthwith lay such certificate before the selectmen of the town or district where such private resides; and it shall be the duty of such selectmen forthwith, at the expense of their respective towns or districts, to provide for every such private the arms and equipments required as aforesaid, and they shall deposit the same in some safe and convenient place, and shall permit the commanding officer of the company to which such private unable to provide himself as aforesaid belongs, to deliver such arms and equipments to such private, whenever his company shall be ordered out for any military duty, and the said commanding officer shall be responsible for the safe return of such arms and equipments to the place of
Militia.

A.D. 1819. deposit. That all parents, masters and guardians shall furnish all minors enrolled in the militia who shall be under their care respectively with the arms and equipments required by this act; and if any parent, master or guardian, having any minor under his care enrolled as aforesaid, shall neglect to provide such minor with the arms and equipments required as aforesaid, he is hereby subjected and made liable to the same forfeitures as such minor would be liable to for a like deficiency or neglect, if such minor were of age; provided however, that such parents, masters or guardians as shall produce on or before the first Tuesday of May annually certificates from the overseers of the poor of the town or district in which they reside of their inability to provide arms and equipments as aforesaid, to the commanding officer of the company in which the minor under their care is enrolled, shall be exempted from the forfeitures aforesaid—and the selectmen so neglecting or refusing shall forfeit and pay to the use of the state a sum not exceeding fifty dollars, to be recovered by indictment in the superior court of judicature. And if any person so furnished with arms and equipments shall embezzle, damage or wilfully destroy the same, he shall be punished by any court proper to try the same, upon complaint made by the selectmen of the town by fine or imprisonment, or both, but in no case shall the fine exceed double the value of the arms and equipments so lost or destroyed, nor shall the imprisonment exceed sixty days; and all fines recovered for embez- zling or destroying arms and equipments as provided in this act, shall be paid into the hands of the selectmen, to be appropriated in purchasing arms and equipments for such soldiers as are unable to equip themselves.

Sec. 28. And be it further enacted, That parents, masters and guardians shall be liable for the non-appearance and neglect of such persons as are under their care, (and are liable by law to train) and are to be proceeded against, for the penalty, in the same manner as by this act is provided against other delinquents.

Sec. 29. And be it further enacted, That when any noncommissioned officer or private shall refuse or neglect to notify and warn any of the non-commissioned officers or privates of the company to which he belongs, (being thereto ordered
by his superior officer) he shall pay a fine of two dollars for each non-commissioned officer or private he shall neglect to warn, to be recovered in the same way and manner as is before provided for the collection of fines for non-equipment and non-appearance.

Sec. 30. And be it further enacted, That all fines recovered of any non-commissioned officer or private by virtue of this act for non-appearance or non-equipment (except the part which accrues to the sergeant who collects the same) shall be paid into the hands of the commanding officer of the company to which such non-commissioned officer or private may belong, to be expended for the benefit of such company, as the commissioned officers of the same may direct; and it shall be the duty of the commanding officer of the company to keep an accurate account thereof, and to exhibit the same to the commanding officer of the regiment when thereto required.

Sec. 31. And be it further enacted, That every non-commissioned officer and soldier shall yield entire obedience to the commands of his superior officers; and if any non-commissioned officer or soldier shall prove refractory or disobedient while on duty, or shall insult or abuse his officers, or either of them, or treat them with disrespect, the commanding officer present may order the offender to be immediately tried by five commissioned officers, if so many shall be present, and if not so many present, as many as there are in the field; who are empowered to punish the offender by ordering him to pay a fine not exceeding ten dollars, at the discretion of the officers; and in case such offender shall refuse or neglect to pay the fine which he may be ordered to pay as aforesaid, the commanding officer present shall issue a warrant under his hand and seal, directed to one of the sergeants of the company to which such offender may belong, ordering him to arrest and imprison such offender in the common gaol in the county; and the keeper of such gaol is directed and ordered to detain such offender in prison for the space of sixty days, or until he shall pay the fine so ordered to be paid by him as aforesaid.

Sec. 32. And be it further enacted, That on all muster days every officer shall yield due obedience to his superior officers—and if any officer shall on such days (or at any other time)
A.D. 1819. refuse or neglect to obey the orders he may receive from his superior officers, respecting any matters relating to the government of the militia, he shall be tried by a court martial, and if convicted thereof, shall be cashiered, or reprimanded in orders by the officer appointing the court martial, as the members of said court shall determine; and the superior officer may immediately put such offender in arrest, and report him and his offence to the officer commanding the brigade, (if the officer is under the rank of a field officer) and the commanding officer of the brigade is hereby empowered to appoint a court martial for such trial, and to approve or disapprove the sentence as he may think just; and in case the offender is of the rank of a field officer, his offence shall be reported to the major-general, or officer commanding the division, who is hereby empowered to appoint a court martial for the trial of such offender, and to approve or disapprove the sentence as aforesaid: but in case the offender shall be of the rank of a general officer, his offence shall be reported to the commander in chief, who is empowered to appoint a court martial for the trial of such offender, and to approve or disapprove the sentence as aforesaid.

The commander in chief shall, at all times, have the right of appointing courts martial whenever he shall think it necessary.

All courts martial, appointed by the commander in chief, shall consist of twelve members, a president and a marshal, the president of which shall be of the rank of a major-general.

All courts martial appointed by a major general shall consist of eight members, a president and a marshal, the president of which shall be of the rank of a colonel or of higher grade.

All courts martial appointed by a brigadier general shall consist of six members, a president and a marshal, the president of which shall be of the rank of a field officer.

If a general court martial is to be formed, orders shall be issued to such divisions as in the opinion of the commander in chief may most conveniently furnish the members thereof; if it be a division court martial, orders shall be issued to such brigades or regiments, within the division, as, in the opinion
of the major general or commanding officer of the division, may most conveniently furnish the members thereof; if it be a brigade court martial, orders shall be issued to such regiments, within the brigade, as in the opinion of the brigadier general, or officer commanding the brigade, may most conveniently furnish the members thereof. And whenever the commanding officer of a division, brigade or regiment shall be ordered to furnish any officer or officers, as member or members, supernumerary or supernumeraries, of a court martial, such officer or officers shall be regularly detailed from the roster of the division, brigade or regiment, by the commanding officers thereof respectively, forthwith after having received orders therefor as aforesaid; provided however, that in case of inability, sickness or absence of any officer whose turn it would be to serve on a court martial, the detailing officer shall certify such circumstance to the officer who ordered the court martial, and detail the officer next in rotation; and the officers ordered to be detailed to serve on courts martial shall be detailed in the following manner: major generals by the commander in chief, or his orders, from the general roster; brigadier generals by the commanding officers of divisions, from the division roster; field officers by the commanding officers of brigades, from the brigade rosters; and captains and subalterns by the commanding officers of regiments, from the regimental rosters.

Whenever a court martial is ordered, the officer ordering it shall appoint the president and marshal of the same—he may also, at his discretion, order a number of officers, not exceeding half the number of members of which the court is composed, to be detailed as supernumeraries in addition to the members, to attend the court at the organization thereof; and in case there shall be any vacancy or vacancies, the judge advocate shall fill such vacancy or vacancies, from the supernumeraries beginning with the highest in grade and proceeding in regular rotation.

All officers of courts martial shall take rank by seniority of commission without regard to corps. Before any court martial shall proceed to the trial of any officer, the judge advocate shall administer to the president and each of the members, singly, the following oath:

"You, A. B. do swear that without partiality, favor, affec-
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credence, prejudice, or hope of reward, you will well and truly 
try the cause now before you, between this state and the 
person (or persons as the case may be) to be tried, and you 
do further swear that you will not divulge the sentence of 
this court martial until it shall be approved or disapproved; 
and that you will not, on any account, at any time whatever, 
discover the vote or opinion of any member, unless required 
to give evidence thereof, as a witness, by a court of justice 
in a due course of law. So help you GOD."

And the president shall administer to the judge advocate 
the following oath:

"You, A. B. do swear that you will faithfully and impartially 
discharge your duties as judge advocate on this occasion, 
as well to the state as to the accused, and that you will not, 
on any account, at any time whatever, divulge the vote or 
opinion of any member of this court martial, unless required 
to give evidence thereof, as a witness, by a court of justice 
in a due course of law. So help you GOD."

All military officers shall be amenable to a court martial 
for any unofficerlike or ungentlemanlike conduct or behavior, 
while on duty, and at all other times, and shall be tried and 
sentence approved, in the same way and manner as is before 
provided for disobedience of orders.

All persons called by summons from the president of any 
court martial, to give evidence, who shall unreasonably re-
fuse or neglect to appear, or appearing, shall refuse to give 
evidence, shall be committed to the common gaol of the 
county where such court is sitting; there to remain three 
months, unless sooner discharged therefrom by the justices of 
the superior court; and the president of such court martial 
is to lodge the accusation against him with the prison keep-
er.

All witnesses shall be sworn or affirmed by the judge adva-
cate before they give their evidence to the court, and the 
aud or affirmation to be administered to witnesses in courts 
martial shall be in the form following:

"You swear (or affirm as the case may be) that the evi-
dence you shall give relative to the charge now in hearing 
shall be the truth, the whole truth, and nothing but the truth. 
So help you GOD."

(Or, "this you do under the pains and penalties of perjury;" in case the witness shall affirm.)
When any member of a court martial is challenged, either on the part of the government or the accused, the cause of the challenge must be stated in writing, of which the court after due deliberation shall determine the relevancy or validity, and decide accordingly. And no challenge to more than one member at a time shall be received by the court. On questions of challenge, the member objected to shall not vote, but the president may vote with the members that the full number of votes may be given. And in no case shall a challenge be acted upon until the president and judge advocate and the intended members are sworn. All trials by court martial shall be carried on in the day time, and when the votes are called for on a question, the judge advocate shall begin with the youngest in commission, and proceed regularly to the oldest. And at all courts martial unless two thirds of the members agree that the accused is guilty, the judge advocate shall record his acquittal; but if two thirds or more pronounce the accused to be guilty, the court shall sentence him either to be reprimanded in orders or removed from office; and if any officer be sentenced to be removed from office, the court shall adjudge him to be disqualified for, and incapable of holding any military office under this state, either for life or a term of years, according to the aggravation of his offence; which sentence, either of reprimand in orders, or removal from office, if approved, shall remain in full force, but the judgment of disqualification may be reversed by the commander in chief with the advice of council. And all courts martial are hereby authorized to preserve order during their session; and if any person or persons, in presence of a court martial, shall behave in a disorderly manner, or make any tumult in, or disturb a court martial, and shall not, upon command of the marshal thereof, desist therefrom, it shall be lawful for the court martial to confine such disorderly person or persons for a time not exceeding eight hours.

Sec. 33. And be it further enacted, That the commander in chief may call boards of officers whenever in his opinion they may be necessary, for settling military questions, or for other purposes relative to good order and discipline; and the commander in chief, the major general or officers commanding divisions, each in his own division, and the brigadier generals, or officers commanding brigades, each in his own brigade,
may order courts of inquiry to examine into the nature of any transaction, or any accusation or imputation against any officer, when made by an inferior; provided however, that all courts of inquiry on general officers are to be ordered by the commander in chief; all courts of inquiry on field officers are to be ordered by the major generals or commanding officers of divisions; and all courts of inquiry on captains and subalterns shall be ordered by the brigadier generals or commanding officers of brigades. And courts of inquiry shall always consist of three officers, with the judge advocate of the brigade in which they are holden, or some other suitable person in case of his inability to attend, or any legal impediment to his acting, all of whom shall be sworn. These courts shall have the same power to summon witnesses as courts martial, and to examine them on oath; but they shall not give their opinions on the merits of the case, unless they are specially required so to do. The parties shall also be permitted to cross-examine witnesses, so as fairly to investigate the circumstances in question. The proceedings of a court of inquiry are to be authenticated by the signatures of the president and judge advocate, and are to be transmitted by the judge advocate under seal to the officer who appointed the court. The judge advocate shall administer to each of the officers composing a court of inquiry the following oath:

"You, A. B. do swear that you will well and truly examine and inquire into the matter now before you, without partiality, favour, affection, prejudice or hope of reward. So help you GOD."

After which, the president shall administer to the judge advocate the following oath:

"You, A. B. do swear that you will impartially record the proceedings of the court and the evidence to be given, in the case in hearing. So help you GOD."

The judge advocate shall administer to the witnesses the same oath, or affirmation, as the case may be, as is prescribed in the thirty-second section of this act, to be administered to witnesses before the court martial.

Sec. 34. And be it further enacted, That it shall be the duty of the judge advocates to attend all general, division or brigade courts martial or courts of inquiry, holden within
their respective divisions, when thereto ordered; provided nevertheless, that it shall be in the power of the commander in chief, the major generals, or commanding officers of divisions, or the brigadier generals, or commanding officers of brigades, to appoint a judge advocate pro tempore to any particular court martial or court of inquiry, appointed to be holden, in case of the inability of the judge advocate, or in case of any legal impediment to his acting. And it shall further be the duty of each judge advocate, or person officiating as such at any court martial, impartially to state the evidence both for and against the officer or officers under trial; to take accurate minutes of the evidence and of the proceedings of the court, all of which, with the judgment of the court thereupon, authenticated with his signature, and that of the president of the court, with the papers used at the trial, or copies thereof certified by him, he shall transmit under seal to the officer whose duty it is to approve or disapprove the sentence of the court; and all motions and objections to evidence, whether on the part of the state or the accused, and the opinions of the judge advocate on questions of law made at the trial, shall be given in writing; and the statement of the complainant and the defence of the accused shall be made in writing, in order that a full view of the trial may be had by the officer who ordered the court: and the original records of the proceedings and judgments of all courts martial, after having received the approbation or disapprobation of the officer who appointed them, shall, as soon as opportunity of time and distance will admit, after such courts martial are dissolved, be deposited in the office of the secretary of state, where they shall be carefully kept and preserved, and the officer who appointed the court martial, shall be entitled to receive, upon his demand, a copy of the original record from said office certified by said secretary; and the party tried by any court martial, upon request made at the office of the secretary of state, by himself or any person authorized in his behalf, shall be entitled to a copy of the original record, certified as aforesaid, of the proceedings and judgment of the court martial which tried him, he paying reasonably therefor.
Sec. 35. And be it further enacted, That the marshal and each member and supernumerary of any court martial, and each member of any court of inquiry appointed in conformity to this act, shall be paid out of the treasury of this state the sum of one dollar and twenty-five cents for each day's actual attendance at such court, and four cents per mile for travel to and from the place of holding such court; and the judge advocate shall be paid for each day's actual attendance the sum of three dollars and the same travel as members. It shall be the duty of the president of all courts martial or courts of inquiry to certify to his excellency the governor for the time being, the name, the number of days attendance, and the travel of each person composing such court martial or court of inquiry, who is hereby authorized and empowered to draw on the treasurer of this state for the payment of said sums in conformity to the provisions of this act; and all witnesses summoned by the president of any court martial or court of inquiry, and actually attending such trial, shall be allowed and paid the same fees as are allowed to witnesses attending the superior court; and the attendance and travel shall be certified by the president of such court to the governor, and paid in the same manner as is provided in this act for the payment of members of such courts.

Sec. 36. And be it further enacted, That the commander in chief, the officers commanding divisions, brigades or regiments, may appoint military watches or guards when an invasion of the state is apprehended, in such place or places, and under such regulations, as they may judge necessary; and all officers and soldiers under their command are to yield strict obedience to their orders and directions; and whenever in case of actual or threatened invasion, insurrection, or other public danger or emergency, the militia shall be ordered out, or any part thereof shall be ordered to be detached or drafted by the commander in chief, any person who shall be ordered out, detached or drafted in pursuance of, and obedience to, such orders, and being thereof notified, and ordered to march to the place of rendezvous, and shall neglect or refuse to obey such orders, and shall not within twenty-four hours after he shall have been notified as aforesaid, pay a fine of fifty dollars, to the commanding officer of the company to
which he belongs, or procure an able-bodied man in his stead, such person shall be considered as a soldier belonging to the detachment and dealt with accordingly. And all fines paid as aforesaid, shall be appropriated to the hire of men to complete the detachment. And the officers of any detachment, ordered to be made as aforesaid, shall be regularly detailed from the rosters, and the non-commissioned officers and privates by lot from the company rolls; and when any company shall not be organized, the officer commanding the regiment shall, either by himself or some other under him, proceed to make and complete the detachment from such unorganized company. And whenever the militia or any part thereof, after having been ordered out or detached as aforesaid, shall be ordered to march for the service of this state, each non-commissioned officer and private, so ordered to march, shall provide and take with him three days provisions unless otherwise ordered. And the selectmen of every town and district, to which the men detached as aforesaid and ordered to march for the service of this state, belong, shall provide and cause carriages to attend them with further supplies of provisions, and also the necessary supplies of camp utensils and camp equipage, until notice shall be given them by the commanding officer of the detachment to desist, and the selectmen shall present their accounts for supplies to the general court for allowance. And whenever the selectmen of any town or district from which a detachment or part thereof as aforesaid shall march, and being notified thereof by the commanding officer of such detachment, or part thereof, belonging to such town or district, and shall neglect or refuse to furnish the necessary supplies and camp utensils and equipage, the town or district to which the selectmen neglecting or refusing as aforesaid belong, shall forfeit not less than one hundred nor more than two hundred and fifty dollars, to be sued for and recovered by any person who may prosecute for the same in any court proper to try the same, one moiety to the prosecutor and the other to the use of the state.

SEC. 37. And be it further enacted, That the signals of an alarm are to be fixed by the captain general, and may by him be altered from time to time, and proper notice thereof is to be given to the several officers; and if any non-commissioned officers are in such districts at the time, they shall be notified of the same.
Militia.

A.D. 1819. officer or private shall, upon the alarm being given, unnecessarily neglect to appear properly armed and equipped at such time and place as the commanding officer shall appoint, he shall pay a fine of ten dollars; and all persons serving on any military guards or watches shall be punishable for misconduct, while in such service, by a court martial to be appointed by the commanding officer of such guard or watch, provided he be a field officer, and in case he is not, then by the commanding officer of the regiment to which the offender belongs.

Sec. 38. And be it further enacted, That if any officer, non-commissioned officer or private shall be killed, or die of wounds received while on any military duty required by this act, his widow, child or children shall receive from the general court such relief as shall be just and reasonable. And if any officer, non-commissioned officer or private shall be wounded or otherwise disabled, when on such duty, he shall receive from the general court just and reasonable relief.

Sec. 39. And be it further enacted, That whenever any non-commissioned officer or soldier shall think himself unable to perform military duty, on account of bodily infirmity, he shall obtain from a majority of the selectmen of the town or place to which he belongs, and from the surgeon or surgeon's mate of the regiment to which he belongs, a certificate under their hands, that he is unable to perform military duty, on account of bodily infirmity, (the nature of which infirmity shall be described in said certificate) for such term of time as they shall judge reasonable, not exceeding one year, which certificate obtained as aforesaid, shall entitle such non-commissioned officer or soldier to exemption from military duty for the time in such certificate specified; and if any surgeon or surgeon's mate, or selectman of any town or place in this state, shall demand, take or receive from any person actually disabled or pretending to be disabled, any money or other compensation for executing the certificate aforesaid, he shall forfeit and pay the sum of six dollars for every such offence, to any person who shall sue for the same, in any court of competent jurisdiction.

Sec. 40. And be it further enacted, That in all towns where there may be fire engines, eighteen persons to each engine
Militia.

shall be conditionally exempted from militia duty as provided in the fifth section of this act.

Sec. 41. And be it further enacted, That every command-
ing officer, when on duty, is hereby authorized to ascertain and fix necessary limits and bounds to his parade (no road in which people usually travel to be included) within which no spectator shall have a right to enter without liberty from the commanding officer.

Sec. 42. And be it further enacted, That any keeper of a tavern, boarding house, or master or mistress of any dwelling house, who shall refuse to give information of the name or names of any person or persons residing with him or her, liable to military duty, when applied to for that purpose by the commanding officer of the company within the bounds of which such tavern, boarding house or dwelling house is situated, or when applied to for that purpose by any person acting under the orders of such commanding officer, or shall give any false information upon such application, every such person so of-fending shall forfeit twenty dollars, to be sued for by the com-
manding officer of the said company, in any court of com-
petent jurisdiction to try the same, in the county where such of-
fender resides.

Sec. 43. And be it further enacted, That it shall be the du-
ity of the fife-majors and drum-majors of the several regi-
ments in this state to assemble the fifers and drummers in their respective regiments, once in every year, for the pur-
pose of instructing them in martial music, to be notified in the same manner, and to have the same notice, which is required to be given to privates for company musters; and the musi-
cians, when ordered out as aforesaid or on regimental muster days, shall be subject to the same rules of discipline, and lia-
ble to the same fines and penalties for non appearance and misconduct, as privates in the militia; which fines and penal-
ties shall be collected by the fife and drum majors, or either of them, in the same way and manner that fines are to be col-
lected by clerks of companies, and shall be appropriated in de-
fraying the expenses which such fife and drum majors may have been at in assembling and instructing said musicians as above. And it shall be the duty of the fife majors and drum majors, in their respective regiments, on such days and on re-

A.D. 1819.
gimental muster days, to teach, lead and command such musi-
cians, and to issue all such orders as they may be, by the
commanding officers of their respective regiments, authoriz-
ed or required to for those purposes; and the commanding offi-
cers of companies composing the respective regiments, are
hereby required to make returns of the names of the musi-
cians belonging to their respective companies, to the com-
manding officers of the regiments to which their company
belongs, on or before the first day of May annually, from
which returns the fife and drum majors shall be furnished
with a roll of the musicians annually, by the adjutants of the
respective regiments. And all fife and drum majors who
have faithfully served and done the duties relative to said of-
Bice for the term of six years shall be exempt from doing any
further military duty.

Sec. 44. And be it further enacted,

Art. 1. Every commissioned officer who shall wilfully
oppress or injure any under his command, or who shall at
any time set on foot or join in any combination to resist or
evade the lawful orders of any commissioned officers, shall
be liable to be tried by a court martial.

Art. 2. If any officer shall in due course of law be convic-
ted of any infamous crime, he shall forthwith be put in arrest
and deprived of all military command until an opportunity
shall be had for both houses of the legislature to address the
governor for his removal.

Art. 3. Every officer to be tried by a court martial shall be
put in arrest, so as to be suspended from the exercise of his
office, and shall have a copy of the charges exhibited against
him, and notice of the time and place appointed for his trial,
which copy and notice of the time and place appointed for
his trial, shall be given ten days at least before his trial is
commenced; and every officer arrested as aforesaid shall be
brought to trial without any unnecessary delay.

Art. 4. In case any officer, for the trial of whom a court
martial is appointed, shall neglect to appear and make de-
fence, or, if appearing, shall afterwards withdraw in con-
tempt of the court, or being arraigned before a court martial,
shall from obstinacy or deliberate design stand mute, or an-
sver foreign to the purpose, the court may proceed to trial A.D. 1819. and judgment as if he had regularly plead not guilty.

Art. 5. If any officer after having been put in arrest shall presume to exercise any military command until he is discharged from his arrest, he shall be liable to be tried by a court martial, and, if convicted, he shall be removed from office.

Art. 6. No officer shall be tried by a court martial for any offence, which shall have been committed more than one year previous to the time when a complaint shall have been made in writing therefor, unless he by reason of having absented himself, or some other manifest impediment, shall not have been amenable to justice within that period.

Art. 7. Every captain or commanding officer who shall neglect or refuse to call out his company as often as, and at the times, required by this act, or at any other times when thereto required by his superior officers, or who shall at any time excuse any under his command for unnecessary absence or deficiency, or shall take a less fine than is imposed by this act, shall be liable to be tried by a court martial.

Art. 8. No officer shall be permitted to resign while under arrest; and no resignation of any officer shall be approved, if such resignation be offered between the first day of May and the first day of November, unless the reasons offered by the officer wishing to resign within those days, be very urgent, nor in any case shall a captain or subaltern resign without the consent of a majority of the field officers of the regiment to which he belongs.

Art. 9. No officer shall consider himself exempted from the duties of his station, except when under arrest, until he shall have received a certificate of his discharge from the commander in chief.

Art. 10. No field officer shall approve a resignation, until the books, plates and other articles in the possession of the resigning officer (belonging to the state) are delivered to the commanding officer of the regiment to which he belongs or some other person appointed to receive them, in order that such books, plates and other articles may be delivered to his successor in office.

Art. 11. The captain or commanding officer of every com-
company raised at large, shall annually in the month of April, make out a list of the names of the men belonging to his company, and deliver the same to the commanding officer of the regiment, within whose bounds such corps is formed.

Art. 12. Every person, who shall enlist into any volunteer company, (whether such person be exempted from military duty by this act or not) shall be holden to do duty therein for the term of seven years, unless sooner discharged by order of the commanding officer of the regiment in which such corps is formed.

Art. 13. Each commanding officer of a regiment may on application of the commanding officer of any volunteer corps or of any non-commissioned officer or private belonging to such corps, discharge from such corps, any non-commissioned officer or private; and such non-commissioned officer or private shall forthwith be enrolled in the standing company within the bounds of which he resides; and every non-commissioned officer so discharged shall be considered as reduced to the ranks.

Art. 14. Any officer neglecting or refusing to make a draft or detachment, when ordered, shall be arrested and tried by a court martial; and the officer next in command shall be ordered to make the draft or detachment.

Art. 15. If any non-commissioned officer or private shall come on to any parade with his musket, rifle or pistol loaded with powder and ball, slugs or shot, he shall for such offence forfeit not less than two nor more than ten dollars. And if any non-commissioned officer or private shall, without leave from his officer, quit his guard, section, platoon or company, he shall for each offence forfeit not less than one nor more than five dollars.

Art. 16. If any non-commissioned officer or private shall, in due course of law, be convicted of any infamous crime, he shall be forthwith disenrolled from the militia, and the crime and discharge shall be recorded in the orderly book of the company.

Art. 17. The first sergeant of each company shall keep an exact roll of the company, together with the state of the arms and equipments belonging to each man, which roll he
shall annually revise in the month of April and correct the
same from time to time, as the alterations in the company
may require; he shall assist the commanding officer in enrolling all such persons, without partiality or favor, as may be
from time to time liable to do military duty within his com-
pany; he shall record orders and proceedings of the compa-
y in the orderly book, and keep an exact detail of all drafts
and detachments; he shall keep an account in the orderly
book of all fines and forfeitures, with the names of the per-
sons from whom they were collected, the time when and the
offence for which they were collected; which book shall not
be alienated from the company, and shall always be open to
the inspection of the officers of the company, and the field
officers of the regiment to which the company belongs.

Sec. 45. And be it further enacted, That every fine arising
by any breach of this act, for which no special mode of re-
cover has been pointed out, may be recovered by action,
bill, plaint or information, in any court proper to try the
same.

Sec. 46. And be it further enacted, That each regiment
shall turn out for inspection and review once in each year,
and no more; which shall be between the first day of Sep-
tember and the fifteenth day of October. And the respec-
tive major generals shall some time in the month of July of
each year issue their orders to the brigadier generals com-
posing their divisions, directing them to order out the several
regiments in their brigades within the time specified in this
act, and such other things relative to the discipline of the mi-
itia as they may deem proper. And the brigadier generals
receiving such order shall on or before the twentieth day of
August of each year, in brigade orders, issue the same to the
respective colonels and appoint the time for the meeting of
each regiment, and it shall be his duty to notify the major
general of the time and place of meeting of the several re-
giments composing his brigade. And no colonel or command-
ing officer of regiments shall be obliged to call out his regi-
ment without such order.

Sec. 47. And be it further enacted, That it shall be the du-
ty of each major general in this state to review one of the
brigades in his division, in each year, until he shall have re-

viewed the whole division under his command, should he continue to hold his commission a sufficient length of time; and in case such major general shall neglect to issue the orders and perform the duty aforesaid within the time specified in this act, such neglect shall be sufficient cause for removal by address.

Sec. 48. And be it further enacted, That all fines and forfeitures incurred by non-commissioned officers and privates, under the provisions of this act, the recovery of which, and the mode of recovery of which, are not in and by this act otherwise provided for, shall be prosecuted for and recovered with costs by the respective clerks of the companies to which such non-commissioned officer or officers, private or privates, incurring any fine or forfeiture, as aforesaid, belong, in the manner following:

The clerk of each company, after the expiration of fifteen days, and within sixty days after the day of any parade of the company to which he belongs, either company or regimental, shall make out and subscribe an information against the offending non-commissioned officer or officers, private or privates of the company, who have not been excused by the commanding officer of the company, agreeably to the provisions of this act, or who have not, within fifteen days aforesaid, paid to such clerk the fine or forfeiture, or fines or forfeitures, which he or they may have incurred; which information shall, within sixty days aforesaid, be left with some justice of the peace, of the county in which the offending non-commissioned officer or officers, private or privates, resides or reside; which information shall be in substance as follows, viz.

To A. B. esquire, justice of the peace in and for the county of . . . . .

I, the subscriber, clerk of the company commanded by ————, do hereby give information against the following person (or persons, as the case may be) who, being duly enrolled in said company, and being duly notified to meet with said company on the ———— day of ————, Anno Domini ————, was (or were, as the case may be) guilty of the offence, and did incur the forfeitures set against his name, (or their respective names, as the case may be.)
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<td>A. B. non-commission'd officer</td>
<td>For unnecessarily neglecting to appear on said day</td>
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<td>C. D. private</td>
<td>For being deficient of a</td>
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<td>E. F.</td>
<td>For being guilty on said day of coming on the field with his loaded musket, rifle or pistol, (as the case may be)</td>
<td>Has forfeited</td>
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<tr>
<td>G. H.</td>
<td>For neglecting to notify and warn the company, (or any part thereof, as the case may be)</td>
<td>Has forfeited</td>
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<tr>
<td>I. K.</td>
<td>For unnecessarily discharging his musket, rifle or pistol, (as the case may be) in going to or returning from the place of parade without the orders of an officer</td>
<td>Has forfeited</td>
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(And in the same manner substantially, all other offences are to be set forth against offending non-commissioned officers and privates.)

I therefore, agreeably to my oath of office, and in compliance with the requisitions of the law in this behalf, request that you would issue a summons to each of the persons named in the above information to appear before you and shew cause if any he has, why it should not be adjudged that he pay the forfeiture set against his name, for the offence or offences which he is therein alleged to have committed.

Dated at ——, this —— day of ——, in the year of our Lord ——.

A. B. Clerk of the company commanded by ——.

And the justice to whom such information is directed and with whom it is left, shall issue a summons to each person informed against as aforesaid, to be served at least seven days before the time appointed for showing cause; which summons shall be in substance as follows:

Justice to issue summons.
To the sheriff of said county or either of his deputies, or
[eal.] either of the constables of the town of ——, in the
county aforesaid,

Greeting.

In the name of the state of New-Hampshire, you are here-
by required to summon C. D. of ——, in the county aforesaid, to appear before me, E. F., one of the justices of the
peace for the county aforesaid, at —— in ——, on the ——
day of ——, at —— of the clock in —— noon, then and there
to shew cause, if any he have, why judgment should not be
rendered that he has forfeited (here insert the offence and the
time when and place where it was committed.) Hereof fail
not, and make due return of this writ and your doings thereon
unto myself, on or before the said hour of the day of ——.

Dated at —— aforesaid, the —— day of ——, in the
year of our Lord ——.

E. F. Justice of the peace.

And when the person summoned as aforesaid shall appear
either by himself or his attorney, he may plead the general
issue and give any special matter in evidence; and if such
person shall make default, or if judgment be rendered against
him, and he neglect for two days thereafter to satisfy the
same, with legal costs, then the justice of the peace, to and
with whom the information shall have been directed and left
as aforesaid, shall issue execution in substance as follows:

State of New-Hampshire.

To the sheriff of said county or either of his deputies, or ei-
[eal.] ther of the constables of the town of ——, in the
same county of ——,

Greeting.

Whereas A. B. clerk of the company commanded by ——,
in said county, on the —— day of ——, before E. F.
esquire, one of our justices of the peace for our county aforesaid,
recovered judgment against G. H. of ——, for the sum of
— fine or forfeiture, and — costs of prosecution, as to
us appears of record, whereof execution remains to be done:
We command you therefore that of the money of the said
G. H: or his goods or chattels within your precinct, at the
value thereof in money, you cause to be levied, paid and satis-
fied unto the said A. B. the aforesaid sums, being —— in
the whole; and also that out of the money, goods and chattels of the said G. H. you levy twenty-five cents more for this writ, together with your own fees; and for want of such money, goods or chattels of the said G. H. to be by him shewn unto you, or found within your precinct to the acceptance of the said A. B. for satisfying the aforesaid sums, we command you to take the body of the said G. H. and him commit unto our gaol in D. and command the keeper thereof accordingly to receive the said G. H. into our said gaol and him safely to keep until he pay the full sums above mentioned, with your fees, or that he be discharged by the said A. B. or otherwise by order of law. Hereof fail not, and make return of your doings therein unto our said justice within twenty days next coming. Witness our said justice at ——, the —— day of ——, in the year of our Lord one thousand eight hundred and ——.

E. F.

Sec. 49. And be it further enacted, That it shall be lawful to amend the summons issued against any non-commissioned officer or private, in any stage of the proceedings, without paying cost. And no clerk shall be liable to pay any defendant costs in any case in which the commanding officer of the company has endorsed his approval on the information of such clerk. And no appeal shall be allowed from any judgment of a justice of the peace, when the forfeiture by him adjudged does not exceed ten dollars exclusive of costs.

Sec. 50. And be it further enacted, That the clerk of each company shall retain to his own use, one fourth part of all fines and forfeitures collected or received by him, and the residue he shall faithfully pay over to the commanding officer of the company, on demand: and the commanding officer of the company shall give his receipt to the clerk for all money paid over to him as aforesaid. And it shall be the duty of every commanding officer of a company to expend such part of the money paid him by the clerk, as may be necessary for defraying such company expenses, as a majority of the commissioned officers of the company shall judge to be necessary.

Approved, July 1, 1819.
Private Acts.

CHAP. II.
An act in addition to an act entitled "an act in addition to an act to incorporate certain persons by the name of the New-Hampshire Iron Factory company." Approved June 11, 1819.

CHAP. III.
An act to incorporate a Congregational Society in Plymouth. Approved June 15, 1819.

CHAP. IV.
An act to authorize Frank Gilbert to assume the name of Charles Gilbert. Approved June 15, 1819.

CHAP. V.
An act to incorporate Jabez Croker, Charles Goss, Lemuel W. Blake and others by the name of the Chester Musical Society. Approved June 15, 1819.

CHAP. VI.
An act to incorporate certain persons by the name and style of the Bath Society for the cultivation of Sacred Music. Approved June 16, 1819.

CHAP. VII.
An act to authorize Read Hall to assume the name of Samuel Reed Hall. Approved June 16, 1819.

CHAP. VIII.
An act to incorporate sundry persons by the name of the First Universal Society in Winchester. Approved June 17, 1819.
An act to incorporate certain persons by the name of the Oxford Instrumental Musical Society. Approved June 17, 1819.

CHAP. X.

An act to incorporate the First Congregational Society of Canaan. Approved June 17, 1819.

CHAP. XI.

An act to incorporate sundry persons by the name of the Universalian Society in Exeter. Approved June 17, 1819.

CHAP. XII.

An act to incorporate the First Parish in the town of Effingham. Approved June 17, 1819.

CHAP. XIII.

AN ACT for the preservation of fish in Beaver Pond, so called, in Londonderry, in the county of Rockingham.

SEC. 1. BE it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act no person or persons shall be allowed to catch, kill or destroy any fish in Beaver pond, so called, in Londonderry, in the county of Rockingham, with any instrument of any kind, at any time between the first day of November and the first day of May in each and every year; and no person or persons shall be allowed to catch, kill or destroy any fish in said Beaver pond with any spear, grapple, seine or dip-net, at any time, after the passing of this act; and every person, offending against the provisions of this act, shall for every such offence forfeit and pay, for every fish caught, killed or destroyed against the provision of this act, the sum of two dollars, to be recovered with cost of suit in an action of debt, by any person who shall sue for the same, before any justice.
of the peace within the county of Rockingham, one half thereof to the person who may sue for the same, and the other half to the use of said town of Londonderry.

Approved June 17, 1819.

CHAP. XIV.

An act to establish a corporation by the name of the Coos Agricultural Society. Approved June 13, 1819.

CHAP. XV.

An act to incorporate the Trustees of Effingham Union Academy. Approved June 18, 1819.

CHAP. XVI.

An act in addition to an act entitled "an act to incorporate the proprietors of the Souhegan Nail and Cotton Factory." Approved June 18, 1819.

CHAP. XVII.

An act to incorporate certain persons by the name of the Deerfield Musical Association. Approved June 21, 1819.

CHAP. XVIII.

AN ACT for the preservation of fish in Baboosuck ponds, in the town of Amherst.

Section 1. BE it enacted by the senate and house of representatives in general court convened, That if any person shall catch, take or kill any fish in the ponds commonly called Great and Little Baboosuck, in the town of Amherst, between the twentieth day of November in each year and the fifteenth day of April following, such person so offending, shall for every fish, so caught, killed or taken, forfeit and pay the sum of two dollars, which penalty may be sued for and recovered by
any person in an action of debt, before any magistrate or court authorized by law to hear and determine the same, one half to the person suing and the other half to the town of Amherst.

Sec. 2. And be it further enacted, That if any person shall at any time of the year, catch, kill or take any fish in said Baboosuck ponds, with any spear, lance, seine, net or wire, such person so offending shall for each and every fish so taken or killed, forfeit and pay the sum of two dollars, to be recovered in an action of debt as aforesaid, and be disposed of as aforesaid. Provided nevertheless, that this act shall not take effect until the first day of September next.

Approved June 21, 1819.

CHAP. XIX.
An act to incorporate sundry persons by the name of the First Baptist Society in Chesterfield. Approved June 21, 1819.

CHAP. XX.
An act to incorporate sundry persons by the name of the Franconia Social Library. Approved June 21, 1819.

CHAP. XXI.
An act to alter the name of John Willard to John Dwight Willard. Approved June 21, 1819.

CHAP. XXII.
AN ACT for the preservation of pickerel in Gorum pond in the town of Dunbarton, in the county of Hillsborough.

Be it enacted by the senate and house of representatives in general court convened, That if any person or persons shall use any spear, stab or grapple, for the purpose of catching or destroying any pickerel in Gorum pond in Dunbarton, such
Be it enacted by the senate and house of representatives in general court convened, That if any person or persons shall use any seine, spear, stab or grapple, for the purpose of catching or destroying any pickerel in any of the ponds in the town of New-London, in the county of Hillsborough, or in any of the brooks or streams running into the same, such
person or persons so offending shall, for every pickerel so caught or destroyed, forfeit and pay the sum of two dollars, to be recovered with cost, in an action of debt, by any person who shall sue for the same, before any justice of the peace within the county of Hillsborough, one half thereof to the use of the person who may sue for the same, and the other half to the use of said town of New-London. Provided however, that this act shall not take effect until the first day of September next.

Approved June 22, 1819.

CHAP. XXVII.

