

Bill as Introduced

HB 585 - AS INTRODUCED

2011 SESSION

11-0556

04/01

HOUSE BILL **585**

AN ACT proclaiming the third Friday in October as New Hampshire history day.

SPONSORS: Rep. Watters, Straf 4; Rep. Norelli, Rock 16; Rep. Welch, Rock 8; Rep. K. Roberts, Ches 3; Sen. Odell, Dist 8; Sen. Merrill, Dist 21

COMMITTEE: Legislative Administration

ANALYSIS

This bill requires the governor to proclaim the third Friday in October as New Hampshire History Day.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT proclaiming the third Friday in October as New Hampshire history day.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Findings. The general court finds that the commemoration of New Hampshire history is a
2 public good that unites New Hampshire citizens in recognition of the important events, people,
3 places, documents, and artifacts that form the distinctive character of the state; and that the
4 preservation of New Hampshire's historical documents, artifacts, and buildings, as well as its
5 historic areas and archaeological sites is necessary for such commemoration; and that
6 New Hampshire historical societies, preservation societies, museums, and libraries serve the public
7 by collecting, preserving, and interpreting New Hampshire history; and that educating students and
8 the general public in the importance of New Hampshire history and its preservation promotes civic
9 life; and that October is a month of notable dates in New Hampshire history;

10 2 New Section; Observances Proclaimed by the Governor; New Hampshire History Day. Amend
11 RSA 4 by inserting after section 13-o the following new section:

12 4:13-p New Hampshire History Day. The governor shall annually issue a proclamation calling
13 for the proper observance of the third Friday in October as New Hampshire History Day and shall
14 call on the citizens of New Hampshire to observe the day with appropriate ceremonies and activities
15 commemorating New Hampshire history and promoting its preservation.

16 3 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON LEGISLATIVE ADMINISTRATION

PUBLIC HEARING ON HB 585

BILL TITLE: proclaiming the third Friday in October as New Hampshire history day.

DATE: February 8, 2011

LOB ROOM: 104 **Time Public Hearing Called to Order:** 11:00 AM

Time Adjourned: 11:20 AM

(please circle if present)

Committee Members: Reps. Mirski, Comerford, Gonzalez, Kidder, Garcia, Tobin, Ball, Beattie, Bradley, K. Brown, Condra, Duarte, Harty, Richardson, Ritter, Browne, Pelletier, Wallner, Chase and Johnsen.

Bill Sponsors: Reps. Watters, Straf 4; Norelli, Rock 16; Welch, Rock 8; K. Roberts, Ches 3; Sens. O'dell, Dist 8; Merrill, Dist 21

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Representative David Watters, prime sponsor – supports. He introduced the bill. This bill is timely. A preservation of historical buildings and artifacts is very important to New Hampshire. At least once a year we will take notice of the subject addressed by this bill and October is a good month to celebrate history i.e. October 8, 1859 is the death of President Franklin Pierce. He recommend ought to pass on this bill.

***Richard Lambert, Senior Researcher, Legislative Services.** He provided attachments to this bill.

***William Dunlap, Executive Director, New Hampshire Historical Society – supports.** See written testimony. He is interested in preserving the history of New Hampshire. It has 4,000 or more members in NH. This is about good citizenship and he supports passage of this bill.

***Jennifer Goodman, Executive Director, New Hampshire Preservation Alliance - supports.** See written testimony.

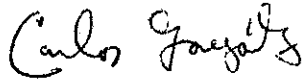
***Elizabeth Muzzey, Director and State Historic Preservation Officer, NH Division of Historical Resources – supports.** See written testimony.

Kenneth Reliher, Department of Education – supports. Teaching of the state constitution is done in New Hampshire. This bill will reassure continuing teaching the Constitution in New Hampshire.

Page 2
HB 585

***Richard Boisvert, New Hampshire Archeological Society – supports. See written testimony.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Carlos Gonzalez". The signature is written in black ink and is positioned above the printed name.

Representative Carlos Gonzalez, Clerk

HOUSE COMMITTEE ON LEGISLATIVE ADMINISTRATION

PUBLIC HEARING ON HB 585

BILL TITLE: proclaiming the third Friday in October as New Hampshire history day.

DATE: 2/8/2011

LOB ROOM: 104

Time Public Hearing Called to Order:

11:00

Time Adjourned:

11:20

(please circle if present)

Committee Members: Reps. Mirski, Comerford, Gonzalez, Kidder, Garcia, Tobin, Ball, Beattie, Bradley, K. Brown, Condra, Duarte, Harty, Richardson, Ritter, Browne, Pelletier, Wallner, Chase and Johnsen.

Bill Sponsors: Reps. Watters, Straf 4; Norelli, Rock 16; Welch, Rock 8; K. Roberts, Ches 3; Sens. O'dell, Dist 8; Merrill, Dist 21

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

✓ Richard Lambert, Senior Branch Legislative Services. Provided all attachments for this bill HB 585. See attachment on this file.

- Rep. Watters. Open bill. This bill is timely. Preservation of historical buildings and artifacts very important to NH. at least once a year we will take notice of this subject addressed by HB 585 and Oct. is a good month to celebrate history. i.e. Oct. 8th, 1859 death of Pres. Franklin Pierce

Rep. Watters → Reamers OTP.

* Williams Dunlap, Exec. Dir. of NH Historical Society. Interested in preserving history of NH. It has 4000 or more members, in NH. This is about good citizenship and he supports passage of this bill.

- Jennifer Goodman - NH Preservation Alliance Exec. Dir. - A pseudo document attached on support of this bill.
- Elizabeth Murray: ^{Director of State Historical Preservation Officer} supports bills. See attachment.
- Kenneth Reihner Dept. of Educ. supports bill on behalf of the Dept. of Education. Teaching of state constitution ~~is~~ done in NH. This bill will assure continuing this teaching in NH.
- Richard Doisvert, NH Archaeological Society. Supports this bill.
- No question on this bill. Close it.

Testimony

DB585 File Copy
Richard Lambert

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE January 7, 2011

FROM Richard M. Lambert *RML*
Senior Researcher
AT (OFFICE) Legislative Services

SUBJECT New Hampshire General Court Authority to Expel a Member

TO Representative Paul Mirski

You requested information regarding any instance in which a member has been expelled from the General Court. You also requested information regarding the General Court's authority to expel a member.

In response to your request, I have provided the following:

- A copy of a letter dated July 5, 2005, from then-Chairman of the Legislative Ethics Committee Edward M. Gordon to then-Senate President Thomas R. Eaton and then-House Speaker W. Douglas Scamman regarding whether the General Court has the constitutional authority to expel a member, and a response dated August 5, 2005, from President Eaton and Speaker Scamman.
- A decision of the Massachusetts Supreme Judicial Court in 1855 in which the Massachusetts court ruled that the power of expulsion is an "inherent, incidental and necessary power" possessed by the Massachusetts House and Senate. This decision is relevant because the constitutional provision interpreted by the Massachusetts court (Art. X) is very similar to New Hampshire Constitution Part 2, Art. 22. The Massachusetts court also ruled that the courts cannot inquire into the reasons for expulsion or whether the member was duly heard.
- Mass. Constitution Art. X and NH Constitution Part 2, Art. 22.
- Information regarding the 1913 expulsion of Representative Clifford Snow by the New Hampshire House for selling votes and visiting a "roadhouse," the only known instance of expulsion of a member from the General Court.

I hope that this information is helpful.



State of New Hampshire

GENERAL COURT

LEGISLATIVE ETHICS COMMITTEE

State House - Room 112
Concord, NH 03301-4951

July 5, 2005

Honorable Thomas R. Eaton, President
New Hampshire Senate
State House Room 304
107 North Main Street
Concord, NH 03301

The Honorable W. Douglas Scamman, Speaker
New Hampshire House of Representatives
State House Room 312
107 North Main Street
Concord, NH 03301

RE: ETHICS COMMITTEE PROCEDURAL RULES

Dear President Eaton and Speaker Scamman:

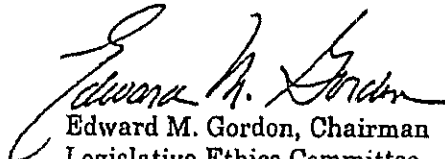
RSA 14-B:4, VIII, (d)(1) provides that the Legislative Ethics Committee may recommend one or more disciplinary actions, including "expulsion from the senate or house of representatives." The Procedural Rules of the Legislative Ethics Committee in Section 10, IV(a) provide that "(i)n cases involving a legislator, or officer of the legislature, the committee shall submit its report to the speaker of the house and senate president. The report may recommend one or more of the following disciplinary actions: reprimand, censure, expulsion, or denial or limitation of any right, power, privilege, or immunity of the legislator that the constitution of New Hampshire permits the general court to deny or limit." During the recent debate in the House of Representatives over the adoption of the report of the Ethics Committee on the matter involving Representative Gene Chandler, a question was raised as to whether the Legislature has the constitutional authority to expel a duly elected member. Uncertainty over that question may well have played a role in the outcome of the vote.

It makes little sense to continue to retain expulsion as a possible recommendation if it is not constitutionally permissible. This question must be clarified before the Ethics Committee and the Legislature find themselves in similar circumstances sometime in the future.

Therefore, I have been authorized on behalf of the Legislative Ethics Committee to request that the House and Senate jointly seek a legal opinion from the Attorney General as to whether and under what circumstances the House and Senate have the authority to expel a member.

On behalf of the Legislative Ethics Committee, I am

Sincerely yours,



Edward M. Gordon, Chairman
Legislative Ethics Committee

EMG/lja

CC: Members of the Legislative Ethics Committee



THE GENERAL COURT
OF
NEW HAMPSHIRE
CONCORD 03301

THOMAS R. EATON
PRESIDENT OF THE SENATE

W. DOUGLAS SCAMMAN, JR.
SPEAKER OF THE HOUSE

August 12, 2005

Hon. Edward M. Gordon, Chairman
Legislative Ethics Committee
Room 112
State House
Concord, NH 03301

Re: RSA 14-B Recommendations

Dear Chairman Gordon:

We are in receipt of your recent correspondence asking us to seek a legal opinion from the Attorney General regarding the inclusion of expulsion as a potential recommendation for disciplinary action to be imposed against a legislator in cases where serious misconduct has been established by clear and convincing evidence. For the reasons that follow, we do not believe that it is necessary to seek the opinion of the Attorney General on this issue.

We are mindful that, pursuant to RSA 14-B:4, the Legislative Ethics Committee is charged with the task of investigating complaints involving improper conduct by House or Senate members, as well as officers and employees of the Legislature. We are also aware that the statute requires the Committee to submit specific recommendations concerning what disciplinary action should be imposed. Further, that the Committee's recommendations are to be considered and, if approved, ratified by the appropriate body of the General Court, in the event a complaint involves serious improper conduct by a member. We are satisfied that, in certain cases, expulsion is a constitutionally proper and appropriate disciplinary action if a House or Senate member has engaged in improper conduct of a serious nature.

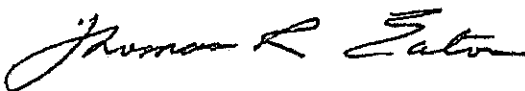
Following the Committee's recent disciplinary recommendation relative to Representative Chandler, the House of Representatives fully considered and debated the Committee's recommendation of expulsion. The debate focused on the severity of disciplinary action proposed, as well as Representative Chandler's acknowledgement and admission to the underlying conduct and the fact that his constituents re-elected him. The House agreed with the Committee's recommendation that some disciplinary action should be taken, but the members voted to impose a less severe sanction, censure. This vote should not, in our view, impair the constitutionality or the appropriateness of "expulsion" as a disciplinary action in other circumstances.

Hon. Edward M. Gordon, Chairman
August 12, 2005
Page Two

Therefore, we do not believe that an opinion from the Attorney General would effectively remove doubts about the authority or propriety of legislators voting for expulsion when circumstances warrant. We believe that in addressing questions of serious ethical misconduct, each individual member must vote his or her conscience. If a member believes that he or she has the power to vote to expel another member, they should feel unconstrained in casting such a vote. If a member believes that such a vote would violate the Constitution, then they should obviously not cast such a vote.

Accordingly, we do not believe that seeking an opinion from the Attorney General on this subject is necessary or warranted. We appreciate your concerns and continued service to the State of New Hampshire, and we are happy to discuss this matter with you further if you so desire.

Sincerely,



Thomas R. Eaton
President of the Senate



W. Douglas Scamman, Jr.
Speaker of the House

Hiss v. Bartlett.

C. M. Ellis, for the petitioner.

T. H. Russell, for the respondent.

THE COURT ordered said Amadon to be discharged from his imprisonment.

JOSEPH HISS vs. WILLIAM S. BARTLETT.

The house of representatives of Massachusetts have the power to expel a member; and the reasons for expulsion, and the question whether a member was duly heard before being expelled, cannot be inquired into by this court in determining whether he was privileged, as a member, from arrest on meane process.

HABEAS CORPUS, issued by the chief justice, on the 18th of May 1855, on the petition of Joseph Hiss, representing that he was a member of the house of representatives of this commonwealth, and as such exempt from arrest on meane process, while going unto, returning from or attending the general court; and that, while attending the general court as such member on the 17th of May, he was arrested and committed to the jail for this county, and there detained by William S. Bartlett, the keeper thereof, by virtue of a writ of capias and attachment sued out of the court of common pleas, supported by the affidavit required by law.

The creditors, at whose suit the arrest was made, having had notice to appear, under Rev. Sts. c. 111, § 19, filed an answer, admitting the arrest, and denying that the petitioner was a member of the house of representatives.

At the hearing before the chief justice, it was proved by copies of the journals and files of the house of representatives, certified by their clerk, pursuant to *St. 1844, c. 153*, that the petitioner was duly elected, and qualified and acted, as a member of the house for 1855, and that a committee, appointed by the house to investigate his conduct on a visit to Lowell as one of a committee of the house, recommended his expulsion from the house, on the ground that "his conduct upon the committee at Lowell was highly improper and disgraceful, both to himself and to this

Hiss v. Bartlett.

body, of which he is a member;" and that the house, without giving him an opportunity to be fully heard by counsel, on the 10th of May resolved, "for the reasons set forth in the report of the committee," that he be expelled from the house.

The case was argued before the chief justice.

B. F. Butler & B. Dean, for the petitioner. The proceedings, relied on to show that the petitioner had been deprived of the office of member of the house of representatives, are insufficient.

The house have no power given by the Constitution of the Commonwealth to expel a member. (1.) The power given to them by c. 1, § 3, art. 10, to punish by imprisonment, for disorderly conduct, "Every person, not a member," excludes any such implied authority. (2.) This section only makes it the "judge of the returns, elections and qualifications of its own members, as pointed out in the constitution;" and those qualifications are that he shall have been, for one year next preceding his election, an inhabitant of the town; and shall not have been convicted, in due course of law, of bribery and corruption, in obtaining his election. c. 1, § 3, art. 3; c. 6, art. 2; amendments, art. 13. (3.) The power of expulsion necessarily includes a power of trial; and the house have only power to "try and determine cases where their rights and privileges are concerned, and which by the Constitution they have authority to try and determine." c. 1, § 3, art. 11. (4.) They have not this power, by virtue of the authority conferred upon them by c. 1, § 3, art. 10, to make rules and orders; for no rule or order for expelling a member had ever been made. (5.) Such power would contravene art. 12 of the Declaration of Rights, by taking away the privileges of a subject without the judgment of his peers, or the law of the land; and also art. 24, by punishing an act which had not been declared a crime by any preceding law. (6.) It cannot be derived from parliamentary common law; for no common law exists in this commonwealth, save that of "the courts of law," adopted by the Constitution, c. 6, art. 6. Parliamentary law is other and different from the common law of the courts, and is peculiar to itself; it is *lex et consuetudo parliamenti*. 4 Inst. 16. 1 Bl. Com. 161. May's Law of Parliament,

Hiss v. Bartlett.

