

In the sixth page insert, "And, Whereas land originally included by the courses and distances expressed in the certificates of lands heretofore granted, which is now excluded by the variation of the compass, ought not to be taken from the person claiming under such survey and grant, and attempts may be made to take up such land as vacancy, contrary to justice: Be it enacted, That no grant shall issue, unless to the person holding under the grant originally including the land as aforesaid, upon any warrant hereafter to be taken out, or already taken out, upon which patent hath not issued, to affect any land, which the chancellor, on caveat, may adjudge to have been included by the courses of such original grant, and since excluded by the variation of the compass; and the chancellor shall and may, on such adjudication, or on the certificate of the party claiming under such original grant, order a patent to issue for confirming to the person claiming under such grant, the land which shall be determined to have been originally included by the courses therein expressed; and the person to whom patent of confirmation shall be ordered to issue, as aforesaid, shall not be obliged to pay any money for the land so ordered to be confirmed to him, or the value of any improvement on such land; and no patent shall issue upon any certificate of survey heretofore returned, or hereafter to be returned, unless upon proof made of notice having been given by the party applying for such patent, to the person or persons whose land may be affected by such survey, or to his or their attorney, agent, guardian, or next friend, which proof of notice shall be made by affidavit, or affirmation, of a disinterested person, before a judge of the general court, or some justice of the county where such land may lie, and shall be lodged with the register of the shore on which such land shall lie, and by him shall be certified to the chancellor."

In the sixth page and fifth line from the bottom, after the word "line," in the interlineation, insert "expressed in the certificate;" and instead of the word "distance," insert "boundary," in the same line.

After the word "grant," at the end of the bill, insert, "And be it enacted, That no land adjoining to the land lately belonging to the Principio company, or the Nottingham company, shall be taken up as vacancy, or affected by any warrant to be taken out; and if any warrant has been taken out, or certificate returned, to affect such land, no patent shall issue thereon, but such vacancies, if any, adjoining to, or in any manner interfering with, the land formerly belonging to the said companies, or either of them, shall be reserved to this state, surveyed and sold, for the purposes to which the property of the said companies are respectively applied."

The bill relating to forfeited recognizances, fines and forfeitures, and judgments in treason, endorsed; "By the senate, January 5, 1782: Read the first time and ordered to lie on the table.

By order,

J. MACCUBBIN, clk.

"By the senate, January 17, 1782: Read the second time and will not pass.

By order,

J. MACCUBBIN, clk."

And a bill, entitled, An act relating to forfeited recognizances, judgments in treason, and fines imposed by militia courts martial, endorsed; "By the senate, January 17, 1782: Read the first and second time by especial order and will pass.

By order,

J. MACCUBBIN, clk."

With the following messages:

BY THE SENATE, JANUARY 17, 1782.

GENTLEMEN,

THOSE parts of your bill relating to forfeited recognizances, fines and forfeitures, and judgments in treason, which declare the law as to the power vested in the governor by our constitution, we consider of much consequence, and are not satisfied of the truth of some of the positions laid down in the bill; at present we have barely a senate, and as no great evil can attend delay, we are desirous of postponing a determination upon those questions, which we conceive to be important and difficult, until the next session of assembly; and therefore we have given a negative to your bill, which we would rather have referred to the next session, had we apprehended it could have been done consistently with the rules of proceedings which ought to prevail between the two houses. Such parts of your bill, as appear to admit of no doubt, and need remedy, we have adopted in a bill which is now sent you.

By order,

J. MACCUBBIN, clk.

BY THE SENATE, JANUARY 17, 1782.

GENTLEMEN,

WE think with you that the necessary business may be finished by Saturday next, and will give every assistance to forward it; and we agree to adjourn on that day to the first Monday in June next. Several members of the senate are so circumstanced, that we have no expectation of keeping a house longer than Saturday, and therefore we beg to have any bills which you may think necessary as soon as possible.

By order,

J. MACCUBBIN, clk.

The bill to appoint an intendant of the revenue, and all public monies, was read the second time, and the question put, That the said bill do pass? The yeas and nays being called for by Mr. Hall appeared as follow:

A F R F I M A.