AN ACT to annex Barker’s Location, in the county of Coos, to Lancaster, in the same county.

Section 1. BE it enacted by the senate and house of representatives in general court convened, That the tract of territory in the county of Coos and state aforesaid, known by the name of Barker’s Location, and the inhabitants residing within said territory, be and the same hereby are, annexed to the town of Lancaster, in said county of Coos; and the inhabitants of the said annexed territory shall be henceforth entitled to the same privileges and immunities, and subject to the same liabilities which the present inhabitants of said Lancaster are liable to or enjoy.

Section 2. And be it further enacted, That the present amount of valuation, in the proportion of state taxes, at which the said territory called Barker’s Location now stands, shall be added to the present valuation of the said town of Lancaster; and the state and county treasurers shall govern themselves accordingly in making out their precepts against the town of Lancaster.

Approved June 22, 1819.

CHAP. XXVIII.

An act to incorporate certain persons, by the name and style of the Grand Royal Arch Chapter of the state of New-Hampshire. Approved June, 22, 1819.
Construction of Wills.

CHAP. XXIX.

AN ACT relating to the construction of words in a will, purporting a devise of real estate.

Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, words in a will purporting a devise of lands or real estate, shall be helden to pass a fee, unless it appear from the words used, when taken in their common acceptation, that it was the intention of the deviser to pass a less estate only, any law, custom or usage to the contrary notwithstanding.

Approved June 22, 1819.

CHAP. XXX.

An act to incorporate a religious society by the name of the First Congregational Society in Conway. Approved June 22, 1819.

CHAP. XXXI.

An act to incorporate a religious society by the name of the First Baptist Society in Newport. Approved June 22, 1819.

CHAP. XXXII.

An act to incorporate sundry inhabitants of New-Boston and towns adjacent thereto into a religious society. Approved June 22, 1819.

CHAP. XXXIII.

An act to authorize Amos Chase to assume the name of Amos Biogedt Chase. Approved June 22, 1819.
AN ACT for the preservation of fish in Cobet’s pond in Windham, and Policy pond, partly in Windham, and partly in Salem, in the county of Rockingham.

Be it enacted by the senate and house of representatives in general court convened, That if any person or persons shall make use of live bait for the purpose of taking fish through the ice, in Cobet’s pond in Windham, or Policy pond, partly in the town of Windham, and partly in the town of Salem, in the county of Rockingham, or shall, at any time, use any seine, spear or stab for the purpose of catching or destroying any fish in said Cobet’s or Policy ponds, such person or persons, so offending, shall, for every fish, so caught or destroyed, forfeit and pay the sum of two dollars, to be recovered with cost of suit in an action of debt, by any person who shall sue for the same, before any justice of the peace within the county of Rockingham, one half thereof to the use of the person who may sue for the same, and the other half to the use of the town in which said fish may be so caught or destroyed. Provided nevertheless, that this act shall not take effect until the first day of September next.

Approved June 22, 1819.

CHAP. XXXV.
An act to authorize Jeremiah Ballard to assume the name of Jeremiah Day Ballard. Approved June 22, 1819.

CHAP. XXXVI.
An act exempting from taxation for the term of ten years the Haverhill and Franconia Iron Manufactory. Approved June 24, 1819.

CHAP. XXXVII.
An act to incorporate sundry persons by the name of the Patrons and Proprietors of the Francestown Academy. Approved June 24, 1819.
CHAP. XXXVIII.

AN ACT to prevent obstructing the passage of fish in a certain river in Bradford.

Be it enacted by the senate and house of representatives in general court convened, That if any person or persons, from and after the first day of September next, shall, by means of dams, pots or any other obstruction, prevent the free passage of fish in a certain river in Bradford, in the county of Hillsborough, between Bradford pond and Hoyt's mill, so called, in the westerly part of said Bradford, he or they so offending shall forfeit and pay, for every such offence, the sum of ten dollars, to be recovered with cost of suit in an action or plea of debt, by any person who shall sue for the same, before any justice of the peace within said county of Hillsborough, one moiety thereof to the use of the person who may sue for the same, and the other moiety to the use of said town of Bradford.

Approved June 24, 1819.

CHAP. XXXIX.

An act concerning the navigation of Ashuelot river. Approved June 24, 1819.

CHAP. XL.

An act to incorporate sundry persons by the name of the Patrons and Proprietors of Newport Academy. Approved June 24, 1819.

CHAP. XLII.

An act to incorporate a company by the name of the Proprietors of Moor's Bridge. Approved June 24, 1819.

CHAP. XLII.

An act to incorporate David Drake and his associates into a religious society by the name of the First Free-will Anti-

CHAP. XLIII.
An act to incorporate the First Universal Society in the town of Andover. Approved June 24, 1819.

CHAP. XLIV.
An act to incorporate sundry persons by the name of the Proprietors of Little Pigwacket Canal. Approved June 24, 1819.

CHAP. XLV.
An act to incorporate Levi Houghton and others into a religious society by the name of the Congregational Society in Wendell. Approved June 24, 1819.

CHAP. XLVI.
AN ACT to incorporate the inhabitants of the northerly part of New-Chester and southerly part of Bridgewater into a separate town by the name of Bristol.

WHEREAS a petition, signed by a number of the inhabitants of the towns of Bridgewater and New-Chester, in the county of Grafton, praying to be incorporated into a separate town, has been presented to the general court, and the prayer thereof appearing reasonable. Therefore—

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That all the inhabitants and lands of said Bridgewater, lying south of, and comprehended within the following limits, viz.—Beginning at Pemigewasset river at the north-east corner of lot numbered thirty-eight in the first division of lots in said Bridgewater, thence running to the north-east corner of lot numbered sixty-six in the third division, thence northerly, running on the easterly side of lots numbered ninety and seventy-eight to the north-east corner of lot numbered seventy-eight in the
A.D. 1819. 

Second division, thence to the south-east corner of lot numbered sixty-nine in the second division, thence northerly to the north-east corner of said number sixty-nine, thence westerly on the range line to Newfound lake, and also comprehending all that part of New-Chester which lies northerly of Smith’s river, so called, be and the same are hereby incorporated into a town by the name of Bristol; and the inhabitants who now reside, or shall hereafter reside, within the aforementioned boundaries, are made and constituted a body politic and corporate, and invested with all the powers, privileges and immunities, which other towns in this state are entitled to enjoy.

Sec. 2. And be it further enacted, That the corporate property of the towns of Bridgewater and New-Chester, which is now situated within the above described boundaries and territory of Bristol, or the avails thereof, shall belong to said Bristol; but the rights or interest, which any person has in any school house in said Bridgewater or New-Chester, shall not be affected by this act.

Sec. 3. And be it further enacted, That the inhabitants of that part of said Bridgewater, which is by this act included in said town of Bristol, shall continue to enjoy, unimpaired by this act, their present right of passing and repassing on the Mayhew Turnpike toll free.

Sec. 4. And be it further enacted, That James Minot, Ichabod C. Bartlett and Joseph Flanders, or any two of them, shall call the annual and first meeting of the inhabitants of said Bristol, to be held on the second Tuesday of March, in the year of our Lord, one thousand eight hundred and twenty, by posting notifications for that purpose in the manner by law prescribed for warning annual town meetings in this state; and either of said three persons may preside therein until a moderator be chosen.

Sec. 5. And be it further enacted, That the center of the main channel of said Smith’s river be the boundary line between said Bristol and New-Chester, until it intersects the division line of lots numbered seventy-two and seventy-three in the first division, thence on said line to Pemigewasset River.

Approved June 24, 1819.
An act to incorporate sundry persons by the name of the Proprietors of Union Meeting-house in Alexandria, in the county of Grafton. Approved June 24, 1819.

An act to provide for the inspection of hops for exportation.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That from and after the first day of September next ensuing, no hops (except such as shall be transported or conveyed out of this state by inland carriage) shall be shipped or exported from this state, unless they are of the quality hereinafter mentioned, and have been duly inspected, packed and marked agreeably to the provisions of this act; and that the hops so inspected shall be in square bags or pockets, each bag to contain four hundred weight, and each pocket two hundred weight of merchantable hops, as near as may be.

Sec. 2. And be it further enacted, That hops shall not be deemed merchantable, unless they have been well picked, are free from stems and leaves, and dried on a kiln with charcoal fire; and the bags or pockets in which they are packed shall be made sufficiently strong to preserve the hops from damage, and of such a texture as will fairly receive the marks of the cultivator and inspector; and the bags or pockets shall be marked with the name of the cultivator and the town in which he lives.

Sec. 3. And be it further enacted, That there shall be an inspector of hops for this state, who shall be appointed by the governor and council, shall be removable at pleasure, shall give bond with sufficient sureties to the treasurer of this state in the penal sum of two thousand dollars for the faithful discharge of his duty, and shall be sworn faithfully to perform the same; and such inspector shall have power to appoint deputy inspectors, who shall be removable by him at pleasure, for whose conduct he shall be answerable, and
Hops.

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from whom he may require sufficient bonds for the faithful
discharge of their duty.

Sec. 4. And be it further enacted, That it shall be the du-
yty of the inspector or one of his deputies to examine the
contents of every bag or pocket of hops intended to be ship-
med or exported from this state, except as by the first sec-
tion excepted, in such manner as to ascertain the quality of
such hops; and if found merchantable, as before prescribed,
and that they are firmly packed, and have been so packed at
least ten days previous to said examination, and that the bags
or pockets are such as have been before prescribed: he shall
distinguish the same by marking them in legible characters,
with the words first sort, or second sort, or refuse, as their
quality may be; he shall add thereto the date of the year of
which, in his opinion, they are the growth, together with the
initials of his christian name, and the whole of his surname,
and the letters N. Hampr. (for New-Hampshire) for which
inspecting, marking, weighing and delivering an attested
schedule of the same, he shall receive at the rate of ten
cents for every hundred pounds weight so inspected, to be
paid to him by the purchaser, exclusive of the charges of re-
packing and mending the bags or pockets when necessary,
which shall be paid by the vender of the hops; and exclu-
sive also of storage, should said hops be stored by said in-
spector more than thirty days after being inspected.

Sec. 5. And be it further enacted, That no hops shall be
shipped from this state unless the master or owner of the
vessel in which such hops are shipped, shall produce to the
collector or other officer authorized by the laws of the Uni-
eted States to clear out vessels, a certificate of the inspector
or one of his deputies, for which he shall be allowed to charge
twenty-five cents, to be paid by the shipper, that the same
has been duly inspected, marked and weighed, agreeably to
the directions of this act; which certificate shall express the
number of bags or pockets of each sort of hops, with the
weight of each bag or pocket; and the master or owner of
every vessel in which hops are so exported shall, on producing
such certificate, take and subscribe the following oath, viz:

I do swear, that according to the best of my knowledge and
belief the certificate hereunto annexed contains the whole
quantity of hops on board the ship (naming her) of which (naming the master) is master, and that there are no hops on board said vessel for the use of the ship's company on freight or in cargo, but what have been inspected and marked according to the law of this state. So help me GOD.

Sec. 6. And be it further enacted, That if any inspector or deputy inspector of hops, on application made to him to examine any hops, shall unnecessarily neglect or delay to examine, mark and weigh them, the inspector or deputy so neglecting or delaying shall, for each offence, forfeit and pay the sum of five dollars.

Sec. 7. And be it further enacted, That if any person shall counterfeit or alter any mark belonging to or proper to be used by the inspector of hops, his deputy or deputies; or shall mark any bag or pockets of hops with any letters or marks aforesaid, he shall forfeit the hops so marked and for each offence the sum of ten dollars. And if any person shall empty any bag or pocket of hops, marked as by this act is required, and put in any other hops for sale or exportation, without first cutting out said marks, the person or persons so offending shall for each offence forfeit the sum of ten dollars.

Sec. 8. And be it further enacted, That the inspector of hops shall be entitled to receive from his deputies one-fifth part of all the fees said deputies may receive in the execution of this act.

Sec. 9. And be it further enacted, That if the inspector of hops or any of his deputies shall be guilty of any fraud, in inspecting hops contrary to the true intent and meaning of this act, or shall put their marks on any bag, pocket or package of hops, which have not not been actually examined, inspected and found merchantable, he or they shall forfeit and pay twenty dollars for each and every bag, pocket or package so falsely marked.

Sec. 10. And be it further enacted, That if any person shall intermix, take out or shift any hops from any bag or pocket inspected and marked as by this act is required, or shall put in any other hops for sale or exportation contrary to the true intention of this act, the person or persons so offending shall forfeit and pay twenty dollars for every such offence.
SEC. 11. And be it further enacted, That all penalties and forfeitures arising by virtue of this act shall be recoverable by action of debt or information in any court proper to try the same, one moiety to the use of the town wherein the offense shall be committed, and the other moiety to him who shall sue for the same.

SEC. 12. And be it further enacted, That if any person shall export or ship for exportation out of this state any hops not marked and inspected as by this act is directed, every such exporter or shipper, and the master of any vessel having on board such uninspected hops, shall, on conviction, respectively forfeit and pay the sums following: the owner or exporter shall pay the sum of twenty dollars; the master of every vessel having the same on board, the sum of ten dollars, for every bag or pocket exported or shipped for exportation. And it shall be lawful for the inspector or any of his deputies on information given of any hops being put on board any vessels as aforesaid not inspected and marked as required by this act, to issue a warrant directed to the sheriff or his deputy, or to a constable, requiring them respectively to make a seizure of any such hops and to secure the same in order for trial; and said officers are hereby respectively empowered and required to execute the same; and it shall be the duty of any person when requested to give the necessary aid for that purpose, on pain of forfeiting five dollars for his refusal. Provided always, that nothing in this act contained shall be construed to affect any hops conveyed or transported from this state by inland carriage, agreeably to the first section of this act.

Approved June 24, 1819.

CHAP. XLIX.

AN ACT empowering the town of Thornton to raise the sum of five hundred dollars on the polls and estates in said Thornton, for the purpose of building a bridge.

SECTION 1. Be it enacted by the senate and house of representatives in general court convened, That the inhabitants of the town of Thornton, at a meeting duly and legally warned and
Thornton Bridge.

A.D. 1819.

Town authorized to raise 30 dollars to build bridge.

Thorton, the purpose of building a bridge over Pemigewasset river in said Thornton, at such place as may be determined to be suitable by a majority of the committee hereinafter mentioned.

Sec. 2. And be it further enacted, That Arthur Livermore of Holderness, Thomas Whipple, jun. of Wentworth, and Thomas Perkins of New-Hampton, are hereby empowered to determine on the most suitable place in Thornton on which to erect the bridge over Pemigewasset river, at the expense of the town of Thornton; and the determination of either two of them, made in writing and given to the selectmen of Thornton, shall be conclusive.

Sec. 3. And be it further enacted, That the selectmen of Thornton shall assess the aforesaid sum of five hundred dollars, according to the inventory of the present year, and shall on or before the tenth day of August next deliver the assessment together with their warrant to the collector of the town of Thornton, who shall give public notice that such assessment has been made, and the purpose for which it is made, by publishing such notice three weeks successively in the New-Hampshire Patriot and State Gazette, printed at Concord, commencing on or before the first day of September next, and shall also in said notice mention the time when the list of taxes on non-residents shall be lodged with the deputy secretary, and when the deputy secretary is authorized by this act to return said list to the collector. And the selectmen of Thornton and the collector may proceed to enforce the collection of the taxes assessed agreeably to the provisions of this act in the same way and manner as by law is provided for the collection of state and county taxes.

Sec. 4. And be it further enacted, That the collector of the said town of Thornton shall leave a list of the non-resident taxes assessed agreeably to the provisions of this act with the deputy secretary on or before the first day of September next, and said list shall remain with the deputy secretary till the first day of January next, who is authorized to receive the taxes or any part of them, and directed to pay the sums re-
AN ACT to incorporate the proprietors of Portsmouth bridge.

WHEREAS a bridge over the Piscataqua river between the towns of Portsmouth in this state and Kittery in the state
of Massachusetts, would be of great public utility, and where-
as Edward Cutts, Jeremiah Mason, John Langdon, Nathaniel
A. Haven, James Sheafe, John F. Parrott, Thomas Haven,
William Rice, Henry Ladd, and others their associates, have
petitioned the general court for liberty to build the same, and
to be incorporated for that purpose: therefore,

SECTION 1. BE it enacted by the senate and house of representa-
tives in general court convened, That the persons above named
with their associates who are or who shall become pro-
prieters in said bridge, so long as they shall continue proprie-
tors thereof, shall be a body politic and corporate for the
purpose aforesaid, by the name of the proprietors of Port-
smouth bridge, with power to purchase and hold such estate as
may be necessary to carry into effect the object of the
said corporation, with all the powers and privileges, and sub-
ject to all the liabilities incident to corporations of a similar
nature.

Sec. 2. And be it further enacted, That Edward Cutts,
Jeremiah Mason, John F. Parrott, William Rice and Thomas
Haven, or any three of them, may call a meeting of said cor-
poration by advertisement in the New-Hampshire Gazette, to
be held at any suitable time and place, after seven days
from the first publication of said advertisement, and the
proprietors, by a vote of the majority of those present at
such meeting, shall choose a clerk, and at the same or any
subsequent meeting may elect such other officers and estab-
lish all such rules and by-laws as may be deemed necessary for
the regulation and government of said corporation, and for
carrying into effect the objects of the same, provided said rules
and by-laws be not repugnant to the constitution and laws of
this state.

Sec. 3. And be it further enacted, That the proprietors be
and hereby are permitted and empowered to erect a bridge
over Piscataqua river between the said town of Portsmouth
and town of Kittery in the state of Massachusetts and also a
bridge between the main land and Ham's island in said town of
Portsmouth.

Sec. 4. And be it further enacted, That the right of building
and maintaining a bridge across said river Piscataqua,
commencing at any place on the margin of said river between
A.D. 1819. Rindge's wharf in said Portsmouth and the town of Newington be and the same is hereby fully granted to said proprietors.

Sec. 5. And be it further enacted, That when said bridge shall be made passable for travellers, the said proprietors shall exhibit to the justices of the superior court of judicature an account of the sums expended for the same, upon the exhibition of which the said justices of the superior court shall be authorized and required to establish the rates of toll to be received by said proprietors for the use of said bridge, which rates of toll the said justices may alter at such times as they may deem expedient.

Sec. 6. And be it further enacted, That said proprietors shall be authorized to demand and receive from each and every person who shall pass over or upon said bridge such toll as shall be established by said justices of the superior court of judicature, and shall be empowered to erect gates and detain persons at said bridge until the tolls be paid for which they may be liable.

Sec. 7. And be it further enacted, That a draw or hoist in said bridge shall be constructed over the channel of said river, of sufficient width for vessels to pass and repass freely; and the said proprietors shall cause the same to be hoisted or opened without delay for the accommodation of all such vessels as may have occasion to pass through the same, and for which the hoisting or opening said draw may be necessary.

Sec. 8. And be it further enacted, That an arch shall be constructed in said bridge in a convenient place, and of sufficient dimensions to permit all boats, gondolas and small craft freely to pass under the same, a plan of which shall be exhibited to and approved by the justices of said superior court, before said bridge shall be erected.

Sec. 9. And be it further enacted, That unless said bridge be erected and finished within the term of ten years, then this grant shall be void.

Approved June 28, 1819.
An act in addition to an act, entitled "an act to incorporate the Trustees of the New-Market Wesleyan Academy in New-Market." Approved June 28, 1819.

An act to incorporate a religious society by the name of the First Christian Baptist Society in Lee. Approved June 28, 1819.

AN ACT in amendment of an act entitled "an act to exempt certain persons belonging to the New-Hampshire Iron Manufactory from military duty," passed June 29, 1818.

WHEREAS, on the petition of the New-Hampshire Iron Factory company in Franconia, in the county of Grafton, an act was passed on the 29th of June, A.D. 1818, to exempt the furnace men employed by said company in Franconia from military duty during such time as their furnace may be in blast. And whereas, from the words of said act, doubts have arisen whether the furnace-men of said company employed as aforesaid, are exempted from military duty by said act. Wherefore, to remove such doubts,

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That by the words "all such persons as are actually employed as furnace men in the New-Hampshire Iron manufactory in Franconia," in the first section of the act aforesaid, was and is meant and intended the furnace-men actually employed by the said company in Franconia as aforesaid, and the same are exempted from military duty during such time as said furnace may be in blast and no longer.

Approved June 29, 1819.
AN ACT for the preservation of salmon trout in Sunapee Lake.

BE it enacted by the senate and house of representatives in general court convened, That if any person or persons shall use any seine, spear, stab, ware or net for the purpose of catching or destroying any fish, called and known by the name of salmon trout, in Sunapee Lake, lying in the towns of Fishersfield, New-London and Wendell, or in the brooks and streams leading and running into said lake; such person or persons shall for each and every salmon trout so caught and destroyed pay the sum of two dollars, to be recovered by an action of debt, before any justice of the peace within the county in which such offence shall have been committed; the one half thereof to the use of the person who may sue for the same, and the other half for the use of the town in which the offence shall have been committed. Provided nevertheless, that this act shall not take effect till the first day of September next.

Approved June 29, 1819.

AN ACT to repeal certain acts relative to the passage of fish in Salmon brook, in the town of Dunstable.

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That so much of an act entitled an act to prevent the destruction of salmon, shad and alewives in Merrimac river and the several streams falling into the same, so far as it relates to the passage of fish in Salmon brook, passed June twentieth, eighteen hundred and eleven—Also an act entitled an act granting relief to the proprietors and owners of mill seats, manufactories and dams, on Salmon brook, so called, in Dunstable, passed June 23, 1814—Also an act entitled "an act in addition to an amendment of an act entitled an act granting relief to the proprietors and owners of mill seats, manufactories and dams on Salmon brook, so
called in Dunstable," passed June 25, 1818, be and the same are hereby repealed.

Approved June 29, 1819.

CHAP. LVI.

An act to extend the time limited for completing the locks and canals at Dodge's falls. Approved June 29, 1819.

CHAP. LVII.

AN ACT establishing the times and places for holding the probate court in the county of Rockingham.

Be it enacted by the senate and house of representatives in general court convened, That the probate court within and for the county of Rockingham, shall hereafter be holden at the following times and places:

At Londonderry, on the first Tuesday of January, and on the first Tuesday of May, and on the first Tuesday of September.

At Concord, on the Thursday following the first Tuesday of January, and on the Thursday following the first Tuesday of May, and on the Thursday following the first Tuesday of September.

At Epsom, on the Friday following the first Tuesday of January, and on the Friday following the first Tuesday of May, and on the Friday following the first Tuesday of September.

At Portsmouth, on the second Tuesday of January, and on the second Tuesday of May, and on the second Tuesday of September.

At Exeter, on the Thursday following the second Tuesday of January, and on the Thursday following the second Tuesday of May, and on the Thursday following the second Tuesday of September.

And at all such other times and places as the judge of probate for the aforesaid county may appoint.

And be it further enacted, That such part or parts of all acts and resolves as direct the probate court for the county of
Resolved, That the attorney general of this state for the time being shall have and receive out of the treasury of this state the sum of eight hundred dollars annually as a compensation for his services: Provided nevertheless, that in case of the absence of the attorney general from any one term or terms of the superior court of judicature of said state, or in case of any neglect on his part to perform the duties of his office at any such term—and in case the solicitors of the several counties shall perform such duties, they shall severally, on producing a certificate of one of the justices of said superior court, stating the performance of such services, receive out of the treasury of this state, for each and every term of the superior court of judicature, holden in their respective counties, and at which they shall discharge the duties of the attorney general as aforesaid, the sum of sixty dollars as a compensation for such services, which shall be deducted from the sum of eight hundred dollars allowed to the attorney general as aforesaid.

Approved June 29, 1819.

CHAP. LIX.

WHEREAS the publication of reports of the decisions of the highest judicial tribunal in this state would be conducive to the interests of the citizens—and whereas Nathaniel Adams, Esq. has issued proposals for the publication of the same, and offers to this state a certain number of copies of said reports in volumes of about three hundred pages each in boards, at the rate of one dollar for every hundred pages. Therefore—

Resolved, That the treasurer of this state be authorized and required to purchase and receive from Mr. Adams two hundred and fifty copies of the reports of the decisions of the superior court of judicature of New-Hampshire, upon
Agricultural Societies.

the terms above named, provided that a discount be made from that price of twenty-five per cent. upon the whole amount.

Resolved, That his excellency the governor be authorized to draw upon the treasury for payment of the same, on receiving from the treasurer a certificate that said volumes are deposited in his office, and of the amount due for the same.

Resolved, That the treasurer of this state be directed to deliver one copy of said reports to each town in this state, on application for the same, receiving a receipt of the town clerk therefor.

Approved June 29, 1819.

CHAP. LX.

RESOLVED, That the agricultural societies of the counties of Rockingham, Strafford, Hillsborough, Cheshire and Grafton have and receive out of the treasury of this state the sum of two hundred dollars each, and the agricultural society of the county of Coos have and receive out of the treasury of this state the sum of two hundred dollars, as soon as it shall be organized under its act of incorporation, provided said society shall organize before the next session of the Legislature.

And be it further resolved, That the foregoing grant be made on condition that each society shall within one year from the first day of January next, appropriate the sum granted by this resolve together with at least an equal sum in addition to the same, for the purpose of improvements in agriculture and domestic manufactures, and shall make a return stating such improvements in agriculture and domestic manufacture as may have been made by such society and the purposes and amounts for which premiums have been paid during the year then past, to the secretary of state on or before the first Wednesday of June in the years 1820 and 1821, whose duty it shall be to lay the same before the Legislature on or before the first Monday of their June session in each of said years, and that all premiums for improvements in agriculture, stock or domestic manufacture shall be...
offered to any inhabitant in the county where such premiums are offered, who may excel in such particulars; and the treasurer of the state is hereby directed to pay said sum to the treasurer of either of said societies, when he shall lodge with him a certificate under oath, that he has within the current year received of the members of the society of which he is treasurer the sum of two hundred dollars for the purposes of said society, except that the treasurer of the society in the county of Coos shall be entitled to receive, and the treasurer of the state is hereby directed to pay him the afore-said sum of two hundred dollars, when he shall produce evidence that said society has been organized under its act of incorporation, provided the same shall be done before the next session of the Legislature.

Approved June 29, 1819.

CHAP. LXI.

An act to incorporate the First Calvinistic Baptist Society in Lime. Approved June 29, 1819.

CHAP. LXII.

An act for incorporating certain persons by the name of the Proprietors of Soucook Village Library in Loudon. Approved June 29, 1819.

CHAP. LXIII.

An act to incorporate the First Congregational Society in Farmington. Approved June 29, 1819.

CHAP. LXIV.

An act to repeal a proviso in an act to incorporate Salisbury Fire Engine Company No. 1, passed June 29, A. D. 1818. Approved June 29, 1819.
Affidavits.

CHAP. LXV.

AN ACT in amendment of an act, entitled "an act for the taking of affidavits out of court," passed February 9, A. D. 1791.

Section 1. Be it enacted by the senate and house of representatives in general court convened, That no deposition shall be hereafter taken, to be used on the trial of any civil cause, if the adverse party shall reside without this state, and more than twenty miles from the place of caption, or of the party proposing to take such deposition, and hath an agent or attorney living within this state, unless previously to the taking such deposition the agent or attorney of such adverse party shall be duly notified of the name of the justice before whom such deposition is to be taken, and of the time and place of taking the same, in the same way and manner as is provided in the act to which this act is in amendment, for the notification of the adverse party who may live within this state, and as is provided in the act in addition to and in amendment of the same, passed June 18, 1807.

Sec. 2. And be it further enacted, That no person, for the purposes of this act, shall be considered as the agent or attorney of another, until such agent or attorney shall have endorsed the writ, or endorsed his name on the summons to be left with the defendant in the cause; or until he shall have appeared for his principal in the cause, before the justice of the peace, referees or arbitrators, or in the court where the said action shall be pending, or shall have given notice in writing, stating he is the agent or attorney in the cause, to the other party or his attorney.

Sec. 3. And be it further enacted, That there shall be annexed to the caption and return of every deposition, to be hereafter taken to be used in the trial of any civil cause, when the adverse party, his agent or attorney shall not appear at the taking thereof, a copy of the notice left with such adverse party, his agent or attorney, with the return of the officer, or affidavit of the person leaving such notice thereon, stating the time of leaving or delivering such notice.

Sec. 4. And be it further enacted, That this act shall not take effect before the first day of September next.

Approved June 29, 1819.
A.D. 1819.
Passed June 29, 1819.

Lumber.

CHAP. LXVI.

AN ACT in addition to an act entitled an act for the admeasurement of boards and for regulating the tale of shingles, clapboards, hoops and staves; and for other purposes therein mentioned, passed June 21, 1785.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That all cedar and pine shingles that shall be offered for sale in this state, shall be of the following dimensions, and shall be surveyed and inspected by the surveyor appointed under the law of this state passed February 8, 1791, and each bunch or bundle shall be branded across the butt of the same as follows, No. 1, 2, 3, 4 or R. All shingles shall be split cross ways of the grain and be free from sap, shakes and worm holes. No. one shall be at least eighteen inches long, half an inch thick at the butt end, four inches wide, straight rifted and breasted. No. two shall be at least eighteen inches long, seven sixteenths of an inch thick at the butt end, four inches wide, straight rifted and breasted. No. three shall be at least seventeen inches long, three eighths of an inch thick at the butt end, four inches wide and straight rifted. No. four shall be at least fifteen inches long, three eighths of an inch thick at the butt end, four inches wide, straight rifted. Refuse shall consist of such shingles as will not pass inspection for either of the above classes, unless in the opinion of the surveyor they shall be so bad as to be worth less than half price of No. one, in which case they shall be branded O. And said surveyor, for branding and inspecting as required by this act, shall be allowed four cents for each and every thousand so branded and inspected.

Sec. 2. And be it further enacted, That no shingles of any quality shall pass inspection unless so packed as to contain by admeasurement one fourth part of a thousand in each round bunch, and either one thousand, one half thousand or one fourth of a thousand in each square bunch, and shall also be branded with the letters N, H, by a brand to be provided in each town in which such surveyor is appointed.

Sec. 3. And be it further enacted, That any person who shall, after the first day of April next, offer for sale any shingles in this state, or who shall export any shingles from this state branded O, or which are not branded at all, or are branded in
any manner not prescribed by this act, he or they shall forfeit the same or the value thereof, one half to the person who will sue or prosecute for the same, the other half for the use of the town where the offence is committed. Provided, that all shingles made prior to said first day of April shall be exempt from forfeiture under this act.

Sec. 4. And be it further enacted, That so much of the aforesaid act of which this is an addition, passed June 21, 1785, as relates to the inspection of shingles, be, and the same is hereby repealed.

Approved June 29, 1819.

CHAP. LXVII.
An act to empower Stephen Arlin to assume the name of Stephen Gilman. Approved June 29, 1819.

CHAP. LXVIII.
AN ACT to prevent vexatious law-suits and to limit bills of cost.

SECTION 1. BE IT ENACTED by the senate and house of representatives in general court convened, That the Justices of the several courts of common pleas and of the superior courts of judicature, in all actions triable before them, be authorized to limit and allow such bills of costs as law and justice shall require.

SECT. 2. And be it further enacted, That when several judgments are rendered on the same contract, bond or note against the several signers, at the same term of the court, the justices of said court may allow such or so many of said bills of costs as shall be thought just and equitable; and there shall not issue from the clerk's office, except by order of the court when it shall be thought necessary to secure said debt, more than one execution on said judgments at the same term for debt or damage; but on return of said execution or executions not satisfied, or satisfied only in part, the clerk is authorized to issue a new execution, or the creditor may take out an execution on either of the other judgments for the a-
SUPERIOR COURT.

A.D. 1819. mount of debt or damages and costs, that shall remain unsatisfied.

Approved June 29, 1819.

CHAP. LXIX.

An act to incorporate the Second Library Association in Hanover. Approved June 30, 1819.

CHAP. LXX.

AN ACT to change the place of holding the September term of the superior court of judicature in the county of Strafford.

Section 1. BE IT ENACTED by the senate and house of representatives in general court convened, That after the first day of October next, the term of the superior court of judicature, which is holden in the month of September annually in the county of Strafford in this state, shall be holden at Gilford in said county in the village near Meredith bridge. Provided, a suitable building for the accommodation of said court shall be erected and furnished for that purpose without expense to said county, and notice thereof shall be lodged with the clerk of said court, certified by the selectmen of Gilford, six weeks prior to the first Tuesday of September, A. D. eighteen hundred and twenty.

Section 2. AND BE IT FURTHER ENACTED, That all writs, venires, recognizances, appeals, actions, indictments, warrants and processes of every kind, which may be made returnable to said court at Dover in said county in September, A. D. one thousand eight hundred and twenty, shall be returned to and sustained by said court at Gilford, provided the conditions of this act are performed.

Approved June 30, 1819.

CHAP. LXXI.

An act to incorporate the proprietors of the first meeting-house in New-Chester. Approved June 30, 1819.
Deaf and Dumb.

CHAP. LXXII. A.D. 1819.

An act to incorporate sundry persons into a society by the name of the first regular Baptist Society in Chester and its vicinity. Approved June 30, 1819.

CHAP. LXXIII.

RESOLVED, that the towns of Jefferson, Bretton-Woods, Durand, Shelburne and Shelburne addition, together with Nash and Sawyer's location in the county of Coos, be and they hereby are classed for the purpose of sending a representative to the general court until it is otherwise ordered. Approved June 30, 1819.

CHAP. LXXIV.

RESOLVED, that John Davenport, esquire, of Portsmouth, John Folsom, esquire, of Chester, Daniel Mathes, esquire, of Durham, Daniel Gale, 2d, esquire, of Gilmanton, Charles Barrett, esquire, of New-Ipswich, Benjamin Evans, esquire, of Warner, John Kneeland, esquire, of Chesterfield, Newton Whittelsey, esquire, of Cornish, Thomas Whipple, jun. esquire, of Wentworth, and Adino N. Brackett, esquire, of Lancaster, be a committee to ascertain the number of deaf and dumb children in this state; and that said committee be instructed to ascertain the names, ages, places of residence, pecuniary circumstances, and as far as practicable the capacity of such children to receive instruction; and that said committee be instructed to ascertain the expense for support and instruction of children at the institution at Hartford for the education of deaf and dumb children; and that they report on the same to the legislature on the first Tuesday of its next session. Approved July 1, 1819.

CHAP. LXXV.

RESOLVED, that the town of Bristol, in the county of
A.D. 1819. Grafton, being hereby annexed to the eleventh senatorial district in said state.

Resolved, that said town of Bristol be permitted to send a representative to the general court until the legislature shall otherwise order.

Approved July 1, 1819.

CHAP. LXXVI.

AN ACT in amendment of an act entitled an act for regulating towns and the choice of town officers, passed February 8, Anno Domini 1791.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That the inhabitants of each town in this state, qualified to vote at any meeting duly and legally warned and helden in such town, may grant and vote such sum or sums of money as they shall judge necessary for the support of schools, school-houses, the maintenance of the poor, for laying out and repairing highways, for building and repairing bridges, and for all the necessary charges arising within said town, to be assessed on the polls and estates in said town as the law directs.

Sect. 2. And be it further enacted, That the tenth section of the act, to which this is an amendment, be and the same is hereby repealed. Provided that towns between which and any settled minister there is prior to, or at the passing of this act a subsisting contract, shall have a right from time to time to vote, assess, collect and appropriate such sum or sums of money as may be necessary for the fulfilment of such contract, and for repairing meeting houses now owned by such town so far as may be necessary to render them useful for town purposes. Provided, that no person shall be liable to taxation for the purpose of fulfilling any contract between any town and settled minister who shall prior to such assessment file with the town clerk of the town where he may reside, a certificate declaring that he is not of the religious persuasion or opinion of the minister settled in such town.

Sect. 3. And be it further enacted, That each religious sect or denomination of Christians in this state may associate
and form societies, may admit members, may establish rules and by-laws for their regulation and government, and shall have all the corporate powers which may be necessary to assess and raise money by taxes upon the polls and ratable estate of the members of such associations, and to collect and appropriate the same for the purpose of building and repairing houses of public worship, and for the support of the ministry: and the assessors and collectors of such associations shall have the same powers in assessing and collecting, and shall be liable to the same penalties as similar town officers have and are liable to. Provided, that no person shall be compelled to join or support, or be classed with, or associated to any congregation, church or religious society without his express consent first had and obtained.—Provided also, if any person shall choose to separate himself from such society, or association to which he may belong, and shall leave a written notice thereof with the clerk of such society or association, he shall thereupon be no longer liable for any future expenses which may be incurred by said society or association. Provided also, that no association or society shall exercise the powers herein granted until it shall have assumed a name and style by which such society may be known and distinguished in law, and shall have recorded the same in a book of records to be kept by the clerk of said society; and shall have published the same in some newspaper in the county where such society may be formed, if any be printed therein; and if not, then in some paper published in some adjoining county.

Approved July 1, 1819.

CHAP. LXXVII.

AN ACT to repeal an act relative to the passage of fish in Pennychook brook, being the line between the towns of Merrimac and Dunstable.

BE it enacted by the senate and house of representatives in general court convened, That so much of an act, entitled "an act to prevent the destruction of salmon, shad and alewives in Merrimac river, and the several streams falling into the same," so far as it relates to the passage of fish in Penny-
A.D. 1819. chook brook, passed June 20, 1811, be and the same is hereby repealed. Approved July 1, 1819.

CHAP. LXXVIII.
An act to incorporate certain physicians by the name of the Portsmouth Medical Association. Approved July 1, 1819.

CHAP. LXXIX.
AN ACT to restore certain estates to their original connexion with the town of Piermont.

SECTION 1. Be it enacted by the senate and house of representatives in general court convened, That all the lands north of Simeon and Isaac Smith's farms, which were formerly disannexed from Piermont and annexed to Wentworth by act of the legislature of this state, and the occupants and owners thereof, be and the same are hereby restored to their original connexion with the town of Piermont, any thing in said act to the contrary notwithstanding. Approved July 1, 1819.

CHAP. LXXX.
An act to incorporate sundry persons by the name of the Alstead Academy Association. Approved July 1, 1819.

CHAP. LXXXI.
An act in addition to and amendment of an act, entitled "an act to incorporate certain persons for the purpose of building a bridge over Merrimac river in the county of Hillsborough, and for supporting the same," passed June 19, 1817. Approved July 1, 1819.
AN ACT for the preservation of fish in Captain Searle's mill-pond, so called, in the towns of New-Chester and Danbury.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That for the term of three years from and after the passing of this act, no person shall catch, kill or destroy any fish in Captain Searle's mill-pond, so called, in the towns of New-Chester and Danbury; and that from and after the expiration of said term of three years no person shall at any time catch, kill or destroy any fish in said pond with a spear, nor with any other implement, at any time except between sun-setting on every Thursday and sun-setting on the Fridays immediately following, on penalty of forfeiting and paying for each fish so caught, killed or destroyed contrary to any provision of this act, the sum of two dollars to any person who may sue for the same, by action of debt, in any court of competent jurisdiction.

Approved July 1, 1819.