(2d ed.) 59. 2 Hatsell's *Precedents* (3d ed.) 75, *note*. Yet even by this law, as best interpreted and understood, the House of Commons of England do not claim to exercise this power, but, in the case of John Wilkes, solemnly voted it to be "subversive of the rights of the whole body of electors of this kingdom." May's *Law of Parliament*, 54. 1 *Bl. Com.* (1st ed.) 163. And the power can hardly have been omitted by accident in our constitution, framed during the controversy in the case of Wilkes, by men who took the side of constitutional liberty. In the constitutions of the United States, and of each state adopted since 1783, (with the single exception of that of New Hampshire, adopted in 1784, and modified in 1792,) this power has been expressly given, in a more or less restricted manner, but to be exercised in almost every instance, by two thirds of all the members elected, and never a second time for the same cause.

The constitutional remedy for maladministration or misconduct of a member is, as in the case of "any officer of the Commonwealth," by impeachment by the house, and trial by the senate under oath. *c.* 1, § 2, art. 8; § 3, art. 6. A representative is an "officer." *c.* 6, arts. 1, 2; amendments, art. 8. If he is not an officer, and as such entitled to be tried by the senate, he can be pardoned by the governor; *c.* 2, § 1, art. 8; which would be an anomaly never intended by the framers of the Constitution.

But if the house have the power of expulsion, it can only be as a power of selfprotection, inherent in every assembly, and must be exercised in framing rules and orders, declaring what misconduct shall be liable to such punishment; and this has not been done. Besides; being derived from necessity, it can only be exercised where and while that necessity exists; but the journal of the house shows that this expulsion was voted for alleged misconduct out of the town where the legislature was in session, and in no way interfering with the proceedings of the house; and was in the nature of a punishment for previous misconduct, rather than of a prevention and staying of an existing evil or disorder.

If the power exists, it was improperly exercised in this case;

Hill v. Bartlett.

for the journal shows that the accused had no opportunity of defending himself against the accusation, as secured to him by art. 12 of the Declaration of Rights. And the attempt to punish him is a usurpation of judicial power by the legislature, in contravention of art. 13.

If it be suggested that, the power of expulsion being granted, the exercise of it is one of the privileges of the house, and cannot be reëxamined by the court in this process, we reply, 1st. That doctrine, as applied to parliamentary law, is confined to commitments for contempt, and does not extend to cases where the house has exceeded its jurisdiction, as in the case of any other superior court committing for contempt. *Stockdale v. Hansard*, 7 Car. & P. 731. *Burdett v. Abbot*, 14 East, 1. 2d. Here is no question of privilege; but a case between party and party, affecting personal liberty. 3d. Even if it were a question of privilege, yet, in a matter affecting personal liberty, parliamentary law is not in force in this commonwealth, (1.) Because not expressly recognized; (2.) Because overridden by the Declaration of Rights, art. 11, which declares that "every subject ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property or character."

J. H. Buckingham, for the respondent.

The chief justice, on the 23d of May, delivered the following opinion, in which Justices Metcalf and Bigelow concurred.

SHAW, C. J. This case arises upon the privilege of a representative, to be exempted from arrest on mesne process, going to, returning from or attending the general court. Const. of Mass. c. 1, § 3, art. 10.

Can this be inquired into by *habeas corpus*? I think it can. It is a question of personal privilege, not of the privilege of the house. If it were, it might be more questionable. *Wilkes's case*, 19 Howell's State Trials, 981. *Holiday v. Pitt*, 2 Stra. 985.

The question is whether the house of representatives have the power to expel a member. The only clause in the constitution which can have a bearing on this question is as follows: "The house of representatives shall be judge of the returns,

 Ellis v. Bartlett.

elections and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker, appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault or arrest any witness or other person ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house." c. 1, § 3, art. 10. The authority to be "judge of the returns, elections and qualifications of its own members," does not limit their power; they are judges in other respects, in all respects.

They "shall settle the rules and orders of proceeding." It is said they had made no rule on the subject previously. I doubt whether that is necessary. They cannot enlarge their own powers by a rule. Why may they not make a particular rule, when the exigency arises? The more obvious purpose of this clause was, no doubt, to give an authority to make general rules. But a case may arise, unforeseen, for which no rule had been previously prescribed. I am rather inclined to think that this clause gives the power.

But if not, the omission of an authority to punish members, when that of punishing persons, not members, is so distinctly given, may well have been made because their implied power over their own members was full and complete, though an express grant of power was necessary, in regard to persons not members. The maxim, *expressio unius exclusio est alterius*, does not apply except where the two cases are alike.

There is a marked difference between the power of punishment and the power of expulsion. If not punishment, then the twelfth and twenty-fourth articles of the Declaration of Rights, as to trial by peers, and opportunity to defend, and the

Hiss v. Bartlett.

injustice of punishing acts not declared crimes by preceding laws, do not apply. The power to expel implies the power to try; and if, by the Constitution, they have the power to expel, the power to try is expressly given them by c. 1, § 3, art. 11.

There is nothing to show that the framers of the constitution intended to withhold this power. It may have been given expressly in other states, either *ex majori cautela*, or for the purpose of limiting it, by requiring a vote of more than a majority.

It is suggested that the true remedy is by impeachment. But that form of proceeding has never been applied to members of the legislature; and would be slow, laborious and expensive, and inadequate to the object sought to be attained. Impeachment lies only for purposes of punishment, by deprivation of office, and disqualification to hold office, leaving the offender still liable to indictment, if the offence be indictable.

The power of expulsion is a necessary and incidental power, to enable the house to perform its high functions, and is necessary to the safety of the State. It is a power of protection. A member may be physically, mentally or morally, wholly unfit; he may be afflicted with a contagious disease, or insane, or noisy, violent and disorderly, or in the habit of using profane, obscene and abusive language. It is necessary to put extreme cases, to test a principle.

If the power exists, the house must necessarily be the sole judge of the exigency which may justify and require its exercise.

As to the law and custom of parliament, the authorities cited clearly show that the jurisdiction to commit, and also to expel, has long been recognized, not only in parliament, but in the courts of law, for the purposes of protection and punishment. I here confine myself strictly to the law of personal privilege from arrest. There has been much debate upon abuse of power, and excess of claim of privilege; but the power to commit or expel is uniformly admitted. The whole subject of privilege is much discussed in *Thompson's case*, 8 Howell's State Trials, 1, & note. Formerly it required a writ of privilege to discharge from arrest; but the practice now is to discharge on motion.

40°

Hiss v. Bartlett.

Holiday v. Pill, 2 Stra. 985. *Crosby's case*, 19 Howell's State Trials, 1150.

But to look at the more recent cases upon the question of jurisdiction, some of which were cited by the counsel for the prisoner. The case of *Burdett v. Abbot*, 14 East, 1, was an action of trespass by Sir Francis Burdett, a member of the house of commons, against the speaker of the house, for breaking and entering his dwelling-house, and carrying him to the tower. The speaker justified under the order of the house for the commitment of the plaintiff for contempt, for libels published by him injurious to the house; and it was held a good justification. An elaborate judgment was given by Lord Ellenborough, fully recognizing the power of the house of commons to commit one of its own members for breach of its privilege by publishing libels. This decision was affirmed on error in the exchequer chamber. 4 Taunt. 401.

The next is the well known case of *Stockdale v. Hansard*, which led to a sharp contest between the house of commons and the king's courts. 7 Car. & P. 731. 9 Ad. & El. 1. 11 Ad. & El. 253, 273, 297. The controversy was ultimately settled in 1840, by *St. 3 & Vict. c. 9*. The question was, whether the publication of matter, which would otherwise be libellous against an individual, could be justified under an order of the house of commons; and the courts of law held it no justification. That was a civil action. Many of the remarks of the judges intimate what are the privileges of the house of commons. Coleridge, J. said: "No one, in the least degree acquainted with the constitution of the country, will doubt that in one sense the house is alone to judge of its own privileges—that in the case of a recognized privilege the house alone can judge whether it has been infringed, and how the breach is to be punished." 9 Ad. & El. 218.

If the house of commons have the power to commit, it appears to me, *a fortiori*, that they have the power to expel.

But it is suggested that, although the Constitution, c. 6, art. 6, provides that all the laws, which have heretofore been adopted, used and approved, and usually practised on in the courts of law,

Hiss v. Bartlett.

shall still remain in full force, until altered or repealed by the legislature; this does not extend to the laws and customs of parliament. This conclusion may perhaps admit of some doubt.

For a long time, it was maintained by those who favored privilege and prerogative, that these were not inquirable into, in the common law courts; and the great struggle in modern times has been to bring these privileges within the cognizance of courts of law, especially when occasion arises to inquire into them collaterally.

But there is another consideration, which seems to render it proper to look into the law and practice of parliament, to some extent. I am strongly inclined to believe, as above intimated, that the power to commit and to expel its members was not given to the house and senate, respectively, because it was regarded as inherent, incidental and necessary, and must exist in every aggregate and deliberative body, in order to the exercise of its functions, and because without it such body would be powerless to accomplish the purposes of its constitution; and therefore any attempt to express or define it would impair, rather than strengthen it. This being so, the practice and usage of other legislative bodies, exercising the same functions, under similar exigencies; and the reasons and grounds, existing in the nature of things, upon which their rules and practice have been founded; may serve as an example and as some guide to the adoption of good rules, when the exigencies arise under our constitution.

But independently of parliamentary custom and usages, our legislative houses have the power to protect themselves, by the punishment and expulsion of a member.

It is urged that this court will inquire whether the petitioner has been tried. But if the house have the jurisdiction for any cause to expel, and a court of justice finds that they have in fact expelled, I think we are bound to say, that when he was arrested, he was not a member of the house of representatives, and his privilege from arrest was at an end. *Prisoner remanded.*

Article X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house: They shall have authority to punish by imprisonment, every person, not a member, who shall be guilty of disrespect to the house, by any disorderly, or contemptuous behavior, in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly

Art. 22. [House to Elect Speaker and Officers, Settle Rules of Proceedings, and Punish Misconduct.]

The house of representatives shall choose their own speaker, appoint their own officers, and settle the rules of proceedings in their own house; and shall be judge of the returns, elections, and qualifications, of its members, as pointed out in this constitution. They shall have authority to punish, by imprisonment, every person who shall be guilty of disrespect to the house, in its presence, by any disorderly and contemptuous behavior, or by threatening, or illtreating, any of its members; or by obstructing its deliberations; every person guilty of a breach of its privileges, in making arrests for debt, or by assaulting any member during his attendance at any session; in assaulting or disturbing any one of its officers in the execution of any order or procedure of the house; in assaulting any witness, or other person, ordered to attend, by and during his attendance of the house; or in rescuing any person arrested by order of the house, knowing them to be such.

Amendments

—1793. Added "and shall be judge of the returns, elections, and qualifications, of its members, as pointed out in this constitution" at the end of the first sentence.

act ... 697, 1444
 ... 82
 See ballot
 States Senator.
 ... 618
 House will meet
 resolutions.
 ment to United
 355, 378, 431, 443
 representatives as
 67, 338, 715, 1442
 people ... 696
 746, 787, 968, 986
 136, 1426, 1432, 1441
 ment ... 1427, 1432
 ... 41, 42
 ... 163, 574
 ... 698, 929
 of members ... 1346
 1309, 1398
 ... 51
 ... 46
 ... 47
 ... 52
 ... 183, 542
 ilroad corpora-
 mission, pro-
 17, 850, 1042, 1176
 ... 183, 654
 act ... 171, 426
 and act ... 410
 154, 460, 1040, 1050
 of governors ... 922
 967, 983, 1119, 1139
 and funeral of
 ... 462
 ... 855
 ... 614, 749
 ... 878
 on of ... 1123
 1120, 1211, 1323
 ... 184, 495
 or of ... 233, 929
 ... 1213

Shirley, Arthur R., granted leave of absence ... 789, 855
 Sheriff of Coas county, salary of, to amend act ... 143, 304, 401, 797, 804
 Sullivan county, to fix salary of ... 134, 428, 430, 1205, 1228
 Sherry, George H., granted leave of absence ... 1078
 rose to question of personal privilege ... 1063
 Shoe manufacturers prohibited from charging employees for
 damaged goods ... 113, 1324
 Shorten form of deeds, mortgages and other instruments relating to
 real property ... 134, 240
 Shows, billiard tables and bowling alleys, to amend act licensing 690, 860
 Sidewalks in Manchester, construction of ... 676, 801, 847, 850, 1243, 1371
 Signing of editorials or articles ... 132, 279
 Sinclair, Charles H., granted leave of absence ... 666, 900
 Single tax, resolution regarding ... 171, 347, 376
 Sixteenth amendment, ratifying ... 67, 68, 330, 407, 430, 644
 Size and construction of caboose cars, to regulate ... 112
 881, 930, 937, 1130, 1172
 Slander or libel of person deceased ... 195, 654
 Slattery, Daniel, granted leave of absence ... 896
 Small loans, relating to ... 89, 300
 Smelt and lobsters, catching of, to amend act ... 518, 527
 Smiley, Robert L., granted leave of absence ... 380
 death of ... 459
 committee to attend funeral authorized ... 459
 appointed ... 402
 prepare resolutions authorized ... 459
 appointed ... 402
 report of ... 533
 in favor of ... 613, 699, 726
 Smith, Ezra M., appointed on committee to investigate charges of
 corrupt practices in connection with senatorial situation 500
 Herbert W., granted leave of absence ... 556
 John T., and others, in favor of ... 1079, 1143, 1170, 1204, 1370
 granted leave of absence ... 796
 notice of contested seat ... 69
 report of committee 905
 Snodgrass and Stewart, in favor of ... 211, 321, 928
 Snow, Clifford L., committee to investigate charges of corrupt
 practices authorized ... 462
 appointed ... 506
 report of ... 909
 supplementary report ... 930
 action on resolution ... 953
 roll call on ... 955
 in favor of ... 1330, 1408, 1424

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

COMMITTEE APPOINTMENTS.

The Speaker announced the appointment of the following gentlemen to attend the funeral of Representative Robert L. Smiley:

Messrs. Shaw of Salisbury, Bean of Belmont, Atwood of Wilmot, Messer of New London and Buttrick of Danbury.

The Speaker also announced the following committee on resolutions: Messrs. Brennan of Peterborough, Belanger of Manchester and Cutter of Jaffrey.

On motion of Mr. Tilton of Tilton, at 4.16 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 26, 1913.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

RESOLUTIONS.

On motion of Mr. Russell of Farmington,—

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate at 12 o'clock noon, today, for the purpose of proceeding to the election of a United States senator for the full term of six years from March 4, 1913, according to law.

On motion of Mr. Perkins of Manchester,—

WHEREAS, Certain rumors are in circulation to the effect that offers of money have been made to members of this Legislature to influence their vote for or against candidates for United States senator, and

WHEREAS, Certain rumors are in circulation to the effect that promises have been made to members of this Legislature of other improper considerations to influence their vote for or against candidates for United States senator, which said rumors ought to be investigated in order that any stigma upon the reputation of any member of this House or upon the House itself may be removed, therefore,

Be it Resolved, That the Speaker be authorized to appoint a committee of three to investigate any and all such rumors that may be brought to their attention, with power to engage counsel, to examine witnesses, orally or upon deposition, and to compel the attendance of witnesses in the same manner as provided by law for the attendance of witnesses before the Superior Court. Said committee shall report its findings to the House at the earliest possible date.

The question being on the resolution,

(Discussion ensued.)

On a *viva voce* vote the resolution was adopted.

PETITIONS PRESENTED AND REFERRED.

By Mr. Roberts of Meredith, Petition of D. A. Ambrose and 343 other residents of Meredith, protesting against the passage of House Bill No. 507, in relation to the shipment of liquor into no-license cities and towns.

By Mr. Gilman of Bristol, Petition of the Methodist Episcopal Church of Bristol, protesting against the passage of House Bill No. 507, in relation to the shipment of liquor into no-license cities and towns.

By Mr. Gilman of Bristol, Petition of R. W. Musgrove and 27 other residents of Bristol, protesting against the passage of House Bill No. 507, in relation to the shipment of liquor into no-license cities and towns.

By Mr. Clifford of Franklin, Petition of members of the Methodist Episcopal Church of Franklin, protesting against the passage of House Bill No. 507, in relation to the shipment of liquor into no-license cities and towns.

By Mr. Duncan of Alton, Petition of Herbert A. Jones and 28 other residents of Alton, protesting against the passage of House Bill No. 507, in relation to the shipment of liquor into no-license cities and towns.

By Mr. French of Nashua, Petition of C. C. Woodbury and other residents of Nashua, protesting against the passage of House Bill No. 507, in relation to the shipment of liquor into no-license cities and towns.

