



ACTS AND RESOLVES

OF

MASSACHUSETTS.

1798-99.

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ACTS
AND
LAWS
OF THE
COMMONWEALTH
OF
MASSACHUSETTS.

BOSTON:

PRINTED BY YOUNG & MINNS,

PRINTERS TO THE HONORABLE THE GENERAL COURT OF THE COMMONWEALTH.

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Reprinted by WRIGHT & POTTER PRINTING COMPANY, State Printers.

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Snowdeal, John Burckhart, Peter Snowdeal, Henry Winchenback, Jacob Genthner, Godfred Hofses, Christopher Neubert, Paul Lash, Phillip Minck, Christian Hofses, George Wolfsgruber, John Winchenback, Henrick Walch jun. John Walch junr. John Warner, Cornelius Bornheimer, Vallentien Minck, Martin Benner, Paul Minck, Matthias Hebner, Matthias Woltz, Peter Minck, Charles Minck, Francis Keisor, Frank Overlack, Joseph H. Ludwig and Jacob Wenchenback, jun. Members of a Religious Society in the Town of Waldoborough in the County of Lincoln, and all other Inhabitants of said Town, who shall become Members of said Society, by the purchase or other Ownership of a Pew or Seat in their Meeting House, or by usually worshipping with said Society, and thereupon obtaining a Vote of admission as a Member, by the Society, at a legal Meeting for that purpose, together with their Estates, shall be, and they and their Successors hereby are, incorporated and made a Body politic and corporate by the name of "The German Protestant Society in the Town of Waldoborough."

Corporate
name.

To enjoy privi-
leges.

SECT. 2. *Be it further Enacted*, That the said Society shall have and enjoy all the privileges and powers, which other Societies, of the same description, do or may by Law enjoy.

To hold certain
land.

SECT. 3. *Be it further Enacted*, That said Society shall have and hold the several Tracts and parcels of Land, given, granted, conveyed and set off to the Dutch Settlement on the Western side of the Muscongus River, by the Committee of the Proprietors of Lands, at or near Pemaquid in the County of Lincoln, by a Deed or Grant, dated the second day of October, in the Year of our Lord, One Thousand, seven hundred and sixty four, in trust, to and for the special purposes mentioned and specified in the Grant or Deed aforesaid.

May sue and be
sued.

SECT. 4. *And be it further Enacted*, That said Society may sue, and shall be liable to be sued by their said Corporate name, and thereby shall pursue, answer and defend in any and all Suits in which they may be concerned; and that Jacob Ludwig, Esqr. be, and he hereby is empowered to issue a Warrant, directed to some Member of said Society, requiring him to warn the Members thereof, qualified to vote in their Affairs, to hold their first Meeting, at such convenient time and place as shall be mentioned therein, for the choice of a Clerk and a Treasurer; and

First meeting.

any other Officers which shall be necessary, and to agree upon a method of calling future meetings, and to transact any other business respecting the affairs of said Corporation, which shall be set forth in said Notification.

Approved February 28, 1800.

1799. — Chapter 66.

[January Session, ch. 33.*]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT TO PROVIDE FOR THE INSTRUCTION OF YOUTH, AND FOR THE PROMOTION OF GOOD EDUCATION."

SECT. 1ST. *Be it enacted by the Senate & House of Representatives, in General Court assembled, and by the authority of the same,* That the Inhabitants of the several School Districts, within any town, which hath already, or shall hereafter define the limits of such Districts, qualified to vote in town affairs, be, and they are hereby empowered at any meeting, called in manner hereinafter provided, to raise money for erecting or repairing a School-house, in their respective Districts, to determine in what part of the District, to erect said house, to choose a committee to superintend the building and repairing the same, and to choose a Clerk who shall be sworn faithfully to discharge the duties of his office, whose duty it shall be, to make a fair record of all votes passed at any meeting of the District, and to certify the same when required; also at any such meeting to raise money to procure necessary utensils for their respective School-houses, to be certified as aforesaid & assessed in manner as is herein after provided.

Inhabitants
authorized to
raise money,
&c.

SECT. 2D. *And be it further enacted,* That for the purposes aforesaid, every man shall be taxed in the District in which he lives for all the estate he holds in the town, being under his own actual improvement, and all other of his real estate in the same town shall be taxed in the district in which it is included; and lands, when the owner thereof lives without the town, shall be taxed in such District, as the Assessors, having regard to the local situation thereof, shall appoint; and it shall be the duty of the Assessors, before they assess a tax for any district, to determine in which district, such lands respectively shall be taxed, and to certify in writing their determination to the Clerk of the town, who shall record the same, and

Manner of taxation.