AN ACT making provision for the payment of the salaries of the justices of the superior court of judicature, and for other purposes.

Section 1. BE it enacted by the senate and house of representatives in general court convened, That the justices of the superior court of judicature shall be severally paid their salaries in quarterly payments, as the same may from time to time become due, by warrant on the treasurer of this state, and the said justices shall not hereafter receive any portion of their salaries from the clerks of the said court.

Sec. 2. And be it further enacted, That every clerk of the superior court of judicature shall from time to time make return to the treasurer of this state of the number of entries at each term of the court of which he may be clerk, within one month after the close of such term, which return shall be signed and approved by one of the justices of the said court present at the said term.

Approved July 1, 1819.
AN ACT in addition to an act, entitled "an act regulating fees," passed December 16, 1796.

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That sheriffs shall hereafter be allowed to receive as fees for taking bail, thirty-four cents; for attaching personal property, where they have special orders for the same, fifty cents in addition to the fees allowed for service and travel; for serving notice upon bail, pursuant to the second section of an act, entitled "an act regulating bail in civil causes," twenty-three cents, and three cents per mile for actual travel to serve the same: Provided also, that the bail shall in no case be discharged from his liability as bail by the provisions of said act, until he shall have paid or satisfied to the officer who shall have served upon him the notice by said act provided, such officer's legal fees therefor.

Sec. 2. And be it further enacted, That the clerks of the courts of common pleas shall receive for the services which they by law are required to perform, the same fees as by law are now allowed for like services to the clerks of the superior court of judicature, any provision of any former law to the contrary notwithstanding.

Approved July 1, 1819.

AN ACT to raise forty thousand dollars for the use of this state.

Be it enacted by the senate and house of representatives in general court convened, That there be raised for the use of this state the sum of forty thousand dollars, which sum shall be assessed, collected and paid into the treasury on or before the first day of December in the year of our Lord one thousand eight hundred and twenty; and the treasurer is hereby directed seasonably to issue his warrants to the selectmen or assessors of the several towns, parishes and districts within this state, agreeably to the last proportion act; and the se-
lectmen of the several towns, parishes and districts aforesaid are hereby respectively required to assess and collect the sums in the treasurer's warrant specified, and cause the same to be paid into the treasury of this state on or before the first day of December, one thousand eight hundred and twenty; and the treasurer shall issue extents for all taxes which may then remain unpaid.

Approved July 1, 1819.

CHAP. LXXXVI.
An act to repeal "an act providing relief for sheriffs and other officers in certain cases."

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That an act, entitled "an act providing relief for sheriffs and other officers in certain cases," passed June 23, 1813, be and the same is hereby repealed.

Approved July 1, 1819.

CHAP. LXXXVII.
An act to incorporate the Congregational Society in Pittsfield. Approved July 1, 1819.

CHAP. LXXXVIII.
An act to repeal the fourth section of an act, entitled "an act to incorporate an Engine Company in the town of Mont-Vernon." Approved July 1, 1819.

CHAP. LXXXIX.
An act to alter the names of Jonathan Bunker and Eli Bunker, junior. Approved July 1, 1819.
A.D. 1819.

CHAP. XC.

An act to incorporate John W. Parsons and others, proprietors of a tract of salt marsh in Rye. Approved July 1, 1819.

CHAP. XCI.

An act to incorporate a company by the name of the Proprietors of the Winnipiseogee, Squam and Pemigewasset locks and canals. Approved July 1, 1819.

CHAP. XCII.

AN ACT repealing an act, entitled "an act allowing a certain premium for killing crows."

Passed July 1, 1819.

Sec. 1. BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES IN GENERAL COURT CONVENED, That the act, entitled "an act allowing a certain premium for killing crows," approved June twenty-seventh, one thousand eight hundred and seventeen, be and the same is hereby repealed: Provided nevertheless, that this act shall not take effect until the first day of September next.

Approved July 1, 1819.

CHAP. XCIII.

An act in addition to an act, entitled "an act to incorporate certain persons for the purpose of building a bridge over the river Merrimac, at or near a place called Tucker's ferry in Concord, and for supporting the same," passed December 28, 1795. Approved July 1, 1819.

CHAP. XCIV.

AN ACT in addition to and in amendment of an act entitled an act for the relief of poor debtors, and for regulating appeals from judgments of justices of the peace, passed June 30, 1813.

Passed July 1, 1819.

Sec. 1. BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTA-
Public Literary Institution.

Resolved, That no person shall be committed to gaol or be liable to be imprisoned on any writ or mesne process in any action founded on contract made or entered into subsequently to the first day of January last past, unless the sum due the plaintiff in such action exceed the sum of thirteen dollars and thirty-three cents, exclusively of the damages alleged by the plaintiff to be by him sustained by the breach of such contract; and such writ or mesne process shall not run against the body of such debtor, but in all other respects shall be according to the forms established by law.

Approved July 1, 1819.

CHAP. XCV.

RESOLVED, that the Rev. William Allen of Hanover, Roger Vose of Walpole, George B. Upham of Claremont, the Rev. Nathan Parker of Portsmouth, Stephen Moody of Gilmanton, William Pickering of Concord, Joshua Darling of Henniker, Richard H. Ayer of Dunbarton, Thomas Whipple, jr. of Wentworth, and John P. Hale of Rochester, be a committee to consider the expediency and practicability of establishing a public literary institution in this state, in what place it would be proper to locate the same; to ascertain what funds can be obtained for that purpose; and digest a plan for establishing and organizing said institution, and report thereon to the legislature at their next session.

Resolved, That the senators and representatives in congress from this state be requested to use their best endeavours to procure an act of congress granting to the several states a portion of the public lands of the United States, for the promotion of literature, to be disposed of for this purpose as they may think proper.

Approved July 2, 1819.
Militia Law.

CHAP. XCVI.

RESOLVED, That the secretary be directed to procure seven hundred printed copies of the militia laws passed the present session as soon as may be, and forward them to the adjutant and inspector general of this state, whose duty it shall be to distribute the same in the same manner as orders are distributed, to the following officers, viz. one copy to the captain general and to each of his staff, one copy to each major general and his staff, one to each brigadier general and his staff, one to each field officer, one to each commissioned regimental staff officer, and one to each captain or commanding officer of a company in this state.

Approved July 2, 1819.
AN ACT to prevent the introduction of paupers from foreign ports or places.

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That when any ship or vessel, having any passengers on board who have no settlement within this state, shall arrive at any port or harbor within this state, the master of such ship or vessel shall, before such passengers come on shore, leave a list of their names and places of residence with the selectmen or overseers of the poor of the town where such passengers shall be landed; and if, in the opinion of said selectmen or overseers of the poor, any such passengers may be liable to become chargeable for their support to the state or county, the master of such ship or vessel shall within two days after his arrival as aforesaid, and on being notified by the selectmen or overseers to that effect, enter into bonds, with sufficient sureties, to the satisfaction of said selectmen or overseers of the poor, in a sum not exceeding five hundred dollars for each passenger, to indemnify and save harmless such town as well as the state and the several counties of the same, from all manner of charge and expense, which may arise from such passengers, for and during the term of three years; and if the master of such ship or vessel shall land any such passengers, without entering their names and giving bonds as aforesaid, he shall forfeit and pay the sum of two hundred dollars for each passenger so landed, to be recovered by action of debt by any person who shall sue for the same, one moiety thereof to the...
A. D. 1820. **Use of the state, and the other moiety to the prosecutor:**

Provided, this act shall not take effect until the fifteenth day of July next, and that nothing in this act shall be construed to extend to the master of any ship or vessel in any voyage, on which such ship or vessel may now be employed.

**Sec. 2.** And be it further enacted, That the tenth section of an act, entitled, "an act for the punishment of idle and disorderly persons, for the support and maintenance of the poor and for designating the duties and defining the powers of overseers of the poor," be and the same is hereby repealed.

Approved June 14, 1820.

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**CHAP. II.**

AN ACT for the preservation of pickerel in Massabesic pond, partly in Chester in the county of Rockingham, and partly in Manchester in the county of Hillsborough.

Be it enacted by the senate and house of representatives in general court convened, That if any person shall catch, kill or destroy any of that kind of fish commonly called pickerel, in Massabesic pond, so called, partly in Chester in the county of Rockingham, and partly in Manchester in the county of Hillsborough, between the first day of November in each year and the first day of May following, such person so offending, for every pickerel so caught, killed or destroyed, shall forfeit and pay the sum of two dollars with cost of suit, which penalty may be sued for and recovered by any person, in an action of debt before any magistrate or court authorized by law to hear and determine the same, one half to the person suing, and the other half to the town in which the offence was committed.

Approved June 14, 1820.

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**CHAP. III.**

AN ACT to alter the boundary line between Roxbury and Nelson.

Be it enacted by the senate and house of representatives in general court convened, That so much of an act, passed De-
cember ninth, A. D. one thousand eight hundred and twelve, A. D. 1820.

for incorporating the town of Roxbury, as provides that Samuel Griffin, and the property and estate he then owned, within the limits of said Roxbury, shall be considered as belonging to and within the limits of Packersfield, (now Nelson) be and hereby is-repealed; and that said Samuel Griffin and said property and estate, and also lot number one, in the eighth range, in the south-west quarter of said Nelson, shall hereafter belong to, and be considered as within the limits of Roxbury. Provided nevertheless, that until a new proportion of taxes shall be made and take effect, the owners of land hereby disannexed from Nelson and annexed to Roxbury, shall continue to pay their state and county taxes in said town of Nelson.

Approved June 15, 1820.

CHAP. IV.

An act empowering the proprietors of the North-Hampton Social Library, to alter the time of holding their annual meeting.

Approved June 15, 1820.

CHAP. V.

Resolved, That the secretary of this state be required to procure four sets of the public laws of this state, and forward them to the secretary of state of the United States, for the use of the government of the United States. And it shall hereafter be the duty of the secretary of this state, to forward to the secretary of the United States, four sets of all laws published by authority of this state.

Approved June 15, 1820.
AN ACT empowering the several courts of common pleas within this state to hold special sessions for the purpose of receiving and acting upon the applications of pensioners under the acts of Congress of March 18, 1818, and May 1, 1820.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That the justices of the several courts of common pleas within this state, be authorized, empowered, and directed, to hold special terms of their respective courts, at such times and places, as is by this act hereinafter directed, for the purpose of receiving applications and evidence of the declarations of persons claiming pensions under the acts of the congress of the United States, passed March 18, 1818, and May 1, 1820.

Sec. 2. And be it further enacted, That for the purpose aforesaid, it shall be the duty of the justices of the court of common pleas for the county of Rockingham, to hold a session of said court, at Portsmouth, in said county, on the first Tuesday of July next; at Chester, in said county, on the second Tuesday of July next, and at Concord, in said county, on the third Tuesday of July next.—Of the justices of the court of common pleas for the county of Strafford, to hold a session of said court at Dover, on the first Tuesday of July next; at Wolfeborough, on the second Tuesday of July next, and at Meredith Bridge on the third Tuesday of July next.—Of the justices of the court of common pleas for the county of Hillsborough, to hold a session of said court at Amherst, on the first Tuesday of July next, and at Hopkinton, in said county, on the second Tuesday of July next.—Of the justices of the court of common pleas for the county of Cheshire, to hold a session of said court at Keene, in said county, on the first Tuesday of July next; at Charlestown, in said county, on the second Tuesday of July next, and at Newport, in said county, on the third Tuesday of July next.—Of the justices of the court of common pleas for the county of Grafton, to hold a session of said court at Haverhill, in said county, on the first Tuesday of July next, and at Plymouth, in said county, on the second Tuesday of July next.—And of the justices of the court of common pleas for the
county of Coos, to hold a session of said court at Lancaster, in said county, on the second Tuesday of July next. — And that two of the justices of said several courts of common pleas, shall constitute a quorum for the transaction of the business aforesaid, and in case a quorum of the justices of said several courts shall not assemble at the several times and places as is herein before directed, one justice of the said several courts shall have power to adjourn their respective courts from day to day, until a quorum thereof can be assembled; — and it shall be the duty of the clerks of the said several courts of common pleas, to attend the said special sessions of their respective courts, at the times and places of holding the same.

Sec. 3. And be it further enacted, That the said justices shall have power to adjourn their respective courts from day to day, and to such future day and place as they may deem expedient for the purposes of this act.

Sec. 4. And be it further enacted, That applicants to the justices of said courts of common pleas under the provisions of the before named acts of Congress, shall pay to each of the said justices who may attend said courts, fifty cents, on each application, and to the clerks of said courts respectively, one dollar, on each application, which shall be in full satisfaction for their respective services. Provided, that nothing in this act shall in any way or manner, affect any suit or process, now pending in, or any writ or process made, or to be made returnable to any future term of either of said courts.

Sec. 5. And be it further enacted, That the secretary of state cause this act to be published in all the newspapers printed in this state, as soon as may be.

Approved June 17, 1820.
AN ACT to incorporate certain persons for the purpose of building a bridge over Connecticut river, at the fifteen mile falls, so called, in Littleton, and for supporting the same.

WHEREAS a bridge over said river at the place above-mentioned, will be of public utility; and whereas Isaac Kimball, David Rankin, and their associates, have petitioned the general court for liberty to build the same, and to be incorporated for that purpose. Therefore—

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That the persons above mentioned, together with those their associates, who are or shall become proprietors in said bridge, shall be a corporation and body politic, for the purposes aforesaid, under the name of the Proprietors of the Second Bridge in Littleton, and by that name may sue and be sued, to final judgment and execution, and do and suffer all matters, acts and things, which bodies corporate may or ought to do or suffer; and the said corporation shall and may have a common seal, and the same may break, renew, and alter at pleasure.

Sec. 2. And be it further enacted, That Isaac Kimball and David Rankin, shall call a meeting of the proprietors, by posting up a notification, of the time and place of holding the first meeting, in the towns of Waterford and Littleton, and in such other places as they may judge proper, in some public place in said towns, at least fourteen days prior to holding said meeting; and the proprietors, by a vote of the majority of those present, or represented at said meeting, accounting and allowing one vote to each share, in all cases, shall choose a clerk who shall be sworn to the faithful discharge of said office, and they shall also agree on the method of calling future meetings, and at the same, or any subsequent meetings, may elect such officers and make and establish such rules and by-laws as to them shall seem necessary or convenient for the regulation and government of said corporation, for carrying into effect the purposes aforesaid, and for collecting the toll hereinafter granted and established, and the same rules and by-laws may cause to be
executed and may annex penalties to the breach thereof, not exceeding ten dollars for any one breach—Provided said rules and by-laws are not repugnant to the constitution and laws of this state; and all representations at any meeting of said corporation, shall be proved by writing, signed by the person to be represented, which shall be filed by the clerk, and this act and all rules, by-laws, regulations and proceedings of said corporation, shall be fairly and truly recorded by the clerk, in a book or books kept for that purpose.

Sec. 3. And be it further enacted, That the proprietors aforesaid, be and hereby are permitted and allowed to erect a bridge over Connecticut river, at any place where they may deem it most proper, beginning at the grant for the first bridge in Littleton, and running down said river six miles; and the proprietors are empowered to purchase three acres of land for the building and accommodation of said bridge, and to hold the same in fee simple; and the share or shares of any of said proprietors may be transferred by deed duly executed, acknowledged and recorded by the clerk of said proprietors on their records.

Sec. 4. And be it further enacted, That for the purpose of reimbursing said proprietors the money expended by them in building and supporting said bridge, a toll be, and hereby is granted and established for the benefit of said proprietors, according to the rates following, viz. for each foot, person, one cent; for each horse and rider, four cents; for each horse and chaise, chair, sulkey, or other riding carriage drawn by one horse only, ten cents; for each riding sleigh drawn by one horse, four cents; for each riding sleigh drawn by more than one horse, six cents; for each coach, chariot, phaeton, or other four wheel carriage for passengers, drawn by more than one horse, twenty cents; for each curricle, twelve cents; for each cart or other carriage of burthen, drawn by two beasts, ten cents, and three cents for each additional beast; for each horse or neat creature, exclusive of those rode on, or in carriages, two cents; for sheep and swine, one half cent each; and to each team one person and no more shall be allowed as a driver to pass free of toll.

Sec. 5. And be it further enacted, That the exclusive right of building and maintaining a bridge across said Connecticut
AN ACT to divide the town of Barrington into two parts, and to constitute the westerly half thereof a separate town, by the name of Strafford.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That the town of Barrington, in the county of Strafford, be and hereby is divided into two parts, the dividing line to commence on the line of the town of Rochester, between lots numbered thirteen and fourteen, in the present town of Barrington, thence running south, forty-two degrees west, to the line of the town of Northwood; and that the part lying easterly of said dividing line, shall retain the name, powers, privileges, and immunities of the town of Barrington, and that the part lying westerly of the same line, with the inhabitants thereof, shall from and after the second Monday of March next, be a body corporate and politic, by the name of Strafford, with all the powers, privileges and immunities, incident and common to other towns in this state.
Election.

Sec. 2. And be it further enacted, That the public property of the town of Barrington, shall, by the committee appointed by said town for that purpose, be equally divided between said town of Strafford, and the remaining town of Barrington, as soon as may be, after said second Monday of March, and the paupers of the present town of Barrington, shall in like manner be divided between said town of Strafford and the remaining town of Barrington, according to the expense of supporting them, and said town of Strafford shall pay one half of the debts of said town of Barrington, existing on said second Monday of March.

Sec. 3. And be it further enacted, That the interest which any person or district has in any school-house, in said town of Barrington, shall not be affected by this act.

Sec. 4. And be it further enacted, That Job Otis, Azariah Waldron, and Tobias Roberts, or any two of them, may call the first and annual meeting of said town of Strafford, to be held on the second Tuesday of March, in the year of our Lord, one thousand eight hundred and twenty-one, by giving such notice of the time, place, and objects of the meeting, as is required by the laws for warning annual town meetings, and either of said persons may preside therein until a moderator is chosen.

Sec. 5. And be it further enacted, That this act shall not take effect till said second Tuesday of March next.

Approved June 17, 1820.

CHAP. X.

An act to incorporate the Union Boating Company.

Approved June 19, 1820.

CHAP. XI.

AN ACT directing the mode of balloting for and appointing Electors of this state, for the election of a President and Vice President of the United States.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That the inhabitants of the
Electors.

A.D. 1820.

Meeting on 1st Monday of November, 1820,

several towns, plantations and places in this state, qualified to vote in the choice of senators for the state legislature, shall assemble in their respective towns, plantations and places on the first Monday of November next, to vote for eight persons, inhabitants of this state, who shall not be senators or representatives in congress, or persons holding offices of profit or trust under the United States, to be electors of president and vice president of the United States; and the selectmen of the towns, plantations and places, shall give fifteen days notice of the time, place and design of such meeting; and the meeting shall be governed by a moderator chosen for that purpose, who shall impartially preside, and with the selectmen, whose duty it shall be to attend at such meeting, shall receive from all the inhabitants of such towns, plantations and places respectively, present and qualified as aforesaid, votes for such electors (each voter giving in on one ballot or ticket, the names of the persons he votes for) and shall, in open town meeting, sort and count the same; of all which, the clerk of each town, plantation or place, respectively, shall make a fair record, in the presence of the said selectmen, of the name of every person voted for, and the number of votes against his name; and a full and fair copy of such record shall be made out and attested by the said selectmen, or clerks respectively, and sealed up and directed to the secretary of state, with a superscription expressing the purport thereof, and transmitted by said town clerks to the sheriffs of the respective counties to which they belong, within seven days after said meetings, or to the secretary's office, on or before the twenty-second day of November next. And the several sheriffs shall, on or before the twenty-second day of November next, transmit to the secretary's office, all votes that shall be in manner aforesaid transmitted or delivered to them; and the respective sheriffs and clerks aforesaid, shall be liable to the same penalties for neglect of the duties enjoined on them respectively by this act, as they are liable to by law for omissions in transmitting the votes for governor and senators for this state. And the secretary shall, on the twenty-third day of November next, lay the same before the senate and house of representatives in convention, to be by them examined and counted; and in case there shall appear to be any, or the full number, who have
a majority of the votes, they shall be declared electors; provided that not more than eight persons have such majority; but in case more than eight persons shall have a majority of votes, then those eight persons who have the highest number of votes (if any there be) shall be declared electors. And in case the state of the votes will not admit of the designation of eight persons by the highest number of votes, then so many as can be designated, shall be declared electors; and from the remaining number of those who have a majority of the votes, the senate and house of representatives, in convention, shall forthwith elect, by ballot, one person at a time, so many persons, as, added to those already declared electors, shall complete the number of eight. But if there shall not be any or the whole number who have such majority of votes of the people, the senate and house of representatives, in convention as aforesaid, shall cause to be made out a list of the persons not chosen, having the highest number of votes, equal to double the number of electors wanted, and if in making out such list, it shall happen that two or more persons voted for, have an equal number of votes, which number is also high enough to entitle the candidate to a place in said list, the names of such persons shall be put into a box, and the secretary, not being one of the candidates, shall, in presence of said convention, draw the number wanted to complete said list, from which list said convention shall elect by ballot, one person at a time, the number of electors wanted; and the person or persons having a majority of such votes, shall be appointed and declared electors.

Sec. 2. And be it further enacted, That in cases where the secretary shall be a candidate, and his name shall be put into the box as aforesaid, said convention shall appoint some other suitable person in his stead, to draw out the name or names of the person or persons, in manner herein before directed.

Sec. 3. And be it further enacted, That his excellency the governor of this state be, and he hereby is requested to cause the several persons who may be chosen electors, to be seasonably notified of their appointment, and request their attendance at Concord, on the first Tuesday of December next, at ten of the clock, in the forenoon.

Sec. 4. And be it further enacted, That the electors chosen
A. D. 1820. as aforesaid, shall meet at said Concord, on said first Tues-
day of December, and by twelve of the clock at mid-day of
said first Tuesday of December, give notice to the legislature
of the number of electors present, who accept the said ap-
pointment; and if from such notice it shall appear, that
eight electors are not all then present, and accept of said ap-
pointment, the two houses of the legislature, shall then im-
mediately meet in convention, and by joint ballot elect the
number wanting to complete said board. And if any person,
chosen as an elector on the said first Tuesday of December,
shall not then attend and accept of said trust, said convention
shall then immediately proceed as aforesaid, and choose
others to supply such vacancy.

Sec. 5. And be it further enacted, That the electors chosen
and appointed as aforesaid, shall give their votes for presi-
dent and vice-president of the United States, at Concord, on
the first Wednesday of December next, and shall proceed
to do and transact all the duties incumbent on them as elect-
ors, in manner prescribed by law.

Sec. 6. And be it further enacted, That his excellency the
governor be, and he hereby is requested seasonably to issue
precepts to the several towns, plantations and places within
this state, directing them to notify and hold meetings on said
first Monday of November next, for the purpose of voting
for electors as aforesaid.

Approved June 19, 1820.

CHAP. XII.

An act to incorporate a Fire Engine company in the town of
Milford. Approved June 20, 1820.

CHAP. XIII.

An act to incorporate certain persons by the name of the Je-
rusalem Lodge. Approved June 20, 1820.
Isle of Shoals.

CHAP. XIV.
An act to incorporate St. Peter's Lodge, in Bradford.
Approved June 20, 1820.

CHAP. XV.
An act for incorporating certain persons by the name of the Proprietors of the Social Library in Richmond.
Approved June 20, 1820.

CHAP. XVI.
AN ACT for ceding to the United States one of the Isles of Shoals.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That a certain rock or island, known by the name of White Island, being the southernmost of the Isles of Shoals, off the entrance of Piscataqua river, and containing one acre more or less, be and the same hereby is ceded and vested in the United States, with all the jurisdiction thereof, which is not reserved by this act.

Sec. 2. Provided nevertheless, and be it further enacted, That if the United States shall fail to erect and maintain a lighthouse on the said island, the cession aforesaid shall in that case be utterly void and of no effect. Provided also, that all writs, warrants, executions, and all other processes of every kind, both civil and criminal, issuing under the authority of this state, or any officer thereof, may be served and executed on any part of said island, or any building which may be erected thereon, in the same way and manner as though this act had not been passed.

Approved June 20, 1820.

CHAP. XVII.
An act to incorporate certain persons by the name of the Gilford Academy. Approved June 20, 1920.
A.D. 1820.

CHAP. XVIII.

An act to incorporate Samuel Avery and others by the name of Wolfeborough and Tuftonborough Academy.

Approved June 20, 1820.

CHAP. XIX.

An act in addition to and amendment of an act, passed December 15, 1812, entitled "an act to incorporate John Wheeler and others, by the name of the Dover Cotton Factory." Approved June 21, 1820.

CHAP. XX.

AN ACT in relation to the compensation of the Justices of the Court of Common Pleas.

BE it enacted by the senate and house of representatives in general court convened, That no judge or justice of any court of Common Pleas in this state, shall have, take or receive from any county treasury, any fees or compensation for settling with any county treasurer, for settling with any clerk of the court of Common Pleas, for examining or settling any pauper accounts, for doing what was formerly sessions business, or for any services rendered by such judge or justice whatever, or under pretence thereof, other than such fees or compensation as the said judge or justice are now entitled by law to receive, for the entry of actions, as justices of the court of Common Pleas, any usage to the contrary notwithstanding.

Approved June 21, 1820.

CHAP. XXI.

AN ACT granting additional powers to the Courts of Probate and for the regulation of trustees and guardians.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That all persons who are or
may be appointed or constituted trustees, of any estate, real, personal, or mixed, belonging to minors, or other persons, to whom such estate has been or may be devised in trust for such minors or other persons, by the last will and testament of any person, shall, except in the cases hereinafter mentioned, give bond to the judge of probate of the county in which such last will and testament has been, or shall be proved, approved, and allowed, with sufficient surety or sureties, within the state, in such sum as the judge shall order, conditioned for the faithful execution of such trust, according to the true intent and meaning of the testator, and that the trustee shall make a true and perfect inventory of the real estate, goods and chattels, rights and credits of such minors or others, to be returned filed and recorded, in the probate office of such county, at such time as the said judge shall order, and that the said trustee will annually render an account to the said judge, of the annual income and profit thereof, and at the expiration of such trust, will adjust and settle his accounts with the said judge, and will pay and deliver over all balances and sums of money, or other property, that may be due, and give possession of the other estate belonging to such minors or other persons, with which such trustee may have been entrusted. Provided nevertheless, that no trustee, so long as he shall continue faithfully to execute the trust, shall be obliged to give bond as aforesaid, in any case, in which the testator, in his last will, shall have directed or requested that such bond should not be given, nor in any case in which all the cestui que trusts being of full age and legal capacity, shall signify to the judge of probate his or her request that such bond should not be taken. And provided also, that no person appointed a trustee before the passing of this act, and having entered upon the execution of the trust, without having given bond as aforesaid, shall be obliged to give such bond, or be subject to any of the requirements of this act, unless after being cited to appear before the said judge, upon complaint in writing, it shall appear to the said judge upon a full hearing, that it is necessary that such bond should be given, in order to secure the faithful execution of such trust.

Sec. 2. And be it further enacted, That any person who has been or shall be appointed and constituted a trustee as
A. D. 1820. Trustees and Guardians.

aforesaid, and who shall neglect or refuse to give bond as aforesaid, shall be considered as having declined the acceptance of such trust, and the trustee or trustees who may be appointed by the judge of probate, as is hereinafter provided, shall and may thereupon be authorized to demand and receive of the trustees originally appointed as aforesaid, all such estate as may have come to their hands by virtue of such trust, and to manage, pay, and deliver over such property to said minors or others, in the same manner and under the same restrictions, obligations and duties, as guardians are now by law obliged to do.

Sec. 3. And be it further enacted, That any trustee appointed either by the testator as aforesaid, or by the judge of probate, shall upon request in writing to said judge, be permitted to resign the trust, first accounting for, and paying, and delivering over such estate as shall have come to his hands by virtue of such trust, to such other person as the said judge shall appoint a trustee in his stead. Provided always, that no such resignation, except in the case of an executor or administrator, who shall succeed to such trust upon the decease of his testator, or intestate, shall be accepted, and allowed, unless it shall clearly appear to the said judge, to be expedient and proper.

Sec. 4. And be it further enacted, That in case any person, who has been or shall be appointed a sole trustee, or any two or more persons who have been or shall be appointed joint trustees, in any will, no provision being therein made for perpetuating such trust, and such sole trustee or any one or more of such joint trustees, shall decline the acceptance of the trust, or shall die either before or after having accepted the trust, or shall neglect or refuse to comply with the provisions of this act, the respective judges of probate shall, after notice to the cestui que trusts, appoint one or more suitable persons to be trustee or trustees in the place of the trustee or trustees so dying or declining to accept, and any trustee or trustees appointed by the judge of probate, shall be holden and bound by the provisions of this act, in the same manner as if he or they had been so appointed in and by such last will, and the estate so given in trust by such last will shall vest in the trustee or trustees so appointed by the
said judges of probate, in like manner to all intents and purposes, as the same vested in the original trustee or trustees under such last will.

Sec. 5. And be it further enacted, That when any trustee appointed either by the testator or by any judge of probate, shall, in the opinion of the judge of probate, be disqualified for the discharge of the trust, by becoming non compos mentis, or otherwise incapable, or evidently unsuitable for the execution of such trust, it shall be lawful for the said judge after notice to such trustee and the parties interested in the trust estate, to remove such trustee, and to appoint and substitute another in his stead. And whenever any person shall be appointed and substituted as a trustee by the judge of probate as aforesaid, in the place of any former trustee, who may either have been removed from office, or have deceased, or have declined, or resigned the trust, as aforesaid, the person so appointed and substituted by the said judge, shall give bond with sufficient surety or sureties, and shall be held to perform all the duties prescribed in the first section of this act. Provided however, that it shall be in the discretion of said judge, to direct an inventory to be made and returned or not, by such new trustee, who in no manner whatever shall be deemed a trustee, or authorised to act as such, until such bond shall be given.

Sec. 6. And be it further enacted, That whenever the sureties in any bond given to the judge of probate, shall be insufficient for the purposes of such bond, the superior court of probate, on the petition of any person interested, and after due notice to the principal and sureties, on such bond, shall have authority to require from time to time, new bonds, with sufficient surety or sureties in the case. And whenever any surety or sureties on any bond given to the judge of probate, shall at any time after the date of such bond petition the said judge of probate, that he or they may be discharged from any further responsibility upon such bond, the said judge of probate, after due notice to all persons interested, may in his discretion discharge such surety or sureties from all further responsibility upon such bond. And the said principal or principals shall in all such cases be required to procure other sufficient surety or sureties upon such bond or
upon a new bond to be given to said judge of probate for the
purpose, to his satisfaction. And if such principal or principal
pals shall not within such time as shall be ordered by said
judge of probate, give such new bonds as may be required by
virtue hereof, he, she or they shall be removed from their
trust, and some other person or persons shall be appointed
in his, her or their stead.

Sec. 7. And be it further enacted, That any bonds given
pursuant to this act may be put in suit in the name of the
judge of probate to whom the same shall have been given,
for the benefit of all or any of the minors or other persons
interested in the estate given in trust as aforesaid, and the
proceedings in such case shall be the same as in the cases of
suits on other probate bonds.

Sec. 8. And be it further enacted, That any judge of pro-
bate may dismiss any guardian of a minor, idiot, non compos,
or lunatic, or of persons who spend their estate by excessive
drinking, idleness or debauchery, whenever it shall appear
to the said judge that necessity or expediency require the
same, and to appoint some other guardian in his place. Pro-
vided always, that no such guardian shall be dismissed as a-
foresaid before he shall have had notice in writing from said
judge, fourteen days at least, before the time of hearing, to
appear and shew cause why he should not be so dismissed.

Sec. 9. And be it further enacted, That any person aggriev-
ed by any order, sentence, decree or denial of any judge
of probate, upon any matter touching such trusts as aforesaid,
may appeal therefrom, as in any other case of an order, sen-
tence, decree or denial of a judge of probate. And the su-
perior court of probate and the judges of probate respect-
tively, may in their discretion award reasonable costs to
either or both parties in all those cases where justice shall
require it, and shall grant execution therefor.

Approved June 21, 1820.
Compensation for publishing Laws.

CHAP. XXII. A.D. 1820.
An act to authorize the judge of probate for the county of Cheshire to issue an additional commission of insolvency on the estate of Daniel Newcomb, Esq. late of Keene, in said county of Cheshire, deceased.
Approved June 21, 1820.

CHAP. XXIII.
An act to incorporate the Concord Fire Engine Company, Number Two. Approved June 21, 1820.

CHAP. XXIV.
AN ACT entitled an act to fix the compensation for publishing the laws of this state in the several newspapers to be designated for that purpose.

Section 1. Be it enacted by the senate and house of representatives in general court convened, That from and after the passage of this act there shall be allowed and paid out of the treasury of this state to the proprietors of the several newspapers in which the legislature shall from time to time direct the laws of this state to be published, the sum of seventy-five cents for every printed page of the pamphlet of laws published at the close of each session.

Sec. 2. Be it further enacted, That the proprietors of every newspaper directed to print the laws shall be required to insert them on a type not less than the Brevier size. And if it shall appear on examination of any account that they have not so inserted them, or that there has been any unreasonable delay, or intentional omission, the treasurer is hereby authorized and required to deduct from such account such sum as shall be charged therein for the publication of any laws which have been otherwise inserted, unreasonably delayed, or intentionally omitted.
Approved June 21, 1820.
Inspectors of Gunpowder.

A. D. 1820.

Passed June 21, 1820.

AN ACT to provide for the appointment of Inspectors and regulating the manufactory of Gunpowder.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That his excellency the governor by and with the advice of council, be, and he is hereby authorized to appoint an inspector of gunpowder for every public powder magazine, and at every manufactory of gunpowder in this state, and at such other places as may by him be thought necessary; and his excellency the governor by and with the advice of council is hereby further authorized and empowered to remove said inspectors or any of them at pleasure, and may by new appointments from time to time fill any vacancy or vacancies which may happen.

Sec. 2. And be it further enacted, That from and after the first day of July next, all gunpowder which shall be manufactured within this state, shall be composed of the following proportions and quality of materials, that is, every one hundred parts of gunpowder shall be composed of fourteen parts of fresh burnt coal, made from wood which forms the least ashes, and which has been carefully and well prepared and made into coal, after being stripped of its bark; ten parts of pure sulphur, and seventy-six parts of purified nitre.

Sec. 3. And be it further enacted, That it shall be the duty of each of said inspectors to inspect, examine and prove all gunpowder which after the first day of July next shall be deposited at any public powder magazine, or manufactory in this state, before the same shall be removed from the manufactory or received into such public powder magazine; and if upon inspection and examination it shall appear to the inspector that such gunpowder is well manufactured and composed of pure materials, and such gunpowder shall be of the proof hereinafter mentioned, the inspector shall mark each cask containing gunpowder by him inspected, examined, and proved as aforesaid, with the words "New-Hampshire inspected proof," and with his christian and surname, and shall also in figures mark upon each cask the quantity of powder contained therein, and the year in which the inspection is made.

Sec. 4. And be it further enacted, That no gunpowder within
this state shall be considered to be of proof unless one ounce
thereof, placed in the chamber of a four and an half inch
howitzer, with the howitzer elevated so as to form an angle
of forty-five degrees with the horizon, will, upon being fired,
throw a twelve pound shot seventy-five yards at the least.

Sec. 5. And be it further enacted, That whenever any of
said inspectors shall discover any gunpowder, deposited at
any public powder magazine, or any other place within this
state, which is not well manufactured, or which is composed
of impure materials, or of any improper proportion of ma-
terials, and which shall not be of the proof herein before men-
tioned, the inspector in such case, shall mark each cask con-
taining such impure, ill manufactured, or deficient gun-
powder, with the word "Condemned," on both heads of the cask,
and with the same words on the side thereof, with the chris-
tian and surname of the inspector on one head of the cask.

Sec. 6. And be it further enacted, That if any person shall
knowingly sell any condemned gunpowder, or shall fraudu-
ently alter or deface any mark or marks, placed by any in-
spector upon any cask or casks containing gunpowder, or
shall fraudulently put any gunpowder, which shall not have
been inspected, or which has been condemned, into any cask
or casks, which shall have been marked by any inspector
agreeably to the provisions contained in the third section of
this act, every such person, so offending, shall forfeit and
pay not less than two hundred nor more than five hundred
dollars, for each and every offence, to be recovered in an
action of debt, in any court of competent jurisdiction, one
half thereof to the use of the state, the other to the use of
him or them who shall sue and prosecute for the same.

Sec. 7. And be it further enacted, That each inspector who
may be appointed by virtue of this act, shall, before he acts
as inspector, be sworn to the faithful and impartial discharge
of the duties of his office, and each inspector shall be allowed
one cent for each pound of gunpowder, by him examined,
inspected and proved, whether the same be by him approved
or condemned, to be paid by the owner or owners of the
gunpowder.

Sec. 8. And be it further enacted, That if any manufactur-
er of gunpowder shall sell or dispose of, or shall cause or per-

Inspection of Gunpowder.

A. D. 1829.

Proof of quali-

ity of gun-
powder.

Inspectors to
mark and

Penalty for

mark

powder.

Penalty for

condemned pow-

der.

Penalty for

selling unim-

posed pow-

der.
A. D. 1820.

Artillery.

mit to be sold or disposed of, or shall export or cause to be exported without the limits of this state, any powder of his manufacture, before the same has been inspected and marked agreeably to the provisions of this act, he shall forfeit and pay the sum of fifty cents for every pound of powder so sold, disposed of, or exported, to be recovered in the manner provided in the sixth section of this act.

Penalty for selling powder made of impure materials.

Sec. 9. And be it further enacted, That if any person within this state, after the first day of January next, shall knowingly sell, expose, or offer for sale, within this state, any gunpowder which is not well manufactured, or which is composed of impure materials, and which shall not be of the proof herein before required, shall forfeit and pay not less than five dollars nor more than fifty dollars for each and every offence, to be recovered in the manner provided in the sixth section of this act.

Approved June 21, 1820.

CHAP. XXVI.

Resolved, That the sum of four hundred dollars be and the same hereby is appropriated for the purpose of furnishing each artillery company in this state, organized according to law, with powder and port-fire, and for the ordinary repairs of field pieces, agreeably to the sixth section of a law of this state passed July 1, 1820.* And his excellency the governor is hereby authorized to draw on the treasury in favour of the adjutant general for the above sum, and the adjutant general is hereby directed to pay to the captain or commanding officer of the different companies of artillery or their orders, the sum of twelve dollars each.

Approved June 22, 1820.

CHAP. XXVII.