COMMITTEE APPOINTED.

Pursuant to a resolution passed at the morning session, February 26, regarding the investigation of certain charges in connection with the senatorial situation, the Speaker appointed the following committee to investigate said charges:

Messrs. Smith of Peterborough, DeMeritt of Durham and Webster of Holderness.

On motion of Mr. Ahern of Concord, at 1.06 o'clock the House adjourned.

FRIDAY, FEBRUARY 28, 1913.

The House met at 11.45 o'clock according to adjournment.

The following letter was read by the clerk:

WOLFEBORO, N. H., February 28, 1913.

Mr. Frank P. Laughlin,
Manchester, N. H.

DEAR SIR: I shall not be present at the morning session on Friday, February 28. Will you kindly preside for me?

Yours truly,

WILLIAM J. BRITTON,
Speaker.

RESOLUTION.

On motion of Mr. Sullivan of Ward 7, Concord,—
Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate at 12 o'clock noon, today, for the purpose of proceeding to the election of a United States senator for the full term of six years from March 4, 1913, according to law.

On motion of Mr. Ahern of Concord, the House took a recess for ten minutes.

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A message from
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House of Represent
entitled bills:

House Bill No
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House Bill No.

in the city of Ma:

House Bill No.
of the Public Stat
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House Bill No.

brought to final adjournment on Thursday, the twenty-fourth day of April, instant, at 3 o'clock in the afternoon.

Resolved, That all reports, bills and joint resolutions pending in either branch of the Legislature be indefinitely postponed.

The question being on the resolution,

(Discussion ensued.)

On motion of Mr. Elwell of Exeter, the resolution was laid upon the table.

On motion of Mr. Ahern of Concord, committee reports were made in order.

The Special Committee on Investigation on Senatorial Question made the following report:

To the House of Representatives:

The committee appointed by the Speaker to investigate certain rumors alleged put in circulation in connection with the election of the United States senator has attended to that duty, and begs leave to submit the following report:

The resolution under which this committee was appointed was passed by the House on February 26, 1913, and reads as follows:

"WHEREAS, Certain rumors are in circulation to the effect that offers of money have been made to members of this Legislature to influence their vote for or against candidates for United States senator, and

"WHEREAS, Certain rumors are in circulation to the effect that promises have been made to members of this Legislature of other improper considerations to influence their vote for or against candidates for United States senator, which said rumors ought to be investigated in order that any stigma upon the reputation of any member of this House or upon the House itself may be removed, therefore

Be it Resolved, That the Speaker be authorized to appoint a committee of three to investigate any and all such rumors that may be brought to their attention, with

power to engage counsel, to examine witnesses, orally or upon deposition, and to compel the attendance of witnesses in the same manner as provided by law for the attendance of witnesses before the superior court. Said committee shall report its findings to the House at the earliest possible date."

On the date of the passage of this resolution the committee met and organized by the choice of Mr. Smith of Peterborough as chairman, and Mr. Webster of Holderness as clerk.

Hearings by the committee were begun on March 17, 1913, and continued on March 28, March 31 and April 7, instant, on which last mentioned date they were finally concluded.

After the first hearing the committee engaged as its counsel in the investigation, Hon. William M. Chase of Concord, Hon. James W. Remick of Concord, and Sherman E. Burroughs, Esq., of Manchester.

All hearings were public and all the testimony was taken under oath by the House stenographer.

A similar committee appointed by the Honorable Senate sat with your committee at all the hearings. All evidence bearing in any way upon the matter under investigation that came to the attention of the committee, or its counsel, was presented, and appears in the stenographic record, which is hereto appended, and made a part of this report.

Upon consideration of all the evidence, your committee finds that there is no evidence that any offer of money or any promise of any other improper consideration whatever has been made to any member of this Legislature to influence his vote for or against any candidate for United States senator.

(Signed) EZRA M. SMITH.
ALBERT DEMERITT.
HAROLD A. WEBSTER.

In the second preamble of the resolution it appears that at least one purpose of the House in adopting it was

to ascertain by a definite finding if any stigma rested upon the reputation of any member of this House, or upon the reputation of the House itself, in order that if such was found to be the fact appropriate action might be taken by the House to purge itself and its membership of such stigma.

Your committee upon a consideration of all the evidence finds that on or about February 1, 1913, Clifford L. Snow, being at the time a member of this House from Ward 3, in the city of Manchester, offered to dispose of his vote and that of four other members of this House, whose names he did not divulge, for United States senator, to Gordon Woodbury of Manchester for a pecuniary consideration, to wit, for the sum of one thousand dollars.

Your committee further finds that on or about February 1, 1913, said Clifford L. Snow offered to dispose of his vote, and that of two other members of this House, whose names he did not divulge, for United States senator, to Gordon Woodbury, said offer being made directly to said Woodbury's agent, W. D. Young of said Manchester. This offer was made for a pecuniary consideration, to wit, for the sum of two hundred dollars.

Your committee further finds that on or about January 15, 1913, said Clifford L. Snow made an offer to Elmer S. Tilton of Laconia, New Hampshire—said Tilton being a candidate before the Legislature for the election as a member of the Governor's Council—to obtain votes for said Tilton for said office of councillor, provided said Tilton would "do the right thing" by said Snow.

Your committee further finds that said Clifford L. Snow on or about the date of the convening of this Legislature made an offer to Phillip H. Faulkner of Keene, New Hampshire, he being at the time secretary of the Republican State Committee, to obtain the votes of nine Democrats, members of the Legislature, for Franklin Worcester for governor, for a pecuniary consideration, to wit, for the sum of nine hundred dollars, or one hundred dollars for

each vote. Said Snow to conduct all negotiations and to handle said funds.

Your committee further finds that on or about February 17, 1913, said Clifford L. Snow made a trip to Franklin, New Hampshire, and while there visited a so-called "road house."

Your committee further finds that the conduct hereinbefore specifically referred to on the part of said Clifford L. Snow while a member of this House was highly discreditable and disgraceful, and constitutes a stigma upon his own reputation as a member of this House, and likewise constitutes a stigma upon the reputation and dignity and honor of the House itself.

WHEREFORE, the undersigned, a majority of your committee, present the following resolution and moves its adoption:

WHEREAS, Clifford L. Snow, while a member of this House from Ward 3 in the city of Manchester, has been found guilty of conduct discreditable to himself and highly disgraceful to this House, and constituting a stigma upon the reputation and dignity and honor of this House, therefore,

Resolved, That said Clifford L. Snow be and he is hereby expelled from membership in this House, and the clerk is hereby instructed to strike his name from the list of members.

(Signed) EZRA M. SMITH.
HAROLD A. WEBSTER.

The report was accepted.

The question being on the resolution reported by the committee,

(Discussion ensued.)

On motion of Mr. Pillsbury of Manchester, the report of the committee together with the stenographic record of the proceedings was laid upon the table to be printed and made a special order for Wednesday, April 16, at 10.02 o'clock.

A message announced the House of Representatives entitled bills:

House Bill No. 209 to erect a station

House Bill No. 209 of the Laws of the city of Portsmouth to control its water

House Bill No. chapter 252 of the Laws of the State of New Hampshire and appeals.

House Bill No. chapter 252 of the Laws of the State of New Hampshire to authorize the city of Concord to purchase power business.

House Bill No. chapter 347 of the Laws of the State of New Hampshire fixed, of public

House Bill No. chapter 347 of the Laws of the State of New Hampshire to incorporate a

Railroad," passed acts relating to

House Bill No. chapter 347 of the Laws of the State of New Hampshire Concord, Dover

House Bill No. chapter 347 of the Laws of the State of New Hampshire ment of a committee

House Bill No. chapter 347 of the Laws of the State of New Hampshire ters relating to delinquent children

House Bill No. chapter 347 of the Laws of the State of New Hampshire of chapter 155 of the Laws of the State of New Hampshire

House Bill No. chapter 347 of the Laws of the State of New Hampshire of the Session Laws of 190

58

panies and their agents, prohibiting rebating, misrepresentation and twisting.

The third reading being in order, on motion of Mr. Baker of Exeter the bill was put back upon its second reading.

Mr. Baker of Exeter offered the following amendment:

Amend section 1 by striking out the following words in lines 18 and 19: "or any dividends or profits accruing or to accrue thereon."

On a *viva voce* vote the amendment was adopted.

On motion of Mr. Baker, the rules were suspended and the bill read a third time by its title. The bill was then passed and sent to the Senate for concurrence.

House Bill No. 647, An act to prohibit the transportation of liquors from outside of the state into no-license cities and towns in this state in certain cases.

The third reading being in order, Mr. Bartlett of Hanover moved that the rules be suspended, the bill put back upon its second reading and recommitted to the Committee on Liquor Laws.

The question being on the motion of Mr. Bartlett,

Mr. Morse of Newmarket moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Morse,

(Discussion ensued.)

Mr. Couch of Concord called for a division, but subsequently withdrew his call.

Mr. Morse withdrew his motion.

Mr. Clifford of Franklin moved that the bill be laid upon the table and made a special order for Thursday, April 17, at 10.01 o'clock, but subsequently withdrew his motion.

The question being on the motion of Mr. Bartlett of Hanover,

On a *viva voce* vote the motion prevailed.

Mr. Webster of Holderness presented the following:

SUPPLEMENTARY REPORT AND FINDING.

To the House of Representatives:

The committee appointed by the Speaker to investigate alleged rumors in connection with the election of United States senator beg leave to report to the House as an additional fact which was developed in the course of the investigation that Clifford L. Snow, some time in December, 1912, was employed by Franklin Worcester, then Republican candidate for governor, and was paid one hundred dollars by him for the purpose of canvassing votes for said Worcester with the promise of a License Board inspectorship, namely, the position held by one Ordway.

EZRA M. SMITH.
HAROLD A. WEBSTER.

The report was accepted.

On motion of Mr. Webster of Holderness, the supplementary report was added to the original report.

Mr. Cutter of Jaffrey moved that House Bill No. 599, An act prohibiting state officials from charging the state for certified copies furnished another state department, be taken from the table and made a special order for Tuesday, April 22, at 10.05 o'clock.

The question being on the motion of Mr. Cutter,

Mr. Wason of Nashua called for a division, but subsequently withdrew his call.

Mr. Cutter withdrew his motion.

On motion of Mr. Belanger of Manchester, at 5.25 o'clock the House adjourned.

Nashua city government, the Nashua board of trade, and the labor commissioner of said state, to compromise said trouble without avail, said company now refusing to treat with said state labor commissioner; therefore,

Be it Resolved, That the Speaker of the House be authorized to appoint four members to form a committee to work with a committee of three to be appointed by the President of the Senate to form a joint committee to investigate at once the conditions of said strike and the causes leading thereto, with power to engage counsel, to examine witnesses, orally or upon deposition, and to compel the attendance of witnesses in the same manner as provided by law for the attendance of witnesses before the superior court.

Said committee shall report its findings to the House and Senate at the earliest possible date.

On a *viva voce* vote the resolution was adopted.

SPECIAL ORDERS.

Mr. Pillsbury of Manchester called for the special order, the report of the investigating committee on senatorial question.

The question being on the resolution reported by the committee,

Mr. Morse of Newmarket offered the following resolution:

Resolved, That Franklin Worcester, Elmer S. Tilton and Jesse M. Barton be summoned before the bar of the House, and that the House in committee of the whole, after hearing what explanation of their transactions with Clifford L. Snow they may have to offer, take such action with reference to said Elmer S. Tilton, Franklin Worcester and Jesse N. Barton as may seem necessary; and

Further Resolved, That pending the appearance of Messrs. Tilton, Worcester and Barton before the bar of the House, and the action of the House in the premises, final action with reference to said Snow be postponed.

The question being on the resolution offered by Mr. Morse,

(Discussion ensued.)

Mr. Morse spoke in favor of the resolution.

Mr. DeMeritt of Durham moved that the resolution be laid upon the table.

On a *viva voce* vote the affirmative prevailed.

Mr. Morse demanded the yeas and nays.

Mr. DeMeritt rose to a question of personal privilege and stated his reason for not signing the report of the committee.

Mr. Morse rose to a question of personal privilege and stated his purpose in introducing the resolution.

Mr. Morse withdrew his demand for the yeas and nays.

The question being on the resolution reported by the committee,

On motion of Mr. Ahern of Concord, the report of the committee was accepted.

On motion of Mr. Ahern of Concord, at 12.30 o'clock the House took a recess for two hours.

(After recess.)

The question being on the resolution reported by the Committee on Senatorial Question,

(Discussion ensued.)

Mr. Smith of Peterborough spoke in favor of the resolution.

On motion of Mr. Brennan of Peterborough, the time of Mr. Smith was extended.

Mr. O'Neill of Walpole spoke against the resolution.

On motion of Mr. Ahern of Concord, the time of Mr. O'Neill was extended.

Mr. Shepard of Boscawen spoke against the resolution.

Mr. Eastman of Weare spoke against the resolution.

Mr. Jones of Franklin moved that the resolution be indefinitely postponed, and on this motion demanded the yeas and nays.

The question being on the motion to indefinitely postpone, Mr. Elwell of Exeter spoke against the motion.

Mr. Morse of Newmarket spoke in favor of the motion.

Mr. Cutter of Jaffrey spoke against the motion.

Mr. Morse protested against the remarks of Mr. Cutter. Mr. DeMeritt of Durham rose to a point of order that the House was not discussing the report of the committee, but was discussing the resolutions offered by the committee.

The Speaker ruled the point of order not well taken, as the House was now discussing the motion to indefinitely postpone the resolutions.

Mr. Webster of Holderness spoke against the motion.

Mr. Stevens of Landaff spoke against the motion.

Mr. Allen of Haverhill spoke in favor of the motion.

Mr. Bartlett of Hanover spoke against the motion.

Mr. Abern of Concord spoke in favor of a milder form of punishment.

Mr. Wagner of Manchester moved the previous question. The motion was seconded by Messrs. Demers and Dickey of Manchester.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being,

Shall the resolution be indefinitely postponed?

Mr. Jones of Franklin withdrew his demand for the yeas and nays.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee,

Mr. Webster of Holderness demanded the yeas and nays.

Mr. Lake of Brentwood asked to be excused from voting.

The request was denied by the House.

Mr. Wright of Washington asked to be excused from voting. The request was denied by the House.

The roll was called with the following result:

YEAS, 177.

ROCKINGHAM COUNTY.—Lake of Brentwood, Sargent of Danville, Baker, Eastman of Exeter, Elwell, Lamprey, Perkins of Hampton, Mace, Whippen, Smith of Newfields, Morse, Foss, Entwistle, Stoddard, Cater, Cowan.

STRAFFORD COUNTY.—Buzzell, Canney, Richardson of Dover, Scarr, DeMeritt, Davis of Farmington, Russell, Knox of Madbury, Dore, Faunce, Dickinson, Varney, Hanson.

BELKNAP COUNTY.—Bean of Belmont, Grant of Gilford, Fowler of Laconia, Fales, Elliott, Sawyer, Roberts, Lane.

CARROLL COUNTY.—Shirley, Head of Eaton, French of Moultonborough, Smith of Tamworth.

MERRIMACK COUNTY.—Webster of Allenstown, Clough of Bow, Boyce, Chase of Concord, Danforth, Sinclair, Wilkins of Concord, Couch, Waldron, Kendall, Sturtevant, Little, Wells of Epsom, Burleigh, Clifford, Connelly, Colby, Barnard of Hopkinton, Towle, Leach, Messer, Adams, Osgood, Shaw, Bartlett of Warner.

HILLSBOROUGH COUNTY.—Butterfield, Parker of Bedford, Mills, Johnson, Butler, Spaulding, Perham, Burlingame, Cole, Pinard, Bailey of Manchester, Clough of Manchester, Gile of Manchester, Lambert, Perkins of Manchester, Wagner, Bean of Manchester, Cook, Felch, Wheeler of Manchester, Dickey, Fairbanks, Haselton, Lamb, Woodbury, Franks, Vose, Beaumier, Belanger of Ward 9, Manchester, Demers, Dubois, Miville, Boulanger of Ward 10, Manchester, Ricard, Dutton, Langdell, Wilkins of Milford, Buxton, Fowell, French of Nashua, Wason, Crowell, Shenton, Dodge of New Boston, Smith of Peterborough, Brennan.