* Wrongly numbered 26 in session pamphlet.

Proviso

Assessors
directed.

Assessors to
make a warrant.

Collector em-
powered.

Town Treas-
urers au-
thorized to en-
force collec-
tions.

Compensation.

District meet-
ings.

such land, while owned by any person residing without the limits of the town, shall be taxed in such Districts, untill the town shall be districted anew: *Provided however*, That all the lands, within any town owned by the same person, not living therein, shall be taxed in one & the same District. And the assessors shall assess in the same manner, as town taxes are assessed, on the polls & estates of the Inhabitants, composing any School Districts, defined as aforesaid, and on lands in said town, belonging to persons living out of the same, which the assessors shall have directed to be taxed in such District, all monies voted to be raised by the Inhabitants of such district for the purposes aforesaid, in thirty days after the Clerk of the District shall certify, to said assessors, the sum voted by the District to be raised as aforesaid. And it shall be the duty of said Assessors, to make a warrant in due form of law, directed to one of the Collectors of the town to which such district belongs, requiring & empowering said Collector, to levy & collect the tax so assessed, & to pay the same within a time, to be limited in said Warrant, to the Treasurer of the town; to whom a certificate of the assessment shall be made by the Assessors. And the money so collected & paid, shall be at disposal of the Committee of the District, to be by them applied for the building or Repairing a School House in the District to which they belong. And such Collector, in collecting such Tax, shall have the same powers, and be holden to proceed in the same manner as is by Law provided in collecting Town taxes.

SECT. 3. *And be it further Enacted*, That the Treasurer of any Town to whom a Certificate of the Assessment of a District Tax shall be transmitted as aforesaid, shall have the same authority to enforce the collection and payment of the money so assessed and certified, as if the same had been voted to be raised by the Town for the Town's use. And the Treasurer & Collector shall be paid the same commissions on the money collected & paid, for the use of a School District aforesaid, and the assessors for assessing said Tax, shall be allowed by the District, the same sum for each & every day while employed in assessing the same, as is allowed & paid by the town for simil[i]ar services.

SECT. 4. *And be it further enacted*, That it shall be the duty of the Selectmen, of the several towns divided into School districts, as aforesaid, upon application made

to them in writing, by three or more Freeholders, resident within any School district in their respective towns, to issue their warrant, directed to one of the persons making such application, requiring him to warn the Inhabitants of such district, qualified to vote in town affairs, to meet at such time & place, in the same district, as the Selectmen shall in their warrant appoint. And the warning aforesaid shall be by notifying personally, every person in the District, qualified to vote in town affairs, or by leaving at their usual places of abode, a notification in writing, expressing therein the time, place, & purpose of the meeting, seven days at least, before the time appointed for holding the same. And any Vote to raise money, for the purpose of erecting or repairing a School-house, passed by a majority of the Inhabitants of a School-District present at a district meeting, warned & held as aforesaid, shall be obligatory on the Inhabitants of said School District, to be assessed, levied, & collected in the manner prescribed by this Act.

SECT. 5. *And be it further enacted*, That if the Inhabitants of any School district cannot agree where to erect a School-house, for the accommodation of the same, the Selectmen of the town to which such district belongs, upon application made to them by the Committee of the District, are hereby authorised & impowered, to determine on the place, where a School-house for the use & accomodation of the District, shall be erected.

Selectmen to determine in case of disagreement as to situation of school house.

Approved February 28, 1800.

1799. — Chapter 67.

[January Session, ch. 34.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT FOR THE PRESERVATION OF THE FISH CALLED SALMON, SHAD, AND ALEWIVES, IN THE RIVERS, STREAMS, AND WATERS WITHIN THE COUNTIES OF LINCOLN AND CUMBERLAND, AND FOR REPEALING ALL OTHER LAWS HERETOFORE MADE FOR THAT PURPOSE, SO FAR AS RESPECTS THEIR OPERATION IN THE SAID COUNTIES."

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall not be lawful for any person to set or use any net or seine, for the purpose of catching Salmon, on or by any of the Sea shores or Islands, within the said

Size of seines, &c. limited.