Resolved, That the Selectmen, or a major part of them at the charge of the town, parish or place, to which they belong, shall transmit and return an Inventory of the polls and

* This act passed July 1, 1819.
rateable estates of the several towns, parishes and places, within this State, as taken for the current year, into the Secretary's office on or before the first Wednesday of the next session of the General Court; which Inventory shall consist of all male polls from eighteen to seventy years of age, except such, from eighteen to twenty-one, as shall be enrolled in the militia, president, professors, tutors, instructors and students of Colleges, preceptors of Academies, paupers and idiots; also, of the following articles which each person shall have been possessed of on the first day of April last, viz: Orchard, arable, mowing and pasture land; accounting so much orchard land, as will in a common season produce ten barrels of cider or perry, one acre; so much pasture land as will summer a cow, four acres; and what mowing land will produce commonly one ton of good English hay yearly, or meadow hay in proportion, one acre; and what arable or tillage land will commonly produce twenty-five bushels of corn yearly, one acre; in which is to be considered all land planted with Indian corn, potatoes and beans, and sown with grain, flax or peas; all stallions, or stud horses, that have been wintered three winters; all other horses and mares, distinguishing those that have been wintered two, three, four and five winters; all jacks that have been wintered three winters; all mules, distinguishing those that have been wintered two, three and four winters; all oxen, distinguishing those that have been wintered four and five winters; all cows that have been wintered four winters; all young cattle, distinguishing those that have been wintered two and three winters; all mills, wharves and ferries, and the yearly rent thereof, yearly repairs thereof being first deducted, according to the judgment of the persons taking the Inventory; the sum total of all bank stock; the sum total of the value of all real estate, viz: lands and buildings not included in the above mentioned articles, exclusive of all toll-bridges, whether owned by residents or non-residents, except such as are appropriated to public use; the sum total of the value of all stock in trade; the sum total of all money on hand, or at interest, more than the party pays interest for:—

That said Inventory, taken as above, be made agreeable to the following form:—
<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Polls from 18 to 70 years of age, excepting those from 18 to 21</td>
<td></td>
</tr>
<tr>
<td>enrolled in the militia, president, professors, tutors, instructors</td>
<td></td>
</tr>
<tr>
<td>and students of Colleges, preceptors of Academies, paupers and</td>
<td></td>
</tr>
<tr>
<td>idiots</td>
<td></td>
</tr>
<tr>
<td>Acres of orchard land</td>
<td></td>
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<tr>
<td>Acres of arable land</td>
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<tr>
<td>Acres of mowing land</td>
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</tr>
<tr>
<td>Acres of pasture land</td>
<td></td>
</tr>
<tr>
<td>Stallions or stud horses that have been wintered three winters and</td>
<td></td>
</tr>
<tr>
<td>upwards</td>
<td></td>
</tr>
<tr>
<td>Other horses and mares, that have been wintered five winters</td>
<td></td>
</tr>
<tr>
<td>Other horses and mares, wintered four winters</td>
<td></td>
</tr>
<tr>
<td>Other horses and mares, wintered three winters</td>
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<tr>
<td>Horses and mares wintered two winters</td>
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<tr>
<td>Jacks that have been wintered three winters</td>
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<tr>
<td>Mules that have been wintered four winters</td>
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<tr>
<td>Mules that have been wintered three winters</td>
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<tr>
<td>Mules that have been wintered two winters</td>
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<tr>
<td>Oxen wintered five winters</td>
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<tr>
<td>Oxen wintered four winters</td>
<td></td>
</tr>
<tr>
<td>Cows wintered four winters</td>
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<tr>
<td>All neat stock wintered but three winters</td>
<td></td>
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<tr>
<td>All neat stock wintered but two winters</td>
<td></td>
</tr>
<tr>
<td>Yearly rent or income of wharves, mills and ferries, yearly</td>
<td></td>
</tr>
<tr>
<td>repairs deducted</td>
<td></td>
</tr>
<tr>
<td>Sum total of all bank stock</td>
<td></td>
</tr>
<tr>
<td>Sum total of the value of all buildings and real estate improved</td>
<td></td>
</tr>
<tr>
<td>and owned by residents and non-residents, not included in the</td>
<td></td>
</tr>
<tr>
<td>above</td>
<td></td>
</tr>
<tr>
<td>Sum total of the value of all stock in trade</td>
<td></td>
</tr>
<tr>
<td>Sum total of money at interest, including stock in the funds,</td>
<td></td>
</tr>
<tr>
<td>and securities for any kind of property at interest, more than</td>
<td></td>
</tr>
<tr>
<td>interest is paid for</td>
<td></td>
</tr>
<tr>
<td>Sum total of the value of all unimproved lands, owned by residents</td>
<td></td>
</tr>
<tr>
<td>and non-residents</td>
<td></td>
</tr>
<tr>
<td>All chairs, coaches, sulkies and other wheeled carriages of</td>
<td></td>
</tr>
<tr>
<td>pleasure</td>
<td></td>
</tr>
</tbody>
</table>
That in all cases where a copy of the inventory, taken in April last, cannot be had, every person is required to give in a true and faithful inventory of the foregoing articles belonging to him respectively, on oath or affirmation, if required thereto by the person or persons taking said inventory, who are hereby empowered to administer the same; and on refusal or neglect thereof, the person or persons taking said inventory, are to set down to him or them, so refusing or neglecting, so much as in his or their judgment appears equitable by way of doomage. That the selectmen of the next oldest town to any town, parish, or place, where no selectmen are chosen, shall take an inventory of such town, parish or place, or appoint some person or persons in said town, parish or place, to do the same, and return it as aforesaid; for which they shall be paid an adequate reward out of the treasury, on their account being exhibited and allowed by the General Court. And, also, that the selectmen shall return distinctly the amount of footing of each column of the inventory taken in April last year, so that the number of polls, horses, cattle, acres of land improved, value of unimproved land, and all other rateable estate, inventoried and rated in each town, parish and place the last year, may appear. Also, make return of what a single poll was taxed in the last State Tax. That the Selectmen as aforesaid likewise make returns of the amount of taxes assessed for the last and the present year, on any factory for the manufacture of cotton or woollen goods, iron, salt or glass, with the valuation of the same; stating whether the same were inventoried as mills, stock in trade, real estate, or otherwise.

Approved June 22, 1820.

CHAP. XXVIII.

Resolved by the senate and house of representatives in general court convened, That the selectmen of each town in this state, be, and they are hereby required to make a statement in writing, of the amount of the sums of money expended in their respective towns for the support of paupers, and in law-suits relating to the settlement of paupers, each and
A.D. 1820. every year, from the year 1799 to the year 1820, as far as the records and papers of the respective towns, relating to such expenditure, may enable them to do the same, distinguishing what has been expended each year for the support of paupers, and what has been expended in law-suits as aforesaid; and the same statements, attested under their hands, to cause to be returned to the office of the secretary of this state, on or before the sixteenth day of November next.

Approved June 22, 1820.

CHAP. XXIX.

RESOLVED, by the senate and house of representatives in general court convened, That his excellency the governor be and he hereby is authorized and requested to furnish each artillery company now formed agreeably to law, that have not received ordnance, with one piece of ordnance, harness and apparatus complete, on receiving satisfactory evidence of such company’s being so formed, and he is hereby authorized to draw on the treasurer for a sum not exceeding fifteen hundred dollars for the purposes aforesaid.

Approved June 22, 1820.

CHAP. XXX.

RESOLVED, That the agricultural societies of the counties of Cheshire and Grafton have and receive out of the treasury the sum of one hundred dollars each.

And be it further resolved, That the agricultural societies of the counties of Rockingham, Strafford, Hillsborough and Coos, shall have and receive out of the treasury of this state the sum of one hundred dollars each, provided that the four last societies shall be entitled to receive the grant herein before mentioned as soon as they shall respectively make a return to the secretary of state, stating in said returns what was required to be communicated by them to the secretary of state according to a resolve which was passed June 22.
State Prison.

And the treasurer of the state is hereby directed to pay said sums to the respective treasurers of said societies. Approved June 22, 1820.

CHAP. XXXI.
AN ACT to disannex a gore of land from the town of Wakefield and to annex it to the town of Effingham.

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That a certain gore of land, being all the land in Wakefield which lies on the northerly side of Province pond, so called, be and hereby is disannexed from the town of Wakefield and annexed to the town of Effingham.

Approved June 22, 1820.

CHAP. XXXII.
AN ACT in amendment of an act entitled "an act providing for the regulation and government of the state prison."

WHEREAS by said act it is provided, that it shall be the duty of the warden, at the commencement of every session of the general court, to render to said court a fair account, examined and approved by the directors, of all the expenses and disbursements, and of all the receipts and profits on account of said prison, and a statement of its general affairs. And whereas it is not deemed necessary that such account should be rendered more than once in each year. Therefore,

BE it enacted by the senate and house of representatives in general court convened, That it shall be the duty of the warden aforesaid, to render an account of the state prison, as is provided in the act to which this is an amendment, at the commencement of each June session of the legislature, and no oftener, any law to the contrary notwithstanding.

Approved June 22, 1820.
AN ACT in addition to an act entitled "an act regulating fees."

SEC. 1. BE it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act no clerk of either of the courts of common pleas or of the superior court in this state, shall be entitled to receive any fee for recording the judgment in any action, which judgment shall be rendered in such action by non suit, or by default, any law to the contrary notwithstanding.

Approved June 22, 1820.

CHAP. XXXIV.

AN ACT to incorporate the Proprietors of Central Bridge.

SEC. 1. BE it enacted by the senate and house of representatives in general court convened, That Ichabod C. Bartlett, Onesiphorus Page, John Ayer, David Smiley, and their associates and successors, be and they are hereby incorporated and made a body politic and corporate forever by the name of the Proprietors of Central Bridge, for the purpose and with the exclusive privilege of building and keeping in repair a bridge over Pemigewasset river at any place between the southerly line of the grant for Pemigewasset bridge and the northerly line of the grant for New-Chester Union bridge; and by the name aforesaid may sue and prosecute, be sued and prosecuted to final judgment and execution; and shall be, and hereby are vested with all the privileges and powers, which by law are incident to corporations of a similar nature.

SEC. 2. And be it further enacted, That the property in said bridge corporation shall consist of one hundred shares and be deemed personal property.

SEC. 3. And be it further enacted, That said Bartlett and Page or either of them may call a meeting of said proprietors to be holden at any suitable time and place, by advertising the same in one of the Concord Newspapers at least fourteen days before the time of holding said meeting; and
the said proprietors, by a majority present or represented at said meeting shall choose a clerk who shall be sworn to the faithful discharge of the duties of his office, and shall agree on a method of calling future meetings; and at the same or any subsequent meeting may elect such officers and make and establish such rules and by-laws as to them shall appear necessary and convenient for the regulation and government of said proprietors, and the same by-laws cause to be executed and annex penalties to the breach thereof: provided, the said rules and by-laws be not repugnant to the constitution and laws of this state.

Sec. 4. And be it further enacted, That at every meeting of said proprietors subsequent to the first, each proprietor shall be entitled to as many votes as he owns shares in said corporation, and all questions which may come before said proprietors at their legal meetings shall be decided by a majority of votes.

Sec. 5. And be it further enacted, That said proprietors be and they hereby are authorized and empowered to purchase any lands adjoining said bridge and hold the same in fee simple; provided the same do not exceed five acres.

Sec. 6. And be it further enacted, That for the purpose of remunerating said proprietors, a toll be and hereby is granted for their benefit, according to the following rates, namely: for each foot passenger, one cent; for each horse and rider, six cents, and for each additional rider, one cent; for each chaise, chair, sulky, or other pleasure carriage on wheels, drawn by one horse only, twelve and a half cents; for each riding sleigh, drawn by one horse only, six cents; for each riding sleigh for passengers, drawn by two horses, ten cents, for each additional horse, two cents; for each coach, chariot, phaeton, or other four wheeled carriage for passengers, drawn by two horses, twenty-five cents, for each additional horse, five cents; for each curricle, fifteen cents; each cart, waggon, sleigh, sled or other carriage of burden, drawn by two beasts, ten cents, for each additional beast two cents; for each sleigh or sled or other carriage of burden, drawn by one horse only, six and one quarter cents; each horse or neat creature exclusive of those rode on or in carriages, one and a half cents; for sheep and swine one quarter cent each;
Sumner’s Ferry.

A. D. 1820.

and to each team or other carriage of burden one person and no more shall be allowed as a driver free of toll.

Sec. 7. And be it further enacted, That if any legal tax or assessment, made by said proprietors or their authorized agents, on the several shares, to carry into execution the object of their incorporation, shall remain unpaid at the time limited for the payment of the same, they may proceed to sell the delinquent share or shares at public auction, in such manner as the proprietors aforesaid may direct, and if any overplus remains after paying the tax or assessments and charges, it shall be returned to the former owner or proprietor of said share or shares so sold.

Sec. 8. And be it further enacted, That the said proprietors shall have and possess the exclusive right of building and maintaining a bridge over Pemigewasset river between the southerly line of the grant for Pemigewasset Bridge and the northerly line of the grant for New-Chester Union Bridge.

Sec. 9. And be it further enacted, That if said bridge shall not be completed within five years from the passing of this act, then this act and every part thereof shall be null and void.

Sec. 10. And be it further enacted, That nothing in this act contained shall subject the town of New-Hampton to any expense for the purchase, making or repairing any road or roads in the vicinity of said bridge further than said town would be if said bridge should not be erected; and all such further expense shall be paid by said proprietors. Provided always, That the legislature may from time to time hereafter, upon due notice given to said company, make such further provisions and regulations for the management of the business of said company and the government of the same as they may think proper.

Approved June 22, 1820.

CHAP. XXXV.

WHEREAS an act was passed November 3, 1784, in the words following: “An act to vest the exclusive right of
Sumner's Ferry.

"Keeping a ferry over a certain part of Connecticut river, in A. D. 1820.
"Benjamin Sumner of Claremont, in the county of Cheshire,
"his heirs and assigns. Whereas the said Sumner hath pet-
"tioned the General Court, representing that there is need
"of a ferry over the river Connecticut, near the mouth of
"Sugar river, for which purpose it is necessary a boat
"should be constantly kept in repair suitable for that pur-
"pose; yet that, he is willing to undertake, if he may be se-
cured in the privilege of keeping said ferry in future; and
"praying that the exclusive privilege of keeping a ferry
"within certain limits there, may be granted to him, his heirs
"and assigns, which representation appearing just, and the
"prayer of said petition reasonable—

"Be it therefore enacted, and it is hereby enacted by the senate
"and house of representatives in general court convened, and by
"the authority of the same, That the sole and exclusive right
"and privilege of keeping a ferry in any place from the
"northwest corner of said Claremont, extending down said
"river Connecticut four miles to the northward boundary of
"the grant for a ferry to Oliver Ashley, be and hereby is gran-
ted to, and vested in him, the said Benjamin Sumner, his heirs
"and assigns, forever, the owners of said ferry from time to
"time as occasion may require, giving bond in sufficient sure-
ties, in the sum of one thousand pounds to the Clerk of the
"court of the General Sessions of the peace, for the said
"county of Cheshire, that the said ferry shall be constantly
"attended and well kept.

"And be it further enacted by the authority aforesaid, That if
"any person or persons shall for hire or reward transport
"or ferry over said river within the limits, or between the
"northwest corner of said Claremont, and the limits grant-
ed to said Ashley as aforesaid, any person, creature or
"thing, such person so transporting shall forfeit and pay to
"the said Benjamin Sumner, his heirs and assigns, the sum of
"forty shillings for each person, creature or thing so trans-
"ported to be recovered by action of debt before any jus-
tice of the peace within the said county. Provided never-
theless, That the said Benjamin Sumner, his heirs and as-
"signs shall be liable to keep a ferry or ferries in such and
"so many places within the limits above described, as the
A.D. 1820. "General Court may from time to time adjudge necessary for the public good."

And whereas it is admitted that the grant has been accepted and the provisions complied with. And whereas it appears from evidence offered to the legislature that it would be of great public utility to erect a toll bridge within the limits of the grant aforesaid. Therefore—

Resolved by the senate and house of representatives in general court convened, That the justices of the Superior Court of Judicature be requested to express to the legislature at their next session an opinion in writing on the following question, viz.

"Has the legislature a constitutional right to grant to any individual the privilege of erecting a toll bridge within the limits of said grant of ferry, without the express consent of the owners of said right of ferry."

Resolved, That his excellency the Governor be requested to transmit a copy of the preamble and this resolve to each of the justices of the Superior Court of Judicature.

Approved June 22, 1820.
LAWS

OF THE

State of New-Hampshire.

NOVEMBER SESSION, 1820.

CHAPTER XXXVI.

AN ACT for forming, arranging and regulating the Militia. Passed Dec. 22d, 1820.

Section 1. Be it enacted by the senate and house of representatives in general court convened, That the several laws heretofore made for arranging, forming and regulating the militia, be and hereby are repealed: Provided, that all officers actually in commission agreeably to the laws hereby repealed, shall be continued in their command; and the clerks of companies now in office shall be continued in office, and all actions or processes depending in any court, or before any magistrate, by force of said laws, and all arrests for offences committed under said laws, and all forfeitures incurred by virtue of said laws, shall and may be carried on, tried and prosecuted to final judgment, sentence and execution, in the same manner they would have been, had said laws not been repealed.

Sec. 2. And be it further enacted,

1. That the companies in the town of Portsmouth shall constitute the first regiment.

2. That the companies in the towns of Dover, Somersworth, Rochester, Farmington, and Milton, shall constitute the second regiment.

3. That the companies in the towns of Hampton, North-Hampton, Hampton-Falls, Seabrook, Kensington, and South-Hampton, shall constitute the third regiment.
Militia.

A.D. 1820. 4. That the companies in the towns of Exeter, New-Market, Brentwood, Poplin, and Epping, shall constitute the fourth regiment.

5th regiment. 5. That the companies in the towns of Amherst, Merrimack, Litchfield, Mont-Vernon, Milford, Dunstable, Holles, Nottingham-West, and Brookline, shall constitute the fifth regiment.

6th regiment. 6. That the companies in the towns of Richmond, Winchester, Swanzey, Chesterfield, and Hinsdale, shall constitute the sixth regiment.

7th regiment. 7. That the companies in the towns of Kingston, East-Kingston, Hawke, Newtown, Atkinson, Plaistow, Hampstead, and Sandown, shall constitute the seventh regiment.

8th regiment. 8. That the companies in the towns of Londonderry, Salem, Pelham, and Windham, shall constitute the eighth regiment.

9th regiment. 9. That the companies in the towns of Manchester, Goffstown, Dunbarton, Bedford, New-Boston, and Weare, shall constitute the ninth regiment.

10th regiment. 10. That the companies in the towns of Gilmanton, Gilford, and Barnstead, shall constitute the tenth regiment.

11th regiment. 11. That the companies in the towns of Concord, Pembroke, Bow, and Allenstown, shall constitute the eleventh regiment.

12th regiment. 12. That the companies in the towns of Rindge, Jaffrey, Fitzwilliam, Roxbury, Dublin, Marlborough, Nelson, and Troy, shall constitute the twelfth regiment.

13th regiment. 13. That the companies in the towns of Haverhill, Piermont, Orford, Wentworth, Warren, and Coventry, shall constitute the thirteenth regiment.

14th regiment. 14. That the companies in the towns of Plymouth, Holderness, Rumney, Campton, Thornton, Ellsworth, Peeling, the inhabitants of Lincoln on the east side of the mountain, the inhabitants of Thornton Gore, and the inhabitants of Gillis's and Foss's Grant, shall constitute the fourteenth regiment.

15th regiment. 15. That the companies in the towns of Plainfield, Cornish, Claremont, and the west company in Grantham, shall constitute the fifteenth regiment.
16. That the companies in the towns of Charlestown, A.D.1820. Langdon, Acworth, and Unity, shall constitute the sixteenth regiment.

17. That the companies in the towns of Chester, Candia, and Raymond, shall constitute the seventeenth regiment.

18. That the companies in the towns of Nottingham, Deersfield, Epsom, Northwood, and Pittsfield, shall constitute the eighteenth regiment.

19. That the companies in the towns of Moultonborough, Centre-Harbour, Sandwich, and Tamworth, shall constitute the nineteenth regiment.

20. That the companies in the towns of Walpole, Westmoreland, Keene, Surry, Gilsum, and Sullivan, shall constitute the twentieth regiment.

21. That the companies in the towns of Boscawen, Hopkinton, Salisbury, and Andover, shall constitute the twenty-first regiment.

22. That the companies in the towns of New Ipswich, Sharon, Mason, Peterborough, Temple, Lyndeborough, and Wilton, shall constitute the twenty-second regiment.

23. That the companies in the towns of Hanover, Lebanon and Lime, shall constitute the twenty-third regiment.


25. That the companies in the towns of Durham, Lee, Madbury, Strafford and Barrington, shall constitute the twenty-fifth regiment.

26. That the companies in the towns of Antrim, Deering, Henniker, Hillsborough, Windsor, Hancock, Francestown, Greenfield, and Society-Land, shall constitute the twenty-sixth regiment.

27. That the companies in the towns of Wolfeborough, Tuftonborough, Ossipee, Effingham, Ossipee Gore, and the north company in Wakefield, shall constitute the twenty-seventh regiment.

28. That the companies in the towns of Alstead, Marlow,
29th regt. 20. That the companies in the towns of Sandbornton, Meredith and New-Hampton, shall constitute the twenty-ninth regiment.

30th regt. 30. That the companies in the towns of Warner, New-London, Fishersfield, Wilmot, Bradford and Sutton, shall constitute the thirtieth regiment.

31st regt. 31. That the companies in the towns of Newport, Wendell, Goshen, Croydon, Springfield, and the east company in Grantham, shall constitute the thirty-first regiment.

32nd regt. 32. That the companies in the towns of Bath, Lyman, Landaff, Concord (in the county of Grafton,) Littleton, Bethlehem, Franconia, and that part of Lincoln on the west side of the mountain, shall constitute the thirty-second regiment.

33rd regt. 33. That the companies in the towns of New-Durham, Alton, Middleton, Brookfield, and the southerly company in Wakefield, shall constitute the thirty-third regiment.

34th regt. 34. That the companies in the towns of New-Chester, Bridgewater, Bristol, Alexandria, Groton, Hebron, and Danbury, shall constitute the thirty-fourth regiment.

35th regt. 35. That the companies in the towns of New-Castle, Rye, Greenland, Newington, and Stratham, shall constitute the thirty-fifth regiment.

36th regt. 36. That the companies in the towns of Eaton, Burton, Conway, Bartlett, Adams, and Chatham, shall constitute the thirty-sixth regiment.

37th regt. 37. That the companies in the towns of Canaan, Dame’s Gore, Dorchester, Orange, Enfield and Grafton, shall constitute the thirty-seventh regiment.

38th regt. 38. That the companies in the towns of Chichester, Canterbury, Loudon and Northfield, shall constitute the thirty-eighth regiment.

Sec. 3. And be it further enacted,

1. That the first, third, fourth, seventh and thirty-fifth regiments shall compose the first brigade.

2. That the second, tenth, nineteenth, twenty-fifth, twenty-seventh, twenty-ninth, thirty-third and thirty-sixth regiments shall compose the second brigade.
3. That the eighth, eleventh, seventeenth, eighteenth, and thirty-eighth regiments, shall compose the third brigade.

4. That the fifth, ninth, twenty-first, twenty-second, twenty-sixth and thirtieth regiments, shall compose the fourth brigade.

5. That the sixth, twelfth, fifteenth, sixteenth, twentieth, twenty-eighth, and thirty-first regiments, shall compose the fifth brigade.

6. That the thirteenth, fourteenth, twenty-third, twenty-fourth, thirty-second, thirty-fourth, and thirty-seventh regiments, shall compose the sixth brigade.

And that the first and third brigades shall form the first division.

That the second and sixth brigades shall form the second division.

That the fourth and fifth brigades shall form the third division.

Sec. 4. And be it further enacted, That each and every free, able-bodied, white male citizen of this state, resident therein, who now is or hereafter shall be of the age of eighteen years, and under the age of forty-five years, or who may hereafter come to reside in this state (except such as are hereinafter absolutely excused) shall severally and respectively be enrolled in the militia by the captain or commanding officer of the company within whose bounds such citizen shall reside: and in all cases of doubt respecting the age of any person enrolled or intended to be enrolled, if such person, when enquired of by the captain or commanding officer of any company, shall neglect to give information, or shall give false answers or information in relation to his age with an intent to discharge himself from performing military duty, such person so neglecting to give information, or giving such false answers or information, shall forfeit and pay the sum of four dollars for each and every such offence, to be recovered by the captain or commanding officer of the company for the time being, within whose bounds such offender may reside, in an action of debt, before any justice of the peace, against the person giving such false answers or information as aforesaid. And if such person be a minor, then such action shall be against the master, parent or guardian of
A.D. 1820. such minor; and any legal notice or warning to the citizen enrolled as aforesaid to attend a company or regimental muster, or training, shall be a legal notice of his enrolment.

Sec. 5. And be it further enacted, That the following persons be, and they hereby are absolutely exempted from military duty, to wit: The Vice President of the United States, the officers judicial and executive of the government of the United States; members of both houses of Congress, and their officers; all custom-house officers and their clerks; all post-officers and stage drivers who are employed in the care and conveyance of the mail of the post office of the United States; all ferrymen necessarily employed at any ferry on the post road; all inspectors of exports; all pilots; all mariners actually employed in the sea service of any citizen or merchant within the United States; the members of the executive council; the judges of the superior court of judicature and of all other courts of record in this state, and their clerks; the members of the legislature and its officers while the same is in session; judges and registers of probate; registers of deeds; the attorney-general; secretary and treasurer of the state; all officers of any college actually resident there; all preceptors of academies while actually employed as such; ministers of the gospel of every denomination; all officers and guards employed at the state prison; all officers who have heretofore held, or may hereafter hold commissions in the army or navy of the United States; all officers who have heretofore held commissions in the militia of this state, or any other state in the Union, for the term of four years, and have been regularly discharged, or, who may hereafter hold commissions in the militia of this state, or any other state in the Union, for the term of six years and have been regularly discharged; or, who have, before the passing of this act, held commissions in the militia of this state part of said term of six years, and may hereafter hold said commissions so long as to complete said term of six years, and be regularly discharged, or who have been superseded and discharged; all fife or drum majors who have held, or may hereafter hold a warrant, and actually have done the duty of fife or drum major for the term of six years; fire engine men, not exceeding eighteen to each engine, who shall annually produce to the commanding officer of the company within whose limits
they reside, certificates from the selectmen of their respective towns that they have been legally appointed and are bound to perform the duties of engine men; and every person of the religious denomination of Quakers or Shakers, who shall, annually, on or before the twentieth day of April, procure and deliver to the commanding officer of the company within whose bounds such Quaker or Shaker resides, a certificate signed by two or more of the elders or overseers, and countersigned by the clerk of the meeting or society with which he meets for worship, in substance as follows:

We the subscribers, elders (or overseers, as the case may be) of the meeting or society of ———— in the town of ———— in the county of ———— do hereby certify, that ———— frequently and usually attends with said society for public worship, is a regular member thereof, and we believe he is conscientiously scrupulous of bearing arms.

A. B. Elder, (or overseers, C. D. as the case may be.)

E. F. Clerk.

Sec. 6. And be it further enacted, That the persons after mentioned in this section, notwithstanding their being above the age of eighteen years and under the age of forty-five years, be, and they hereby are conditionally exempted from military duty, to wit: All physicians and surgeons on whom have been conferred the degree of doctor of medicine, or who shall be recommended by any regular medical society, and who shall annually pay to the selectmen of the town in which they reside the sum of two dollars, and on or before the twentieth day of April in each year produce to the captain or commanding officer of the company within whose bounds they reside, a certificate of the payment of said sum; all officers who have heretofore held commissions in the militia of this state, or any other state in the Union, for a less term than four years, or who may hereafter hold commissions in the militia of this state or any other state in the Union for a less term than six years, and be regularly discharged, and who shall annually pay to the selectmen of the town in which they reside, the sum of two dollars, and on or before the twentieth day of April in each year produce to the captain or commanding officer of the company within whose bounds they reside, a certificate of such payment;
A.D. 1820, all persons who are, or may hereafter be, between the ages of forty and forty-five years, and who shall constantly keep themselves furnished with the arms and equipments required by this act, and shall on the first Tuesday of May in each year, carry or send said arms and equipments for inspection to the captain or commanding officer of the company within whose bounds they reside at the time he inspects his company.

SEC. 7. And be it further enacted, That each division shall be commanded by one major-general, who shall have one division-inspector with the rank of colonel, and two aids-de-camp with the rank of major, to be by him appointed: That each brigade shall be commanded by one brigadier-general, who shall have one brigade-inspector, who is to perform the duty of brigade-major; and one brigade quarter-master each with the rank of major, and one aid-de-camp with the rank of captain, to be appointed by the brigadier-general; and to each brigade there shall be one judge-advocate, with the rank of major, to be appointed and commissioned by the governor with advice of council.

There shall be to each regiment one colonel, one lieutenant-colonel and one major: the regimental staff shall consist of one adjutant to rank as captain, one quarter-master, and one pay-master, to rank as lieutenants; one chaplain, one surgeon, and one surgeon’s mate, to be appointed by the colonel and commissioned by the governor, one quarter-master-sergeant, one serjeant-major, one fife-major and one drum-major, to be appointed by the colonel or, commandant of the regiment. That each company of infantry shall consist of one captain, one lieutenant and one ensign, to be appointed by the field officers and commissioned by the governor; four sergeants and four corporals, the first or orderly sergeant to be clerk of the company; to be appointed by the captain and subalterns of the company, one drummer, one fifer and sixty-four rank and file, the corporals to be included in the rank and file.

That all commissioned officers on foot shall be armed with a sword, and all officers whose duty it is to be mounted on horseback shall be armed with a sword and pair of pistols.

That all non-commissioned officers and privates belonging to the infantry, shall be armed with a good firelock, with a
steel or iron ramrod, priming wire and brush, bayonét, scab-
dard and belt, cartridge box that will contain twenty-four
cartridges suited to the bore of his firelock, two spare 'lints,
a knapsack and canteen.

That there may be to each regiment two companies of
light infantry or grenadiers and no more, consisting of forty-
eight rank and file, to be officered and equipt in the same
manner as the infantry companies: and the field officers of
any regiment may, with consent of the brigadier-general, or-
ganize one company of riflemen, which may consist of thirty-
six rank and file, to be officered like the infantry, and each
non-commissioned officer and private shall be armed with a
good rifle and equipt as riflemen usually are in actual service.

That there shall be to each regiment one company of ar-
tillery, to consist of one captain, two lieutenants, four ser-
geants, four corporals, six gunners, six bombardiers, two dri-
ers, one drummer, one fifer and sixteen matrosses, to be
armed with cutlasses.

That each company of artillery now formed, or that may
hereafter be formed, when organized, be furnished at the
expense of the state, with one piece of ordnance, with car-
rriage, harness and apparatus complete, and one standard;
that to each piece of ordnance be annually allowed twelve
dollars for furnishing said piece with powder and port-fire,
for hiring horses on regimental muster days, and the ordina-
ry repairs of the piece and harnesses.

That there shall be to each regiment one company of cav-
alty, to consist of one captain, two lieutenants, one cornet,
four sergeants, four corporals, two musicians, one farrier,
one sadler, and fifty privates, each of whom shall be armed
with a proper horseman's sword and a pair of pistols; and
each of whom shall furnish himself with a good horse of at
least fourteen and a half hands high, a good saddle and bri-
dle, mail-pillion and valise, holsters, the caps of which shall
be of bearskin, a cartridge box to contain twelve cartridges,
and a pair of boots and spurs; and each company of cavalry
so formed shall be furnished with a standard or color at the
expense of the state. Provided that this act shall not be so
construed as to affect the existence of any company of light
infantry, grenadiers, riflemen or cavalry, now formed, and
duly organized.
That the several companies of light infantry, grenadiers, riflemen, artillery and cavalry, shall be formed by voluntary enlistment from the infantry of the regiments; but no person shall hereafter be enlisted from any company of infantry which is not full, unless by special permission of the field officers, which permission shall be recorded in the regimental book; nor shall any such permission be granted by which any company of infantry shall be reduced below forty-two rank and file; and the said several companies, when so formed, shall be under the command of the field officers of such regiment. And it shall be the duty of any person enlisting into any of the above companies, immediately to leave with the clerk of the company from which he enlists, a written notice of such enlistment, and if such enlistment be by permission of the field officers, a copy of such permission shall be left as aforesaid.

Sec. 8. And be it further enacted, That there shall be provided at the expense of this state a standard for each regiment; and when any standard or colors shall become useless, the quarter-master-general shall furnish new ones; and all colors shall be made of good scarlet silk with the number of the regiment or company marked thereon with white silk by the officer receiving them.

Sec. 9. And be it further enacted, That every commanding officer of a company shall parade his company on the first Tuesday of May annually, at one of the clock in the afternoon, for the purpose of inspecting, examining and taking an exact account of all the equipments of his men, and for noting all delinquencies of appearance and deficiencies of equipments, and for correcting his company roll, in order that a thorough inspection of each company in the state may be made. And it shall be the duty of every commanding officer of a company to parade his company by his own order once and no more in the year for training, in addition to the company inspection aforesaid; and use his best exertions in instructing and perfecting his men in their company exercise and evolutions. And whenever the commanding officer of a company shall order out his company for inspection or training, or for any regimental, brigade, or division inspection, or review, he shall issue his orders to one or more of the non-commissioned officers of his company, not
being the orderly sergeant, requiring him or them, to notify the men belonging to his company to appear at the time and place appointed; and it shall be the duty of such non-commissioned officer, or officers, to give notice of the time and place appointed for parade of said company, to each and every man he or they shall have been ordered to notify, by delivering to each man in person, or leaving at his usual place of abode, a written or printed order: and no notice shall be legal for any company training, regimental, brigade or division inspection or review, unless the same shall be given at least four days previous to the time appointed therefor. And if any non-commissioned officer or private shall, after such notification, unnecessarily neglect to appear, he shall pay a fine of three dollars for each regimental, brigade and division muster, and two dollars for each company inspection and training. Provided always, that in case of actual or threatened invasion, insurrection, or other emergency, any notice, however short, shall be legal and binding. And in all cases the return of the person who shall have received orders to notify the whole, or any part of the men of any company to appear at a time and place appointed for military duty, made on the back of the order or warrant to him directed, sworn to before a justice of the peace, and recorded with the warrant in the company records, shall be received as evidence that due notice was given, unless invalidated by other testimony. And any non-commissioned officer who shall be convicted of making a false return shall be liable to the pains and penalties provided in other cases of perjury. And whenever any company shall be paraded, the commanding officer of such company is hereby authorized verbally to notify the men so paraded, to appear on some future day not exceeding thirty days from the time of such notification, and such notice shall be legal as it respects the men present.

Sec. 10. And be it further enacted, That when any non-commissioned officer shall refuse or neglect to notify and warn any of the non-commissioned officers or privates of the company to which he belongs (being thereto ordered by his superior officer) he shall pay a fine of two dollars for each non-commissioned officer and private he shall neglect to warn, to be recovered by the captain or commanding officer of the company in an action of debt in his own name, in any court or before any magistrate of competent jurisdiction.
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Sec. 11. *And it is further enacted,* That the selectmen of the several towns and unincorporated places shall furnish suitable rations for the refreshment of all non-commissioned officers and privates within their several towns and places, on each regimental, brigade, or division muster; the rations to be furnished on the parade where such musters are; the number of men to be ascertained by a roll certified by the commanding officer of the company to which they belong: and if the selectmen of any town or place, after proper notice of such muster, shall neglect or refuse to furnish the rations aforesaid, they shall forfeit and pay the sum of fifty cents for each non-commissioned officer or private whom they shall neglect to furnish, to be recovered by the commanding officer of the company, which shall be so neglected, in any court or before any magistrate proper to try the same, to be appropriated towards defraying the expenses of said company; and the commanding officer shall furnish the soldiers on parade with the necessary rations.

Sec. 12. *And it is further enacted,* That any person who has already enlisted, or may hereafter enlist from any company of infantry into any company of artillery, cavalry, light infantry, grenadiers or riflemen, shall not be exempted or excused from doing military duty in the company from which he enlisted, until he is uniformed and equipped to do duty in the company into which he enlists; and if any non-commissioned officer or private of any company of artillery, cavalry, light infantry, grenadiers or riflemen, shall appear at a company or regimental muster without the uniform of the company to which he belongs, he shall forfeit one dollar, to be collected in the same manner as is provided in this act for the collection of fines for non-appearance and deficiencies of equipment.

Sec. 13. *And it is further enacted,* That every officer, non-commissioned officer and private shall hold his uniform, arms and equipments exempted from all suits, distresses, executions or sales for debt or the payment of taxes; and no officer, non-commissioned officer, musician or private shall be arrested, on any civil process, during his going to, returning from, or his performance of, military duty; and no officer shall be arrested on any civil process while going to, serving upon or returning from any court-martial or court of inquiry, upon which it may be the duty of such officer to attend.
Sec. 14. And be it further enacted, That where there is any company of artillery now formed and no gun-house provided for securing the field piece belonging to such company, or where any company of artillery may be hereafter formed, it shall be the duty of the captain of such company to cause a suitable building to be erected to contain such piece, on the ground which shall be agreed upon by the field officers of the regiment to which he belongs, first obtaining a deed of the land on which such gun-house is to be erected, vesting the fee of the same in the state of New-Hampshire, which deed shall be lodged in the office of the secretary of the state; and such captain may present a bill for the labor and materials for erecting such gun-house to the legislature, and receive such sum as may be thought reasonable, not exceeding fifty dollars. Provided however, that nothing shall be allowed for erecting a gun-house, until the deed aforesaid shall be lodged in the secretary's office as aforesaid: and, provided also, that the field officers of the regiment to which any gun-house may belong, shall have power to remove the same, whenever in their opinion the artillery company in such regiment shall be better accommodated thereby; they first causing the title of the land to which such gun-house may be removed to be vested in the state. Provided nevertheless, that no account for any gun-house shall be allowed except the same be accompanied by a certificate from the field officers of the regiment in which such gun-house is erected, approving the same.

Sec. 15. And be it further enacted, That the captain-general be and hereby is authorised to appoint such number of aids-de-camp as he may think necessary, to be commissioned with the rank of colonel.

Sec. 16. And be it further enacted, That there shall be an adjutant and inspector-general, to be appointed and commissioned by the governor and council, with the rank of brigadier-general, who shall keep his office at the seat of government, and whose duty it shall be to distribute all orders from the commander in chief of the militia to the several corps; to attend all reviews when the commander in chief shall review the militia or any part thereof; to obey all orders from him relative to carrying into execution and perfecting the system of military discipline established by law; to keep an
orderly book and record therein all orders issued by the commander in chief; a summary of the proceedings of all general courts martial, with the orders of the governor thereon. He shall also keep a record of all appointments made and resignations accepted by the commander in chief, and shall detail all officers for general courts martial, or other special service ordered by the commander in chief. He shall on the fifteenth day of June in each year make out lists of the general, field and staff officers of each division, and immediately transmit the same to the respective major-generals; also, lists of the field officers of the several brigades, and immediately transmit them to the respective brigadier-generals. He shall furnish at the expense of the state the several division inspectors, brigade majors, adjutants of regiment and clerks of companies, with suitable blank books for keeping their records, taking a receipt for the same; furnish the several brigade majors with blank forms for brigade returns; furnish the adjutant of each regiment with blank warrants for non-commissioned officers, and with necessary blank forms for all the different returns that may be required, and explain the principles on which they are to be made; and shall do and perform all other duties which by law or custom appertain to the office of adjutant and inspector general; and such compensation shall be made to him for his services from time to time by the legislature as they may think just.