CHESHIRE COUNTY.—Allison, Holman, Wait, Boynton, Cutter, Callahan, Davis of Keene, Hamilton, Barrett of Keene, Hall, Bullock, Wellington, Whitcomb, Graves, Whitman, Hildreth.

SULLIVAN COUNTY.—Kemp of Acworth, Barnes, Freeman of Claremont, Kinney, Beaman, Pike, Hurd of Lempster, Chase of Newport, Rogers, Kidder of Springfield, Young, Lufkin, Wright.

GRAFTON COUNTY.—Patten, Hibbard, Glessner, Gilman, Stickney, Sargent of Canaan, Parker of Franconia, Kidder of Groton, Bugbee of Hanover, Bartlett of Hanover, Allen, Burbeck, Webster of Holderness, Stevens of Landaff, Gile

of Lebanon, True, Stetson, Burns of Monroe, Stevens of Orford, Pillsbury of Rumney, Tuttle, Davis of Wentworth, Fox.

COOS COUNTY.—Bailey of Berlin, Dupont, Burbank, Haarvei, Roberge, Drew, Gray, Emerson, Savage, Woods, Macloon, McAllister of Shelburne.

NAYS, 119.

ROCKINGHAM COUNTY.—Webster of Chester, Benson of Derry, Coburn, Neller, Slattery, Hoyt, Bailey of Hampstead, Avery, Tarleton, Griffin, Berry, Perkins of Nottingham, Philbrick, Rutledge, Moran, Goodwin, Beckinan, Brewster of Stratham.

STRAFFORD COUNTY.—Folsom, Sherry, Langmaid, Wesley, Willey of Milton, Grant of Rollinsford, Cote of Somersworth.

BELKNAP COUNTY.—Moore, Edgerly of Gilmanton, Switzer, Page, Tilton of Tilton.

CARROLL COUNTY.—Garland, Merrow, Moody, Knox of Madison, Hobbs of Ossipee, Heard of Sandwich, Hodgdon, Willey of Wakefield, Hobbs of Wolfeboro.

MERRIMACK COUNTY.—Shepard, Trow, Lake of Chichester, Coakley, Rolfe, Curtis, Sullivan of Ward 6, Concord, Sullivan of Ward 7, Concord, Wooster, Lee of Concord, Ahern, Gannon, Buttrick, Bugbee of Franklin, Jones of Franklin, Head of Hooksett, Herrick, Fowler of Pembroke, Robinson, Stone, Atwood.

HILLSBOROUGH COUNTY.—Cheney, Hobart, McAlister of Deering, Phelps, Metcalf, Clark of Hancock, Wilkins of Hillsborough, Pillsbury of Manchester, Collins, Flynn, Glynn, Hogan, Hurley, Laughlin, Shea of Manchester, Connor, Freeman of Manchester, Shanahan, Flint, Martin of Manchester, McGovern, Moquin, O'Leary, VanVliet, Turcotte, Janelle, Lee of Manchester, McCarthy, John, of Ward 10, Manchester, McCarthy, William G., of Ward 10, Manchester, Lesage, Rancour, Riendeau, Trombly, Sullivan of Nashua, O'Neil of Nashua, Bresnahan, Burns

of Nashua, Boggis, Davis of New Ipswich, Fitzgerald, Eastman of Weare, Herliby.

CHESHIRE COUNTY.—Forbes, Kennedy, Barrett of Troy, O'Neill of Walpole.

SULLIVAN COUNTY.—Charlton, Kemp of Croydon, Hourihan.

GRAFTON COUNTY.—Robie, Sargent of Grafton, Sherman, Harrington, Mooney, Watson, Ames, Batchelder, Rowe of Plymouth.

COOS COUNTY.—Whittemore, McHugh, Perkins of Jefferson, Connary, Baldwin, Jackson, Heath.

Mr. Reed of Rochester (voting no) was paired with Mr. Hurd of Strafford (voting yes).

Mr. Dodge of Laconia (voting no) was paired with Mr. Morrison of Laconia (voting yes).

Mr. Lawrence of Haverhill (voting yes) was paired with Mr. Arnold of Warren (voting no).

And the resolution of the committee was adopted.

Mr. Morse of Newmarket gave notice that on tomorrow, or some subsequent day, he should move to reconsider the vote whereby the House adopted the resolution of the committee on investigation of the senatorial question.

Mr. Elwell of Exeter moved that the House reconsider the vote whereby it adopted the resolution of the committee on investigation of the senatorial question, and on this motion moved the previous question.

Mr. Morse of Newmarket raised the point of order that a motion to reconsider could not be entertained until after adjournment.

The Speaker declared the point of order not well taken.

The motion for the previous question was seconded by Messrs. Clifford of Franklin and Couch of Concord.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being,

Shall the vote whereby the House adopted the resolu-

tion of the committee on investigation of the senatorial question be reconsidered?

Mr. Sullivan of Ward 6, Concord, moved that the House adjourn.

Mr. Clifford of Franklin demanded the yeas and nays.

Mr. Sullivan withdrew his motion.

The question being,

Shall the vote whereby the House adopted the resolution of the committee on investigation of the senatorial question be reconsidered?

On a *viva voce* vote the negative prevailed.

Mr. Ahern of Concord called for the special order, House Bill No. 280, An act relative to the normal school at Plymouth.

The question being,

Shall the bill be referred to the next Legislature?

On motion of Mr. Wason of Nashua, the bill was laid upon the table and made a special order for Tuesday, April 22, at 10.05 o'clock.

Mr. Ahern of Concord called for the special order, House Bill No. 507, An act in amendment of chapter 117 of the Session Laws of 1900, entitled "An act in amendment of chapter 117 of the Laws of 1905, entitled 'An act relating to the enforcement of the laws relating to the illegal sale of intoxicating liquors in no-license territory.'"

The question being,

Shall the vote whereby the House adopted the resolution of the committee that it is inexpedient to legislate be reconsidered?

On motion of Mr. Ahern, the bill was laid upon the table and made a special order for Wednesday, April 23, at 10.03 o'clock.

On motion of Mr. Couch of Concord, at 5.00 o'clock the House adjourned.

AFTERNOON.

The House was immediately called to order in afternoon session.

On motion of Mr. O'Neill of Walpole, at 5.02 o'clock the House adjourned.

The joint resolution was read a first and second time.

On motion of Mr. Ahern of Concord, the rules were suspended and the printing of the joint resolution and its reference to the Committee on Appropriations dispensed with. On motion of the same gentleman, the rules were further suspended and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

TAKEN FROM THE TABLE.

On motion of Mr. Elwell, the following resolution was taken from the table:

Resolved, by the House of Representatives in General Court convened, That the industries of the state and the welfare of labor are threatened by the Underwood Tariff Bill now pending in Congress, and that the New Hampshire delegation should vigorously oppose its passage, and that the clerk of this House is instructed to transmit a copy of this resolution to each member of the National House and to each member of the United States Senate from this state.

The question being on the resolution,

Mr. Wason of Nashua spoke in favor of the resolution.

Mr. Ahern of Concord spoke against the resolution.

Mr. Ahern of Concord moved that the resolution be laid upon the table and made a special order for July 4 at 12.01 o'clock.

The question being on the motion of Mr. Ahern,

Mr. Wason of Nashua moved to amend the motion by making the date Tuesday, May 20, at 10.08 o'clock.

The question being on the amendment,

On a *viva voce* vote the amendment was adopted.

Mr. Ahern of Concord called for a division.

A division being had, and a quorum of the House not being present, at 10.30 o'clock the House adjourned and the resolution went over into unfinished business.

Senate Bill No. 21, An act in amendment of chapter 198 of the Laws of 1911 relating to the bureau of labor.

Senate Bill No. 76, An act relative to conveyance of household goods.

Senate Bill No. 90, An act in amendment of chapter 95, Laws of 1903, and amendment thereto, relating to first-class licenses in license towns and cities.

Senate Bill No. 62, An act relating to the inspection and licensing of boats, and the examination and licensing of their captains, masters, engineers and pilots.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 678, An act providing for uniform automobile registration plates, and for the distribution of automobile registration lists.

House Bill No. 685, An act in amendment of section 139 of chapter 102 of the Laws of 1909, relating to the militia.

House Joint Resolution No. 130, Joint resolution in favor of Clifford L. Snow of Manchester.

House Joint Resolution No. 125, Joint resolution appropriating \$15,000 for the erection of an armory at Portsmouth.

House Joint Resolution No. 128, Joint resolution making appropriations for the expenses of the public service commission for the years ending August 31, 1914, and August 31, 1915.

House Joint Resolution No. 129, Joint resolution in favor of Raymond B. Stevens and the estate of George D. Waldron.

House Joint Resolution No. 134, Joint resolution in favor of the John B. Clarke Company and others.

House Joint Resolution No. 131, Joint resolution in favor of the Gettysburg celebration.

House Bill No. 682, An act to provide for legislative expenses for the year ending August 31, 1913.

House Bill No. 684, An act in amendment of chapter 158

of the Session port and encou

House Bill the expenses o ending August

House Joint vide for the pay courts, for the

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The message with the Hous following joint of which amen the House of R

House Joint priating money saukee.

Amend by ac lowing: "The diction, upon its to order the pe or other structu boats of any ki such times and

Senate messages
concurred w/ House

missioners for said city" and relating to the office of street commissioners.

House Joint Resolution No. 135, Joint resolution appropriating money for lights at the outlet of Lake Winnepesaukee.

House Joint Resolution No. 134, Joint resolution in favor of the John B. Clarke Company and others.

House Bill No. 391, An act relative to the provisions of accident and health policies.

House Joint Resolution No. 132, Joint resolution in favor of Albert P. Davis and others.

House Bill No. 243, An act in amendment of chapter 162 of the Laws of 1911, relating to child labor.

House Bill No. 623, An act to regulate the printing and distribution of the General and Public Laws.

House Joint Resolution No. 42, Joint resolution providing for an enlargement of the New Hampshire State Sanatorium.

Senate Bill No. 76, An act relative to the conveyance of household goods.

Senate Bill No. 62, An act relating to the inspection and licensing of boats, and the examination and licensing of their captains, masters, engineers and pilots.

House Bill No. 10, An act authorizing the governor and council, in their discretion, to provide pecuniary assistance to prisoners and their families and to cause the forfeiture thereof.

House Joint Resolution No. 130, Joint resolution in favor of Clifford L. Snow of Manchester.

House Bill No. 277, An act in amendment of sections 9 and 18 of chapter 61 of the Public Statutes, relating to collection of taxes.

House Bill No. 617, An act in amendment of chapter 102 of the Laws of 1909, relating to the militia.

Senate Bill No. 90, An act in amendment of chapter 95 of the Laws of 1903, and amendments thereto, relating to

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chapter 321, C

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an electric light

Expressed Bill
Report —

CHAPTER 281.

JOINT RESOLUTION IN FAVOR OF CLIFFORD L. SNOW, OF MANCHESTER.

Allowance of \$150.35.

*Resolved by the Senate and House of Representatives in General Court convened:*Allowance of
\$150.35.

That the sum of \$150.35 be allowed Clifford L. Snow, of Manchester. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

CHAPTER 282.

JOINT RESOLUTION IN FAVOR OF GEORGE G. TOLFORD AND OTHERS.

Aggregate allowances of \$61.82.

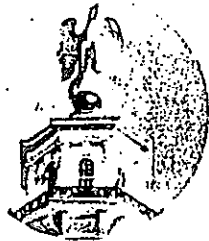
*Resolved by the Senate and House of Representatives in General Court convened:*Aggregate allow-
ances of \$61.82.

That the sum of \$22.50 be allowed George G. Tolford; that the sum of \$20.56 be allowed Daniel Chesley; that the sum of \$18.76 be allowed Henry A. Emerson, for defending their rights to seats in the senate, and that the governor be authorized to draw his warrant for said amount out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

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To this day



*the 300 years
of the
New Hampshire Legislature*

by
Leon W. Anderson
with a Prologue by
J. Duane Squires

PHOENIX PUBLISHING
Canaan, New Hampshire



ture for thirty-four years, with such self-effacing determination and dedication that he became known as the most revered public servant in State House history. He died in office at seventy-eight, in 1947, having been repeatedly reappointed by Republican Governors.

Speaker Britton was a handsome, square-jawed lawyer who became Speaker by chance. He had become an ardent Progressive of the famed Teddy Roosevelt era, and he considered it useless to seek office with that label in Wolfeboro. He received two Republican primary write-in votes and had to be coaxed, he liked to recall, to accept the nomination, which led to his election. After becoming Speaker, Britton vainly sought the identity of his two townsmen who launched him to that high position, to express suitable thanks.

201

Expulsion of a Legislator

A YOUTHFUL MANCHESTER PAPERHANGER was stripped from the 1913 session for trying to peddle votes. He was twenty-nine year-old Clifford L. Snow, chairman of the Progressive party's legislative bloc, who testified he was married, earned from \$18 to \$22 a week, and led an industrious life. Snow was expelled from the House of Representatives by a 177 to 119 roll call vote, following extensive public hearings. He was declared guilty of trying to negotiate payments for his vote, and those of other lawmakers, in Republican circles. He denied the charges under oath. But he admitted taking \$100 from Worcester, the losing Republican gubernatorial candidate, and said he used it as expenses in soliciting votes for him.

Snow was a political novice who became victim of a legislative investigation which was not even aimed at him. A joint House-Senate committee had been named to probe bribery rumors connected with Senator Hollis's election. The committee gave Hollis a clean bill of political health. But Snow became buried in an avalanche of guilt, which developed to the amazement of all concerned. So he became the only person ever expelled from the Granite State Legislature in such disgrace.

White-bearded Ezra M. Smith, retired Peterborough town judge and in his twenty-fourth year as selectman, was chairman of the probe committee. Other House members were Harold A. Webster of Holderness and Albert DeMeritt of Durham. The Senate was represented by John W. Prentiss of Walpole, James O. Gerry of Madison, and James B. Wallace of Canaan.

Imposing legal talent dominated the hearings. Former Mayor Nathaniel E. Martin of Concord, glib-tongued veteran Democratic spark plug, represented Snow. Major Thomas H. Madigan, Jr., of Manchester represented the Senate, while Judge William M. Chase of Concord, retired from the Supreme Court, and Attorney Robert P. Burroughs of Manchester, were House counsel.

The committee filed two reports. The House and Senate respectively accepted unanimous reports declaring that no bribery or other corruption had been uncovered relating to the Senate contest. But Chairman Smith and Webster, clerk of the committee, recommended Snow's expulsion, with a detailed indictment of guilt, while DeMeritt declined to sign or oppose the report. Snow was tossed from the Legislature on April 17, 1913, but not before a few lawmakers had risen to his defense. William J. Ahern, Concord Democratic chieftain, said, "Snow is a hot air artist who has used his tongue here, there and everywhere but is not guilty as here charged."

Raymond K. Stevens of Landaff, the silver-tongued Democratic Congressman-elect, suggested the probe committee had possibly exceeded its authority in shifting attention from its primary objective, but agreed that if Snow was guilty he should be ousted. Republican Pardon W. Allen of Haverhill called the penalty too harsh because Snow was a political neophyte who failed to realize the enormity of his transgression. Democrat Charles J. O'Neil of Walpole said:

This whole investigation has been the meanest kind of political chicanery from the beginning and this recommendation is made by men no better than the man at whom it is aimed. Let him who is without sin cast the first stone at this poor, vain, vapid creature here accused.

Both the *Manchester Union* and the *Concord Monitor*, which traditionally seldom agree about any issue, joined in commending the House for the expulsion as a deed deservedly done.

Snow apparently became smothered in his own inexperience and too much boasting. His cross-examination about a visit to a Franklin "road house," in the unsuspecting company of two detectives employed by a Republican source, was so unsavory that newspapers reported it unfit to print. When confronted by testimony from a fellow legislator that he had "flashed" a roll of bills aggregating \$300, Snow insisted he had borrowed it from a Manchester moneylender, whom he declined to identify, without signature.

The Smith-Webster expulsion recommendation was embodied in

a written report, which was tabled for weekend study before being put to April 17 vote. It said:

Your committee upon a consideration of all the evidence finds that on or about Feb. 1, 1913, Clifford L. Snow, being at the time a member of this House from Ward 3, in the city of Manchester, offered to dispose of his vote, and that of four other members of this House, whose names he did not divulge, for United States Senator to Gordon Woodbury of Manchester for a pecuniary consideration, to wit, for the sum of \$1,000.

203

Your committee further finds that on or about Feb. 1, 1913, said Clifford L. Snow offered to dispose of his vote, and that of two other members of this House, whose names he did not divulge, for United States Senator to Gordon Woodbury, said offer being made directly to said Woodbury's agent, W.D. Young of said Manchester. This offer was made for a pecuniary consideration, to wit, for the sum of \$200.

Your committee further finds that on or about Jan. 15, 1913, said Clifford L. Snow made an offer to Elmer S. Tilton of Laconia—said Tilton being a candidate before the Legislature for election as a member of the Governor's Council—to obtain votes for said Tilton for said office of Councilor, provided said Tilton would "do the right thing" by said Snow.

Your committee further finds that said Clifford L. Snow on or about the date of the convening of this Legislature made an offer to Phillip H. Faulkner of Keene, he being at the time secretary of the Republican State Committee, to obtain the votes of nine Democrats, members of the Legislature, for the sum of \$900, or \$100 each vote, said Snow to conduct all negotiations and to handle said funds.

Your committee further finds that on or about Feb. 17, 1913, said Clifford L. Snow made a trip to Franklin, and while there visited a so-called "road house."

Your committee further finds that the conduct hereinbefore specifically referred to on the part of said Clifford L. Snow while a member of this House was highly discreditable and disgraceful, and constitutes a stigma upon his own reputation as a member of this House, and likewise constitutes a stigma upon the reputation and dignity and honor of the House itself.

Wherefore, the undersigned, a majority of your (House) committee, present the following resolution and moves its adoption:

204

Whereas, Clifford L. Snow, while a member of this House, from Ward 3 in the city of Manchester, has been found guilty of conduct discreditable to himself and highly disgraceful to this House, and constituting a stigma upon the reputation and dignity and honor of this House, therefore,

Resolved that said Clifford L. Snow be and he is hereby expelled from membership in this House and the clerk is hereby instructed to strike his name from the list of members.

A few weeks after Clifford's expulsion, the House voted without comment to allow him the full salary of \$200 for the session, which ended late in May.

President Wilson's Visits

OTHER DRAMA WAS LINKED to the April 17 ouster. An hour or so earlier, the General Court dropped everything to rush \$12,000 into law for speedy improvement of a three-mile highway section at Cornish, as President Woodrow Wilson announced plans to vacation there.

The new road ran from the old Cornish toll bridge, out of Vermont, up the Connecticut River Valley to Harlakenden House, residence of Winston Churchill, noted author and political Progressive, where the President was to spend the summer. As recommended by Governor Felker, the lawmakers voted to name the improved stretch Wilson Road, in tribute to the honor conferred by President Wilson in shifting the nation's Capital to New Hampshire for the summer season, for the only such instance in the state's history. It proved such a mutual success that Wilson spent two summers there, much to the economic delight of that section of the state.

The Wilson road label was superimposed upon River Road, which skirted the river northward to Lebanon. But it did not stick. Fire destroyed Harlakenden House ten years later, and the site has an appropriate marker sponsored by the State Historical Commission. In contrast, Wilson Road, as such, has become forgotten, though it legally retains that name. Long since, it has become part of Route 12-A.

Congressman-elect Stevens chalked a legislative precedent by sit-

House need not recall history since Alciere resigned

State Rep. Tom Alciere, R-Nashua, resigned from the House on his own free will this week, but plenty of legislative precedent existed for a later effort to remove him.

Legislative research dug up the little-known case of State Rep. Clifford Snow of Ward 3 in Manchester whom the House voted to expel April 16, 1913, for selling votes and visiting a roadhouse at the time of alcohol prohibition.

Snow had worked on Republican gubernatorial candidate Franklin Worcester's campaign and had been paid \$100 to canvass votes for him. He had offered then-secretary of the Republican State Committee that he would obtain the votes of nine legislative Democrats in exchange for \$900 apiece.

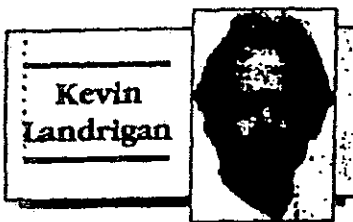
A House investigations committee also found and the House approved charges that Snow tried to sell legislative votes for the election of Gordon Woodburn of Manchester as U.S. senator.

The charges found Snow should be expelled for conduct "discreditable to himself and highly disgraceful to the House."

All this was being kept in storage by legislative leaders in the event Alciere refused to resign and had continued to serve in the House.

Stockpiling qualified candidates

Count on both Democratic and Republican Party leaders to make certain there are qualified candidates for the Ward 4 opening to replace Alciere.



The GOP City Committee will be anxious to use the occasion to try to recover from the bad publicity that Alciere's candidacy supplied.

Meanwhile, the Democrat who lost to Alciere and finished fourth in the race for three Ward 4 seats, Alphonse Haettenschwiler, intends to run again. But city Democrats are determined to win the seat and Haettenschwiler could face a primary to prove that he's willing to work hard enough to take back the seat.

Challenge for Democratic chairman

Democratic Party Chairman Kathy Sullivan faces a surprise candidate for re-election to a second two-year term.

He's Peter Brunette, chairman of the Laconia Democratic Committee and two-time unsuccessful candidate for state representative.

Brunette missed the filing period but will run as a write-in candidate against Sullivan at the state committee meeting Jan. 27 in Concord.

He claimed the party failed to give proper notice to potential candidates, and the state committee agreed to

move the election back and let write-in candidates file. "The primary reason I'm running is because the Democratic Party needs to get back to its grass roots populace base," Brunette said.

"The energies of the state committee have been for too long devoted to promoting just top of the ticket candidates. I'd like to see far more support at the county and local levels."

Most party observers conclude Sullivan is a shoo-in, but she's not taking her re-election for granted.

"I've reached 50 committee members and 47 of them have committed to me and the other three are keeping their options open. I feel pretty good about that but I'm working hard to win the committee's support," Sullivan said.

Sullivan said the party coordinated state representative campaigns with those running for governor and Congress this fall.

"We had 300 candidates and it's pretty hard to give individual support at the party level to each and every one of them," Sullivan said.

Where will the Democrats hold their election meeting? The Courtyard Marriott Hotel, owned and managed by Republican State Committee Chairman Steve Duprey.

"We checked all the schools and couldn't get one because it's SAT test weekend," Sullivan said. "I'm sure Steve is happy to take our money."

In-fighting over RNC

The bid to change the Republican State Committee bylaws to toss out two elected members to the Republican National Committee has emerged as the real reason to attend the GOP State Committee meeting Jan. 27.

As expected, John Dowd of North Hampton is all but assured to be the replacement to Duprey as chairman of the GOP.

The bylaw change, however, has a lot of heavy-weight support principally from those devoted to President-elect George W. Bush.

They're still smarting over the fact the convention delegates devoted to New Hampshire primary winner John McCain managed to seat McCain supporters Mike Dennehy of Concord and Nancy Merrill of Lebanon on the RNC.

The change would require the state committee select the RNC members and make that change retroactive to the July 2000 convention when Merrill and Dennehy took the place of Bush favorites Tom Rath of Concord and Executive Councilor Ruth Griffin of Portsmouth.

The change requires a two-thirds vote and the McCain camp believes it has 30 to 40 percent of supporters on the revamped state committee that will meet in Representatives Hall of the Statehouse.

So this all boils down to a matter of turnout. If McCain's team gets its members to the meeting, they should beat back the change. If not, then Bush's side will prevail.

Sullivan is loving every minute of this intraparty spat. "I'm just amazed that publicly they are revealing themselves to be so divided. Far be it from me to

See LANDRIGAN, Page F-4

□□□

Kevin Landrigan covers the Statehouse for The Telegraph.

LEGISLATIVE ETHICS COMMITTEE

Room 112, State House, 107 N. Main St., Concord, and NH 03301-4951
(603) 271-3326

Research Brief

Subject: New Hampshire Constitution Part First, Articles 31 and 32

Date: April 4, 2003

From: Richard M. Lambert

To: Members, Legislative Ethics Committee

The Committee requested information relative to the historical background of New Hampshire Constitution Part First, Articles 31 and 32.

OVERVIEW:

Part First, Article 31 of the *Constitution of the State of New Hampshire* states:

31st. The legislature shall assemble for the redress of public grievances and for making such laws as the public good may require.

Part First, Article 32 of the *Constitution of the State of New Hampshire* states:

32d. The people have a right, in an orderly and peaceable manner, to assemble and consult upon the common good, give instructions to their representatives, and to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.

Article 31 and Article 32 both were part of the New Hampshire Constitution of 1784. Article 31 was amended in 1793. Article 32 remains unchanged.

HISTORY:

From New Hampshire's provincial period, through early statehood and into the nineteenth century, the state's legislature (or "General Court") spent a great deal of its time considering and acting upon petitions from its citizens.¹ A review of the New Hampshire House and Senate *Journals* and all extant legislative records from 1770 to 1810 reveals that it was common in the early period of this state's history for citizens to petition and instruct their representatives in the General Court. There are approximately 18,000 petitions preserved in original manuscript form at the New Hampshire State Archives from the period of approximately 1680 to 1850.²

During this period when there were few standing committees in the legislature or bureaucratic agencies in the executive branch to directly address the needs or grievances of individuals or groups of citizens, much of the legislation introduced and enacted was in response to petitions. Enclosed are copies of some petitions submitted to the General Court in the 1780's and 1790's, as published in the *New Hampshire State Papers*.³ As you will note, some petitions were from individual citizens and some were submitted by groups of citizens, including citizens gathered at town meetings. Some petitions requested address of an individual grievance, such as requests for money they felt the state owed them, while others concerned general public policy issues, such as requests for roads, a bridge or ferry across a waterway, paper money, or a means of curtailing expensive law suits. It was also a common practice for litigants in civil cases to petition the legislature seeking new trials, or stays, appeals or reversals of decisions in the courts. Until the practice was ruled unconstitutional by the New Hampshire Supreme Court in the case of *Merrill v. Sherburne*⁴ in 1818, the state's laws were replete with examples of interference by the legislature in individual court cases.

The legislative process relative to petitions is apparent from the House and Senate *Journals*: a petition would be submitted and read (often by the clerks) in the House and the Senate. The body that first heard the petition would vote on whether to form a committee to consider it and would usually invite the other body to join the committee. Sometimes the petitioner, "petitionee," and other relevant persons would be invited or ordered "to be heard" before the General Court at a future date. After consideration of the petition, the committee would report back a recommendation as to whether a bill should be drafted in response. If such a recommendation were made, a bill would be quickly introduced and voted upon. If passed, the bill would then be sent to the other legislative body for consideration and possible enactment.⁵

Although provision for petitions to the legislature remained in the statutes until 1925⁶ (and the constitutional articles, of course, still remain), the collection of petitions to the General Court at the State Archives dwindles by the late 1840's. There appears to be no single reason why. One can only speculate that changes in the legislative process and the establishment of a larger bureaucratic structure in the executive branch provided a better means to address the needs and grievances of individuals and groups of citizens. These evolving institutional changes probably led to the demise of the practice of citizens petitioning their representatives.

¹ See Attachment A for an example of a typical day in the General Court during this period.

² State of New Hampshire Division of Records Management and Archives, Concord, NH.

³ See Attachment B. *New Hampshire State Papers*, 18: 755-6, 794-5, 838-40.

⁴ 1 NH 199.

⁵ See Attachment C for an example.

⁶ *New Hampshire Revised Statutes* (1842) 2:1-2, *General Statutes of New Hampshire* (1867) 2:1-4, *Public Statutes* (1901) 3: 1-3, *Public Laws of New Hampshire* (1925) 3:1-3.

the grants have not been complied with was brot up read & concurred M^r Toppan & M^r Sheafe joined —

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Phinehas Parker was brot up read & concurred M^r Foster joined

Adjourned till tomorrow morn^g 9.°Clock

TUESDAY DEC 13 1791

met according to adj^t
Present all the Senate —

An Act to restore Jonathan Wadleigh to his law having been read a third time *voted* that the same be enacted

* 4-44 ° A vote to accept the report of the Com^{tee} on the petition of Tim^o Gibson & Sam^l Dodge that the bonds mentioned in s^d petⁿ be remitted &c was brot up read & concurred

A Resolve on the petⁿ of W^m Vans respecting Errol & Millsfield that a further term of Ten years from the pass^g of this Resolve be allowed s^d proprietors to complete the settlem^t of s^d Townships provided that within one year from the pass^g this Resolve the Prop^{rs} of Errol pay into the Treasury of this State the sum of £118..6— and the Prop^r of Millsfield pay £101..8 was brot up read and concurred

A vote to hear the petⁿ of Phinehas Parker on the second Thursday of the next Session & that all &c [further proceedings against said Parker be stayed,] was brot up read & concurred

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Joseph Kimball was brot up read & concurred M^r Foster & M^r Dow joined —

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Benjamin Lamson was brot up read & concurred M^r Barrett joined —

A vote granting the prayer of the petition of Betsa Curtis and giving her leave to bring in a bill accordingly was brot up read & concurred

A vote for a Com^{tee} to join a Com^{tee} of the Senate to take under consideration a Letter from Doc^{tr} Tenny & Parker respecting Invalids was brot up read & concurred [M^r Dow & M^r Rogers joined —]

A vote granting the prayer of the petition of Sam^l Duncan and giving him leave to bring in a bill accordingly was brot up read & concurred

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* A vote for a Com^{tee} to join a Com^{tee} of the Senate to . * 4-45
consider of the Memorial of Capt Titus Salter was brot
up read & concurred M^r Toppan & M^r Rogers joined

A Resolve that certain penalties be remitted unto Tim^o Gibson
& Sam^l Dodge provided the s^d T [Timothy] Gibson and Sam^l
Dodge shall at or before the next S C [Superior Court] for s^d
County pay all legal costs that have arisen in consequence of the
prosecution vs s^d [one David] Dodge & on acc^o of the forfeitures
incurred by them was brot up read & concurred —

A vote on the petⁿ of the Selectmen of Dorchester that a bill be
brot in for raising 2 pence p Acre on all lands in s^d Town for one
year was brot up read and concurred.

A vote for a Com^{tee} to join a Com^{tee} of the Senate on the petⁿ
of Joseph Kenniston was brot up read & concurred M^r Foster joined —

Adjourned till tomorrow morning 9 o'clock

WEDNESDAY DEC^r 14 1791

met according to adjournment

present as yesterday except M^r Kingsbury.

A vote that the Sec^y be directed to procure 200 printed copies
of the Act respecting Schools passed this Session that the same
may be distributed at the close thereof to the several towns in
this State was brot up read & concurred.

A vote granting the prayer of Susanna Dodge and giving leave
to bring in a bill accordingly was brot up read & concurred

An Act for assessing two pence per Acre on the Nonresidents
lands in Chichester for repairing a road through said Town hav-
ing been read a third time *voted* that the same be enacted.

A Resolve that the Town of New Grantham be abated the sum
of five pounds and that s^d five pounds be charged to the town of
Cornish was brot up read and concurred

* A vote for a Com^{tee} to join a Com^{tee} of the Senate on . * 4-46
the petⁿ of L^t J^r Gould an Invalid was brot up read & Non
concurred

A vote for a Com^{tee} to consider of the petⁿ of Benj^a Tripp was
brot up read & Nonconcurred

A vote to postpone the hearing on the petⁿ of John Tasker Esq.
to the Second Wednesday of the next Session Also the petⁿ of
Eaton & Burton to the same time was brot up read & concurred.