Sec. 17. And be it further enacted, That it shall be the duty of each division inspector to distribute all orders as directed by the major-general or commanding officer of the division; to attend all reviews when the major-general shall review the militia, and inspect the same when the division shall be called out; to keep an orderly book and record all orders and other official communications received or issued by the commanding officer of the division; and do and perform all other things which by law or custom appertain to the duties of division inspector.

Sec. 13. And be it further enacted, That it shall be the duty of the brigade major and inspector of each brigade to distribute all orders from the brigadier general or commanding officer of his brigade to the several regiments; to attend all reviews when the brigadier general shall review the militia, and inspect the same when the brigade shall be called out;
to keep an orderly book and record all orders and other official communications received or issued by the commanding officer of the brigade; to receive from the adjutants of the several regiments in their brigades copies of the annual returns of the strength, arms and accoutrements of their respective regiments, and keep the same on file; to consolidate them into a brigade return—record said consolidated return in his orderly book, and transmit one copy thereof to the brigadier-general of his brigade, and one copy to the major-general of the division to which his brigade belongs; and to do and perform all other things which by law or custom appertain to duties of brigade inspector.

Sec. 19. And be it further enacted, That it shall be the duty of the adjutant of each regiment to distribute all orders from his colonel or commanding officer to the captains or commanding officers of the several companies; to attend the commanding officer of his regiment whenever he shall be on military duty, and see that all his orders are properly executed; to carefully inspect all the companies belonging to his regiment, at their usual muster, in each year, whether said regiment be together, or in divisions; to keep an orderly book, and record all orders and other official communications which may be received by him or the commanding officer of the regiment, and all orders which may be issued by the colonel or commanding officer of the regiment; to receive from the captains or clerks of the several companies in the regiment the annual returns of the strength, arms and accoutrements of the respective companies, and keep such returns on file; consolidate them into a regimental return; record said consolidated return in his orderly book, and within the time required by this act transmit one copy thereof to the adjutant-general, and one copy thereof to the brigade-major of the brigade to which the regiment belongs; to furnish the captain or commanding officer of each company in the regiment the necessary blank forms for all returns which may be required, and explain the principles on which such returns should be made: he shall, under the direction of the colonel or commanding officer, keep a correct roster of the officers of his regiment, from which all details for courts martial or other service shall be made, and note the services
performed by each officer: he shall also keep a register of
the non-commissioned officers of his regiment with the dates
of their appointments respectively: and he shall do and
perform all other duties which by law or custom appertain
to the office of regimental adjutant: and the several adju-
tants shall be allowed for making the regimental returns
aforesaid the sum of two dollars, to be paid by the adjutant
and inspector general.

Sec. 20. And be it further enacted, That the orderly ser-
geant of each company, or the sergeant doing the duty of
orderly sergeant, shall distribute the orders of the captain or
commanding officer to the other non-commissioned officers
and privates of the company, and see them executed, and, in
an orderly book to be kept by him for that purpose, record
all orders and other official communications received by the
captain or commanding officer of his company; and under
the direction of his commanding officer shall, at the annual
company inspections in May, make out a correct return, in
such form as may be prescribed, of the strength, arms and
accoutrements of his company: the numbers present and ab-
sent; which return shall be signed by him, countersigned by
the captain, or commanding officer of the company, record-
ed in his orderly book, and immediately handed to the cap-
tain or commanding officer, who shall transmit the same to
the adjutant of the regiment.

Sec. 21. And be it further enacted, That the several re-
turns aforesaid shall be made within the times following, to
wit: the returns of the several companies shall be made to
the adjutant of the regiment within ten days from the annu-
al training and inspection in May in each year; the regiment-
al returns shall be made to the adjutant and inspector general
within twenty-five days from the said annual training. And
in case any officer whose duty it shall be to make any of said
returns shall neglect so to do for a longer time than is above
specified, he shall forfeit and pay the sum of twenty dollars,
to be recovered by the adjutant and inspector general in an
action of debt, in his own name, in any court of competent
jurisdiction, to be appropriated for defraying any expenses
attending the militia.

Sec. 22. And be it further enacted, That the adjutant and
inspector general shall immediately on receiving the sev-
general regimental returns, consolidate them into a general return of the whole militia in this state; record said consolidated return in his records, and make out and transmit one copy thereof to the commander in chief, and one copy to the secretary of war of the United States.

Sec. 23. And be it further enacted, That there shall be a quarter-master general, with the rank of brigadier general, to be appointed and commissioned by the governor and council. And it shall be his duty to furnish all camp equipage, standards, colors, musical instruments, and all and every other thing which by law or custom belongs to his department, or which is now or may hereafter be authorized by law, to be purchased for the use of the militia.

The captains or commanding officers of each company shall in the month of May in each year make out a correct return of the camp equipage, ordnance and military stores, musical instruments and public property of every name and description in their several companies, which have been furnished at the expense of the state, in such form as shall be required, together with all fines received, and whether expended or not, and if expended, for what objects; and shall hand or transmit the same, accompanied with a requisition for such articles as are wanting, to the quarter-master of the regiment: and the regimental quarter-masters shall immediately consolidate the returns and requisitions of the several companies, according to forms which shall be furnished for that purpose, so as to exhibit an exact account of what is on hand in each company, and what is required; adding there to what is in his own keeping for the use of his regiment, and what is further required, which shall be recorded and signed by him, countersigned by the colonel or commanding officer of his regiment, and forwarded immediately to the quarter-master general.

The quarter-master general shall in the month of June in each year, and at any other time when required by the commander in chief, consolidate the returns of the several regimental quarter-masters, so as to exhibit at one view all the articles of public property in the several regiments in his own keeping: he shall also add to it an account of all articles received or purchased by him and issued to the regimental quarter-masters; which shall be laid by him before the
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commander in chief for his information. Provided nevertheless, that in case of vacancy in the office of quarter-master general, or in case of his residing at a distance from the seat of government, the commander in chief shall have power to direct the adjutant and inspector general to perform the duties of quarter-master general, and it shall be the duty of the adjutant and inspector general to perform said duties until said vacancy shall be filled, or until said quarter-master general shall reside at the seat of government.

The postage, or other reasonable expense incurred in the transmission of any orders, or returns, required or authorized by this act, shall be paid by the adjutant general, on such vouchers being produced as shall satisfy him that the expenditure was actually and necessarily incurred, and was just and reasonable.

SEC. 24. And be it further enacted, That the rules and regulations for the field exercise and manoeuvres of infantry compiled and adopted for the organization of the army of the United States, agreeable to a resolve or Congress passed December, one thousand eight hundred and fourteen, be received, adopted and established as the rules of discipline for the militia of this state; Provided, that where the number of companies of infantry in any regiment will not permit such regiment to be formed in order of battle or line, as pointed out in said rules and regulations, such regiment when on duty shall be formed and paraded as follows, to wit: The cavalry on the extreme right, and if more than one company, the oldest captain with his company on the right; the artillery on the left of the cavalry, and if more than one company, the oldest captain with his company on the right: on the left of the artillery, the companies of light infantry and grenadiers, the oldest captain with his company on the right: on the left of the light infantry, the infantry in one battalion as follows; the oldest captain, or first in rank, with his company on the right; the second, or next in rank, with his company on the left; the third in rank, with his company on the left of the right, or first captain; the fourth in rank, with his company on the right of the left, or second captain; and the remaining captains with their companies alternately on the left of the right, and on the right of the left, verging towards the centre till the whole is form.
ed: the company of riflemen, if any, on the left of the infantry, or extreme left of the regiment. The respective ranks of captains shall, in all cases, be determined by the date of their commissions; and when it shall happen that two or more captains have commissions of the same date, their respective ranks shall be determined by their prior pretensions or former commissions; and if they have no prior pretensions, the oldest man shall rank first. The cavalry, artillery, light infantry, infantry and riflemen, shall be equally under the command of the colonel of the regiment, or in his absence, of the lieutenant-colonel, or in their absence, of the major, or in the absence of each of them, of the oldest captain, &c.; and when formed in regiment all the music, except cavalry music, shall be placed together in such place as the commanding officer shall direct.

Sec. 25. And be it further enacted, That the field officers of each and every regiment shall form and arrange their companies in the several regiments, from time to time, as they shall think the public good may require: and where there are, or hereafter may be any company or companies of militia unorganized, and where suitable persons for officers cannot be found within the limits of said companies, the said field officers may annex such persons, as are liable to do duty in the train-band, to any organized company or companies contiguous thereto, as may be most convenient; and the persons so annexed shall be liable to do duty, and subjected to penalties, in the same manner as though they were officered by persons living within the particular town or district in which they reside.

Sec. 26. And be it further enacted, That non-commissioned officers may be reduced to the ranks for any misdemeanor, which in the opinion of the commissioned officers of the company and the commanding officer of the regiment shall deserve such punishment.

Sec. 27. And be it further enacted, That all general and field officers shall reside within the limits of their respective commands; all officers of artillery and cavalry, within their respective regiments; all officers of light infantry, grenadiers and riflemen, within the limits assigned them for enlisting their respective companies, and all officers of infantry within the limits of their companies: and if any officer shall
A.D. 1820. **Sec. 28.** And be it further enacted, That the color and fashion of the uniform of the cavalry, artillery, light infantry and grenadiers, shall be determined by the field officers of the regiment in which such corps may be formed, and the color and fashion of the uniform of the officers and soldiers of the infantry shall be determined by the commander in chief.

**Sec. 29.** And be it further enacted, That every non-commissioned officer and soldier shall yield entire obedience to the commands of his superior officers; and if any non-commissioned officer or soldier shall prove refractory or disobedient while on duty at any regimental muster or company training, or shall insult or abuse his officer, or either of them, or treat them with disrespect, the commanding officer present may order the offender to be immediately tried by five commissioned officers, if so many shall be present, and if not so many present, as many as there are in the field; who are empowered to punish the offender by ordering him to pay a fine not exceeding five dollars, at the discretion of the officers; and in case such offender shall refuse or neglect to pay the fine which he may be ordered to pay as aforesaid, the commanding officer present shall issue a warrant under his hand and seal, directed to one of the sergeants of the company to which such offender may belong, ordering him to arrest and imprison such offender in the common gaol in the county; and the keeper of such gaol is directed and ordered to detain such offender in prison until he shall pay the fine so ordered to be paid by him as aforesaid.

**Sec. 30.** And be it further enacted, That on muster days every officer shall yield due obedience to his superior officers; and if any officer shall on such days, or at any other time, refuse or neglect to obey the orders he may receive from his superior officers, respecting any matters relating to the government of the militia, or if any officer shall while on duty, or at any other time, be guilty of any unofficerlike
or ungentlemanlike conduct or behaviour, he may be tried by
a court martial, and if convicted thereof shall be cashiered, or
reprimanded in orders by the officer appointing the court
martial, as the members of said court shall determine; and
the superior officer may immediately put such offender in
arrest, and report him and his offence to the officer command-
ing the brigade, (if the officer is under the rank of field offi-
cer); and the commanding officer of the brigade is hereby
empowered to appoint a court martial for such trial, and to
approve or disapprove the sentence, as he may think just;
and in case the offender is of the rank of a field officer, his
offence shall be reported to the major-general, or officer
commanding the division, who is hereby empowered to ap-
point a court martial for the trial of such offender, and to
approve or disapprove the sentence, as aforesaid: but in
case the offender shall be of the rank of a general officer,
his offence shall be reported to the commander in chief, who
is empowered to appoint a court martial for the trial of such
offender, and to approve or disapprove the sentence as afores-
said. Provided, that when any officer may hereafter be ar-
rested, and his offence reported to the proper officer to ap-
point a court martial, or when any officer may now be un-
der arrest and no court martial appointed for his trial, the
officer whose duty it shall be to appoint said court martial, if
on examination of the report he shall be of opinion that
the offence would not justify an arrest and trial, shall have
power and authority to discharge said officer from arrest and
order him to resume his duty.

The commander in chief shall have the right of appointing
courts of inquiry and courts martial, whenever he shall think
it necessary.

All courts martial appointed by the commander in chief
shall consist of twelve members, a president and a marshal,
the president of which shall be of the rank of a major-gen-
eral.

All courts martial appointed by a major-general shall con-
sist of eight members, a president and a marshal, the presi-
dent of which shall be of the rank of a colonel, or of a
higher grade.

All courts martial appointed by a brigadier-general shall
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A.D. 1820. consist of six members, a president and a marshal, the president of which shall be of the rank of a field officer.

If a general court martial is to be formed, orders shall be issued to such divisions as in the opinion of the commander in chief may most conveniently furnish the members; if a division court martial, orders shall be issued to such brigades or regiments within the division, as in the opinion of the major-general or commanding officer of the division, may most conveniently furnish the members: if it be a brigade court martial, orders shall be issued to such regiments within the brigade, as in the opinion of the brigadier-general, or officer commanding the brigade, may most conveniently furnish the members: and whenever the commanding officer of a division, brigade or regiment, shall be ordered to furnish any officer or officers, as member or members, supernumerary or supernumeraries, of a court martial, such officer or officers shall be regularly detailed from the division, brigade or regiment, by the commanding officers thereof respectively, in the following manner: major-generals by the commander in chief, or his orders, from the general roster; brigadier-generals by the commanding officers of divisions, from the list furnished by the adjutant-general; field officers by the commanding officers of brigades, from the list furnished by the adjutant-general; and captains and subalterns, by the commanding officers of regiments, from the regimental rosters.

Whenever a court martial is ordered, the officer ordering it shall appoint the president and marshal of the same; he may also at his discretion order a number of officers not exceeding half the number of members of which the court is composed, to be detailed as supernumeraries, in addition to the members to attend the court at the organization thereof; and in case there shall be any vacancy or vacancies, the judge-advocate shall fill such vacancy or vacancies from the supernumeraries.

Before any court martial shall proceed in the trial of any officer, the judge-advocate shall administer to the president and each of the members separately the following oath. "You, A. B. do swear, that without partiality, favor, affection, prejudice or hope of reward, you will well and truly try the cause now before you, between this state and the person (or persons as the case may be) to be tried; and you
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So further swear, that you will not divulge the sentence of A.D. 1820. the court martial until it shall be approved or disapproved; and that you will not on any account at any time whatever discover the vote or opinion of any member, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you GOD."

And the president shall administer to the judge-advocate the following oath:

"You A. B. do swear, that you will faithfully and impartially discharge your duties as judge-advocate on this occasion as well to the state as the accused; and that you will not on any account at any time whatever, divulge the vote or opinion of any member of this court martial unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you GOD."

All persons called by summons from the president of the court martial to give evidence, who shall refuse or unreasonably neglect to appear, or appearing shall refuse to give evidence, shall be committed to the common gaol of the county where such court is sitting, there to remain three months, unless sooner discharged therefrom by the justices of the superior court; and the president of such court martial is to lodge the accusation against him with the prison-keeper.

The judge-advocate shall administer the following oath or affirmation to all witnesses required to give evidence before any court martial or court of enquiry:

"You swear (or affirm as the case may be) that the evidence you shall give relative to the charge now in hearing, shall be the truth, the whole truth and nothing but the truth. So help you GOD." (Or "this you do under the pains and penalties of perjury," in case the witness shall affirm.)

Whenever any member is challenged either on the part of the government or the accused, the cause of the challenge must be stated in writing of which the court after due deliberation shall determine the relevancy or validity, and decide accordingly: and no challenge to more than one member at a time shall be received by the court. On questions of challenge, the member objected to shall not vote; but the president may vote with the members, that the full number of
votes may be given: and in no case shall a challenge be acted upon until the president and judge-advocate and the intended members are sworn. All trials by court martial shall be carried on in the day-time, and when the votes are called for on a question, the judge-advocate shall begin with the youngest in commission and proceed regularly to the oldest; and at all courts martial unless two thirds of the members agree that the accused is guilty, the judge-advocate shall record his acquittal; but if two thirds or more pronounce the accused to be guilty, the court shall sentence him either to be reprimanded in orders or removed from office; and if any officer be sentenced to be removed from office, the court shall adjudge him to be disqualified for, and incapable of holding any military office under this state, either for life or a term of years, according to the aggravation of his offence, which sentence either of reprimand in orders or removal from office, if approved, shall remain in full force; but the judgment of disqualification may be reversed by the commander in chief with the advice of council. And all courts martial are hereby authorized to preserve order during their session; and if any person or persons in presence of a court martial shall behave in a disorderly manner, or make any tumult in or disturb a court martial and shall not upon command of the marshal thereof desist therefrom, it shall be lawful for the court martial to confine such disorderly person or persons, for a time not exceeding eight hours.

Sec. 31. And be it further enacted, That the commander in chief may call boards of officers whenever in his opinion they may be necessary for settling military questions or for other purposes relative to good order and discipline; and the commander in chief, the major-generals or officers commanding divisions, each in his own division, and the brigadier-generals or officers commanding brigades, each in his own brigade, may order courts of inquiry to examine into the nature of any transaction or any accusation or imputation against any officer when made by an inferior; provided however, that all courts of inquiry on general officers are to be ordered by the commander in chief; all courts of inquiry on field officers, are to be ordered by the major-generals or commanding officers of divisions, and all courts of inquiry
on captains and subalterns, shall be ordered by the brigadier-generals or commanding officers of brigades. And all courts of inquiry shall consist of three officers with the judge-advocate of the brigade in which they are holden, or some other suitable person in case of his inability to attend, or any legal impediment to his acting, all of whom shall be sworn. These courts shall have the same power to summon witnesses as courts martial, and to examine them on oath, but they shall not give their opinions on the merits of the case, unless they are specially required so to do. The parties also shall be permitted to cross-examine witnesses so as fairly to investigate the circumstances in question. The proceedings of a court of inquiry are to be authenticated by the signatures of the president and judge-advocate, and are to be transmitted by the judge-advocate under seal to the officer appointing the court. The judge-advocate shall administer to each of the officers composing a court of inquiry the following oath:

"You, A. B. do swear, that you will well and truly examine and enquire into the matter now before you, without partiality, favor, prejudice, affection or hope of reward. So help you GOD."

After which the president shall administer to the judge-advocate the following oath:

"You, A. B. do swear, that you will impartially record the proceedings of the court, and the evidence to be given in the case in hearing. So help you GOD."

Sec. 32. And be it further enacted, That it shall be the duty of the judge-advocates to attend all general, division and brigade courts martial or courts of inquiry holden within their respective divisions, when thereto ordered: provided nevertheless, that it shall be in the power of the commander in chief, the major-generals, or commanding officers of divisions, or the brigadier-generals, or commanding officers of brigades, to appoint a judge-advocate pro tempore to any particular court martial or court of inquiry appointed to be holden in case of the inability of the judge-advocate, or in case of any legal impediment to his acting.

And it shall further be the duty of each judge-advocate, or person officiating as such at any court martial, impartially to state the evidence both for and against the officer or offi-
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Officers under trial, to take accurate minutes of the evidence and of the proceedings of the court, all of which with the judgment of the court thereupon authenticated with his signature and that of the president of the court, with the papers used at the trial, or copies thereof certified by him, he shall transmit under seal to the officer whose duty it is to approve or disapprove the sentence of the court; and all motions and objections to evidence, whether on the part of the state or the accused, and the opinions of the judge-advocate on questions of law made at the trial, shall be given in writing; and the statement of the complainant, and the defence of the accused shall be made in writing, in order that a full view of the trial may be had by the officer who ordered the court: and the original records of the proceedings and judgments of all courts martial, after having received the approbation or disapprobation of the officer who appointed them, shall, as soon as opportunity of time and distance will permit, after such courts martial are dissolved, be deposited in the office of the adjutant-general, where they shall be carefully kept and preserved; and the officer who appointed the court martial shall be entitled to receive, upon his demand, a copy of the original records from said office, certified by said adjutant-general; and the party tried by any court martial, upon request made at the office of the adjutant-general by himself or any person authorized in his behalf, shall be entitled to a copy of the original record, certified as aforesaid, of the proceedings and judgment of the court martial which tried him, be paying reasonably therefor.

Sec. 33. And be it further enacted, That the fees for services rendered on courts martial or courts of inquiry shall be as follows, to wit: To the president, members, supernumeraries, judge-advocate and marshal, one dollar and twenty-five cents a day each, and four cents a mile for travel to and from said court: to the judge-advocate for drawing necessary papers, for copying the same or making records, twelve and a half cents, for each page of two hundred and twenty-four words: to the marshal for notifying members, supernumeraries, or the accused, of the time and place of trial, three cents a mile for all necessary travel out and in, and twenty-three cents for each notification; for summoning witnesses twenty-three cents each: to the marshal or sheriff
for committing any person to jail for refusing to give evidence, the same fees as are allowed to sheriffs for committing in similar cases: to witnesses, the same fees as are allowed to witnesses attending the superior court of judicature; and of all services, fees, charges, and contingent expenses, if any, of any court martial, a roll shall be made out by the judge-advocate, specifying each item; and to whom due, and the president and judge-advocate shall certify that all the fees and charges are legal, and that the contingent expenses, if any, were necessary, and the charges are reasonable; which roll shall be transmitted to his excellency the governor, for the time being, who is hereby authorized if he think said fees and charges reasonable to draw an order on the treasurer, in favor of the president of said court for the amount.

Sec. 34. And be it further enacted, That every officer to be tried by a court martial shall be put in arrest, and shall have a copy of the charges exhibited against him, and notice of the time and place appointed for his trial shall be given ten days at least before his trial is commenced; and every officer arrested as aforesaid shall be brought to trial without any unnecessary delay.

In case any officer, for the trial of whom a court martial is appointed, shall neglect to appear and make his defence, or, if appearing shall afterwards withdraw in contempt of the court, or, being arraigned before a court martial, shall from obstinacy or deliberate design, stand mute, or answer foreign to the purpose, the court may proceed to trial and judgment as if he had regularly plead not guilty.

If any officer after having been put in arrest shall presume to exercise any military command until he is discharged from his arrest, he shall be liable to be tried by a court martial, and, if convicted, he shall be removed from office.

No officer shall be tried by a court martial for any offence which shall have been committed more than one year previous to the time when a complaint shall have been made in writing therefore, unless by reason of having absented himself or some other manifest impediment he shall not have been amenable to justice within that period.

Sec. 35. And be it further enacted, That the commander
in chief, the officers commanding divisions, brigades, or regiments, may appoint military watches or guards when an invasion of the state is apprehended, in such place or places, and under such regulations, as they may judge necessary; and all officers and soldiers under their command are to yield strict obedience to their orders and directions; and whenever in case of actual or threatened invasion, insurrection or other public danger or emergency, the militia shall be ordered out, or any part thereof shall be ordered to be detached or drafted by the commander in chief, any person who shall be ordered out, detached or drafted in pursuance of and obedience to such orders, and being thereof notified and ordered to march to the place of rendezvous, and shall neglect or refuse to obey such orders, and shall not within twenty-four hours after he shall have been notified as aforesaid, pay a fine of fifty dollars, to the commanding officer of the company, to which he belongs, or procure an able bodied man in his stead, such person shall be considered as a soldier belonging to the detachment, and dealt with accordingly; and all fines paid as aforesaid shall be appropriated to the hire of men to complete the detachment. And the officers of any detachment ordered to be made as aforesaid, shall be regularly detailed from the rosters, and the non-commissioned officers and privates by lot, from the company rolls; and when any company shall not be organized, the officer commanding the regiment, shall either by himself, or some other under him, proceed to make and complete the detachment from such unorganized company.

Sec. 36. And be it further enacted, That the signals of an alarm are to be fixed by the captain-general, and may by him be altered from time to time, and proper notice thereof is to be given to the several officers; and if any non-commissioned officer or private shall, upon the alarm being given, unnecessarily neglect to appear properly armed and equipt, at such time and place as the commanding officer shall appoint, he shall pay a fine of ten dollars; and all persons serving on any military guards or watches shall be punishable for misconduct while in such service by a court martial to be appointed by the commanding officer of such guard or watch, provided he be a field officer, and in case he is not, then by the commanding officer of the regiment to which the offender belongs.
Sec. 37. And be it further enacted, That when any non-commissioned officer or private enrolled in the militia shall think himself unable to perform military duty by reason of any infirmity or debility of body, he may apply to the surgeon or surgeon's mate of the regiment to which he belongs, who shall make examination into his situation, and if such surgeon or surgeon's mate shall be of opinion that the person so applying is unable to perform military duty, and that the infirmity or debility is of such a nature that it will probably continue for any considerable time, the surgeon or surgeon's mate shall give to such non-commissioned officer or private a certificate, in which shall be stated the nature of the infirmity or debility, and the time for which such surgeon or surgeon's mate thinks proper to exempt such person from military duty, not exceeding two years: and such non-commissioned officer or private shall produce said certificate to the clerk of the company within the bounds of which he resides, and the clerk shall record the same on the records or orderly book of said company, and such certificate shall be a discharge of such non-commissioned officer or private for the time therein specified. And on the trial of any complaint against such non-commissioned officer or private for neglecting to perform military duty, the said certificate or a copy thereof from the clerk's records shall be the only evidence received of such infirmity or debility of body, unless he shall first prove that he was unable by reason of such infirmity or debility to apply to the surgeon or surgeon's mate for such certificate, and that within fifteen days from the day of training or muster he was warned to attend, he left, or caused to be left with the clerk of the company in which he was enrolled a written notice of his excuse, stating the infirmity or debility, and the reason why he had not procured a certificate; nor shall any non-commissioned officer or private, on the trial of any complaint against him for neglecting to attend any company training or regimental review, be permitted to give in evidence any excuse whatever, unless he shall first prove that within fifteen days from the day of the training or muster he was warned to attend, he left or caused to be left with the clerk of the company in which he was enrolled, a written notice of said excuse; or unless he shall first prove that he was absent from the town in which such company is formed when the notice to attend such company training or
muster was left, and did not return till the fifteen days after
the said training or muster were expired, and that immedi-
ately on his return he left with the clerk the written notice
aforesaid; nor shall any non-commissioned officer or private
be permitted on any such trial to give in evidence any ex-
cuse other than is contained in the writing left with the
clerk aforesaid.

Sec. 38. And be it further enacted, That no surgeon or
surgeon's mate shall demand or receive of any non-commis-
ioned officer or private any fee or reward for any examina-
tion or certificate mentioned in the preceding section.

Sec. 39. And be it further enacted, That every command-
ing officer, when on duty, is hereby authorized to ascertain
and fix necessary limits and bounds to his parade (no road in
which people usually travel to be included) within which no
spectator shall have a right to enter without liberty from
the commanding officer.

Sec. 40. And be it further enacted, That any keeper of a
tavern, boarding-house, or master or mistress of any dwelling
house, who shall refuse to give information of the name or
names of any person or persons residing with him or her, li-
able to do military duty, when applied to for that purpose,
by the commanding officer of the company within the bounds
of which such tavern, boarding house or dwelling house is
situated, or when applied to for that purpose by any person
acting under the orders of such commanding officer, or shall
give any false information upon such application, shall for-
feit five dollars, to be sued for by the commanding officer of
said company before any justice of the peace in the county
where such offender resides.

Sec. 41. And be it further enacted, That the colonels or
commanding officers of the several regiments shall assemble
the officers of their respective regiments at some conven-
ient and central place within the same, once at least in each
year, armed with swords, muskets and bayonets; and it shall
be the duty of the commanding officers aforesaid to instruct,
or cause said officers to be instructed by some person qualifi-
ced therefor in the lessons of the soldier, the squad, the
platoon, the company and the battalion: the notice for such
meetings to be issued to the officers in the same manner as
for regimental musters.
Sec. 42. And be it further enacted, That it shall be the duty of the fife-majors and drum-majors of the several regiments to assemble the officers and drummers in their respective regiments, once in every year, for the purpose of instructing them in martial music, to be notified in the same manner, and to have the same notice, which is required to be given to privates for company musters; and the musicians, when ordered out as aforesaid, or on regimental muster days, shall be subject to the same rules of discipline, and liable to the same fines and penalties for non-appearance and misconduct, as privates in the militia, which fines and penalties shall be collected by the fife and drum-majors, or either of them, in the same way and manner that fines are to be collected by clerks of companies, and shall be appropriated in defraying the expenses which such fife and drum-majors may be at in assembling and instructing said musicians as above. And it shall be the duty of the fife-majors and drum-majors, in their respective regiments, on such days, and on regimental muster days, to teach, lead and command such musicians, and to issue all such orders as they may be, by the commanding officers of their respective regiments, authorized or required to issue for those purposes; and the commanding officers of companies composing the respective regiments, are hereby required to make returns of the names of the musicians belonging to their respective companies, to the commanding officers of the regiments to which their companies belong, at the time they make their annual returns in May; from which returns the fife and drum-majors shall be furnished with a roll of the musicians annually by the adjutants of the respective regiments. And when fife and drum-majors are on duty together, the oldest by date of warrant shall command.

Sec. 43. And be it further enacted, That every commissioned officer who shall wilfully oppress or injure any under his command, or who shall at any time set on foot or join in any combination to resist or evade the lawful orders of any commissioned officer, shall be liable to be tried by a court martial.

If any officer shall in due course of law be convicted of any infamous crime, he shall forthwith be put in arrest and deprived of all military command until an opportunity shall
No officer shall be permitted to resign while under arrest; and no captain or subaltern shall be permitted to resign between the first day of May and the first day of November in each year; and no general or field officer shall be permitted to resign between the tenth day of June and the first day of November in each year.

No field officer shall approve a resignation until the books, plates, and other articles in the possession of the resigning officer (belonging to the state) are delivered to the commanding officer of the regiment to which he belongs, or some other person appointed to receive them, in order that such books, plates and other articles may be delivered to his successor in office.

The captain or commanding officer of every company raised at large, shall annually in the month of April, make out a list of the names and places of abode of the men belonging to his company, and deliver the same to the commanding officer of the regiment within whose bounds such corps is formed.

Every person who shall enlist into any volunteer company shall be holden to do duty therein for the term of five years, unless sooner discharged by order of the commanding officer of the regiment in which such corps is formed, or unless he arrives at the age of forty years.

The commanding officer of each regiment may, on application of any non-commissioned officer or private belonging to a volunteer company discharge such non-commissioned officer or private from such company; of which discharge the said commanding officer shall immediately give notice to the captain of the company of infantry within whose limits the non-commissioned officer, so discharged, shall reside; and such non-commissioned officer or private shall be enrolled in the infantry company as though he had not enlisted.

Any officer neglecting or refusing to make a draft or detachment, when ordered, shall be arrested and tried by a court martial; and the officer next in command shall be ordered to make the draft or detachment.
If any non-commissioned officer or private shall in the due course of law be convicted of any infamous crime, he shall be forthwith disenrolled from the militia, and the crime and discharge shall be recorded on the orderly book of the company.

The first sergeant of each company shall keep an exact roll of the company together with the state of the arms and equipments belonging to each man; which roll he shall annually revise in the month of April, and correct the same from time to time, as the alterations in the company may require; he shall assist the commanding officer in enrolling all such persons without partiality or favor as may from time to time be liable to do military duty within his company; he shall record the appointment of all non-commissioned officers, orders and proceedings of the company in the orderly book, and keep an exact detail of all drafts and detachments; he shall keep an account in the orderly book of all fines and forfeitures, with the names of the persons from whom they were collected, the time when, and the offence for which they were collected; which book shall not be alienated from the company, and shall always be open to the inspection of the officers of the company, and the field officers of the regiment to which the company belongs.

Sec. 44. And be it further enacted, That each regiment shall turn out for inspection and review once in each year and no more; which shall be between the first day of September and the fifteenth day of October: and the respective major-generals shall sometime in the month of July of each year issue their orders to the brigadier-generals within their divisions directing them to order out the several regiments in their brigades, at such times within the time specified in this act, as such major-general may direct: and the brigadier-generals receiving such orders shall, on or before the twentieth day of August of each year, in brigade orders, issue the same to the several colonels composing their brigades, accompanied with such directions relative to their discipline as they may think proper to make; leaving it discretionary with the field officers of the respective regiments to appoint the place of meeting: and no colonel or commanding officer of a regiment shall be obliged to call out his regiment without such order. And it shall be the duty of each major-gen-
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A.D. 1820. It is hereby enacted, That the commanding officer of every town or district, where such private resides, shall cause a certificate of such inability to be made before the selectmen of the town or district where such private resides, and that it shall be the duty of such selectmen forthwith, at the expense of their respective towns or districts, to provide for every such private the arms and equipments required as aforesaid, and to deliver such arms and equipments to such private whenever his company shall be ordered out for any military duty; and the said commanding officer

Sec. 45. And be it further enacted, That every officer, non-commissioned officer and private, shall constantly keep himself furnished and provided with the arms and equipments required by this act, except such private of infantry, as shall not be able to provide himself; and no private shall be considered unable to provide himself with the arms and equipments required as aforesaid, unless he shall produce a certificate of such inability from the overseers of the poor of the town or district where he resides; and the commanding officer of the company to which such private belongs shall forthwith lay such certificate before the selectmen of the town or district where such private resides; and it shall be the duty of such selectmen forthwith, at the expense of their respective towns or districts, to provide for every such private the arms and equipments required as aforesaid, and to deliver such arms and equipments to such private whenever his company shall be ordered out for any military duty; and the said commanding officer
cer shall be responsible for the safe return of such arms and equipments to the place of deposit.

Sec. 46. And be it further enacted, That all parents, masters, and guardians, shall furnish all minors enrolled in the militia, who shall be under their care respectively, with the arms and equipments required by this act; and if any parent, master or guardian, having any minor under his care enrolled as aforesaid, shall neglect to provide such minor with the arms and equipments required as aforesaid, he is hereby subjected and made liable to the same forfeitures as such minor would be liable to for a like deficiency or neglect, if such minor were of age: Provided however, that such parents, masters or guardians, as shall produce on or before the first Tuesday of May annually, certificates from the overseers of the poor of the town or district in which they reside, of their inability to provide arms and equipments as aforesaid to the commanding officer of the company in which the minor under their care is enrolled, shall be exempted from the forfeitures aforesaid.

Sec. 47. And be it further enacted, That parents, masters and guardians shall be liable for the non-appearance and neglect of such persons as are under their care (and are liable by law to train) and are to be proceeded against for the penalty in the same manner as by this act is provided against other delinquents.

Sec. 48. And be it further enacted, That each non-commissioned officer or private who shall appear on parade not completely equipt according to law, shall for each article with which he shall neglect to appear, pay the following sums as fines for the equipments with which he shall not be provided, to wit; a gun, eighty cents; steel or iron ram-rod, twenty cents; bayonet, scabbard and belt, twenty-five cents; for neglecting to have his musket and bayonet clean and in good order, fifty cents; pistol, forty cents; sword, forty cents; two spare flints, ten cents; priming wire and brush, ten cents; cartridge box capable of containing twenty-four rounds, twenty-five cents; knapsack, twenty cents; and canteen, ten cents; to be recovered as hereinafter pointed out.

Sec. 49. And be it further enacted, That no non-commissioned officer or private soldier shall, upon any muster day, or evening of the same day, discharge or fire off a musket

Penalty for firing a gun without leave.
A.D.1820. or pistol, in any public road or near thereunto, or in or near
to any house, or on or near the place of parade, unless leave
therefor be first had from a commissioned officer, on penalty
of paying for each offence so committed, the sum of two
dollars, to be recovered by action before any justice of the
peace within the county where such offence shall be com-
mittted, by any person who shall sue for the same, with costs of
prosecution.

If any non-commissioned officer or private shall come on
to any parade with his musket, rifle or pistol loaded with
powder and ball, slugs or shot, he shall for such offence for-
feit not less than two nor more than ten dollars: and if any
non-commissioned officer or private shall, without leave from
his officer, quit his guard, section, platoon or company, he
shall for each offence forfeit not less than one, nor more than
five dollars.

Sec. 50. And be it further enacted, That all fines for non-
appearance, non-equipment, coming on parade without uni-
form, coming on parade with musket, rifle or pistol loaded
with powder and ball, slugs or shot, shall be prosecuted for
and recovered with costs by the respective clerks of the
companies to which such non-commissioned officer or offi-
cers, private or privates, incurring such fine or forfeiture,
belong, in the manner following, to wit:

The clerk of each company, after the expiration of fif-
ten days, and within sixty days after the day of any parade
of the company to which he belongs, either company or re-
gimental, shall make out and subscribe an information against
the offending non-commissioned officer or officers, private
or privates of the company, who have not been excused by
the commanding officer of the company, or who have not,
within fifteen days aforesaid, paid to such clerk the fine or
forfeiture, or fines or forfeitures, which he or they may have
incurred; which information shall within the sixty days a-
foresaid, be left with some justice of the peace, not being at
the same time a military officer, of the county in which the
offending non-commissioned officer or officers, private or pri-
vates, reside or resides; which information shall be in sub-
stance as follows, to wit:
To A. B. esquire, justice of the peace in and for the county of . . . . .

I, the subscriber, clerk of the company commanded by ———, do hereby give information against the following person (or persons, as the case may be) who, being duly enrolled in said company, and being duly notified to meet with said company on the parade at or near ——— on the ——— day of ———, in the year ———, at ——— o'clock, ——— noon, completely armed and equipt according to law, for inspection and military exercise, was (or were, as the case may be) guilty of the offence, and did incur the forfeiture set against his name, (or their respective names, as the case may be.)

A. B. non-commiss'ld officer { For unnecessarily neglecting to appear on said day Has forfeited ———
C. D. private { For being deficient of a ——— on said day Has forfeited ———
E. F. { For being guilty on said day of coming on to the field with his gun loaded with powder Has forfeited ———
G. H. { And ———

(And in the same manner substantially, all other offences are to be set forth against offending non-commissioned officers and privates.)

I therefore, agreeably to my oath of office, and in compliance with the requisitions of the law in this behalf, request that you would issue a summons to each of the persons named in the above information to appear before you and shew cause, if any he has, why it should not be adjudged that he pay the forfeiture set against his name, for the offence or offences which he is therein alleged to have committed.

Dated at ———, this ——— day of ———, in the year of our Lord———.

A. B. Clerk of the company commanded by ———.

And the justice to whom such information is directed and with whom it is left, shall issue a summons to each person informed against as aforesaid, to be served at least seven days
Militia.

A.D. 1820.

before the time appointed for showing cause; which summons shall be in substance as follows:

State of New-Hampshire.

To the sheriff of said county or either of his deputies, or either of the constables of the town of ———, in said county,

Greeting.

In the name of the State of New-Hampshire, you are hereby required to summon C. D. of ———, in the county aforesaid, to appear before me, E. F., one of the justices of the peace for the county aforesaid, at ——— in ———, on the ——— day of ———, at ——— o'clock, ——— noon, then and there to shew cause, if any he have, why judgment should not be rendered that he has forfeited (here insert the offence and the time when and place where it was committed.) Hereof fail not, and make due return of this writ, with your doings thereon unto myself, at or before the time above mentioned.

Dated at ———, the ——— day of ———, in the year of our Lord ———.

E. F. Justice of the peace.

And when the person summoned as aforesaid shall appear, either by himself or his attorney, he may plead the general issue, and give in evidence any matter contained in the written excuse filed with the clerk of the company according to the provision contained in the thirty-eighth section of this act; and if such person shall make default, or if judgment be rendered against him and no appeal entered, and he neglect for two days thereafter to satisfy the same with legal costs, then the said justice shall issue execution in substance as follows, to wit:

State of New-Hampshire.

To the sheriff of said county, or either of his deputies, or either of the constables of the town of ———, in the same county,

GREETING.

Whereas A. B. clerk of the company commanded by ———, in said county, on the ——— day of ——— before E. F. esquire, one of our justices of the peace for our county aforesaid, recovered judgment against G. H. of ———, for the sum of ——— fine or forfeiture, and ——— costs of prosecution, as to us appears of record, whereof execution re-
mains to be done: We command you therefore that of the money of the said G. H. or his goods or chattels within your precinct, at the value thereof in money, you cause to be levied, paid and satisfied unto the said A. B. the aforesaid sums, being —— in the whole; and also, that out of the money, goods and chattels of the said G. H. you levy twenty-five cents more for this writ, together with your own fees; and for want of such money, goods or chattels of the said G. H. to be by him shewn unto you, or found within your precinct to the acceptance of the said A. B. for satisfying the aforesaid sums, we command you to take the body of the said G. H. and him commit unto our gaol in D. and we command the keeper thereof accordingly to receive the said G. H. into our said gaol, and him safely keep until he pay the full sums above mentioned, with your fees, or that he be discharged by the said A. B. or otherwise by order of law. Hereof fail not, and make return of your doings herein unto our said justice within twenty days next coming. Witness our said justice at —— the —— day of —— in the year of our Lord, one thousand eight hundred and ——.

E. F. Justice Peace.

Sec. 51. And be it further enacted, That it shall be lawful to amend the summons issued against any non-commissioned officer or private in any stage of the proceedings in any court, without payment of costs, and the judgment of the justice may be appealed from by either party in the same way and manner as is provided in an act entitled, "An act for the relief of poor debtors, and for regulating appeals from judgments of justices of the peace," passed June 30, 1818.

Sec. 52. And be it further enacted, That the clerk of each company shall retain to his own use one fourth part of all fines and forfeitures collected or received by him, and the residue he shall faithfully pay over to the commanding officer of the company on demand; and the commanding officer of the company shall give his receipt to the clerk for all money paid over to him as aforesaid. And all fines and forfeitures recovered by the captain or commanding officer of any company by virtue of this act, together with all money paid him by the clerk as aforesaid, shall be expended in defraying the necessary expenses of said company, in purchasing and repairing musical instruments and instructing the

45
Fee Bill.

A.D. 1820.

musicians belonging to said company: and all fines received by selectmen shall be by them paid over to the treasurer of the State.

Sec. 53. And be it further enacted, That at the annual inspection in May the captain of each company shall read, or cause to be read to his company the 4th, 9th, 10th, 11th, 12th, 13th, 20th, 26th, 29th, 37th, 38th, 39th, 43d, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st and 52d sections of this act.

Approved December 22, 1820.

CHAP. XXXVII.

AN ACT regulating fees and repealing certain acts relative to the same.

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the act entitled "an act regulating fees," passed December 16, 1796, and the act entitled "an act to regulate the taxing of bills of cost in actions before justices of the peace, in certain cases," passed December 31, 1805, and the act entitled "an act in addition to an act entitled an act regulating fees," passed December 16, 1812, and the act entitled "an act in addition to an act entitled an act regulating fees, passed December 16, 1796," and the act entitled "an act in addition to an act entitled an act regulating fees, passed December 16, 1796," passed December 21, 1816, and the act entitled "an act in addition to and amendment of an act entitled an act regulating fees," passed June 27, 1817; and the act entitled "an act in addition to an act entitled an act for the regulating fees, passed the 16th day of December, 1796," passed June 29, 1818; and the act entitled "an act in addition to an act entitled an act regulating fees, passed December 16, 1796," passed July 1, 1819; and the act entitled "an act in addition to an act entitled an act regulating fees," passed June 22, 1820, and all other acts or parts of acts inconsistent with the provisions hereof, be, and they are hereby repealed. Provided nevertheless, that offences against the several acts hereby repealed, which were committed previous to the pas-
Fet Bill, A.D. 1820.

Sec. 1. That the acts of this act may be prosecuted, and punished in the same manner as they might have been had not said acts been repealed.

Sec. 2. And be it further enacted, That the fees of the several officers and other persons hereinafter mentioned shall be as follows, to wit:

Fees of justices of the peace in civil causes.
For every writ of summons or writ of attachment $ ets. with summons, seventeen cents, 0 17
For every writ of subpoena, ten cents, 0 10
For the entry of every action or complaint, including filing papers, entering judgment and appearance, and recording, fifty cents, 0 50
For every execution, seventeen cents, 0 17
For granting an appeal, seventeen cents, 0 17
For entering satisfaction of a judgment on record, ten cents, 0 10
In taking affidavits out of court, for swearing each witness and making the caption, thirty-four cents 0 34
For writing each page of the deposition, seventeen cents, 0 17
For the justice's travel to swear witnesses, for every ten miles actual travel, at the rate of thirty-four cents, 0 34
The justice's fees for travel and taking affidavits, and the witnesses' travel and attendance shall be certified by the justice in the affidavit, otherwise the justice shall not be allowed any thing for his fees.
For taking affidavits in perpetuam rei memoriam the same fees to each justice as for the taking other depositions,
For taking and certifying the acknowledgement of any deed or other instrument, seventeen cents, 0 17
but if there be more than one person who shall acknowledge the same instrument, and the acknowledgment be made at different times, then for each time of taking and certifying, seventeen cents, 0 17
For granting warrant of appraisement and swearing the appraisers, twenty-five cents, 0 25
For every actual trial upon issue, joined either upon matter of law or fact, fifty cents, 0 50
A.D. 1820. For administering oaths in all cases and certifying the same, except the oaths of office administered to town officers, and oaths administered to witnesses in the trial of cases before the justice, seventeen cents,

For every summons to the party for collection of military fines, twenty-five cents,

**Fees of justices of the peace in criminal causes.**

For every warrant founded on a complaint for any offence, twenty-five cents,

For drawing a complaint, fifty cents,

For granting an appeal, seventeen cents,

For every recognizance, seventeen cents,

For taking bail of persons committed in criminal cases, for each offender, thirty-four cents,

For every examination, thirty-four cents,

For every entry of a complaint and judgment thereon, fifty cents,

For warrant of commitment, and every other warrant except those above mentioned, fifty cents, and for every adjournment, seventeen cents,

**In cases of forcible entry and detainer.**

The justices for every day's attendance, each, one dollar,

To the witnesses and parties the same as in other cases.

To the jurors for their attendance per day, sixty cents,

and the same travel as jurors of the superior court.

To the sheriff per day, one dollar.

**Fees for copies and recording.**

To the Secretary of the state, the clerk of the superior court of judicature, clerk of the court of sessions, justices of the peace, register of deeds, register of probate, town clerks, notaries public, sheriffs and all other persons who, by law, are or shall be established, there shall be allowed, for every page so recorded, or copied, reckoning two hundred and twenty-four words for a page, twelve and a half cents,
Fee Bill.

and any part less than a page, eight cents,
For every certificate on a copy of the whole case, ten cents,

Fees at the Superior Court. Entry and Clerk's fees.

For the entry of every action, petition, appeal or complaint at the superior court, instead of the sum heretofore by law required, there shall be paid into the hands of the clerk, one dollar and twenty cents, in full compensation for making said entries and for recording the judgment, taxing cost, filing papers, entering satisfaction of judgment, and for all other services for which specific fees are not herein established.

For a blank writ and summons or a blank writ of summons, there shall be paid to the clerk, ten cents.
For a writ of review or scire facias, fifty cents.
For a writ of possession, forty cents.
For a writ of habeas corpus, seventeen cents.
For execution, seventeen cents.
For a writ of protection or subpoena, ten cents.
For entering a continuance, five cents.
For discharging a recognizance, ten cents.
For certifying in court the proof of a deed, seventeen cents.

Attorney's Fees.

There shall be allowed in every bill of cost taxed for the plaintiff in the superior court, the cause originating there, for the writ including the blank, one dollar and thirty-four cents.
For the defendant recovering cost in said court, and to the party, whether plaintiff or defendant recovering cost on an appeal from a justice of the peace, there shall be taxed, one dollar ten cents.
For every complaint entered at the superior court, including drawing the complaint, one dollar and thirty-four cents.
In every case of appearance by the defendant the prevailing party shall be allowed an attorney's fee, of one dollar and thirty-four cents.
Fee Bill.

Attorney's fees in justice's courts.

For drawing a writ triable before a justice of the peace, fifty cents, 0 50
For pleading for a defendant or drawing a complaint for discontinuance of an action, fifty cents, 0 50

Parties' Fees.

The parties attending the courts, shall be allowed for every ten miles travel to and from court, twenty-five cents, 0 25
For each day's attendance, at any one term, twenty-five cents, 0 25
In all actions wherein the defendant suffers default, having made no appearance, the plaintiff shall not be allowed more than five days' attendance at any one term.

For summoning witnesses, each, seventeen cents, 0 17
The plaintiff in his bill of costs in cases where the defendant is defaulted, never having made any appearance or defence, shall be allowed no more travelling fees than for what he travels in the county where the court is held in the most usual way of travelling from the place where he lives to the court. Provided nevertheless, that the plaintiff or defendant in any case whatever, shall be entitled to no more travel than from the line of the county, unless in cases of his appearance in person. In actions brought before justices of the peace, where the plaintiff doth not appear in person, the plaintiff in his bill of cost shall in no case be allowed more for his travel than he would be entitled to, provided he lived within ten miles of the place of trial.

Witnesses' Fees.

The witnesses at any of the courts aforesaid shall be allowed for each day's attendance, seventy-five cents, 0 75
For every ten miles travel out and in, (a ferry or toll bridge to be reckoned as three miles travel, and in the same proportion for a less number of miles) forty cents, 0 40
The witnesses before a justice of the peace shall be allowed the same travel as is allowed witnesses at-
tending the superior court, and for each day's attendance, forty cents,

Sheriffs' Fees.

For the service of a writ of summons or scire facias, either by reading it to the defendant or leaving a copy, for each defendant, twenty-three cents,

For the service of a writ of attachment, with or without a summons, for each defendant, twenty-three cents,

For taking bail, to be paid by the person bailed, seventeen cents,

For serving notice upon bail pursuant to the second section of an act entitled "an act regulating bail in civil causes," twenty-three cents,

For actual travel to serve the same, which shall be paid by the bail before he shall be discharged from his liability as such, per mile, three cents,

For the service of a writ of possession, the same as for the service of the original writ, on which it was obtained, with poundage for the costs as in personal actions.

For levying executions in personal actions and extents, on the dollar for the first fifty dollars, two and a half cents,

For the second fifty dollars, two cents,

For all sums from one hundred dollars to three hundred dollars, one cent,

For all sums above three hundred dollars, half a cent,

For travel for the service of each writ, execution or extent per mile, three cents,

The travel to be computed from the place of service to the office, place or court to which the writ is returnable, by the way most commonly used, and where there are several persons in the same writ, execution or extent upon whom it is served, the travel shall be computed from the most remote of them, and no more to be allowed for travel than if it were served only on the most remote person as aforesaid; Provided, that no more than fifty miles travel shall be allowed the sheriff or other officer serving any writ, execution or extent in any case,
the travelling fees and fees of service to be endorsed on the writ in mesne process, and no more shall be allowed in any case than is so endorsed; and also the fees for service, poundage and travel on executions and extents shall be particularly set down and expressed thereon.

For summoning witnesses, each, seventeen cents, 0 17
For serving a writ of execution for partition of real estate on a judgment of court, per day, eighty-three cents, 0 83
For travel, per mile, three cents, 0 03
For attending the superior court of judicature, per day, two dollars, 2 00
To their deputies who attend said court or the court of sessions by order of the justices thereof, each per day, one dollar and fifty cents, 1 50
which fees for attending court shall be paid out of the county treasury.

For the trial of every action by jury there shall be paid by the plaintiff, before trial, to the clerk, for the use of the county, the sum of five dollars, 5 00
to be taxed in the plaintiff's bill of cost.

**Court of Sessions.**

**Justices' fees.** The justices of the courts of sessions shall each have and receive from the treasury of their respective counties four dollars, 4 00
for each day's attendance in court and ten cents a mile for their travel to and from the same, which shall be in full satisfaction for their services of whatever nature as justices of such court.

**Entry fees at the sessions.**

For the entry of every petition one dollar, 1 00
to be paid by the petitioner to the clerk for the use of the county.

**Fees of clerk of sessions.**

The clerks shall have the same pay for travel and attendance as is allowed each justice of the court of sessions, to be paid out of the county treasury.

**Criers' fees.**

To the crier of any court, to be paid out of the county treasury, two dollars per day, 2 00
Fee Bill.

Grand and petit jurors' fees.

To the grand and petit jurors, each per day, one dollar and twenty-five cents, 1 25
For their travel to and from court, per mile, six cents, 0 06
To a talisman for the trial of each action for which he may be empanelled, to be paid out of the county treasury, fifty cents, 0 50

Gaoler's fees.

To gaolers for receiving any prisoner into custody, twenty-five cents, 0 25
and the like fee for discharging the prisoner.
For each prisoner's diet per week, one dollar and thirty-four cents, 1 34

Fees of the Recorders of Deeds.

For a certificate on a deed of the time when and the place where recorded, and for every other certificate by him made, four cents, 0 04
For examining the records at the request of any person, for each book examined, four cents, 0 04
For discharging a mortgage on the record as the law directs, seventeen cents, 0 17

Coroners' fees, &c.

For serving writs, the same fee for travel and service as to the sheriffs; for every trial where the sheriff is concerned, to be paid with the jurors' fees, eleven cents, 0 11
For taking an inquisition, one dollar and fifty cents, 1 50
To jurors on an inquest, each per day, fifty cents, 0 50
and for every ten miles travel, twenty cents, 0 20
To witnesses attending a coroner's inquest, each per day, fifty cents, 0 60
and the same travel as witnesses in other cases.
All fees for attending any inquisition on the death of any person shall be paid out of the estate of the deceased, and in want thereof by the county treasurer, the same being adjusted and allowed by the superior court.

Constables' fees.

For service of writs, warrants, and executions, and 46
for travel, the same as to sheriffs; also his expenses in summoning a coroner's jury of inquest, and for attendance per day, sixty-seven cents, 0 67

Judge of Probate and Register's fees.

For granting administration or guardianship, including the bonds, letters of administration and guardianship, one dollar, 1 00
of which the register shall receive two thirds, and if more than one minor be put under guardianship of the same person at the same time, then for every such one, to the judge, ten cents, 0 10
and to the register twenty cents, 0 20

For taking the proof of a will or codicil, entering the oaths of the witnesses and certifying the same, and recording the whole, if but one page, one dollar and forty cents, 1 40
to be equally divided between the judge and register; if more than one page, then the same for recording every such page as in other cases, to the register only.

For examining accounts of executors, administrators or guardians, each page, thirty-four cents, 0 34
For allowing and making a decree on such accounts, fifty cents, 0 50
For every allowance and confirmation of the division of any real estate, fifty cents, 0 50
For every citation, to the register, seventeen cents, 0 17
and to the judge, seventeen cents, 0 17
For every order or warrant for dividing real estate, to the judge, seventeen cents, 0 17
and to the register, thirty-four cents, 0 34
For every commission to examine claims on insolvent estates, to the register, thirty-four cents, 0 34
and to the judge, seventeen cents, 0 17
For every license to sell real or personal estate, fifty cents, one half to the judge and the other half to the register, 0 50
For making the proportion among the creditors to an insolvent estate, to be allowed for every twenty creditors, one dollar, 1 00
and in that proportion for a greater number.
To the judge for a decree or order to the executor
or administrator to pay the several creditors accord-
ing to the computation and proportion aforesaid,
 thirty-four cents, 0 34
For a quietus, to the judge, seventeen cents, 0 17
and to the register, seventeen cents, 0 17
For attending a dispute concerning the right of parties
in any case, and an hearing by counsel including
 the decree thereon, to the judge, fifty cents, 0 50
and to the register, fifty cents, 0 50
For granting an appeal to the supreme court of prob-ate, and taking bond for prosecution, to be equally
divided between the judge and register, fifty cents, 0 50
For passing an order for putting any bond in suit,
 thirty-four cents, 0 34
For taking a bond of indemnification, one half to the
judge, and the other half to the register, fifty cents, 0 50

Fee Bill.

For every commission for any person to an office of
profit, to be paid by the person commissioned, one
dollar, 1 00
For every military commission to be paid out of the
public treasury, fifty cents, 0 50
For every certificate under the seal of the state, fifty
cents, 0 50
For every petition of a private nature to the general
court, to be paid by the petitioner, fifty cents, 0 50

Fees of a Notary Public.

For every protest under seal, one dollar, 1 00
For every certificate under seal, fifty cents, 0 50
For waiting on a person to demand payment, or to
witness any matter and certifying the same under
 seal, one dollar, 1 00

Sec. 3. And be it further enacted, That if any person or
persons shall demand and take any greater fee or fees for any
of the services mentioned in this act, or any other law of
this state than is herein and thereby provided and declared,
he or they shall forfeit and pay to the person or persons suf-
ing for the same, the sum of thirty dollars for every such of-
ence.
Reduction of Salaries.

Sec. 4. And be it further enacted, That the mode of process for the recovery of damages which may accrue for offences committed under this act or any other act of this state, regulating fees, may be by action of debt or by complaint to the grand jury for the county in which the offence is committed; and the grand jurors and the attorney general for the time being respectively are hereby authorized and required to hear, sustain and prosecute any complaint which may be presented to them by virtue of this act, in the same manner as has heretofore been practised in cases of complaint for crimes which are by them cognizable.—Provided, that in prosecutions under this act by complaint to the grand jury the penalty which may be recovered shall be for the use of the county in which such offence may have been committed.

Sec. 5. And be it further enacted, That this act shall not take effect until the first day of February next.

Approved Dec. 23, 1820.

CHAP. XXXVIII.
An act to incorporate the Rockingham Lodge.
Approved November 23, 1820.

CHAP. XXXIX.
An act to incorporate the Hampton Falls Fire Engine Company, No. 1. Approved November 23, 1820.

CHAP. XL.
An act to incorporate the Charitable Fire Society, in Dover. Approved November 23, 1820.

CHAP. XLI.

Resolved, That the senators in Congress from this state be instructed, and the representatives in Congress be requested, to exert their influence to effect a reduction of the
Compensation for publishing Laws.

pay of the members of that body to six dollars per day and six dollars per day and to the same amount for each twenty miles travel to and from the place of sitting.

Resolved, That his excellency the governor be requested to forward a copy of the above resolution to each of the senators and representatives from this state in the Congress of the United States. Approved November 27, 1820.

CHAP. XLII.

WHEREAS it hath been represented to this legislature that sundry persons have unlawfully entered and intruded upon certain lands belonging to this state situate in the county of Coos and northerly of the tract of land which was granted to Dartmouth College. Therefore,

RESOLVED, That the attorney general be and he is hereby authorized and required to institute due proceedings in law against such of said persons as he shall deem proper in the name and behalf of this state and the same to prosecute to final judgment, to the end that the said persons, in case it shall be found that they have unlawfully entered and intruded upon said lands, may be removed therefrom.

Resolved, that the attorney general be authorized to employ such agent or agents as he shall think proper, to procure the information and testimony necessary for the aforesaid purpose. Approved November 27, 1820.

CHAP. XLIII.

An act to incorporate Thomas S. Bowles and others into a charitable society called and known by the name of Pythagoras Lodge, No. 33. Approved November 30, 1820.

CHAP. XLIV.

AN ACT in addition to an act entitled "an act to fix the compensation for publishing the laws of this state in the several newspapers to be designated for that purpose."

Be it enacted by the senate and house of representatives in general court convened, That it shall be the duty of the sev-
AN ACT in addition to and in amendment of an act passed June session 1820, granting additional powers to the courts of probate and for the regulation of trustees and guardians.

Be it enacted by the senate and house of representatives in general court convened, That when any person or persons, who may have been appointed or constituted a trustee or trustees, or guardian, of any estate, real, personal, or mixed, belonging to minors or other persons, and liable to give bonds for the faithful performance of their duty pursuant to said act, and when application has been made to the said judge in writing that said trustee or trustees or guardians should give bonds pursuant to the provision of said act, shall be absent from this state or in parts unknown, the said judge shall cause the said trustee or trustees or guardians to be cited to appear before him at such time and place for the hearing of said complaint as he may see fit to appoint, by causing an advertisement containing the substance of said petition or complaint and order of court thereon, to be inserted in such newspaper or newspapers within the United States and for such length of time as said judge of probate may deem proper, or the said judge may when it can be conveniently given order such personal notice as under the circumstances of the case shall in his opinion be suitable and proper, which shall be deemed and taken to be sufficient notice to said trustee or
trustees or guardians to appear and answer to said petition A.D. 1820.
or complaint.

Approved December 2, 1820.

CHAP. XLVI.
An act to incorporate a Library in Sandown.
Approved December 7, 1820.

CHAP. XLVII.
An act incorporating Franklin Lodge, No. 6.
Approved December 7, 1820.

CHAP. XLVIII.
An act to incorporate Josiah Stevens and others, by the name of Sunapee Dam Corporation.
Approved December 7, 1820.

CHAP. XLIX.
AN ACT to annex a part of the town of Orange to the town of Alexandria.

BE it enacted by the senate and house of representatives in general court convened, That all that part of Orange in the county of Grafton situate and lying eastwardly of the line herein described, to wit, beginning at Orange southeast corner on Danbury line, thence north sixty-five degrees west to the southeast corner of lot numbered five in the second hundred laid out to the right of Perry Clark, thence northwardly to the southeast corner of lot numbered six in the second hundred laid out to the right of David Paine, thence to the southwest corner of said lot numbered six, thence northwardly to the southeast corner of lot numbered three in the second hundred laid out to the right of Elisha Dyer, thence westwardly to the southwest corner of said lot numbered three, thence northwardly to the southeast corner of lot numbered seventeen, glebe lot in the second
A.D. 1820.

Hevision of the Constitution.

Resolved, That the selectmen of the several towns and places in this state be, and they hereby are directed to insert expressly in the warrant for calling the annual town meeting on the second Tuesday in March next, among other purposes of the meeting, this article, viz: "To take the sense of the qualified voters on the subject of a revision of the Constitution," and make return thereof to the then next session of the general court; and that a copy of this resolve
be seasonably sent to the selectmen of the several towns and places in this state; and that the Secretary cause this resolve to be published in the several newspapers printed in this state as soon as may be.

Approved December 13, 1820.

CHAP. LI.

An act to incorporate the Hanover Aqueduct Association. Approved December 13, 1820.

CHAP. LII.

An act to continue in force an act passed June 19, 1813, entitled "An act to grant a lottery to the proprietors of Union Canal to complete their works on Merrimack river." Approved December 13, 1820.

CHAP. LIII.

An act to alter the name of Comfort Carpenter. Approved December 13, 1820.

CHAP. LIV.

An act altering the name of Lemuel Noyes Jackman to Lemuel Noyes Pattee. Approved December 13, 1820.

CHAP. LV.


CHAP. LVI.

An act to incorporate the Haverhill Aqueduct Association. Approved Dec. 15, 1820.
AN ACT to incorporate a tract of land in the county of Coos into a town by the name of Shelburne.

WHEREAS a petition signed by a number of the inhabitants of a tract of land in the county of Coos praying to be incorporated into a town, has been presented to the legislature. Therefore—

BE it enacted by the senate and house of representatives in general court convened, That all the land and inhabitants within the following limits, namely: beginning at a hemlock tree marked, standing on the state line about three quarters of a mile south of little Ameriscoggin river; thence north eight degrees east on the state line six miles to a maple tree marked and standing on the state line aforesaid; thence turning at right angles, and running north eighty two degrees west six miles to a beech tree marked; thence south eighty two degrees west six miles to a red birch tree marked; thence south eighty two degrees east six miles to the hemlock tree standing on the state line begun at; and the same are hereby incorporated into a town by the name of Shelburne, and the inhabitants who now reside, or hereafter may reside within the before mentioned boundaries are made and constituted a body politic and corporate, and invested with all the powers, privileges and immunities, which other towns in this state by law are entitled to enjoy, to remain a distinct town, to have continuance and succession forever.

Sec. 2. And be it further enacted, That Moses Ingals, Jonathan Lary and Amos Chandler or either two of them hereby are authorized and empowered to call a meeting of the said inhabitants for the purpose of choosing all necessary town officers, and either said Ingals, Lary or Chandler shall preside therein until a moderator shall be chosen to govern said meeting, which shall be warned by posting up notice thereof in two public places in said Shelburne fourteen days prior to the day of holding the same; and the annual meetings for the choice of town officers shall be holden on the second Tuesday of March annually: Provided, that this act shall not in any manner operate to prevent the proprietors and owners of Shelburne Addition from holding pro-
priestors' meetings and doing and transacting all such matters and things relating to the same as if this act had not been passed.

Approved December 13, 1820.

CHAP. LVIII.

AN ACT regulating the jurisdiction of the courts of law, and altering the style and name of the courts of common pleas.

Section 1. Be it enacted by the senate and house of representatives in general court convened, That all the jurisdiction in civil suits and criminal prosecutions, including all appeals from judgments of justices of the peace, and all cases where there may be a trial by jury, now by law vested in or appertaining to the several courts of common pleas in this state, shall be and the same is hereby transferred to and vested in the superior court of judicature.

Sec. 2. And be it further enacted, That all civil suits and criminal prosecutions, including all appeals from judgments of justices of the peace, and all cases where there may be a trial by jury, now remaining or pending in any court of common pleas, in any county in this state, and all writs, warrants, recognizances, appeals and processes whatever, relating to any civil suit or criminal prosecution, heretofore issued or made, or which shall before the first day of January next be issued or made returnable to a court of common pleas in any county, and which would have had day therein had not this act been passed, shall be transferred and returned to the superior court of judicature, next to be holden in such county, and have day therein, be proceeded on, tried and determined in said superior court. And that all parties and witnesses in such suits, prosecutions and proceedings shall be held to appear in said superior court, in like manner as they would have been held to appear in the said courts of common pleas had not this act been passed.

Sec. 3. And be it further enacted, That it shall be the duty of the several clerks of the courts of common pleas, immediately after the last day of December in the present year, to deliver over to the clerks of the superior courts in their respective counties all the records of judgments and of other
A.D. 1820. proceedings, and all the files of the said courts of common pleas which relate to civil suits or criminal prosecutions. And said records and files shall become and be taken and deemed to be records and files of the said superior court. And the said superior court may issue writs of execution, scire facias and other process to carry into effect such judgments and proceedings; and may also issue writs of review, and reverse the same, in such cases and in like manner as the said courts of common pleas might have done, had not this act been passed. And the said superior court shall have power to reverse or vacate any of said judgments or other proceedings in all cases where the said superior court might have reversed or vacated the same, had the records thereof remained in the said courts of common pleas.

Sec. 4. And be it further enacted, That the parties in all suits hereafter to be commenced at the superior court of judicature, shall have a right to one review in the same way and manner as actions are now reviewable in said court, which have heretofore been originated in the courts of common pleas.

Sec. 5. And be it further enacted, That in addition to the term of the said superior court by law now required to be held at Lancaster, in and for the county of Coos, on the first Tuesday of May, the said Superior Court shall be held at said Lancaster, in and for said county of Coos, on the first Tuesday of November annually. And the said superior court shall hereafter be held at Plymouth, in and for the county of Grafton, on the second Tuesday of November annually, instead of the first Tuesday of November.

Sec. 6. And be it further enacted, That instead of the fees now paid for entries, there shall hereafter be paid to the clerks of said superior court for the entry of every action, suit, petition or complaint, the sum of seventy five cents; and it shall be the duty of each clerk at the close of every term in his county, to have his account allowed and certified by a justice of said court attending such term, and forthwith to pay to the county treasury the balance found due, and in default thereof such clerk shall be liable to attachment.

Sec. 7. And be it further enacted, That the courts of common pleas shall hereafter be styled and called courts of sessions, and by that name shall be designated in all judicial and
other proceedings; and each of said courts shall hereafter A.D. 1820. consist of a chief justice and four associate justices. And the present chief justices of the courts of common pleas shall be chief justices of the courts of sessions to be holden in and for those counties only where they respectively reside. And in each of those counties where no chief justice of the courts of common pleas resides, a chief justice of the court of sessions, to be holden in and for such county, shall be appointed by the governor and council and commissioned as the constitution directs. And that two suitable persons in each county shall be appointed and commissioned associate justices of the court of sessions to be holden in and for such county, and three of said justices shall be a quorum.

Sec. 8. And be it further enacted, That the justices of the said courts of sessions, including the justices of the courts of common pleas, in their respective counties, shall retain and exercise all the jurisdiction, power and authority which before the passing of this act appertained to the justices of the courts of common pleas, except what by this act is transferred to and vested in the superior court of judicature. And the said courts of sessions shall be courts of record; but no jurors shall be required to attend the same. And the said courts of sessions shall be holden in the several counties at the times and places now prescribed by law for the holding of the courts of common pleas.

Sec. 9. And be it further enacted, That it shall be competent for the said courts of sessions in any county to appoint the clerk of the superior court in such county to be clerk of the court of sessions in the same county. And thereupon it shall become the duty of such clerk of the superior court to accept such appointment and perform the duties incumbent on him as clerk of such court of sessions; and for his services he shall be entitled to the same compensation as is by law allowed to the clerks of courts of common pleas for the like services.

Sec. 10. And be it further enacted, That the justices of the said courts of sessions shall each have and receive from the treasury of their respective counties four dollars for each day's attendance in court, and ten cents a mile for their travel to and from the same, which shall be in full satisfaction for their services of whatever nature as justices of such courts.
A.D. 1820.  

**Fish.**

**Sec. 11.** And be it further enacted, That all acts and parts of acts heretofore passed within the purview of this act, be and the same hereby are repealed.—Provided, nevertheless, that this act shall not go into operation or take effect until the first day of January next.

Approved December 15, 1820.

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**CHAP. LIX.**  
An act to incorporate the Union Musical Society in Brookfield. Approved December 16, 1820.

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**CHAP. LX.**  
An act to continue in force an act, entitled "an act to exempt from taxation for a limited time the Flint Glass Factory at Keene, and certain workmen therein from military duty," passed June 26, 1816. Approved December 16, 1820.

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**CHAP. LXI.**  
An act in addition to an act to incorporate the Charitable Fire Society in Dover. Approved December 16, 1820.

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**CHAP. LXII.**

AN ACT in addition to and in amendment of an act entitled "an act to prevent the destruction of salmon, shad and alewives in Merrimack river, and the several streams falling into the same, and for regulating and repealing certain laws heretofore made for that purpose," passed June 20, 1811.

**Section 1.** Be it enacted by the senate and house of representatives in general court convened, That no person shall, for the purpose of catching fish in Merrimack river within this state, use any seine of greater length than eighteen rods, excepting at Thornton's ferry, so called, and the seine at Thornton's ferry shall not exceed twenty rods in length.
Judges of the sessions of Coos.

SEC. 2. And be it further enacted, That where any two seines now sweep opposite each other, or on the same ground, the proprietors of such seines shall not be entitled to fish more than two days and an half in each week, beginning on Monday morning at suaring on each week and continuing until Wednesday noon of the same week.

SEC. 3. And be it further enacted, That no two or more seines, after the passing of this act, shall be allowed to sweep opposite each other, or within eighty rods of each other up or down said river, excepting at those places already occupied and now used for fishing; any law, usage or custom to the contrary notwithstanding.

SEC. 4. And be it further enacted, That if any person shall use any seine or occupy any fishing ground contrary to the provisions of this act, every person so offending shall, for each and every such offence, forfeit and pay a sum not exceeding one hundred dollars nor less than five dollars, and cost of prosecution, to be recovered and disposed of in the same way and manner as is provided for the recovery of fines for catching and killing fish in the act of which this is an amendment.

Approved December 16, 1820.

CHAP. LXIII.

AN ACT prescribing the number of judges of the court of sessions in the county of Coos.

SEC 1. Be it enacted by the senate and house of representatives in general court convened, That the number of the judges of the court of sessions within and for the county of Coos shall be three and no more, two of whom shall form a quorum for the transaction of the business of said court, any law to the contrary notwithstanding.

Approved December 18, 1820.
AN ACT to institute and provide for the organization of a board of agriculture for this state.

SEC. 1. BE it enacted by the senate and house of representatives in general court convened, That the several presidents of the several agricultural societies within this state, with one delegate to be chosen by each of said societies, shall form a board of agriculture for this state, who, on the first Monday after the annual meeting of the legislature, may convene at the capitol in the town of Concord, or in some other place, which they may think proper to appoint, any five of whom shall form a quorum, may elect a president, secretary and such other officers as they may think proper, receive and examine all such reports and returns as have been or shall be made by the county societies within this state, and select for publication such of them, and such other essays relative to improvements in agriculture, as they may think will conduce to the advancement of agriculture; and shall annually publish a pamphlet at the expense of the state, to be distributed by means of said agricultural societies to the people of this state, not exceeding one thousand copies of such pamphlet; which president, secretary and other officers elected pursuant to this act shall continue in office one year and until others shall be elected in their stead.

SEC. 2. And be it further enacted, That it shall be the duty of said board of agriculture to examine into the organization of said societies and their manner of transacting their business, and to recommend such alterations and improvements therein as they may deem expedient.

Approved December 19, 1820.

AN ACT in addition to an act, entitled "an act to establish a corporation by the name of the Cheshire agricultural society.

WHEREAS, at the annual meeting of the Cheshire agricultural society on the first Wednesday of October last, it
was voted by said society that application should be made to the general court to alter their act of incorporation so far as to reduce the sum annually to be paid by each member of the society from two dollars to one dollar. Therefore,

Sec. 1. BE it enacted by the senate and house of representatives in general court convened, That each member of said society shall pay annually into its treasury on or before the day of the annual meeting thereof the sum of one dollar instead of the sum of two dollars as is now required to be paid by the fourth section of the act to which this act is in addition.

Sec. 2. And be it further enacted, That this act shall not be construed so as to have any effect until the next annual meeting of said society.

Approved December 21, 1820.

CHAP. LXVI.

AN ACT to annex a part of the town of Alexandria to the town of New-Chester.

Be it enacted by the senate and house of representatives in general court convened, That all that part of the town of Alexandria situated and lying within the line herein described, to wit: beginning at the southwest corner of lot numbered thirty-seven in the first division of lots in said Alexandria, thence northwardly following the westwardly side line of said lot to the middle of the channel of Smith's river so called, thence westwardly following the middle of the channel of said river to Danbury line, thence southwardly following the eastwardly side line of said Danbury to the southeast corner of said Danbury, thence eastwardly on the dividing line between the towns of Alexandria and New-Chester to the first mentioned bounds, be, and the same hereby is disannexed with the inhabitants thereof from said town of Alexandria and annexed to the town of New-Chester, and that said territory shall hereafter constitute and be a part of the town of New-Chester, and the inhabitants thereof shall do the same duties and enjoy the same privileges as the other inhabitants of said New-Chester, subject, however, to the payment of all
A.D. 1820. taxes legally assessed upon them or their property by said town of Alexandria prior to the passing of this act; provided that this act shall not take effect until the first day of February next.

Approved December 21, 1820.

CHAP. LXVII.
An act empowering Jeremy Nute to have and assume the name of Jeremy Washington Orange. Approved December 21, 1820.

CHAP. LXVIII.
An act to incorporate the Bear Camp River Company. Approved December 21, 1820.

CHAP. LXIX.
An act to exempt from taxation for a further term of five years a certain amount of the capital stock of the Rockingham Cotton Manufactory. Approved December 21, 1820.

CHAP. LXX.
AN ACT to incorporate a company by the name of Upper Coos turnpike corporation.

BE it enacted by the senate and house of representatives in general court convened, That Thomas Carlisle, John M. Tillotson, Ephraim H. Mahurin, John Williams, Richard Eastman, Charles J. Stuart, Thomas Montgomery, Samuel Greely and David Burns, and their associates and successors, be, and they hereby are, incorporated and made a body corporate and politic forever under the name of the Upper Coos Turnpike Company, and in that name may sue and prosecute, and be sued and prosecuted, unto final judgment and execution, and shall be and hereby are vested with all the privileges and powers which by law are incident to corporations of a similar nature.
Sec. 2. And be it further enacted, That the said Thomas Carlisle and John M. Tillotson, or either of them, shall call a meeting of said proprietors, to be held at any suitable time and place, by posting up notifications, one at least in some public place in each town through which said road is contemplated to pass, at least fourteen days before the time of holding said meeting, expressing the time, place and design of said meeting. And the proprietors by a majority present or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office; and shall agree on a method of calling future meetings; and at the same or at any other subsequent meeting may elect such officers, and make and establish such rules and by-laws, as to them shall seem necessary and convenient for the regulation and government of said corporation, for carrying into effect the purposes aforesaid, and for collecting the tolls and duties hereinafter established, and the same by-laws may cause to be executed, and annex penalties to the breach thereof: Provided, that said rules and by-laws are not repugnant to the laws of this state. And all representations at any meeting shall be proved by a writing signed by the person to be represented, which shall be filed by the clerk and recorded in a book or books provided and kept for that purpose.

Sec. 3. And be it further enacted, That said corporation are hereby empowered to lay out, make and keep in repair a turnpike road four rods wide, in such route or trail as shall in the best of their judgment combine shortness of distance with the most practicable ground, from the southerly end of the upper pond in Franconia notch, so called, in the town of Franconia, to Ammonoosuck river near Whipple's mills in Bethlehem.

Sec. 4. And be it further enacted, That if the said proprietors and the owners of land over which said road may run, shall not agree on the compensation to be made for such land, and shall not agree in appointing persons to ascertain such compensation, the justices of the superior court, upon the application of the proprietors or owners of the land, reasonable notice having been given to the adverse party of such application, shall appoint a committee who shall ascertain
A.D. 1820. the same, in the same way as compensation is made to the owners of land for highways as usually laid out: *Provided nevertheless,* that it shall not be lawful for said proprietors to make such road until the damages done the owner or owners of the land, through which the same is laid out, are ascertained and paid, or tender thereof made, or security given for the payment of the same, to the said owner or owners thereof to his or their satisfaction.

Sec. 5. *And be it further enacted,* That the said corporation may erect and fix such and so many gates or turnpikes upon and across said road as will be necessary and sufficient to collect the toll and duties hereinafter granted to said corporation from all persons travelling the same with horses, cattle, carts or carriages.