An Act to restore James Wallace to his law having been read a
third time *voted* that the same be enacted —

Thousand pounds so raised until a new proportion shall be made among the Several [towns] and places in this state — which resolve being read and considered *voted* that it be received and accepted —
Adjourned to 9 o'Clock to morrow morning

TUESDAY DEC^R 13th 1791

The House met according to adjournment

An Act to restore Jonathan Wodly to his Law, was read a third time and passed to be Enacted —

The Committee on the Petition of Timothy Gibson and Samuel Dodge Reported that the Bonds mentioned in said Petition be remitted, the Petitioners paying all costs that hath already arisen and that they have leave to bring in a Resolve accordingly which report being read and considered *voted* that it be received & accepted

Upon reading and considering the report of the Committee on the Collection of outstanding taxes much debate ensued and on that part of the report which respected the receiving from Towns and collectors who are deficient in paying their Certificate and Indent taxes ten shillings in Silver or Gold in lieu of twenty shillings in Certificates and Indents — the yeas and nays were called and are as follows (viz)

Yeas.	Yeas.	Yeas.	Yeas.
Mr Gains	Mr Badger	Mr Whitcomb	Mr Duncan
Mr Leavitt	Mr Bedee	Mr Parker	Mr Gould
Mr Dodge	Mr McMillan	Mr Alexander	Mr Crawford
Mr Wiggin	Mr Warner	Mr Temple	Mr E Hoit
Mr Currier	Mr J Duncan	Mr Allen	Mr Freeman
Mr Plummer	Mr Wallace	Mr Holmes	Mr Payne
Mr Bettan	Mr Gale	Mr Penniman	Mr Norris
Mr Kellie	Mr Stiles	Mr Stone	
* Nays.	Nays.	Nays.	Nays. * 14-279
Mr Pierce	Mr Jon ^s Smith	Mr R Macgregore	Mr Rand
Mr Connor	Mr Knox	Mr D Emerson	Mr Bingham
Mr Macgregore	Mr Waldron	Mr Abbott	Mr Kimball
Mr Weeks	Mr E Smith	Mr P Clark	Mr Hutchens
Mr Jab ^s Smith	Mr N Hoit	Mr Darling	Mr Tarlton
Mr March	Mr Tasker	Mr Gerrish	Mr Simpson
Mr Clark	Mr Tash	Mr Flanders	Mr Young
Mr Tibbets	Mr Chamberlain	Mr M Smith	Mr Cargill
Mr Glidden			

31 Yeas — 33 Nays — so it was negived and the report recom-
mitted —

Upon reading and considering the Petition of Joseph Pierce [Peirce] in behalf of the Inhabitants of New Durham Gore *voted* that the prayer thereof be granted and that he have leave to bring in a Bill accordingly —

An Act altering the time of holding the Annual meeting in Dunbarton — was read a third time and passed to be Enacted —

Upon reading and considering the Petition of Phinehas Parker and the report of a Committee thereon *voted* that the Petitioner be heard thereon before the General Court on the Second Thursday of the next Session and that in the mean time the Petitioner cause that the Petitionee be served with a Copy of the Petition and order of Court thereon Six weeks prior to said day of hearing that he may then appear and shew cause if any he hath why the prayer thereof may not be granted — and that all further proceedings against said Parker be stayed until the decision of the General Court —

Voted that M^r E Smith M^r Young and M^r Simpson with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Joseph Kimball Esq^r and report thereon —

Whereas Timothy Gibson and Samuel Dodge have Petitioned the General Court representing that they were bound for the appearance of one David Dodge at the Superior Court of Judicature holden at Amherst in and for the County of Hillsborough on the first Tuesday of October *last, and that the said David hath absconded so that they could not surrender his body into Court agreeably to the tenor of their recognizance whereby they have become liable to pay the Sum of One hundred pounds each and praying that they may not be prosecuted therefor but that the Same be remitted unto them

Therefore *Resolved* that the penalties aforesaid incurred as aforesaid be remitted unto the said Timothy Gibson and Samuel Dodge Provided Nevertheless that the said Timothy Gibson and Samuel Dodge shall at or before the next Superior Court of Judicature for said County pay all legal Costs that have arisen in consequence of the prosecution against the said David Dodge and on account of the forfeitures incurred by them

Adjourned to 3 o'Clock P M.

Met accordingly

Voted that M^r Connor M^r Badger & M^r E Smith with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Benjamin Lamson and report thereon —

Agreeably to the order of the day proceeded to a hearing on Petitions —

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Upon hearing and considering the Petition of the Town of Dorchester *voted* that the prayer thereof be so far granted and that he have leave to bring in a Bill for raising two pence p^r Acre on all the lands in said Town

Upon hearing and considering the Petition of Joel Doolittle *voted* that the prayer thereof be granted and that he have leave to bring in a Bill accordingly —

Upon hearing and considering the Petition from New Grantham *voted* that the prayer thereof be granted and that they have leave to bring in a Bill accordingly

Voted that M^r E Smith M^r Whitcomb M^r Tarlton * M^r * 14-281 N Hoit and M^r Rand with such of the Honb^l Senate as they may join be a Committee to consider of a Letter from Doct^r Samuel Tinney [Tenney] and [Doctor] William Parker [Jun^r] to his Excellency the President and the papers accompanying the Same also of the Petition of John Hale and report thereon —

Voted that M^r Macgregore M^r Parker & M^r Gale with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Joseph Eaton Kiniston and report thereon —

Voted that M^r Tash M^r Holmes and M^r Allen with such of the Honb^l Senate as they may join be a Committee to consider of the Memorial of Cap^t Titus Salter & report thereon —

An Act for assessing two pence p^r Acre on the Nonresidents lands in Chichester for repairing a Road through said Town was read a third time and passed to be Enacted —

Whereas a Petition hath been preferred to the General Court in behalf of the Town of New Grantham by the selectmen thereof setting forth that the Towns of New Grantham and Cornish were classed to Send a Representative and in the year 1787 it then being the priviledge of New Grantham to send a Representative and the Inhabitants of Cornish being notified met with the Inhabitants of New Grantham when it was voted not to send a Representative that year but the Inhabitants of Cornish supposing themselves to be sufficient in number to send a Representative warned a Meeting and chose one accordingly and the Town of New Grantham were called upon to pay their proportion for the payment of said Representative and praying relief therefor — Therefore

Resolved that the aforesaid Sum of five pounds be abated the said Town of New Grantham and that the Treasurer govern himself accordingly and the said five pounds shall be charged to the said Town of Cornish and the Treasurer shall proceed in the same manner to recover of the said Town of *Cornish * 14-282

the said five pounds as by Law he would have done if the same had been originally laid or apportioned on said Town of Cornish—
Adjourned to 9 o'Clock to morrow morning

WEDNESDAY DEC^r 14th 1791—

The House met according to adjournment

Voted that M^r Freeman M^r N Hoit, M^r Carr, M^r How and M^r Simpson with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of James Gould and all Similar matters and report thereon

Voted that M^r Flanders, M^r Harper & M^r Dodge with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Benjamin Trip and report thereon—

Voted that the Secretary be directed to procure two hundred printed copies of the Act respecting schools passed the present Session that the same may be distributed to the Several Towns in this state at the close of the present Session

The Committee on the Petition of Susanna Dodge reported that the Judge of Probate in said County be empowered to issue a new Commission of Insolvency on said estate the lapse of time notwithstanding provided said Judge shall think it proper and reasonable that such Commission should issue—which report being read and considered *voted* that it be received and accepted and that a Bill be brought in for that purpose—

An Act to empower Nathanael Gilman Esquire to sell certain Real estate of Mary Ann Odlin and Charlotte Odlin was read a third time and passed to be Enacted—

Upon reading and considering the Petition of Samuel Sherburne Esq^r and the report of a Committee thereon *voted* that the Petitioner be heard thereon before the General Court on Tuesday

next and that the Petitioner cause that the Petitionee
* 14-283 be served with a Copy of the Petition and order * of

Court thereon as soon as may be that she may then appear and shew cause (if any she hath) why the prayer thereof may not be granted—

Voted that the hearing on the Petition of John Tasker Esq^r and others which was to have been this day before the General Court be postponed to the second Wednesday of the next Session and that in the mean-time the Petitioner cause that notice be given in the same manner as described in the former order and the same length of time prior to said day of hearing— Also that the hear-

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for that purpose — Enclosed is a Register of certificates issued in the month of August —

(Copy) I have the Hon^r to be — &c —
Hon^{ble} Board of Treasury signed Stephen Gorham

[7-65]

[Petition to Make Real Estate a Legal Tender, 1785.]

To the Honourable, Senators, and House of Representatives in General Court to be Conven^d at Concord on the third wednesday of October next,

May it Please your Honours

We your humble Petitioners, being Inhabitants of the State of New-Hampshire beg leave to lay before your Honours the distressed Scituation of the People in the upper part of this State, and permit us to be Humbly Importunate on the Subject.

The People in the late war have Contracted a large debt great part of the People Contracted the Debts they are now Distressed for to Support the war, and many have lent the Publick large Sums of Money in order to carry on the late war to Effect, in Expectation of Recieving the Same again when they needed it, but the Scarcity of Money (we humbly Conceive) hath prevented Public Payments, on the Expectation of which they Contracted debts (with their Neighbours) whereby (in this very great Scarcity of money) Individuals are cruelly Sued, Perplexed, Harressed, and brought almost to despair. nothing but gold or Silver (which is not to be had) or the Imprisonment of the Debt^r, will Satisfy a great part of the Creditors. Numbers of Gentlemen of handsome Fortunes Obliged to leave their Familys, Farms, and Stocks, without any overseer or Labourer and imbrace a loathsome goal, and many more in Daily Expectation of Sharing the fate of their Neighbours, and at the Same time have in their hands a Plenty of Real and Personal Estate and ready to deliver the Same, besides the great Cost they are put to by unnecessary law Suits and Great fees when there is not money in Circulation to pay one fourth part of the Cost.

We therefore in a Dutiful manner Pray this Honourable Court that, there may be an Act passed that the Estate of Debtors may be a Lawfull tender in Case of Suit to be taken at the appraisal of Indifferent persons under Oth also that the fee Table may be Revised, that Attorneys fees and Entry of actions may be Reduced, and the fees

of Jurors, and Evidences be Raised, or that you would Grant Some other Relief in Such a manner as this Honourable Court in their great wisdom Shall think Expedient, as in Duty Bound will ever Pray

Sep^r 10th 1785

Nath ^l Russell	David Hale	Cornelius Sturtevant
Francis Towne	Jonathan Sherwin	James Sawyer
Samuel Whitney	Amos Town	Joseph Willson
Salmon Stone	Benj ^a Davis	Caleb Tucker
Nathaniel Thomas	Henry Smith	W ^m Bragg
John Gills	Benj ^a Foster	Bartho Dwinell
Jabez Russell	Rich ^d Kimball J ^r	Joseph Hammond Juner
Solomon Cutler	Isaac Wood	Jed ^h Sawyer
Jos: Mulliken	ephraim Hunt	Abel Perkins
Jeremiah Chapman	Caleb winn	Thomas Piper
Thomas Demary	Joseph Plats	James Philbrick
Jonathan Lake	Thomas Tolman	Benj ^a Bancroft
Seth Payson	Isaac griswold	Jereh Norcross
Daniel Lake	William Bankes	Josiah Ingalls
James Crumbe	Matthias Felton	Jacob Gould Jun
Jonathan Putnam	Phin Farrar	Daniel Lake jur
Nath ^l Ingalls	Moses D Field	Andrew Kimball
Samuel Walker Jun ^r	Joseph Blood	Jacob Gould
Sam ^l Walker	Benj ^a Osgood	Lemuel Kimball
Levi Whitney	Jedediah Tayntor	Samuel Russell
Asa Sherwin	Daniel Ashley	

[7-66] [Report of Committee on Accounts, 1785.]

State of New Hampshire. } We the Subscribers being appointed a Committee by Vote of the General Court of said State to examine the Accounts &c between this State & Col^o Samuel Hobart beg leave to report that we have carefully examined said Acco^{ts} and find a Ballance of Three Hundred Eighty Seven pounds four shillings & Sixpence Lawful Money due to said Samuel Hobart —

We also find that there is now in the hands of said Hobart Seventeen hundred and twelve pounds of ungranulated powder belonging to this State —

Also that there is in the hands of s^d Hobart Sixty Six pounds five Shillings & Six pence paper money of the old Emission being a Balance of a pay Roll now due to Soldiers — We beg leave further to

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[7-122] [*Samuel Hobart's Petition, 1788.*]

To the Honorable the Senate, & House of Representatives for the State of New Hampshire

Humbly sheweth Samuel Hobart of Exeter in said State — That in consequence of an Act made by this Hon^{ble} Court at Charlestown last fall, in which the building of Slitting Mills was encouraged — That your Petitioner was induced to erect Slitting works, and accordingly has got said works almost compleated — but finds himself in a difficult situation on account of the scarcity of Cash.

He has orders on the Treasurer of said State for Monies due to him for more than Eleven years ago, some of which he was obliged to dispose of, at one half of the Original value, in order to procure Articles for said works.

He begs leave to shew that the Import duties & Excise are so appropriated that it is out of the Power of the Treasurer to pay his orders in cash, & that it is impossible for him to compleat his works without cash —

Wherefore your Petitioner prays the Hon^{ble} Court to let him have an order on some of the Excise Masters for any sum, not exceeding what the state is indebted to him, or in such other way as your Honors may think fit, so that he may be enabled to compleat his works as soon as may be, & he as in duty bound prays —

Exeter Jan^y 31st 1788

Sam^l Hobart

[7-123] [*Petition for a New County, 1788.*]

To the Hon^{ble} Senate and House of Representatives in General Court Convened at Portsmouth the 5th day of February A D 1788 —

Humbly shews Timothy Walker of Concord in the County of Rockingham Esq^r In behalf of the Inbitants of said Concord that the Inhabitants of said Concord are Subjected to considerable inconvenience, and unnecessary expence by reason of their remote Situation from the County Courts That they apprehend the like Inconvenience is felt by a Number of Towns in the Counties of Rockingham Hillsborough and Strafford which Towns formed into a New County might be sufficiently large, and the Inhabitants thereof much better accomodated than they are at present. And being fully convinced of the disposition of the Legislature, to promote to the utmost of its Power, the convenience & Happiness of the Citizens

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of the State he is encouraged to pray in behalf of the said Town of Concord that the following Towns may be formed into a New County Namely Concord, Pembroke, Bow Dunbarton, Weare, Hopkinton, Henniker, Hillsborough, Fishersfield, Sutton, Warner, Salisbury, Andover, Sanbornton, Northfield, Canterbury Loudon, Bradford Allenstown, Chichester, & Pittsfield, And Invested with the Powers and Privileges which are enjoyed by the other Counties in said State — And as in duty bound will ever pray
February 5th — 1788 — Tim^o Walker

[7-125]

[Letter from Treasurer J. T. Gilman to President Sullivan asking for increase of salary. He was granted £120 for salary and £110 for incidentals. — ED.]

[7-126]

[Petition for a Company of Horse in 12th Regiment.]

State of Newhampshire

To the Honourable the Senate and house of Representatives in general Court to be convened at Concord — Your petitioners the Subscribers Humbly Sheweth — that where as the General Court Some time Since Saw fit in their wisdom to pass an act for Raising Several Regiments of Lighthorse which your petitioners Conceive to be of publick Utility to this State and Soon after our hearing that Said licance was granted we assembled together from the Several Companey in Col^o Rands Reg^t Sufficient for a compleate Company of horse and agreed to acquipt our Selves accordingly but upon the appointment of the officers it So happened that their was only one Subbaultorn officer appointed within the bounds of Said Regiment and he at a vary Remote part thereof which intirely Defeated the Intentions of Your petitioners

Wherefore Your Petitioners Humbly pray that your Honours would grant leave for Raising another Company of Horse in the Twelfth Regiment Comanded by Col^o Rand in order that your Petitioners may have the pleasure of acquipting themselves for that Service and if it be consistent with Your honours pleasure please to let it be an Independant Company Under the Immediate Command of the Brigadeer but if otherwise let it be Annexed to Col^o Greenes or Col^o Phelps Regement and Your petitioners as in duty bound Shall Ever Pray

May y^e 14th 1788

when thrown together made up a few hundred shares, were absorbed by the applications made in the subsequent part of *that day*. I had not the honor of your letter till the ninth of instant, and many applicants from the 5th to the 8th. being disappointed by the prior subscribers, my hope from the surplus above mentioned was at an end. I now therefore return the papers transmitted to me, very sincerely regretting that it was not possible to execute the business. It will not fail however to afford consolation to the Government and People of New Hampshire, that this little disappointment arises from the high degree in which a confidence in our national *ability, wisdom* and integrity exists in the minds of our fellow-citizens and of the people of several rich and intelligent foreign nations.