Sec. 6. *And be it further enacted,* That it shall and may be lawful for said company to appoint such and so many toll-gatherers as they shall think proper, to collect of and from all and every person or persons using said road the rates hereinafter mentioned, and to stop any person riding, leading or driving any horses, cattle, carts or carriages, from passing through said gates or turnpikes until they shall respectively have paid the same: that is to say, for every mile of said road, and so in proportion for a greater or less distance or a greater or smaller number of horses, cattle or carriages, to wit: for every ten sheep or swine, one half cent; for every ten neat cattle, horses or mules, one cent; for every horse and his rider, or led horse, one cent; for every sulkey, chair or chaise, with one horse and two wheels, two cents; for every coach, chariot, stage, phaeton, or chaise, with two horses and four wheels, three cents; for either of the carriages last mentioned with four horses, four cents; for every other carriage of pleasure, the like sums, according to the number of wheels and horses drawing the same; for each cart, waggon or other carriage of burden drawn by one beast, one cent; for the like carriages drawn by two beasts, one and an half cents; if by more than two beasts, one cent for each additional yoke of oxen or pair of horses; for each pleasure sleigh, drawn by one horse, one cent and a half; if drawn by two horses, two cents; if drawn by more than two horses, one cent for each additional horse; for each
sled or sleigh of burden, drawn by one horse, three quarters of a cent; if by two horses or one yoke of oxen, one cent; if by more than two horses or one yoke of oxen, one cent for each additional pair of horses or yoke of oxen; and at all times when the toll gatherer does not attend his duty the gates shall be left open. And if any person shall with his carriage, team, cattle, or horses, turn off the said road to pass the said turnpike gate or ground adjoining thereto, not being a public highway, with intent to avoid payment of the toll due by virtue of this act; such person shall forfeit and pay three times as much as the legal toll would have been. Provided, that nothing in this act shall extend to entitle said corporation to demand or receive toll of any person who is an inhabitant of any town wherein a gate may be erected, nor any officer or soldier of the militia under arms going to or from the place of military duty; nor of any person going to or from any funeral that may have occasion to pass said gate.

Sec. 7. And be it further enacted, That the said corporation are hereby empowered to purchase and hold in fee simple so much land as will be necessary for said turnpike road, and the share or shares of any proprietor may be transferred by deed duly executed, acknowledged, and recorded by the clerk of said corporation on their records; and said shares may be sold by said corporation on non-payment of assessments duly made agreeable to the by-laws of said corporation.

Sec. 8. And be it further enacted, That the said corporation shall take no toll for any mile of said road until six hundred dollars shall have been expended thereon, reckoning a proportionate sum on the whole number of miles from the southerly end of the upper pond in Franconia notch, so called, in the town of Franconia, to Ammonoosuck river near Whipple's mills in Bethlehem; nor shall any toll be taken for any mile of said road, until the justices of the superior court shall adjudge that said road is sufficiently made to entitle the said corporation to receive toll, at which time said corporation may erect gates thereon according to the provisions of this act.

Sec. 9. And be it further enacted, That said corporation may be indicted for want of repairs of said road after the toll may be taken.
A.D. 1820. gates are erected, and fined in the same way and manner as towns are by law liable for suffering highways and bridges to be out of repair, and said fines may be levied on the profits and tolls accruing to said corporation: Provided, that if the said turnpike road shall in any part be the same with any highway now used, it shall not be lawful for said corporation to erect any gate or turnpike upon or across that part of said road which is now used as a public highway, any thing herein to the contrary notwithstanding.

Sec. 10. And be it further enacted, That at the end of every six years after the setting up of any gate upon the road aforesaid an account of the expenditures upon said road and the profits arising therefrom shall be laid before the justices of the superior court for the time being, under the forfeiture of the privileges of this grant in future; and if the net profits for the said six years shall exceed nine per cent. per annum, the said court may reduce the future rate of toll so far as that it may not exceed nine per cent. per annum; and if the said profits shall not amount to six per cent. per annum, the said court may raise the future toll so that it shall not be less than six per cent. per annum nor more than nine per cent. per annum.

Sec. 11. And be it further enacted, That if in six years from the passing of this act the said road and every part thereof shall not be completed agreeably to the provisions of this act, every part and clause thereof shall be null and void:— Provided also, that the state of New-Hampshire may at any time after the passing hereof repay to the proprietors of the said road the amount of the sums expended by them thereon with nine per cent. per annum in addition thereto, deducting the toll actually received by said corporation, in that case the road shall to all intents and purposes be the property of the state of New-Hampshire: Provided further, that the legislature of the state shall have a right to adopt such measures in future as shall by them be considered necessary or expedient to compel the said proprietors to keep said road in repair.

Approved December 21, 1820.
AN ACT to incorporate a company by the name of the Pemigewasset turnpike corporation.

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, That Isaac Smith, William Webster, Luke Brooks, David Aldrich, 2d, David Webster, jr. Joseph Webster, David M. Russell, Benjamin Barron and Stephen Grant and their associates and successors be, and they hereby are, incorporated and made a body corporate and politic forever, under the name of the Pemigewasset turnpike corporation, and in that name may sue and prosecute and be sued and prosecuted unto final judgment and execution; and shall be and hereby are vested with all the privileges and powers, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Isaac Smith and William Webster, or either of them, shall call a meeting of said proprietors to be held at any suitable time and place, by posting up notifications, one at least in some public place in each town, through which said road is contemplated to pass, at least fourteen days before the time of holding said meeting, expressing the time, place and design of said meeting. And the proprietors, by a majority present, or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office, and shall agree on a method of calling future meetings; and at the same, or at any subsequent meeting, may elect such officers, and make and establish such rules and by-laws, as to them shall seem necessary and convenient, for the regulation and government of said corporation, for carrying into effect the purposes aforesaid, and for collecting the tolls and duties hereinafter established, and the same by-laws may cause to be executed and annex penalties to the breach thereof; provided said rules and by-laws are not repugnant to the laws of this state. And all representations at any meeting shall be proved by a writing signed by the person to be represented, which shall be filed by the clerk and recorded in a book or books provided and kept for that purpose.
Sec. 3. And be it further enacted, That said corporation are hereby empowered to lay out, make and keep in repair a turnpike road of four rods wide, in such rout or tract as shall in the best of their judgments combine shortness of distance with the most practicable ground from the north line of Peeling to the upper pond in Franconia notch so called, in the town of Franconia.

Sec. 4. And be it further enacted, That if the said proprietors and the owners of land over which said road may run, shall not agree on the compensation to be made for such land, and shall not agree in appointing persons to ascertain such compensation, the justices of the superior court, upon the application of the proprietors or the owner or owners of the land, reasonable notice having been given to the adverse party of such application, shall appoint a committee who shall ascertain the same in the same way as compensation is made to the owners of land for highways as usually laid out: Provided nevertheless, that it shall not be lawful for said proprietors to make such road until the damages done, the owner or owners of the land through which the same is laid out, is ascertained and paid, or tender thereof made, or security given for the payment of the same to the said owner or owners thereof to his or their satisfaction.

Sec. 5. And be it further enacted, That the said corporation may erect and fix such and so many gates or turnpikes upon and across said road as will be necessary and sufficient to collect the tolls and duties hereinafter granted to said corporation from all persons travelling the same with horses, cattle, carts or carriages.

Sec. 6. And be it further enacted, That it shall and may be lawful for said company to appoint such and so many toll gatherers as they shall think proper, to collect of and from all and every person or persons using said road the rates of toll hereinafter mentioned, and to stop any person riding, leading or driving any horses, cattle, carts or carriages, from passing through said gates or turnpikes until they shall respectively have paid the same, that is to say, for every mile of said road and so in proportion for a greater or less distance, or greater or smaller number of horses, cattle, or carriages, to wit: for every ten sheep or swine, one half cent;
Public Roads.

A.D.1820.

Rates of Toll.

for every ten neat cattle, horses or mules, one cent; for every horse and his rider or led horse, one cent; for every sulkey, chair or chaise, with one horse and two wheels, two cents; for every coach, chariot, stage, phaeton, or chaise with two horses and four wheels, three cents; for either of the carriages last named with four horses, four cents; for every other carriage of pleasure, the like sums, according to the number of wheels and horses drawing the same; for each cart, waggon or other carriage of burden drawn by one beast, one cent; for the like carriages drawn by two beasts, one and a half cents; if by more than two beasts, one cent for each additional yoke of oxen or pair of horses; for each pleasure sleigh drawn by one horse, one and a half cents; if drawn by two horses, two cents; if drawn by more than two horses, one cent for every additional horse; for each sled or sleigh of burden drawn by one horse, three fourths of a cent; if by two horses or one yoke of oxen, one cent; if by more than two horses or one yoke of oxen, one cent for each additional pair of horses or yoke of oxen; and at all times when the toll gatherer does not attend his duty, the gates shall be left open. And if any person shall with his carriage, team, cattle or horses, turn off the said road to pass the said turnpike gate or ground adjacent thereto, not being a public highway, with intent to avoid the payment of the toll due by virtue of this act, such person shall forfeit and pay three times as much as the legal toll would have been. Provided, that nothing in this act shall extend to entitle said corporation to demand or receive toll of any person who is an inhabitant of any town where any gate may be erected, nor any officer or soldier of the militia under arms going to or from the place of duty, nor of any person going to or returning from any funeral that may have occasion to pass said gate.

Sec. 7. And be it further enacted, That the said corporation are hereby empowered to purchase and hold in fee simple so much land as will be necessary for said turnpike road; the share or shares of any proprietor may be transferred by deed duly executed, acknowledged and recorded by the clerk of said corporation on their records; and said shares may be sold by said corporation on non-payment of assessments duly made agreeably to the by-laws of said corporation.
A.D. 1820.

No toll taken till a certain sum is expended.

May be indicted.

Once in six years account of income, &c. to be exhibited sup. court.

Sec. 8. And be it further enacted, That the said corporation shall take no toll for any mile of said road until six hundred dollars shall have been expended thereon, reckoning a proportionate sum on the whole number of miles from the north line of Peeling to the upper pond in Franconia notch so called, in Franconia, nor shall any toll be taken for any mile of said road, until the justices of the superior court shall adjudge that said road is sufficiently made to entitle the said corporation to receive toll; at which time said corporation may erect gates thereon according to the provisions of this act.

Sec. 9. And be it further enacted, That said corporation may be indicted for want of repairs of said road after the toll gates are erected, and fined in the same way and manner as towns are by law fineable, for suffering highways and bridges to be out of repair, and said fines may be levied on the profits of toll accruing to said corporation. Provided, that if the said turnpike road shall in any part be the same with any highway now used, it shall not be lawful for said corporation to erect any gate or turnpike upon or across that part of said road which is now, used as a public highway, any thing herein to the contrary notwithstanding.

Sec. 10. And be it further enacted, That at the end of every six years after the setting up of any toll gate upon the road aforesaid, an account of the expenditures upon said road, and the profits arising therefrom, shall be laid before the justices of the superior court for the time being, under the forfeiture of the privileges of this grant in future; and if the net profits for the said six years shall exceed nine per cent. per annum, the said court may reduce the future rate of toll so far as that it may not exceed nine per cent. per annum; and if the said profits shall not amount to six per cent. per annum, the said court may raise the future toll so that it shall not be less than six per cent. per annum, nor more than nine per cent. per annum.

Sec. 11. And be it further enacted, That if in six years from the passing of this act, the said road and every part thereof shall not be completed agreeably to the provisions of this act, every part and clause thereof shall be null and void. Provided also, that the state of New-Hampshire may
Claremont Bridge.

at any time after the passing hereof repay to the proprietors of the said road the amount of the sums expended by them thereon with nine per cent. per annum in addition thereof, deducting the toll actually received by said corporation; in that case, the road shall to all intents and purposes be the property of the state of New-Hampshire. Provided further, that the legislature of this state shall have a right to adopt such measures in future as shall by them be considered necessary or expedient to compel the said proprietors to keep said road in repair.

Approved December 21, 1820.

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CHAP. LXXII.

AN ACT to incorporate a company by the name of the Proprietors of Claremont Bridge.

Section 1. Be it enacted by the senate and house of representatives in general court convened, That Samuel Fiske, Asa Holton, Zenas Hitchcock, and their associates and successors, be, and they hereby are created a corporation by the name of the Proprietors of Claremont Bridge.

Sec. 2. And be it further enacted, That said corporation may erect and maintain a bridge across Connecticut river, at any place between the southern limits of the grant to the proprietors of Cornish bridge and the northern limits of the grant of a ferry to Oliver Ashley, in said Claremont, and if said corporation and the owner or owners of any right of ferry within the limits of this grant shall not agree on the compensation to be made for the loss that may be sustained by such owner in diminishing the income of said ferry by erecting and forever maintaining said bridge, the justices of the superior court of judicature, on application, after due notice to such owner or owners of such application, may appoint a committee of three persons, whose duty it shall be, after a hearing of said parties, or if either shall neglect to attend after reasonable notice of time and place of hearing, then after a hearing ex-parte, to make a report in writing, stating the notice given, the attendance or non-attendance of the parties, as the case may be, and the amount of damages and cost, and to return the same to the said court; and the said corporation
May make road in certain place.

A.D. 1820 shall pay or tender said amount of damages and cost to the owner or owners to whom the same shall be awarded, and in case of refusal to receive the same, such sum shall be paid into court and placed in the hands of such person as the said court shall direct, for the use of such owner or owners; and said corporation shall have no right to erect said bridge till such payment shall have been made.

SEC. 3. And be it further enacted, That said corporation may lay out and make a road of convenient width, and in the most convenient place for public accommodation, between the river road in said Claremont and the bridge herein contemplated, and may purchase and hold in fee simple or otherwise so much land as will be necessary for said road; and if said corporation and the owner or owners of the land which may be taken for said road shall not agree on the amount of damages to be paid for the same, the justices of the superior court of judicature, on application, after due notice to all parties of such application, may authorize the committee aforesaid, or appoint three other suitable persons to estimate and report such damages with cost, which committee shall in so doing proceed in the manner prescribed in the second section of this act in relation to the ferry aforesaid; and said corporation shall pay or tender such damages and cost to the owner or owners to whom the same shall be so awarded; and in case of refusal to receive the same, such sum shall be paid into court and placed in the hands of such person as the said court shall designate, for the use of such owner or owners; and said corporation shall have no right to make said road till such payment shall have been made.

SEC. 4. And be it further enacted, That said corporation may make and execute such by-laws as may be necessary for its regulation, and may, conformably to the same, make such assessments as may be found necessary for accomplishing the object of this act, and the same may collect by sale of the shares of delinquent proprietors. And at the meetings of said corporation all questions shall be determined by a majority of the votes of the proprietors present or represented, allowing one vote for each share; and all representations shall be authorized by writing signed by the persons represented.

SEC. 5. And be it further enacted, That the said corpora-
tion may demand, receive and recover the following toll of every person passing said bridge, and may prevent the passage of any person until the same shall have been paid; that is to say—for every foot passenger, two cents; for every horse and rider, six cents; for every chaise, sulkey, chair or other two wheeled carriage of pleasure drawn by one horse, twelve and an half cents; and for each additional horse, four cents; for every chariot, phaeton, coach or other four wheeled carriage of pleasure or for passengers, drawn by two horses, twenty-five cents, and for each additional horse, four cents; for each cart, waggon or other carriage of burden drawn by one beast, ten cents, and for each additional beast, three cents; for each pleasure sleigh drawn by one horse, eight cents, and for each additional horse, four cents; for every sleigh or sled of burden drawn by one beast, six cents, and for each additional beast, three cents; for horses, jacks, mules or neat cattle, exclusive of those rode on or in carriages, two cents each; for sheep and swine, one half cent each; and for each team one person only shall be allowed to pass free of toll. And at all times when the toll gatherer does not attend his duty the gate shall be left open.

Sec. 6. And be it further enacted, That said corporation shall be answerable for all damages which may be sustained through insufficiency or want of repairs in said bridge, and may also be indicted and fined as towns are by law indicted and fined for suffering highways and bridges to be out of repair.

Sec. 7. And be it further enacted, That said Samuel Fiske, Asa Holton and Zenas Hitchcock, or any two of them, may call the first meeting of said corporation by posting up notifications for the purpose at some public place in said Claremont and at Weathersfield in the state of Vermont, fifteen days prior thereto.

Sec. 8. And be it further enacted, That if said bridge shall not be completed within three years from the passing of this act, or if destroyed at any time and shall not within two years after such destruction be rebuilt, this act shall be null and void.

Approved December 21, 1820.
Private Acts.

CHAP. LXXIII.
An act to incorporate the trustees of Sandbornton Academy. Approved December 22, 1820.

CHAP. LXXIV.
An act to exempt from taxation for a limited time the capital stock of the Dover Cotton Factory. Approved December 22, 1820.

CHAP. LXXV.
An act to establish a corporation by the name of the Phœnix Cotton and Paper Factory. Approved December 22, 1820.

CHAP. LXXVI.
An act to exempt from taxation for a limited time the capital stock of the Swanzey Factory. Approved December 22, 1820.

CHAP. LXXVII.
An act to exempt from taxation for a limited time the capital stock of the Hillsborough Cotton and Woollen Factory at Hancock. Approved December 22, 1820.

CHAP. LXXVIII.
An act to exempt the capital stock of the New-Hampshire Glass Factory from taxation, and certain workmen therein employed, from military duty, for a limited time. Approved December 22, 1820.
CHAP. LXXIX.

Proportion Act.

A.D. 1820.

An act in addition to an act entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank." Approved December 22, 1820.

CHAP. LXXX.

AN ACT for raising thirty thousand dollars for the use of this state.

Be it enacted by the senate and house of representatives in general court convened, That there shall be raised for the use of this state the sum of thirty thousand dollars, which sum shall be assessed, collected and paid into the treasury on or before the first day of December, in the year of our Lord one thousand eight hundred and twenty-one; and the treasurer be and he hereby is directed seasonably to issue his warrants to the selectmen or assessors of the several towns, parishes and districts within this state, agreeably to the last proportion act; and the selectmen and assessors of the several towns, parishes and districts aforesaid, are hereby respectively required to assess and levy the sums in the treasurer's warrants specified, and cause the same to be paid into the treasury of this state on or before the first day of December, one thousand eight hundred and twenty-one; and the treasurer shall issue extents for all taxes that may then remain unpaid.

Approved December 22, 1820.

CHAP. LXXXI.

AN ACT for making and establishing a new proportion for the assessment of public taxes among the several towns and places within this state, and to authorize the treasurer to issue his warrants for levying the same.

Section 1. Be it enacted by the senate and house of representatives in general court convened, That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place within this state shall pay, and
Proportion Act. 
A.D.1820. for which the treasurer of this state is hereby authorized and directed to issue his warrants, shall be as follows, to wit.

COUNTY OF ROCKINGHAM.

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
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<tbody>
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<tr>
<td>Bow,</td>
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<td></td>
<td>cents</td>
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<tr>
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<tr>
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<td></td>
<td>cents</td>
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<td>Hampton,</td>
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<td></td>
<td>cents</td>
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<td></td>
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<tr>
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<td>cents</td>
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<td></td>
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<td>cents</td>
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<td>Portsmouth,</td>
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<td></td>
<td>cents</td>
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<tr>
<td>Raymond,</td>
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<td></td>
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<tr>
<td>Town</td>
<td>Tax Amount</td>
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<td>-------------------------------</td>
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<td>Seabrook, two dollars ninety-eight cents</td>
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<td>Stratham, four dollars sixty-two cents</td>
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<tr>
<td>Windham, three dollars fifty-three cents</td>
<td>$3.53</td>
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### COUNTY OF STRAFFORD

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<th>Town</th>
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<tr>
<td>Alton, five dollars forty-one cents</td>
<td>$5.41</td>
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<td>Burton, fifty seven cents</td>
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<td>Centre Harbor, one dollar seventy-five cents</td>
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<td>Conway, four dollars twenty-nine cents</td>
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<td>Dover, eleven dollars seventeen cents</td>
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<tr>
<td>Durham, eight dollars seven cents</td>
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<tr>
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<tr>
<td>Madbury, three dollars twenty-nine cents</td>
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<tr>
<td>Meredith, eight dollars sixty-one cents</td>
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</tr>
<tr>
<td>Middleton, one dollar fifty-one cents</td>
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<tr>
<td>Milton, four dollars nineteen cents</td>
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<td>Moultonborough, four dollars thirty-eight cents</td>
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<td>Ossipee, four dollars eighty-nine cents</td>
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<td>Ossipee-Gore, eighty five cents</td>
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<td>Sandwich, eight dollars thirty-two cents</td>
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<td>Somersworth, three dollars fifty-one cents</td>
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<td>Tamworth, four dollars fifty one cents</td>
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<td>Tuftonborough, four dollars eighteen cents</td>
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<tr>
<td>Wakefield, five dollars five cents</td>
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A.D. 1820. Wolfeborough, five dollars sixty-nine cents 5 69

<table>
<thead>
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<th>COUNTY OF HILLSBOROUGH.</th>
<th></th>
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<tr>
<td>Amherst, six dollars fifty-seven cents</td>
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<tr>
<td>Andover, six dollars thirty-three cents</td>
<td>6 33</td>
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<tr>
<td>Antrim, five dollars forty-one cents</td>
<td>5 41</td>
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<tr>
<td>Bedford, five dollars sixty-three cents</td>
<td>5 63</td>
</tr>
<tr>
<td>Boscawen, eight dollars ninety-one cents</td>
<td>8 91</td>
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<tr>
<td>Brookline, one dollar eighty cents</td>
<td>1 80</td>
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<tr>
<td>Bradford, four dollars fifty-two cents</td>
<td>4 52</td>
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<tr>
<td>Deering, five dollars eighty-five cents</td>
<td>5 85</td>
</tr>
<tr>
<td>Dunbarton, four dollars ninety-three cents</td>
<td>4 93</td>
</tr>
<tr>
<td>Dunstable, four dollars twenty cents</td>
<td>4 20</td>
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<tr>
<td>Fishersfield, two dollars eighty-five cents</td>
<td>2 85</td>
</tr>
<tr>
<td>Francistown, seven dollars forty-five cents</td>
<td>7 45</td>
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<tr>
<td>Goffstown, seven dollars two cents</td>
<td>7 02</td>
</tr>
<tr>
<td>Greenfield, three dollars seventy-one cents</td>
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<tr>
<td>Hancock, five dollars twenty-one cents</td>
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<tr>
<td>Henniker, seven dollars ninety-seven cents</td>
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<tr>
<td>Hillsborough, seven dollars sixteen cents</td>
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<tr>
<td>Holles, five dollars fifty-two cents</td>
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<tr>
<td>Hopkinton, eleven dollars sixty-three cents</td>
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<tr>
<td>Lyndeborough, four dollars thirty-four cents</td>
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<tr>
<td>Litchfield, one dollar ninety cents</td>
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<tr>
<td>Mason, four dollars thirty-seven cents</td>
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<tr>
<td>Merrimack, four dollars thirty-three cents</td>
<td>4 33</td>
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<tr>
<td>Milford, four dollars ninety-five cents</td>
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<tr>
<td>Mont-Vernon, three dollars twenty-three cents</td>
<td>3 23</td>
</tr>
<tr>
<td>New Boston, seven dollars four cents</td>
<td>7 04</td>
</tr>
<tr>
<td>New-Ipswich, five dollars ninety-seven cents</td>
<td>5 97</td>
</tr>
<tr>
<td>New-London, three dollars fifty-two cents</td>
<td>3 52</td>
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<tr>
<td>Nottingham-West, four dollars ninety cents</td>
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<tr>
<td>Peterborough, six dollars fifty-three cents</td>
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<tr>
<td>Salisbury, ten dollars three cents</td>
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<tr>
<td>Sharon, one dollar sixty-six cents</td>
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<tr>
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<tr>
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<tr>
<td>Temple, three dollars ten cents</td>
<td>3 10</td>
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<tr>
<td>Warner, eight dollars five cents</td>
<td>3 05</td>
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<tr>
<td>Weare, eleven dollars ninety-three cents</td>
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Proportion Act.

<table>
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<tr>
<th>Town</th>
<th>Amount</th>
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<td>Wilmot</td>
<td>1 80</td>
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<td><strong>$213.40</strong></td>
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COUNTY OF CHESHIRE.

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<td>Chesterfield</td>
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<td>Dublin</td>
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<td>Fitzwilliam</td>
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<td>Hinsdale</td>
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<td>Jaffrey</td>
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<td>Keene</td>
<td>9 88</td>
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<td>Langdon</td>
<td>3 04</td>
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<td>Springfield</td>
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<td>2 17</td>
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<tr>
<td>Westmoreland</td>
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Proportion Act.

A.D. 1820. Winchester, six dollars forty-eight cents

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$191 51

$126 11
Proportion Act.

COUNTY OF COOS.

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<td>Winslow’s do.</td>
<td>$0.01</td>
</tr>
<tr>
<td>Hart’s do.</td>
<td>$0.12</td>
</tr>
</tbody>
</table>

$23.19

Sec. 2. And be it further enacted, That the same shall be the proportion for the assessment of all public taxes, until a new proportion shall be made and established, and that the treasurer for the time being issue his warrants accordingly.

Approved December 22, 1820.

CHAP. LXXXII.

AN ACT to annex the town of Strafford to senatorial dis-

trict No. 5.

Be it enacted by the senate and house of representatives in
A.D. 1820, general court convened, That the town of Strafford in the county of Strafford, be and hereby is annexed to senatorial district number five.

Approved December 22, 1820.

CHAP. LXXXII.

An act to incorporate the proprietors of the New-Ipswich Water Loom Factory. Approved December 23, 1820.

CHAP. LXXXIV.

An ACT to annex the town of Ossipee Gore to the town of Effingham.

Passed Dec. 23, 1820.

SEC. 1. Be it enacted by the senate and house of representatives in general court convened, That the town of Ossipee Gore in the county of Strafford, be, and hereby is annexed to the town of Effingham; and the said towns of Ossipee Gore and Effingham shall be and constitute one town by the name of Effingham, with all the rights, powers and privileges of other towns in this state; and eighty-five cents the sum apportioned to Ossipee Gore for the assessment of public taxes, shall be added to the proportion of Effingham, making the proportion of the town of Effingham five dollars and fifty-two cents, and the treasurer of this state shall issue his warrant accordingly. Provided, that this act shall not take effect till the first day of February next, nor prevent the proper settlement and completion of any debts, claims or other business existing at the present time.

Approved Dec. 23, 1820.

CHAP. LXXXV.

AN ACT in addition to an act entitled an act for regulating towns and the choice of town officers.

Passed Dec. 23, 1820.

Section 1. BE it enacted by the senate and house of representatives in general court convened, That when selectmen of different towns in this state, in perambulating the lines of their several towns, disagree in renewing and establishing the boundaries and lines of such towns, the court of sessions for the county in which such town is situated are authorized, on petition to them for that purpose, to settle and establish such disputed line, and renew the bounds and marks of the same. And the court of sessions shall cause the towns interested to be notified of any application to them for this purpose before
any further proceedings be had, upon which they may proceed to examine said disputed lines, either by themselves or by committee, by them appointed; and the judgment of said court upon the same shall be recorded at large, and shall be of the same force and effect as would have been the agreement of the selectmen of the said towns.

Sec. 2. And be it further enacted, That when said disputed lines are between towns in different counties, application shall be made to the court in that county in which the senior town is situated.

Sec. 3. And be it further enacted, That said court may order either or both towns to pay the cost of said application, examination and judgment, as they may deem just.

Approved December 23, 1820.

CHAP. LXXXVI.

AN ACT in addition to an act, entitled an act regulating licensed houses, passed June 14, 1791.

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That all licenses granted by the selectmen of any town or any court of sessions in this state to taverners or retailers, agreeably to the provisions of an act of this state entitled "an act regulating licensed houses," passed June the fourteenth, one thousand seven hundred and ninety-one, to which this act is in addition, shall designate the particular house or store in which the person so licensed may exercise the business of taverner or retailer, and no license shall extend to, or be of any avail in any other place than that mentioned in such license, nor for any longer time than is expressed therein.

Sec. 2. And be it further enacted, That from and after the passing this act, that so often as the selectmen of any town in this state shall have evidence, either by their own view or otherwise, that any person is in a habit of drinking and tippling spirituous liquors to excess, in any tavern or store in the town to which they belong, it shall be the duty of such selectmen, or a major part of them, to post the name of the person so drinking and tippling in every tavern or store in such town, as a common tippler, (whether such person belong to such town or not) forbidding all taverners or retailers to sell to such person, or suffer him to drink in or about forbidding retailers to sell them spirits, &c.
their houses, stores, out houses or appendages thereof, any
spirituous liquors of any kind, on pain of forfeiting the penal-
ties of the law, and if any taverner or retailer shall sell to,
or suffer any person, whose name is so posted to drink any
rum, brandy, gin, or any other spirituous liquors in or about
his house, store, out houses or appendages thereof, every
person so offending shall forfeit and pay a fine of ten dollars,
to be recovered in an action of debt in any court of compe-
ten jurisdiction, to the use of such prosecutor.

Sec. 3. And be it further enacted, That in all cases the fine
for the breach of the act to which this is in addition shall be
ten dollars, instead of forty shillings, as is provided by said
act, and may be recovered by bill, plaint or information in
any court of competent jurisdiction; in which case one half
of the fine shall go to the complainant or informant; or it may
be recovered by any person who will sue for the same in an
action of debt; in which case the fine shall go to the prosecu-
tor.

Sec. 4. And be it further enacted, That it shall be the
duty of the selectmen of every town in this state, carefully
to inspect, enquire into and prosecute for all breaches of this
act, and of the act to which this is in addition.

Approved December 23, 1820.

CHAP. LXXXVII.

RESOLVED, that the Hon. John Harris of Hopkinton,
Hon. Charles H. Atherton of Amherst, and James Bartlett,
Esq. of Dover, be a committee to revise the probate laws of
this state, and report by bill to the next session of the legisla-
ture; and that his excellency the governor be requested to
notify those gentlemen of their appointment.

Approved December 23, 1820.
CHAPTER I.

RESOLVED, by the senate and house of representatives in general court convened, That the secretary of this state shall, as soon as may be after the publication of the acts of each session of the general court, transmit to each of the judges of the circuit court of the United States for the district of New Hampshire, a printed copy of the acts passed at such session.

Approved June 14, 1821.

CHAPTER II.

RESOLVED, That the sum of eight hundred dollars be, and the same hereby is appropriated, for the purpose of promoting the interests of agriculture and domestic manufactures, in this state, in the following manner, viz:

To the agricultural societies of the county of Rockingham, Strafford, Hillsborough, Cheshire and Grafton, the sum of one hundred dollars each, to the agricultural society of the county of Coos fifty dollars, and to the board of agriculture for this state the remaining sum of two hundred and fifty dollars.

And be it further resolved, That the foregoing grant to the several county societies be made, on condition, that each county society shall, within one year from the first day of January next, appropriate the sum granted thereto by this resolve, together with at least double the amount of said sum, for the
Collectors of Taxes.

A.D. 1821. purpose of improvements in agriculture and domestic manufac-
tures: And the treasurer of the state is hereby directed to pay to the treasurer of each county agricultural society, the sum herein appropriated to such society, whenever the treasurer thereof shall lodge with him a certificate under oath, that he has, within the term above specified, received of the members of the society of which he is treasurer, a sum at least double in amount to the appropriation herein made to such society, and that the appropriation required by this re-solve has been duly made.

And be it further resolved, That it shall be the duty of the board of agriculture for this state to appropriate the sum herein granted them, in the following manner to wit: in de-fraying the necessary expenses in procuring and preparing materials for and the publication of a pamphlet, agreeably to the provisions of an act entitled, "an act to institute and provide for the organization of a board of agriculture for this state, passed December 19, 1820; and the residue, if any, in such manner, as said board may consider most conducive to the interests of agriculture and domestic manufactures in this state. And the treasurer of this state is hereby directed to pay said sum of two hundred and fifty dollars to the treasurer of said board of agriculture. And it shall be the duty of said board to render to the legislature, at the next June session, an account of the manner in which the aforesaid sum, or any part thereof, shall have been expended.

Approved June 16, 1821.

CHAP. III.

AN ACT providing for the appointment of collectors of taxes by the selectmen of towns in certain cases.

Section 1. BE it enacted by the senate and house of rep-resentatives in general court convened, That the inhabitants of any town may, at their annual town meetings, duly holden for the choice of town officers, by vote, authorize the selectmen of such town to appoint a collector or collectors of taxes for such town; and the collectors so appointed by the selectmen shall have the same powers and be subject to the same liabil-
Hart Island Bridge.

Sec. 2. And be it further enacted, That in case any town shall neglect or refuse to choose a collector or collectors of taxes, or in case of a vacancy in the office of collector of taxes in any town, the selectmen of such town may in such cases appoint a collector or collectors of taxes, who being so appointed by the selectmen, shall not only have power to collect state and county taxes, as is now provided by law, but also shall have the same power to collect town taxes, and be subject to the same liabilities in relation thereto, as they would have and be liable to, had they been duly chosen by the inhabitants of such town.

Sec. 3. And be it further enacted, That the selectmen, whenever they appoint a collector, shall take bonds to their respective towns, with sufficient sureties, for the faithful performance of his duties, and shall also, in behalf of their towns, agree with such collector on the rate or amount of compensation to which he shall be entitled for his services, which agreement shall be in writing, signed by the selectmen and collector.

Approved June 16, 1821.

CHAP. IV.

AN ACT in addition to an act entitled "an act to incorporate the proprietors of Hart Island Bridge," passed June 23, 1818.

Be it enacted by the senate and house of representatives in general court convened, That a further time of four years be allowed to the proprietors of Hart Island Bridge to build and complete the same, in addition to the time allowed for that purpose in and by the act aforesaid.

And be it further enacted, That instead of the rates of toll specified in the sixth section of the act to which this is in addition, there be granted and established for the benefit of said proprietors the rates of toll following, that is to say: For every foot passenger, two cents; for each horse and rider, six cents; for each additional rider, two cents; for each horse or jack led or driven, four cents; for each chaise, chair, sul-
key, or other carriage of pleasure, drawn by one horse, twelve and a half cents, and for each additional horse, four cents; for each chariot, phaeton, coach, or other four wheel-ed carriage of pleasure, drawn by two horses, twenty cents, and for each additional horse, five cents; for each cart, wag-on or other carriage of burden drawn by one beast, eight cents, and for each additional beast, four cents; for each pleasure sleigh drawn by one horse, ten cents; if drawn by two horses, twelve and a half cents, and for each additional horse, four cents; for each sled or sleigh of burden drawn by one beast, eight cents; if drawn by two beasts, ten cents, and for each additional beast, three cents; for neat cattle and mules, two cents each; and for sheep and swine, one half cent each.

Approved June 16, 1821.

CHAP. V.

AN ACT to incorporate sundry persons by the name of the proprietors of New-Castle Bridge.

Section 1. It is enacted by the senate and house of representa-tives in general court convened, That Andrew W. Bell, Reuben Shapley, Nathan Priest and Ephraim Amazeen, and their associates, and who may hereafter become associates in the said bridge, their successors and assigns, so long as they shall continue proprietors thereof, shall be and are hereby created and made a corporation, by the name of "The propri-eters of New-Castle Bridge," and by that name shall be, and are hereby made, capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record or any other place whatever, and also to make, have and use a common seal, and the same again at pleasure to break, alter and renew, and also to ordain, estab-lish and put in execution such by-laws, ordinances and regula-tions, as to them shall appear necessary and convenient for the government of said corporation, and the prudent man-age-ment of their affairs: Provided, such by-laws, ordinances and regulations shall in no wise be contrary to the laws and constitution of this state. And the said corporation shall be
always subject to the rules, restrictions, limitations and provisions herein prescribed.

Sec. 2. Be it further enacted, That the said corporation may erect and maintain a bridge from the north west end of the island of New-Castle to the town of Portsmouth, across the waters and connected with any of the islands lying on the southerly side of the channel of Piscataqua river, and lay out and make a road of convenient width and in the most convenient place for public accommodation, from the public road in New-Castle to Clark's neck, so called, across any of the said islands, to some one of the public roads in Portsmouth, and may purchase and hold in fee simple, or otherwise, so much land as will be necessary for said road. And if said corporation and the owner or owners of the land, which may be taken for said road, shall not agree on the amount of damages to be paid for the same, the justices of the court of sessions, for the county of Rockingham, or any three of them, are hereby authorized and empowered, after due notice being given to all concerned, (in the manner said justices may order) of the time and place of hearing, to proceed, after hearing said parties, or if either shall neglect to attend, then after a hearing ex-parte, to appraise said damages with cost. And said corporation shall pay or tender such damages and cost to the owner or owners, to whom the same shall be awarded. And in case of refusal to receive the same, such sum shall be paid into the court of sessions, and placed in the hands of such persons, as the said court shall designate, for the use of such owner or owners. This being done, it shall be lawful for said corporation to lay out and make the said roads in the same manner they could or might have done, had the consent of the owner or owners of the land been first obtained.

Sec. 3. Be it further enacted, That Andrew W. Bell, Reuben Shapley, Nathan Priest and Ephraim Amazeen, or any two of them, may call a meeting of said corporation by advertisement in the New-Hampshire Gazette, to be held at any suitable time and place after seven days from the first publication of said advertisement. And the proprietors by a vote of a majority of those present shall choose a clerk, and at the same or any subsequent meeting may elect such other
A.D. 1821. officers, and establish such by-laws, rules and regulations, as may be required for the well ordering the affairs of said corporation; and may conformably to the same make such assessments as may be found necessary for accomplishing the object of this act, and the same may collect by sale of the shares of delinquent proprietors. And at the meetings of said corporation, all questions shall be determined by a majority of the votes of the proprietors present or represented, allowing one vote for each share, and absent members to vote by proxy being authorized in writing.

Sec. 4. And be it further enacted, That the said corporation may demand, receive and recover, the following toll of every person travelling on said bridge, and prevent the passage of any person until the same shall have been paid; that is to say—for every foot passenger, three cents; for each person and horse, six cents; for every chaise, sulkey, chair, or other two wheeled carriage of pleasure drawn by one horse, twelve and an half cents; and for each additional horse, four cents; for every chariot, phaeton, coach or other four wheeled pleasure carriage, drawn by two horses, twenty-five cents; and for each additional horse, four cents; for each cart, wagon, or other carriage of burden drawn by one beast, ten cents; and for each additional beast, three cents; for each pleasure sleigh, drawn by one horse, eight cents; and for each additional horse, four cents; for every sleigh or sled of burden, drawn by one beast, six cents; and for each additional beast, three cents; for horses, jacks, mules or neat cattle, exclusive of those rode on, or in carriages, two cents each; for sheep and swine, half a cent each; and for each team, one person only shall be allowed to pass free of toll: And at all times, when the toll-gatherer does not attend his duty, the gate shall be left open.

Sec. 5. Be it further enacted, That said corporation shall be answerable for all damages, which may be sustained through insufficiency or want of repairs in said bridge, or said road so to be laid out, and may also be indicted and fined as towns are by law, for suffering highways and bridges to be out of repair.

Sec. 6. Be it further enacted, That a draw or hoist in
said bridge, shall be constructed over the channel of what is called the pool, of sufficient width for vessels to pass and repass freely:—And the said proprietors shall cause the same to be hoisted or opened without delay for the accommodation of all such vessels as may have occasion to pass through the same, and for which the hoisting or opening said draw may be necessary.