With the highest respect I have the honor to be Gentlemen
Your most obedient & most humble Servant

Tench Coxe

To his Excellency Josiah Bartlett Esq^r President and John T. Gilman Esq^r Treasurer of the State of New Hampshire.

[8-51] [*Petition for Road from Concord to Durham.*]

State of New Hampshire

To the Hon^{ble} Senate and the Honorable House of Representatives for said State in General Court convened on the last Wednesday in November 1791 —

The Memorial of sundry Inhabitants of said State who humbly conceive that in very many instances, the Roads in this State that communicate with the Sea Coast, are crooked and very indirect, and that the Trade & business of the inland country, may be greatly facilitated by Straightening, and of consequence shortning the same. —

That the Goods & produce transported to and from Boston, to Concord, & which supply the Country West, & Northwest from thence, — That a Good road may be had from Concord to Durham falls in thirty miles; — That if it should Still be found necessary to transport heavy Articles to and from Boston to Concord, & other parts from thence within Land — the proposed Road will Save the expence of Forty five Miles Land carriage to the consumer; — All which is clearly Demonstrated by an actual Survey, a Plan of which is ready to be produced to your honors, which some of your petitioners have been at the Expence of obtaining, for all which & many other reasons, unnecessary for us to suggest to your honors, — We

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humbly pray your Honors will appoint a proper Committee with full powers, to look out survey and Establish a Public road from Durham falls, directly to Concord as near straight as the nature of the Land will admit, or take such other order, as your Honors may conceive most for the public good, Novem^r 28th 1791 —

William Duncan	Jeremiah Libbey	Abel Harris
Robert Harris	Daniel Rindge	John Goddard
Tim ^o Walker	Thomas Sheafe	W ^m Gardner
Reuben Kimbal	Samuel Hill	

The committee on the within petition report

That a proper committee be appointed with full powers to look out survey and establish a public road from Concord to Durham falls and to Newmarket bridge and shall direct what Compensation shall be made to any individuals injured by the road running thro' their Lands —

the expences and time of said committee shall be paid by the state and all other expences of laying out & maintaining said Road shall be defrayed as the Law in such cases directs — The Committee beg leave to report the annexed Bill

James Sheafe for the Com^o.

[8-52]. [*Petition of Mary Tufton Mason.*]

State of New Hampshire } To the Hon^{ble} the Senate and House of Representatives now in General Court convened in Portsmouth in said State.

The Petition of Mary Tufton Mason of Bugden in the County of Huntington in Great Britain, Widow and Relict of John Tufton Mason Esq^r deceased Humbly sheweth,

That your Petitioner being appointed Sole Executrix of the last Will and Testament of said deceased, caused the proper Copy thereof to be filed in the Register's Office of the Court of Probate for the County of Rockingham, as he had estate here to be administered upon — That Doctor Nath^l Appleton Haven hath applied to said Court for administration on said Estate with the will annexed, and it hath been granted him. —

That it has so happened from the absence of your Petitioner's Agent and other causes, that this has been done without her knowledge or that of her Agent until after the time allowed for appealing from that Decree granting Administration was closed.

That this is evident to the satisfaction of the said Haven, who therefore joins his consent with her desire that she may have liberty granted her yet to appeal from said Decree to the next Superior Court to be holden in said County, the foregoing accidental Lapse of time notwithstanding —

Wherefore she prays your Honours to order and enact that She may yet have Liberty to take out an Appeal from said Decree, (giving bond to prosecute it) to Said next Superior Court, as the Supreme Court of Probate, and enter and prosecute said appeal as tho' taken out in time — And She as in Duty bound shall ever pray &c

Portsmouth Dec^r 7th 1791.

Tho^s Martin Attorney
to the said
Mary Tufton Mason

I hereby agree to the foregoing Representation, and consent that an Appeal as aforesaid should be granted —

Nath^l A. Haven.

State of New Hampshire —

In the House of Representatives Dec^r 9th 1791

Upon reading and considering the within petition voted that the prayer thereof be granted and that a Bill be brought in accordingly —

Sent up for Concurrence William Plumer Speaker

In Senate the same day read & concurred

J. Pearson Sec^r

[8-53] [*James McGregor, Commissioner of Claims.*]

Portsmouth Dec^r 7th 1791

Sir In pursuance of the trust reposed in me as one of the Commissioners for stating & proving the Claims of this State against the United States, I on the 25th day of October last called upon M^r Woodbury Langdon (who was then in this Town) for information respecting the progress that had been made towards a Settlement of our Accounts and what further steps were necessary to be taken on the part of the State to procure them Justice, his answer I think was that he neither knew the State or me in the bussiness and that he should make no communications to me upon the subject if I was then a little surprised at this answer I cannot help saying, that I am much more so upon being informed by a friend in Philadelphia that he M^r Langdon

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[CHAPTER 13.]

*State of
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AN ACT TO RESTORE ELISABETH M^cCLARY TO HER LAW—

[Passed January 25, 1791. Original Acts, vol. 12, p. 36; recorded Acts, vol. 6, p. 149.]

Whereas Elisabeth M^cClary of Epsom in Said State Widow has Petitioned the General Court Representing, that at the court of Common pleas holden at Exeter on the Second Tuesday of June 1789, Nathaniel Gilman of Newmarket Commenced an Action against her on an Account wherein were charged Sundry berrels of Rum which were never purchased by or delivered to her, but were in fact sold to one John Casey—That said Action was appealed and Submitted to Referreres who reported that said Gilman should recover against her Twenty three pounds Eighteen Shillings damage & Cost—Wherefore She prayed for liberty to reenter said Action at the Superior Court—

The facts being proved & the prayer of Said Petition appearing Reasonable—

Therefore Be it Enacted by the Senate and house of Representatives in General Court conven'd that the Said Elisabeth M^cClary have liberty to reenter her Action at the Superior Court of Judicature Next to be holden at Portsmouth in & for the County of Rockingham on the fourth Tuesday of April next and the Justices of Said court are hereby directed to Sustain Said Action, and direct that the Same measures be pursued thereon as in Actions appealed to Said Superior court Notwithstanding the former Judgment, and that the Execution against, the said Elisabeth M^cClary be stay'd till the determination of Said court, and Should the Said Elisabeth M^cClary neglect to reenter her Action at the Said Superior court, then the former Judgment to remain good—

And be it further enacted that the said Elisabeth M^cClary shall cause the said Gilman to be Served with a Copy of this Act fourteen days prior to Said fourth Tuesday of April next, and that in case the Said Elisabeth M^cClary should not enter her Action as aforesaid the said Gilman shall have liberty to enter his complaint for legal costs at said court which complaint said court is hereby directed to sustain & Order costs in like manner as though it was a Complaint entered on an appeal from the Inferior court of Common pleas—

A Vote, for a committee to join a committee of the Senate to consider of the Petition of the proprietors of Morristown and report thereon, was brought up, read and concurred: M^r Freeman and M^r Cilley, joined.

A Vote, for a committee to join a committee of the Senate to consider of the petition of the Inhabitants of Lyndsborough and other Towns and report thereon, was brought up read and concurred, M^r Wallace and M^r Green, joined.

A Vote, that the bond signed by the Treasurer M^r Peabody and M^r Conner be accepted as fully satisfactory, was brought up, read and concurred.

A Vote, to hear the petition of the Inhabitants of Thornton on the second Thursday of the next Session, was brought up, read and concurred

A Vote, to postpone the hearing on the petition of Joseph Kimbal untill the second Wednesday of the next Session, was brought up, read and concurred.

A Vote, for a committee to join a committee of the Senate to consider of the petition of Jonathan Woodley, [Woolley] and report thereon, was brought up, read and concurred: M^r [N.] Peabody, and M^r Cilley, joined.

A Vote, to accept the Answer of the Committee to the Late President and that they present the same to John Sullivan Esq^r was brought up, read and concurred.

Adjourned 'till 8 o'Clock to-morrow morning.

FRIDAY JUNE 11th 1790.

Met according to adjournment

Present as yesterday.

A Vote, for a committee to join a committee of the Senate to consider of the petition of Elizabeth M^rClary, and report thereon. Was brought up, read and concurred: * 2-546 M^r Webster joined.

A Vote, to hear the petition of the Selectmen of Concord [alias] on the second Friday of the next Session, was brought up, read and concurred.

A Vote to allow Ozias Silsby six pounds in full for his Services [for the postage of publick papers,] was brought up, read and concurred.

A Vote, for a committee to be added to the committee on the account of J. Swett, was brought up, read and concurred: M^r Shepard, joined.

to consider of the petition of the Heirs of Col. John Wentworth Deceased, and report thereon, was brought up, read and concurred: M^r Green, and M^r Cilley, joined.

A Vote, to pay the Account of Captain David Hough amounting to three pounds, twelve shillings, was brought up, read and concurred

A Vote, granting the prayer of the petition of the Inhabitants of Cardigan and giving them leave to bring in a bill accordingly, was brought up, read and concurred

A Vote, for a committee to join a committee of the Senate, to consider of the petition of Major Boynton, was brought up, read and concurred: M^r Webster, joined.

A Vote granting the prayer of the petition of Sarah Sherburne, and giving her leave to bring in a bill accordingly, was brought up read and concurred.

A Vote, for a committee to join a committee of the Senate to consider of the petition of G. [George] Hough, and all Similar matters, was brought up, read and concurred: M^r Waldron and M^r Webster joined.

A Vote, to hear the petition of Elizabeth M^rClary on the second Friday of their next Session, and that she cause N. ° 2-553 Gilman of *Newmarket [to be served] with a Copy of the petition &c &c. was brought up, read and concurred.

A Vote, granting the prayer of the petition of the Selectmen of Packersfield and giving them leave to bring in a bill accordingly, was brought up, read and concurred.

A Vote, for a committee to join a committee of the Senate to consider of the Propriety of exempting the body of Debtors from being imprisoned by executions &c. &c. was brought up, read and concurred: General Peabody, Col. Peabody, and Col. Shepard, joined.

A Vote, for a committee to join a committee of the Senate to consider what shall be done with the Money in the Treasury, was brought up, read and concurred: M^r Nathaniel Peabody, and M^r Shepard, joined.

A Vote, to postpone the hearing on the petition of Joseph Hicks to the third Wednesday of the next Session, was brought up, read and concurred.

An Act to incorporate certain Locations in the County of Grafton by the name of Bartlett, having been read a third time *Voted* that the same be enacted

A Vote, that the Secretary be requested to furnish the Several

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Resolved that M^r Rand, M^r Blanchard & M^r Whitcomb with such of the Honb^l Senate as they may join be a Committee to consider of the Accounts of Josiah Gilman Nath^l Gilman & Nath^l Parker Esquires and report thereon — Sent up by M^r Wellman

Upon reading and considering the Petition of the Select men of Thornton *voted* that the Petitioners be heard thereon before the General Court on the Second Thursday of the next Session and that in the mean time the Petitioners cause that the Substance of the Petition and order of Court thereon be published in the Concord Herald three weeks Successively prior to the sitting of said Court that any person or persons may then appear and shew cause (if any they have) why the prayer thereof may not be granted.—

Sent up by M^r Baker

Whereas the Inferior Court of Common pleas by Law to be holden at Dover on the third Tuesday of June Instant will happen at the time of this Court's Sitting — many members whereof and other persons obliged to attend thereon have business at said Court of Common pleas * And whereas the General * 14-26 Sessions of the Peace for said County stand adjourned to the first Thursday next following the third Tuesday of June. Therefore *Resolved* that the said Inferior Court of Common pleas by Law to be holden at Dover on the third Tuesday of June Instant as well as said Court of General Sessions be and hereby are adjourned to the Second Tuesday in July next then to be holden at said Dover and all writs pleas and processes returnable to said Courts of Common pleas and quarter Sessions held as aforesaid shall be returned and Sustained at the said Courts to be holden on the Second Tuesday of July next at said Dover —

Sent up by M^r Smith

The Speaker being absent motion was made for the choice of a Speaker Protempore and William Page Esq^r was chosen for that purpose —

Resolved that M^r Warner, M^r Dole & M^r Gibson with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Elisabeth M^cClary and report thereon —

Sent up by M^r Tarlton

The Committee on the Petition respecting Starks & M^oMillans Locations reported that the Locations granted to Andrew M^oMillan, William Starks, Phillip Bayley Vera Royce and James Gray all Situate in the County of Grafton and near Conway and contiguous to each other be classed together in One district & Impowered to choose necessary officers for Assessing and collect-

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Voted that M^r Badger, M^r Gains, & M^r Allen with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of the Selectmen of Wendall & report thereon—

Sent up by M^r Young

* Upon reading and considering the Petition of the * 14-36
Select men of Lyman and the report of a Committee thereon *voted* that the Petitioner be heard thereon before the General Court on the Second Friday of the next Session and that in the mean time the Petitioners cause that the Substance of the Petition and order of Court thereon be published three weeks Successively prior to the sitting of said Court in one of the New Hampshire News papers that any person or persons may then appear and shew cause why the prayer thereof may not be granted—

Sent up by M^r Young

The Committee on the Petition of Elisabeth M^cClarey reported that the Petitioner be heard thereon before the General Court on Some day in the next Session— On reading said report Motion was made to accept the Same on which motion the yeas and nays were called and are as follows viz.,

Yeas.	Yeas.	Yeas.	Yeas.
M ^r Blanchard	M ^r Warner	M ^r Temple	M ^r Duncan
M ^r Brown	M ^r Clark	M ^r M Smith	M ^r Baker
M ^r M ^c Clarey	M ^r Wallace	M ^r Rand	M ^r Burnam
M ^r Gibson	M ^r Shepherd	M ^r Wellman	M ^r Dow
M ^r Kelle	M ^r Stiles	M ^r Grout	M ^r Crawford
M ^r Palmer	M ^r Whitcomb	M ^r Penniman	M ^r Young
M ^r N Hoit	M ^r Prescott	M ^r Morse	M ^r Eames
M ^r Copp	M ^r Alexander	M ^r Kimball	M ^r Badger
M ^r M ^c Millan			
Nays.	Nays.	Nays.	Nays.
M ^r White	M ^r E Smith	M ^r Cragin	M ^r Lane
M ^r Eastman	M ^r Hale	M ^r Gerrish	M ^r Holmes
M ^r Plummer	M ^r Gilles	M ^r Page	M ^r Stone
M ^r Chamberlain	M ^r Barrett	M ^r Gaskill	M ^r Dame
M ^r Bartlett	M ^r Abbott	M ^r Allen	

33 Yeas — 19 Nays — So it was Accepted —

Whereupon *voted* that the Petitioner be heard thereon before the General Court on the Second Friday of the next Session and that in the mean time the Petitioner * cause * 14-37 that Nathanael Gilman the Petitionee be served with a Copy of the Petition and order of Court thereon three weeks prior to the Sitting of said Court that he may then appear and Shew cause why the prayer thereof may not be granted and that the

Execution against the Petitioner be stayed until the decision of the General Court— Sent up by Mr Gaskill

Upon reading and considering the Petition of Moody Bedel *voted* that the prayer thereof be granted and that he have leave to bring in a Bill accordingly— Sent up by Mr Dow

The Committee to take under consideration the Act of Congress respecting Light Houses &c and report whether the light house in this State and what territory shall be ceded to the United States— Reported that the light house in this State with one quarter of an Acre of Land adjoining be ceded to the United States— which report being read and considered *voted* that it be received and Accepted & that a Bill be brought in for that purpose— Sent up by Mr Wentworth

Upon reading and considering the Petition of William Burrows Jun^r *voted* that the Petitioner be heard thereon before the General Court on the Second Thursday of the next Session and that in the mean time the Petitioner cause that James Butterfield the Petitionee be served with a Copy of the Petition and order of Court thereon within Six weeks from this time that he may then appear and Shew cause if any he hath why the prayer thereof may not be granted and that the Execution against said burrows be stayed until the decision of the General Court—

Sent up by Mr Burnam

Voted that Mr Giles, Mr Plummer, Mr Barrett, Mr Dow & Mr Duncan with Such of the Honb^l Senate as they may join be a Committee to take under consideration a letter from Mr Thomas Odiorne to the Honb^l the Speaker of this House and report thereon— Sent up by Mr Giles—

* 14-38 * *Voted* that Mr Sherburne, Mr Barrett, Mr White Mr Eames & Mr Whitcomb, with such of the Honb^l Senate as they may join be a Committee to draught a Bill for establishing permanent and Honb^l Salaries for the Honb^l Justices of the Superior Court of Judicature for this State and lay the Same before this House— Sent up by Mr Gerrish

Voted that Mr Sherburne, Mr Copp, Mr J Smith, Mr Page & Mr Dow with such of the Honb^l Senate as they may join be a Committee to take under consideration what business is yet necessary to be done at this session and at what time and to what time and place this Court shall be adjourned also consider what allowance shall be made to the Members of the Honb^l Senate & House of Representatives & their Officers for travel & attendance at the present Session and report thereon—

Sent up by Mr Wallace

have the same power to settle the estate as she w^d have had had she remaind a wid^o & giving her leave to bring in a bill accd^d was brot up read & concd

* 3-482 °A vote to hear the petⁿ of Rich^d Sincler [Jun^r] on the 27th of Jan^r current was brot up read & concurred

A vote to postpone the hearing which were to have been this day until to morrow was bro^d up read and concurred —

Adjⁿ till to morrow morning 9 °Clock

FRIDAY JAN^r 14th 1791

Met according to Adjournment

Present as yesterday

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider on the petⁿ of J. Clifford & A Brainard was bro^d up, read & concurred M^r Webster joined

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Joseph Hussey was bro^d up read & concurred M^r Waldron joined —

An Act to impower the Inhabitants of New Chester & Bridgewater in the County of Grafton, to levy a tax on all Lands (public lands excepted in s^d Towns for making & repairing the highways — having been read a third time *voted* that the same be enacted

A vote that a Com^{tee} be added to the Com^{tee} on the mode of hearing petitions was bro^d up read & concurred

The Senate agreeably to a vote of yesterday met with the Hon House of Rep in one room and by joint ballot proceeded to ballot for a Senator — the ballots being taken it appeared that the Hon Christo^p Toppan Esq was elected A Senator in the room of the Hon O [Oliver] Peabody who has resigned his Seat at the Senate board the Senate then retired to their own room. —

A vote granting the prayer of the Petⁿ of Elis^o M^cClary and giving her leave to bring in a bill accordingly was brot up read and concurred

A vote to postpone the hearing on the petⁿ of G Tiffany until Tuesday next was brot up read and concurred.