SEC. 7. And be it further enacted, That if said bridge shall not be completed within five years from the passing of this act; or if destroyed at any time, and shall not within three years after such destruction, be rebuilt, then this act shall become null and void.

Approved June 19, 1821.

CHAP. VI.

AN ACT vesting in the superior court of judicature chancery powers and jurisdiction in cases of real and personal estate, given to charitable uses.

SECTION 1. Be it enacted by the senate and house of representatives in general court convened, That the superior court of judicature shall have chancery powers and jurisdiction in cases of gifts, grants, devises, donations and appointments of any lands, tenements, rents, hereditaments, corporeal or incorporeal, goods, chattels, money, securities for money, or other personal estate whatever, which heretofore have been, or hereafter may be given, granted, made or appointed to or for any charitable uses. And for the remedy of abuses and breaches of trust in the cases aforesaid, and for carrying into effect the intentions of the grantors and donors, the said court shall make such orders, decrees and judgments, that the said lands, tenements, rents, hereditaments, goods, chattels, money, securities for money, and other personal estate, may be duly and faithfully employed for the charitable uses to which they were, or may be, given, granted or appointed, according to the true intent and meaning of the grantors or donors thereof.

SEC. 2. And be it further enacted, That the powers and jurisdiction hereby vested in the superior court of judicature,
Private Acts.

A.D. 1821. shall be exercised according to the established principles of chancery, so far as shall be consistent with the laws and constitution of this state. And that the proceedings to be had in said courts, in pursuance of this act, shall be in conformity with the usual practice of courts of chancery in like cases.

Sec. 3. And be it further enacted, That in suits under this act, reasonable costs be allowed to the prevailing party at the discretion of the court;—and that where informations shall be filed by the attorney general, at the relation of individuals, they shall give security for the payment of costs in such manner as the court may direct.

Approved June 21, 1821.

CHAP. VII.

An act further to amend an act entitled an act to incorporate John Wheeler and others by the name of the Dover Cotton Factory. Approved June 21, 1821.

CHAP. VIII.

An act to incorporate Saint Andrews' Chapter of Royal Arch Masons at Hanover. Approved June 21, 1821.

CHAP. IX.


CHAP. X.

An act to incorporate certain persons by the name of the New-Durham and Alton Harmony Society for the promotion of sacred music. Approved June 22, 1821.

CHAP. XI.

An act to incorporate certain physicians and surgeons, by the name of the White Mountains Medical Society.

Approved June 23, 1821.
RESOLVED, That the justices of the court of sessions for the county of Rockingham be authorized, at the expense of certain petitioners of Portsmouth and Newburyport, to examine and report to the legislature at the next session, whether the turnpike road belonging to the Hampton Causeway Turnpike Corporation has not by the provisions of the charter of said corporation become public property; whether said corporation have violated or evaded any of the provisions of said charter; whether said corporation have assumed any rights or powers not granted to them; to make an examination into the general concerns of said corporation, and to give such notice to all concerned of the time and place of attending to said investigation as they may deem proper.

Approved June 25, 1821.

CHAP. XIII.

AN ACT to establish the compensation of committees appointed by the courts of sessions to examine routes and lay out highways.

SECTION 1. Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, all committees, which may be appointed by the several courts of sessions to examine and lay out highways, shall consist of three members and no more, who shall each be allowed two dollars for each day actually and necessarily spent in such service, which shall be in full compensation for such services.

Approved June 26, 1821.

CHAP. XIV.

An act to incorporate Humane Lodge No. 21.

Approved June 27, 1821.

CHAP. XV.

An act to incorporate Faithful Lodge No. 12.

Approved June 27, 1821.
Frauds.

CHAP. XVI.
An act to incorporate the proprietors of New Hampton Academy.
Approved June 27, 1821.

CHAP. XVII.
An act granting to David Lewis and others the right to flow and drain Pleasant pond. Approved June 27, 1821.

CHAP. XVIII.
AN ACT to prevent frauds in the management of the business of banks and of public officers.

Section 1. BE it enacted by the senate and house of representatives in general court convened, That if any president, director, cashier or other officer or servant of any bank in this state, incorporated by the authority thereof, shall fraudulently convert to his own use any money, bill, note, security for money, evidence of debt or other effects whatever, belonging to such bank, such person shall, upon due conviction, be punished by fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

Sec. 2. Be it further enacted, That if any cashier or other officer or servant of any bank in this state incorporated by the authority thereof, being entrusted with, or having the custody of any money, bill, note, security for money, evidence of debt, or other effects whatever belonging to such bank, shall, contrary to his duty and in breach of his trust, knowingly and voluntarily pay or deliver to any person or persons whomsoever, or to his or their order, any such money, bill, note, security for money, evidence of debt, or other effects, knowing that such person or persons are not entitled to demand or receive the same, such cashier, officer or servant of such bank, shall, upon due conviction, be punished by fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

Sec. 3. Be it further enacted, That if any public officer, being a receiver of public monies under any law of this state,
shall fraudulently convert to his own use, or shall, contrary to his duty and in breach of his trust, knowingly pay or deliver to any person or persons whomsoever, or to his or their order, any such public money, knowing that such person or persons are not entitled to demand or receive the same, such officer shall, upon due conviction, be punished by fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

Approved June 27, 1821.

CHAP. XIX.

AN ACT for raising thirty thousand dollars for the use of this state.

Section 1. BE it enacted by the senate and house of representatives in general court convened, That there shall be raised for the use of this state the sum of thirty thousand dollars, which sum shall be assessed, collected and paid into the treasury on or before the first day of December, in the year of our Lord one thousand eight hundred and twenty-two; and the treasurer be, and hereby is, directed seasonably to issue his warrants to the selectmen or assessors of the several towns, parishes and districts within this state, according to the last proportion act; and the selectmen and assessors of the several towns, parishes and districts aforesaid are hereby respectively required to assess the sums specified in the treasurer's warrants, and cause the same to be paid into the treasury of this state, on or before the first day of December, in the year of our Lord one thousand eight hundred and twenty-two: And the treasurer may issue extents for all taxes that may then remain unpaid.

Approved June 27, 1821.

CHAP. XX.

AN ACT authorizing the superior court of judicature to cause highways to be established in certain cases.

BE it enacted by the senate and house of representatives in general court convened, That whenever any public highway
Militia.

A.D.1821. shall be thought necessary to be laid out over land in two or more counties in this state, application may be immediately made by petition to the superior court of judicature, sitting in either of such counties, which court shall have all the power and authority to cause such road or public highway to be surveyed, laid out and established, and to cause compensation to be made to the owners of land over which the same may pass, and costs to be taxed, that by law pertains to the courts of sessions to establish highways in any particular county.

Approved June 27, 1821.

CHAP. XXI.

AN ACT in addition to an act entitled "an act for arranging, forming and regulating the militia," passed December, 1820.

Section 1. BE it enacted by the senate and house of representatives in general court convened, That where any company of cavalry, artillery, riflemen, grenadiers, light infantry, or infantry now are, or hereafter may be, without any non-commissioned officers to notify and warn the men belonging to said company, the captain or commanding officer of said company shall have power to order any of the private soldiers, enrolled in said company, to notify and warn the men belonging to said company to meet for any inspection, training or muster, which notice or warning shall be given in the same manner as is provided in the act, to which this is in addition. And if any such private soldier, being so ordered, shall refuse or neglect to notify and warn all such men, he shall forfeit and pay the sum of two dollars for every man he shall so neglect to warn, to be recovered by the captain or commanding officer of such company in an action of debt before any magistrate or court of competent jurisdiction, to be appropriated for the repairs of musical instruments. And the men so warned or notified shall be liable to the same fines for neglect, as they would be if notified and warned by a non-commissioned officer, as provided by the act, to which this is in addition.

Sec. 2. And be it further enacted, That the quarter-master returns required by the twenty-third section of the act to...
Agriculture.

which this is in addition shall be made within the times fol-

lowing: the captains or commanding officers of companies
shall make their returns to the regimental quarter-masters
within ten days from the annual training and inspection in
May, in each year; and the regimental quarter-masters shall
make their returns to the quarter-master general, or to the
officer doing the duties of quarter-master general, within
twenty five days from said annual training; any thing in said
act to the contrary notwithstanding: and if any officer, whose
duty it shall be to make any of said returns, shall neglect so to
do for a longer time than is above specified, he shall forfeit
and pay the sum of twenty dollars, to be recovered by the ad-
justant and inspector general, in an action of debt in his own
name, to be appropriated for defraying any expenses attend-
ing the militia.

Approved June 27, 1821.

CHAP. XXII.

AN ACT in addition to an act entitled "an act to institute and
provide for the organization of a board of agriculture for
this state."

SEC. 2. BE it enacted by the senate and house of repre-
sentatives in general court convened, That the annual meeting
of the board of agriculture for this state, shall hereafter be
holden on the second Wednesday of June, instead of the first
Monday after the annual meeting of the legislature.

SEC. 2. And be it further enacted, That the board of agri-
culture for this state, shall, from and after the first Monday
following the annual meeting of the legislature in June
next, consist of one delegate to be chosen by ballot by each of
the county agricultural societies within this state, instead of
the several presidents of the several agricultural societies,
with one delegate to be chosen by each of said societies, as is
provided in and by said act, to which this is in addition.

SEC. 3. And be it further enacted, That it shall be the duty
of the secretary of each county agricultural society within
this state, to transmit to the secretary of said board of agri-
culture, annually on or before the annual meeting of said
board, copies of all communications to such society on the
A.D. 1821. Management and culture of crops, on which premiums have been awarded.  

Approved June 27, 1821.

CHAP. XXIII.  
AN ACT for the preservation of fish in Hart’s pond in the town of Canaan.

Be it enacted by the senate and house of representatives in general court convened, That from and after the passing of this act, for the term of five years, if any person or persons shall use any spear for the purpose of catching or destroying any of the fish in Hart’s pond in Canaan, in the county of Grafton, or shall, between the first day of November and the first day of May, catch any of said fish through the ice, or otherwise, in said pond, such person or persons, so offending, shall, for every fish so caught, forfeit and pay the sum of two dollars, to be recovered in an action of debt by any person, who shall sue for the same, before any justice of the peace within the county of Grafton; one half of said sum to be appropriated to the use of the person who shall sue for the same, and the other half for the use of said county of Grafton.

Approved June 27, 1821.

CHAP. XXIV.  
Resolved by the senate and house of representatives in general court convened, That the sum of one thousand dollars of any money in the treasury of this state be and the same is hereby appropriated for the purpose of educating deaf and dumb children belonging to this state at the Asylum at Hartford, Connecticut, which sum may be divided and applied for the benefit of such persons, and in such manner, as his excellency the governor shall think proper. And the governor is hereby authorized by warrant on the treasurer to draw said sum from the treasury.

Approved June 28, 1821.
CHAP. XXV.  
An act in addition to an act entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank," approved June 18, 1802.  
Approved June 28, 1821.

CHAP. XXVI.  
An act in addition to an act entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the New Hampshire Strafford Bank," passed the tenth day of June, one thousand eight hundred and three.  
Approved June 28, 1821.

CHAP. XXVII.  
An act in addition to an act entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the Portsmouth Bank," passed the eleventh day of June, one thousand eight hundred and three.  
Approved June 28, 1821.

CHAP. XXVIII.  
An act in addition to an act entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the Coos Bank," approved December 24, 1803.  
Approved June 28, 1821.

CHAP. XXIX.  
An act in addition to an act entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the Cheshire Bank."  
Approved June 28, 1821.
AN ACT requiring certain persons to account to the adjutant general and vesting certain powers in that officer.

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That where colonels of regiments or any other person or persons have received from the late adjutant general of this state any money appropriated for music money, or for the annual allowance of artillery companies, and have neglected to pay over the same to the captains or commanding officers of the several companies for whom such money was intended; or where any person or persons have received from this state any money appropriated for building gun-houses and have not applied the same to that purpose, every such person or persons shall account for the money, so by them received, to the present adjutant general of this state, and shall pay over the same to him.

Sec. 2. BE it further enacted, That the adjutant general be and be hereby is authorised, empowered and directed to require of all persons who have received money as aforesaid, to render an account to him of the same; and in case the said money be not paid over to the captains or commanding officers of companies before the passing of this act, to require every such person or persons to pay the same to him.

Sec. 3. BE it further enacted, That if any person or persons shall neglect or refuse to pay over to the adjutant general any money received by them as aforesaid, and remaining in their hands, the said adjutant general is hereby authorized and empowered to sue for and recover the same, with costs, in an action for money had and received in the name of this state, and the defendant shall be held to shew that he has paid over the money so by him received to the several captains, or commanding officers of companies for whom it was intended, or has appropriated the money to the purpose for which it was intended.

Sec. 4. BE it further enacted, That it shall be the duty of the late adjutant general to deliver to the present adjutant general, all receipts and vouchers which he has taken of any person or persons for the money aforesaid; and also all books, maps, charts, and other papers belonging to the adjutant general's office.
Section 5. Be it further enacted, That where any officer or officers, person or persons have heretofore received from this state any military books, papers or other property, and on resigning their commissions, have retained the same, every such person or persons shall account for and deliver the same to the adjutant general or his order. And the adjutant general is hereby authorized and empowered to sue for and recover all such books, papers and property in an action in the name of this state.

Section 6. Be it further enacted, That the adjutant general be and he hereby is authorized and empowered to examine into any and all cases of omission or neglect to make the returns required by the militia law of December last, and to report a statement of facts to the commander in chief; and if, in the opinion of the commander in chief, said omissions or neglect arose from circumstances which ought to excuse the person or persons so omitting or neglecting from paying said fines and penalties, he may direct the adjutant general to omit to prosecute or suspend indefinitely any prosecution or prosecutions which may have been commenced.

Section 7. Be it further enacted, That the adjutant general shall account to the state for all monies and fines by him received under this act.

Approved June 29, 1821.
A.D. 1821. Peddlers, &c.

Section 1. If a pedlar or any such person shall, without a licence, sell from door to door, or from house to house, any goods or wares, he shall be liable to the punishment of a fine not exceeding fifty dollars, and if a second or subsequent offence, the fine shall be not exceeding one hundred dollars.

Sec. 2. And be it further enacted, That for every person, who obtains licence as aforesaid, there shall be paid to the treasurer of the county where such licence is granted, for the use thereof, twelve dollars, which shall be by said treasurer certified on said licence before the same shall be of any avail.

Sec. 3. And be it further enacted, That if any person shall exercise the business of a hawker or pedlar within this state without a licence therefor, as is herein before provided, or shall, while pursuing such business, refuse to show such licence for examination to any citizen of this state, to whom such pedler shall offer to sell any of his goods, wares or merchandise, if thereto requested, such person shall, for either of the offences aforesaid, forfeit and pay a sum not less than ten dollars, nor more than fifty dollars.

Sec. 4. And be it further enacted, That any justice of the peace on complaint made to him of any such offence may issue his warrant against the pedlar complained against, and order him to recognize, with sufficient surety or sureties, to answer the complaint aforesaid before the justices of the superior court next to be held in the county where said offence was committed; and the offences aforesaid may be prosecuted by indictment before said court. And the penalties aforesaid shall be one half to and for the use of the county where the offences may be committed, and the other half to and for the use of the complainant.

Sec. 5. And be it further enacted, That the person obtaining said licence shall pay to the clerk of said court for all his fees in relation thereto the sum of one dollar.

Sec. 6. And be it further enacted, That all show-men, tumblers, rope-dancers, ventriloquists, or other persons, who shall, for pay, exhibit any animals, wax-figures, puppets, or any extraordinary feats of agility of body, or slight of hand, rope-dancing, or performing feats with cards, within any town within this state, shall, before any such exhibition or performance
procure from the selectmen of such town a licence for that purpose, which licence shall specify the number of days or number of times such person or persons are allowed to perform or exhibit in said town.

Sec. 7. And be it further enacted, That for every licence granted as aforesaid, there shall be paid to the selectmen for the use of said town by the person or persons obtaining the same, a sum not less than three dollars, nor more than thirty dollars.

Sec. 8. And be it further enacted, That for every licence granted as aforesaid, there shall be paid to the selectmen for the use of said town by the person or persons obtaining the same, a sum not less than three dollars, nor more than thirty dollars.

Sec. 10. And be it further enacted, That all offences against this act shall be prosecuted within one year next after the offence shall have been committed.

Sec. 11. And be it further enacted, That nothing herein before mentioned shall extend to prevent any person from selling or exposing to sale any articles, the growth, produce or manufacture of the United States, except feathers, distilled spirits, playing cards, lottery tickets, and jewelry.

Approved June 29, 1821.
AN ACT in addition to an act entitled "an act for the maintenance of bastard children," passed February 11, 1791.

SECTION 1. Be it enacted by the senate and house of representatives in general court convened, That no release or discharge given by the mother to the reputed father of any illegitimate child, touching the cause of any prosecution under the act, to which this is in addition, and no agreement, compromise or settlement of said prosecution, made by and between the said father and mother of said child, without the consent, given in writing, signed by the selectmen or overseers of the poor, or the major part of them, of the town by law chargeable with the maintenance of said child, shall be of any avail to discharge, defeat, or in any way affect said prosecution.

Approved June 29, 1821.

CHAP. XXXIII.

AN ACT for ceding to the United States a place called Sunken Rocks in Portsmouth harbor.

SECTION 1. Be it enacted by the senate and house of representatives in general court convened, That so much of a certain ledge of rocks, known and called by the name of Sunken Rocks, being below low water mark in Portsmouth Harbor, as shall hereafter be covered by a pier or beacon, at the expense of the United States, not exceeding one hundred feet square, be, and the same hereby is ceded and vested in the United States, with all the jurisdiction thereof, which is not reserved by this act.

Sec. 2. Provided nevertheless, and be it further enacted, That all writs, warrants, executions, and all other processes of every kind, both civil and criminal, issuing under the authority of this state, or any officer thereof, may be served and executed on any part of said territory, or any pier, or beacon, or building which may be erected thereon, in the same way and manner as though this act had not been passed.

Approved June 29, 1821.
AN ACT to enforce the payment of bills and notes issued by banking companies.

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That if any banking company, incorporated by the authority of this state, shall neglect or refuse to pay any bill or note made and issued by such banking company, when duly demanded, the holder of such bill or note shall be entitled to, and allowed interest thereon at the rate of two per centum, for each month, to be computed from the time of such demand.

SEC. 2. And be it further enacted, That the several banking corporations in this state, shall be liable to pay to any bona fide holder the original amount of any note or notes of said banks altered in the course of their circulation to a larger amount, notwithstanding such alteration.

SEC. 3. And be it further enacted, That all committees appointed by the legislature, for the purpose of examining into the state and condition of any banking corporation in this state, shall be paid a reasonable compensation therefor by said corporation.

Approved June 29, 1821.

CHAP. XXXV.

AN ACT to establish a literary fund to be collected from the several banking corporations within this state.

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That his excellency the governor, the secretary and treasurer of this state for the time being, be, and they hereby are appointed commissioners to manage and superintend a fund to be formed and constituted in the manner hereinafter prescribed, to be denominated the Literary Fund, which said fund shall be for the sole use and purpose of endowing or supporting a college for instruction in the higher branches of science and literature, and to be appropriated to this purpose in the manner the legislature of this state shall hereafter order and appoint: Provided, said
Literary Fund.

A.D. 1821. fund shall never be applied to the benefit of any institution which is not under the direction and control of the state.

Sec. 2. Be it further enacted, That the commissioners aforesaid be, and they hereby are authorized, empowered and directed to vest the several sums hereafter from time to time to be received by the treasurer by virtue of this act, and the interest which may hereafter accrue and be received on the same in productive public stocks or other securities in the name of this state in the manner they shall deem most conducive to the interest of the same, and shall prepare and lay a statement of the amount, condition and circumstances of said fund before the legislature of this state on the second Wednesday of June annually.

Sec. 3. Be it further enacted, That from and after the first day of July, anno domini 1822, no banking corporation established or to be established under the authority of this state, shall issue or put in circulation in any manner whatever, any bills, notes or obligations made by said corporation unless the same be stamped by the treasurer of this state with some suitable and appropriate stamp, to be approved by his excellency the governor, which said stamp shall designate the year in which the same is used and applied. And it shall be the duty of the treasurer any time in the month of June in each year to stamp all bills, notes or obligations presented to him for that purpose, by any banking corporation established or to be established under the authority of this state; and said corporations shall pay to the treasurer at or after the rate of fifty dollars for every thousand dollars in bills, notes or obligations, so stamped as aforesaid on the delivery of the same: Provided nevertheless, that the several and respective banking corporations aforesaid may be relieved and discharged from all the provisions of this act by paying on the second Wednesday of June, annually, to the treasurer of this state one half of one per cent. on the amount which shall at the time constitute the actual capital stock of said bank; and in case any dispute shall arise respecting the amount of said capital stock, the same, for the purposes of this act, shall be determined by the commissioners aforesaid.

Sec. 4. Be it further enacted, That it shall be lawful for any banking corporation to issue and circulate their bills,
notes and obligations so stamped as aforesaid for one year A.D. 1821,
from the first day of July next after the same shall be so
stamped, and no longer, unless the same shall be again stamp-
ed agreeably to the provisions of this act. And no banking
corporation aforesaid shall issue or put in circulation in any
manner whatever within this state, any bills, notes or obliga-
tions of any other banking corporations not stamped as afores-
said.

Sec. 5. Be it further enacted, That any president, director
or other officer of any banking corporation, established or to
be established as aforesaid, who shall knowingly issue or put
in circulation, or cause to be issued or put in circulation, in
any manner whatever, any bills, notes or obligations of any
banking corporations as aforesaid, contrary to the provisions of
this act, he shall forfeit and pay a sum not exceeding five
hundred dollars, nor less than one hundred dollars, to be re-
covered by suit or information in the name of the state, and
to be applied to increase the fund aforesaid.

Sec. 6. Be it further enacted, That the treasurer of this
state shall account to the commissioners aforesaid, for all
sums which he may receive by virtue of this act.

Sec. 7. Be it further enacted, That the said fund is, and
shall continue to be pledged and appropriated to the endow-
ment or support of a college for instruction in the higher
branches of science and literature in this state, to be applied
in such way and manner as the legislature shall hereafter di-
rect, and shall not be disposed of or applied to any other use
or purpose whatever: And that the said commissioners may
accept, receive and hold donations, bequests and devises of
real and personal estate, made by individuals for the increase
of said fund, which shall be deemed and taken to constitute a
part thereof.

Sec. 8. Be it further enacted, That so much of the act en-
titled an act to establish the rates at which polls and rateable
estate shall be valued in making and assessing direct taxes, as
relates to the valuation and taxation of bank shares, be, and
the same is hereby repealed, so far as relates to the future
taxation of the shares of the owners of bank stock in any bank-
ing corporation, established or to be established under the au-
thority of this state.

Approved June 29, 1821.
Central Bridge.

CHAP. XXXVI.

AN ACT regulating the fees of witnesses in prosecutions against towns for neglect in making or repairing highways and bridges.

BE it enacted by the senate and house of representatives in general court convened, That no fees shall be taxed for witnesses in prosecutions against a town for neglect in making or repairing highways or bridges hereafter to be instituted, unless such witness shall have attended as a witness in such prosecution, for which he claims fees, by direction of the attorney general, or solicitor of the county where the prosecution may be.

Approved June 29, 1821.

CHAP. XXXVII.

AN ACT to incorporate sundry persons by the name of "the Proprietors of the Central Bridge in Conway."

SECTION 1. BE it enacted by the senate and house of representatives in general court convened, That Thomas F. Odell, Zara Cutler, Benjamin Osgood and their associates, and those that may hereafter become associates in the said bridge, their successors and assigns, shall be, and hereby are created and made a corporation and body politic, by the name of "the Proprietors of the Central Bridge in Conway," for and during the term of twenty years from the first day of July, 1821, and by that name shall be, and are hereby made capable in law to sue and be sued, plead and be impleaded, defend and be defended to final judgment and execution, and may have and use a common seal, and the same may alter at pleasure.

SEC. 2. And be it further enacted, That the said corporation may erect and maintain a bridge across Saco river in said Conway at any place within a half a mile above or below Odell's falls, so called, and may purchase and hold lands near said bridge, sufficient for the building a toll house, and such other buildings as shall, by the said corporation, be considered necessary for the purposes of this act.
Sec. 3. And be it further enacted, That either two of the above named proprietors may call the first meeting of said corporation to be holden at Conway in the county of Strafford, at any suitable time and place, by posting up at two public places in said Conway, notifications by them signed, thirty days before such meeting. And at said meeting the proprietors, by a majority of those present, may choose a clerk, who shall be sworn faithfully to discharge his duty; and at the same or any subsequent meeting may choose such other officers as they may deem expedient, and may establish such by-laws, rules and regulations, as shall be thought necessary for regulating and governing said corporation, and for completing the purposes of this act: Provided, said by-laws be not repugnant to the constitution and laws of this state.

Sec. 4. And be it further enacted, That at all meetings of said corporation, all questions shall be determined by a majority of the votes of the proprietors present or represented, allowing one vote for each share; and all representations at any meeting of said corporation shall be proved in writing signed by the person to be represented, which shall be filed by the clerk; and this act and all by-laws, rules, regulations and proceedings of said corporation shall be fairly recorded by the clerk in a book or books to be kept for that purpose.

Sec. 5. And be it further enacted, That the mode of conveyance of shares or interest in said corporation, shall be by deed duly executed and acknowledged, and recorded by the clerk in the books of said corporation, and the fees to be paid to the clerk for this service shall be the same as are established by law for the registers of deeds in this state.

Sec. 6. And be it further enacted, That when any tax or assessment may be made on the shares of the proprietors, for the carrying into effect the purposes of this act, the share or shares of delinquent proprietors may be sold at public auction, and if any overplus remain after paying the tax or assessment on such shares and charges, it shall be deposited with the clerk or treasurer of said corporation to be delivered to the proprietor whose share or shares may have been sold, or to his agent duly authorized to receive the same.

Sec. 7. And be it further enacted, That said corporation may demand and recover the following toll of every person
travelling on said bridge, according to the rates following:

for each foot passenger, one cent;
for each horse and rider, four cents;
for every chaise, chair, sulkey, or other two wheeled carriage of pleasure, drawn by one horse, eight cents;
for each additional horse, three cents;
for every chariot, phaeton, or other four wheeled carriage of pleasure, fifteen cents;
and for each additional horse, three cents;
for every sleigh drawn by one horse, four cents;
for each sleigh drawn by more than one horse, two cents,
and for each additional horse, two cents;
for each carriage of burden drawn by one beast, four cents, and two cents for each additional beast;
for each horse or neat creature other than those rode on, or in carriages, one cent;
for each sheep or swine, one fourth of a cent;
and to each team, one person only shall be allowed to pass free of toll: and at all times when the toll-gatherer does not attend his duty the gate shall be left open.

Sec 8. And be it further enacted, That said corporation shall be answerable for all damages sustained through insufficiency or want of repair in said bridge, and may be indicted and fined as towns are by law for suffering bridges to be out of repair: Provided, that if said bridge shall not be completed within four years from and after passing this act, every section and clause of the same shall be null and void.

Approved June 29, 1821.

CHAP. XXXVIII.
An act to incorporate the First Baptist Musical Society in Sandbornton. Approved June 29, 1821.

CHAP. XXXIX.
An act to incorporate certain persons by the name of the Pembroke Sacred Music Society. Approved June 29, 1821.

CHAP. XL.
An act to incorporate sundry persons by the name of the Union Aqueduct, in the town of Portsmouth. Approved June 29, 1821.
CHAP. XLII.
An act to incorporate Gideon Walker and others by the name of the Portsmouth Mill Company.
Approved June 29, 1821.

CHAP. XLIII.
An act to incorporate the Dublin Musical Society.
Approved June 29, 1821.

CHAP. XLIV.
An act in addition to an act entitled "an act to incorporate certain persons by the name of the Proprietors of the Washington Library."
Approved June 29, 1821.

CHAP. XLV.
An act to alter the name of the Pembroke Cotton and Woollen Factory.
Approved June 29, 1821.

CHAP. XLVI.
An act to change the names of the persons therein mentioned.
Approved June 29, 1821.

CHAP. XLVII.
An act to exempt from taxation certain estate at Little's Falls for a term of years. Approved June 29, 1821.
An Act to incorporate certain persons by the name of the Hillsborough Academy. Approved June 29, 1821.

AN ACT for apprehending offenders in any county.

Be it enacted by the senate and house of representatives in general court convened, That whenever a warrant against any person shall be duly issued by a justice of the peace within this state, for any supposed offence, committed within his county, or in pursuance of the provisions of law for the maintenance of bastard children, and the person complained of shall either before or after the issuing of such warrant, escape or go out of the said county, the sheriff or any deputy sheriff thereof, or the constable of any town to whom the said warrant shall be directed, shall have power and authority to pursue the person complained of, and to apprehend him in any county in this state, and him carry before some justice of the peace within the county in which he shall be so apprehended for examination; and if it shall appear to said justice, that the said warrant was duly issued, and that such offender had escaped as aforesaid, he shall send, by warrant directed to such sheriff, deputy sheriff, or constable, such offender into the county in which the warrant issued, that such proceedings may there be had, as the law shall require.

Approved June 30, 1821.

AN ACT to prevent the destruction of beavers, minks, muskrats, and otters.

WHEREAS the fur of the beaver, mink, muskrat and otter is of great value in the manufacture of hats and for shipping, when taken in the winter and early in the spring; and whereas many of these valuable animals are taken and des-
troyed in the summer and fall season, when their fur is unfit for hatting, and of little value for the purpose of shipping. Therefore, 

Section 1. **BE it enacted by the senate and house of representatives in general court convened**, That any person or persons who shall, at any time between the thirtieth day of May and the first day of November, in any year after the passing of this act, by shooting, trapping or otherwise, kill or destroy any beaver, mink, muskrat or otter, shall forfeit and pay for every mink or muskrat so killed or destroyed within the time aforesaid, one dollar, and for every otter or beaver the sum of five dollars; to be recovered with costs of suit before any justice of the peace for the county wherein the offence was committed, by any person who will sue therefor: and the forfeiture so recovered shall be for the use of the person suing for the same. And any trap that may be found set within the time aforesaid for the purpose of catching any of said animals shall be forfeited to the person finding it.

Sec. 2. **And be it further enacted**, That this act shall take effect from and after the first day of September next.

Approved June 30, 1821.

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**CHAP. LI.**

AN ACT for the relief of persons imprisoned for neglect of military duty.

Section 1. **BE it enacted by the senate and house of representatives in general court convened**, That any person who now is or hereafter shall be committed to prison, on execution issued on a judgment rendered in any action for the neglect of military duty, and who shall have remained a prisoner for and during the term of thirty days, shall be admitted to take the oath by law prescribed for poor debtors, and shall have the liberty of the jail yard, and be discharged in the same way and manner as if such execution had issued on a judgment recovered in an action of debt, covenant, contract or promise.

Approved June 30, 1821.
AN ACT empowering the selectmen and firewards of the

town of Portsmouth to appoint additional fire-engine-men.

Section 1. Be it enacted by the senate and house of representatives in
general court convened, That the selectmen and firewards of the
town of Portsmouth be, and they hereby are, authorized and
governed to appoint an additional number of fire-engine men to such engines in said town as in their opinion require a greater number of men than eighteen to work them, not exceeding six additional men to each such engine. And a certificate signed by a majority of the said selectmen and firewards shall exempt the persons so appointed from military duty in the same way and manner as is provided in the fifth section of the militia law of December, A.D. 1820.

Approved June 30, 1821.

CHAP. LIII.

An act to incorporate the members of the Franklin Literary Society in Northfield. Approved June 30, 1821.

CHAP. LIV.

Resolved, by the senate and house of representatives of the state of New-Hampshire in general court convened, That each of the United States has an equal right to participate in the benefit of the public lands as the common property of the Union, and that the states in whose favor congress have not made appropriations of land for the purposes of education are entitled to such appropriations as will be in a just proportion with those heretofore made in favor of the other States.
Resolved, That his excellency the governor be requested A.D. 1821, to transmit copies of the foregoing resolution to each of our senators and representatives in Congress, with a request that they will use their endeavors to procure the passage of an act to appropriate to the use of the state of New-Hampshire, for the purposes of education, such quantity of the public lands as shall be equitable and just.

Resolved, That his excellency the governor be also requested to transmit copies of the said resolutions to the governors of the several states of the Union, with a request that they will communicate the same to the legislatures thereof respectively, and solicit their co-operation to carry into effect the just principles therein set forth.

Approved June 22, 1821.
Mmo:
The first 18 pages of the appendix are bound in following p. 21. Laws of 1815.
[The following, although a private act, yet as it exhibits the A.D. 1821 restrictions and limitations under which, not only the charter of the bank to which it relates, but several others, have been renewed, is deemed of sufficient public interest to warrant its appearing in an appendix.]

AN ACT in addition to an act entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank, approved June 18, 1802.

Section 1. Be it enacted by the senate and house of representatives in general court convened, That the said act entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank shall remain and continue to be in force for and during the term of twenty years from and after the first day of July in the year of our Lord 1822, during which term the said corporation shall continue, and shall have and enjoy all the rights, privileges and immunities granted to it by said act, which are not inconsistent with this act, and shall be subject to all the liabilities mentioned and provided in and by said act not inconsistent with the provisions of this act.

Sec. 2. And be it further enacted, That the said corporation shall not issue and have in circulation at any one time, bills, notes or obligations to a greater amount than the amount of the capital stock actually paid in at such time, and then composing the capital stock of said bank. And in case any cashier, director or other officer of said bank at any time shall knowingly issue, or order, direct or cause to be issued and put into circulation bills, notes or obligations of said bank, which together with those before issued and then in circulation shall exceed the amount of the capital stock of said bank as aforesaid, such cashier, director or other officer shall forfeit and pay a sum not exceeding ten thousand dollars and not less than one thousand dollars.

Sec. 3. And be it further enacted, That dividends may be made semi-annually among the stockholders of said bank of interest or profits actually received, but no part of the capital stock of said bank shall either before or after the expiration of the time limited by this act for the continuance of said cor-
APPENDIX.

A.D. 1821. Corporation be divided among or paid to the stockholders without the licence of the legislature of this state therefor, on penalty that any cashier, director or other officer who shall so divide or pay the same, or order, direct or cause the same to be done, shall therefor forfeit and pay a sum not exceeding ten thousand dollars, nor less than one thousand dollars. Provided nevertheless, that it shall be lawful for the stockholders, after having given one year's previous notice of their intention by advertisement in two newspapers published in this state, and after payment of all outstanding debts due from said bank, to make a division of the capital stock among themselves, and thereby dissolve said corporation.

Sec. 4. And be it further enacted, That the capital stock of said bank shall for the purposes of this act be taken and deemed to be one hundred and fifty thousand dollars, being the amount of sums actually paid into said bank by the stockholders, and now composing the capital stock thereof. And in case of a diminution or loss of any portion thereof by reason of bad or desperate debts due to the bank or other means whatever, it shall be the duty of the directors in their next annual return of the condition of the said bank by law required to be made to the governor and council, to state the amount of such diminution or loss, and the cause thereof; and after such loss or diminution no dividend of interest or profit shall be made until such loss or diminution shall be replaced and supplied by assessments and actual payments by the stockholders or by appropriations therefor of the interest and profits actually received. Provided nevertheless, that the capital stock of said bank may be increased by assessments and actual payments by the stockholders to any sum not exceeding in amount the sum limited by the original act of incorporation, and such payments shall thereupon be added to said one hundred and fifty thousand dollars, and the amount of both sums shall constitute the capital stock.

Sec. 5. And be it further enacted, That the legislature shall at all times have the right by any persons duly appointed for that purpose to examine into the state, condition and all the doings and transactions of said corporation, and of its officers relating to the same; for which purpose all the books and papers of the corporation, together with its money and secu-
rities for money, shall be exhibited and submitted to the inspection and examination of such persons so to be appointed; and each officer of said corporation shall answer on oath, if required, all suitable and proper interrogatories relating to the state, condition or transactions of said bank.

Sec. 6. And be it further enacted, That after this act shall be accepted, the annual meeting of the stockholders for the choice of directors shall be held on the second Monday of July annually, instead of the first Monday, as directed in the original act of incorporation.

Sec. 7. And be it further enacted, That all penalties incurred under this act may be recovered by information or suit in the name of the state.

Sec. 8. And be it further enacted, That the act entitled an act in addition to an act entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank, passed December 22, 1820, be and the same hereby is repealed.

Approved June 28, 1821.
## SCHEDULE

**OF THE WHOLE NUMBER OF PERSONS IN THE STATE OF NEW-HAMPSHIRE.**

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## APPENDIX.

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|           | 43,169 | 45,427 | 50,175 | 55,246 |

### STRAFFORD.

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*Formerly called New-Durham Gore.
†Formerly belonged to Barrington.
‡Formerly belonged to Grafton county.
§Formerly a part of Gilmanton.
### APPENDIX.

<table>
<thead>
<tr>
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<th>1820</th>
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23,742 32,614 41,595 51,117

### HILLSBOROUGH.

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*Formerly called Raby.
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‡Formerly called Amherst.
§Formerly called Campbell’s Gore.
‖Composed of part of New-London and Kearsarge.
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*Lately changed to Nelson.
†Formerly Protectworth.
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* Formerly called Cockburne.
† Formerly called Colburne.
APPENDIX.

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Shelburne and Addition, 31 45 176 205
Stewartstown, 99 188 363
Winslow’s Location, 6
Whitefield, 281
Warner’s Patent, 20

882 2,668 3,991 5,549

RECAPITULATION.

Rockingham, 43,169 45,427 50,175 55,246
Strafford, 23,742 32,614 41,595 51,117
Hillsborough, 32,371 43,899 49,249 58,884
Cheshire, 22,772 38,825 40,988 45,379
Grafton, 12,449 20,171 23,462 32,989
Coos,† 882 2,658 3,991 5,549

Total 141,885 183,869 214,460 242,161

RECAPITULATION—1820.

<table>
<thead>
<tr>
<th>Males</th>
<th>Females</th>
<th>Total</th>
</tr>
</thead>
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<tr>
<td>Under 10 years of age,</td>
<td>35,466</td>
<td>34,569</td>
</tr>
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<td>Of 10 and under 16,</td>
<td>19,672</td>
<td>18,399</td>
</tr>
<tr>
<td>Of 16 and under 26,</td>
<td>22,703</td>
<td>24,806</td>
</tr>
<tr>
<td>Of 26 and under 45,</td>
<td>22,956</td>
<td>25,797</td>
</tr>
<tr>
<td>Of 45 and upwards,</td>
<td>18,413</td>
<td>19,925</td>
</tr>
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</table>

119,210 124,026 243,236

Free colored persons, - - - 786
All other persons except Indians not taxed, - 139

Total, 244,161

There are 5,529 males between the ages of 16 and 18, included in the column of those between 16 and 26.
Foreigners not naturalized, - - - 124
Persons engaged in agriculture, - - 52,384
in commerce, - - 1,068
in manufactures, - - 8,699

†Incorporated Dec. 24, 1803.
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