A vote to hear the Petⁿ of B [Col.] Stone on the Second Tuesday of the next Session was brot up read & concurred

A vote granting the prayer of the petⁿ of the Inhabitants of Wolfborough & giving them leave to bring in a bill accordingly was brot up read & concurred

A vote to postpone the hearing of the petⁿ of the Town of Cov-

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TUESDAY JAN^r 25 1791

met according to Adjournment
Present as on Saturday last

A vote that the Excise on all excisable Articles from & after the first day of Octo last to the first day of Jan^r instant be collected in the same way & manner as has heretofore been legally practised excepting only that no person who will render a true acc^o on Oath shall be liable to any prosecⁿ for sell^s without license &c and that an Act or Resolve be passed for that purpose was bro^t up read & concurred.

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Jon^s Chase Esq was brot up read & concurred M^r Smith & M^r Webster joined —

A vote so far granting the prayer of the petⁿ of Mary Neal & John Neal as that they have leave to bring in a bill for confirming the title of the heirs & assigns of John Neal Esq Dec^d of, in & to certain lands & was brot up read & concurred.

A vote to pay Geo. J. Osborne £65..7..3 for printing was bro^t up read & concurred —

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ from Cornish & Plainfield was brot up read & concurred M^r Smith & M^r Webster joined

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Rebecca Barrett was brot up read & concurred M^r Wallace & M^r Bell joined —

An Act to restore Elisabeth M^oClary to her law having been read a third time *voted* that the same be enacted

An Act in addition to an Act passed March 18. A D 1780 entitled an Act in addition to an Act entitled an Act to confiscate the estates of sundry persons therein named passed A D 1778 having been read a third time *voted* that the same be enacted —

* An Act in addition to and to alter an Act intituled an Act to set off & incorporate a number of Inhabitants living in the north west part of Amherst into a parish passed 24th day of Jan^r A D 1789 having been read a third time *voted* that the same be enacted.

Adjd till tomorrow morning 9 o'Clock

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Upon hearing and considering the Petition of the Inhabitants of Wolfborough *voted* that the prayer thereof be granted and that they have leave to bring in a Bill accordingly—

Upon hearing and considering the Petition of the Inhabitants of Wendall Lempster Unity Fishersfield and Newport, motion was made that the prayer thereof be granted on which motion the yeas and Nays were called and are as follows (viz)

Yeas.	Yeas.	Yeas.	Yeas.
Mr Gains	Mr Palmer	Mr Stiles	Mr Penniman
Mr Sherburne	Mr Giles	Mr Whitcomb	Mr Morse
Mr Wentworth	Mr Dole	Mr Prescott	Mr Duncan
Mr Blanchard	Mr Warner	Mr Temple	Mr Burnam
Mr Weeks	Mr Parker	Mr M Smith	Mr Crawford
Mr Eastman	Mr Abbott	Mr Rand	Mr E Hoit
Mr Cilley	Mr Filfield	Mr Allen	Mr Payne
Mr Clough	Mr Gerrish	Mr Lane	Mr Young
Mr Bartlett	Mr Shepherd	Mr Holmes	Mr Eames
Mr Gibson			
Nays.	Nays.	Nays.	Nays.
Mr Connor	Mr Bradley	Mr Emerson	Mr Wellman
Mr Macgregore	Mr Jo ^s Smith	Mr Barrett	Mr Grout
Mr Brown	Mr Kelle	Mr Clark	Mr Stone
Mr White	Mr Hale	Mr Cragin	Mr Kimball
Mr Plummer	Mr Badger	Mr Flanders	Mr Baker
Mr Hill	Mr Bedee	Mr Page	Mr Freeman
Mr M ^c Clarey	Mr N Hoit	Mr Alexander	Mr Dame
Mr Chamberlain	Mr Taylor		

37 Yeas — 30 Nays — so the prayer of said Petition was granted and the Petitioners hath leave to bring in a Bill accordingly —
Adjourned to 3 oClock P M.

Met accordingly —

Voted that the hearing on the Petition from the Town of Coventry which was to have been this day before the General Court be postponed until the third Wednesday of next Session ° 14-89 of which all persons concerned are to take * notice and govern themselves accordingly —

Agreably to the order of the day proceeded to a hearing on Petitions —

Upon hearing and considering the Petition of William Burroughs Jun^r *voted* that the prayer thereof be granted and that the Petitioner have leave to bring in a Bill accordingly

Upon hearing and considering the Petition of Elisabeth M^cClarey *voted* that the prayer thereof be granted and that the Petitioner have leave to bring in a Bill accordingly —

said day of hearing that any person or persons may then appear and shew cause why the prayer thereof may not be granted—

Sent up by M^r Brown

Voted that M^r Barrett M^r Hoit and M^r Macgregore with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Mary Neal and John Neal and report thereon—

Sent up by M^r Brown

Voted that the Account of George Osborne be referred to the Committee on the account of George Hough and that they report thereon—

Sent up by M^r Alexander

Voted that M^r Macgregore, M^r Gibson & M^r Abbott with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of John Orr Esq^r & report thereon

Sent up by M^r Alexander—

° 14-103 ° *Voted* that M^r Page M^r Crawford & M^r Bartlett with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Doct^r Nathan Smith and report thereon—

Sent up by M^r Kimball

An Act to incorporate a tract of Land lying south of Peterborough in the County of Hillsborough was read a third time and passed to be Enacted—

Sent up by M^r Young & M^r Emerson

The Committee on the Petition of Love Rannels reported that the prayer of said Petition be granted and that she have leave to bring in a Bill accordingly which report being read and considered voted that it be received and accepted—

Sent up by M^r Burnam

An Act to restore Elisabeth M^cClarey to her Law—was read a third time and passed to be Enacted—

Sent up by M^r Clough & M^r Flanders—

An Act to enable the Select men of New London in the County of Hillsborough to assess Levy and collect a Tax on all the Lands of Nonresident proprietors in said Town of three pence ³/₄ acre for the purpose of repairing the public roads in said New London, was read a third time and passed to be Enacted—

Sent up by M^r Clough & M^r Flanders

An Act to empower the Select men of Orange to Assess a Tax of a half penny upon an Acre Annually for the term of three years upon all the unimproved lands in said Town for the purpose of making and repairing highways in said Town—was read a third time and passed to be Enacted—

Sent up by M^r Clough & M^r Flanders

LEGISLATIVE ETHICS COMMITTEE

Room 112, State House, 107 N. Main St., Concord, NH 03301-4951

(603) 271-3326

Research Brief

SUBJECT: New Hampshire Constitution Part Second, Article 7

DATE: May 17, 2002

FROM: Richard M. Lambert

TO: Members, Legislative Ethics Committee

You requested information relative to the historical background of New Hampshire Constitution Part Second, Article 7.

OVERVIEW

Part Second, Article 7 of the Constitution of the State of New Hampshire states:

7th. No member of the general court shall take fees, be of counsel, or act as advocate, in any cause before either branch of the legislature; and upon due proof thereof, such member shall forfeit his seat in the legislature.

The article was inserted into the constitution in 1793 after having been adopted by the constitutional convention held in 1791-1792 and ratified by the voters in 1792. William Plumer, who was at that time a member of the House of Representatives, a lawyer, and who was generally credited as the leading force at the convention, wrote the article.¹ Although the article has been part of the state's constitution for more than 200 years, the New Hampshire Supreme Court has apparently never construed it.²

HISTORY

Like many constitutional provisions and laws, the meaning of the article must be gleaned from the context of its time. From New Hampshire's provincial period, through early statehood and into the nineteenth century, the state's legislature (or "General Court") spent a great deal of its time considering and acting upon petitions from its citizens. The right of the citizens to petition the legislature had been enshrined in the state constitution since 1784, when Part First, Article 32 declared:

32nd. The people have a right, in an orderly and peaceable manner, to assemble and consult upon the common good, give instructions to their representatives, and to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.

During this period, when there were no standing committees in the legislature or bureaucratic agencies in the executive branch to directly address the needs or grievances of individuals or groups of citizens, many pieces of legislation derived from petitions. It was a common practice for litigants in civil cases to petition the legislature seeking new trials, or appeals or reversals of decisions in the courts. Until the practice was ruled unconstitutional by the New Hampshire Supreme Court in the case of Merrill v. Sherburne³ in 1818, the state's laws were replete with examples of interference by the legislature in individual court cases.⁴

A casual reading of the House or Senate Journal in the 1784-1790 period reveals numerous instances of citizen petitions submitted to and acted upon by the General Court. The legislative process relative to the petitions is also readily apparent: a petition would be read in either the House or the Senate, that body would form an ad hoc committee to consider it and to report back a recommendation as to whether a bill should be drafted in response. If such a recommendation were made, a bill would be quickly introduced and voted upon; if passed, the bill would then be sent to the other legislative body, which might enact it into law.⁵

It was the practice of lawyer-members acting as counsel to the parties submitting the petitions to the legislature, and the participation of the lawyer-members in the drafting of the bills resulting from the petitions, and in the debates on the bills before the legislature, that irked Plumer and other observers at the time. It was in that context that Plumer first proposed a house rule and then the constitutional amendment that would become Part Second, Article 7. As Plumer wrote in his Memoir:

During the time I was in the legislature, I observed that in petitions for new trials at law & a variety of other subjects, affecting the rights of individuals & corporations, public hearings were had, in which the parties were heard before the two houses in convention, by themselves & council. Oftentimes members of the legislature, particularly those who were lawyers, acted as advocates. I had myself, on some occasions, adopted that practice. But from a thorough conviction, that the man who accepts the office of a legislator, is bound to act as a judge, & not as an advocate, in all cases pending in the court of which he is a member. I therefore moved to establish a rule to prohibit members in future from taking fees, or acting as attorneys or advocates in any matter or petition that should occur in the legislature, except he was a party in interest. The practice of receiving fees & acting as council appeared to me as a dereliction of principle, equally degrading & improper. It deprived the legislature of the aid of professional men, whose opinions on some questions of law would be useful. The member who abandoned his seat as a legislator for that of an advocate had an undue advantage over the council who was not a member; & instances had occurred before the hearing & before it was known he was of council, where he had insinuated arguments to particular members, & incited prepossessions in favor of his client. When the hearing was over being present in the house as a member, I have known him, at the time of deciding upon the petition, make statements to the house, & seen & heard him suggest arguments to individual members. There was reason to believe, tho I think only in a *few cases*, that some lawyers had secretly acted as council, & in fact argued the cause at the time of its being decided. Every lawyer in the house opposed my motion; there were 17 yeas & 48 nays.

Tho the house refused to adopt the rule, I considered the principle obligatory on me, & never after, during the time I was a member, took any fee or acted as council in any matter pending in the legislature. I was so thoroughly convinced of the propriety of such a rule, that I resolved never to abandon it until it was established. Two years after I moved the convention, who were revising the constitution, to insert it in that instrument. My motion prevailed; & I had the satisfaction of knowing that the people ratified & confirmed it. (Emphasis supplied.)⁶

As the direct antecedent of the constitutional article, the proposed house rule to which Plumer refers may be illustrative as to the article's intent. It read:

No member of the House shall in any wise appear or act in the House or before both Houses Assembled in one room, as an advocate or attorney in any cause depending in which the state is a party nor in any manner between Individuals unless interested or engaged previous to the Establishment of these Rules. (Emphasis supplied.)⁷

¹ See Lynn W. Turner, *William Plumer of New Hampshire 1759-1850* (Chapel Hill: Univ. of NC Press, 1962), p. 50; Lynn W. Turner, *The Ninth State: New Hampshire's Formative Years* (Chapel Hill: Univ. of NC Press, 1983), p. 135; *New Hampshire State Papers*, 22:47; *NHSP*, 10:53; *Memoirs*, William Plumer (unpublished, Library of Congress microfilm), p. 40, see Attachment A.

² A search of *Shepard's New Hampshire Citations*, the annotations in the *New Hampshire Revised Statutes Annotated*, and an electronic database of New Hampshire judicial decisions, yielded no reference to NH Const. Pt. 2, art. 7.

³ 1 NH 199.

⁴ It should also be noted that the term "cause," as used in Article 7, meant the same as the term "case." See Thomas Sheridan, *A General Dictionary of the English Language* (London: J. Dodsley, 1780), which defines "cause" as a "subject of litigation."

⁵ *NHSP*, 20, 21 & 22. See Attachment B for three examples.

⁶ *Memoir*, Plumer, p. 40.

⁷ *NHSP*, 22:47.

Petitions Indexed

Abbreviations used:

& And
Acad Academy
Acct Account
Admin Administrator
AG Attorney General
Co. Company, or, County
Coll Collections
Corp Corporation
CT Connecticut
et al And others
etc And others
JP Justice of the Peace
MA Massachusetts
MD Map Drawer, in vault of the New Hampshire State Archives,
Concord, NH
ME Maine
Mil Militia
ND No Date on manuscript
NhAr New Hampshire Division of Archives & Records Management,
Concord, NH
NH New Hampshire
NHSP *New Hampshire Provincial and State Papers*. 40 volumes.
[Published by the State at various places, 1862-1942]
PCC Provincial Court Cases
PP "Provincial Papers." Set of 5 volumes of scrapbook pages
containing petitions and other documents attached to be
preserved, alphabetically by town name.
P.R.O./C.O. Public Record Office/Colonial Office. London,
England
Props Proprietors
re About, or, in regard to
Regt Regiment
Rock Rockingham
TR Transcribed [Transcription in separate section of this finding
guide]
v Versus
vs Versus
VT Vermont

Petitions 1787-1795

- 1787(1) Northfield residents recommend Archelaus Miles to be appointed a justice of the peace[JP]
- 1787(2) Jonathan Sherburne & Mark Lang ask hearing on earlier petition for a road from Rye to Long Lane
- 1787(3) Town of Merrimack asks credit toward fine for beef deficiency in 1781
- 1787(4) Samuel Fowler seeks reimbursement for losses in Canada in 1777 under Colonel Bedel
- 1787(5) Proprietors/landowners protest proposed act to quiet title deeds to land inside Mason's patent//NHSP,XVIII,781
- 1787(6) Reuben Kidder protests sale of his land in Washington to pay tax on road through his property
- 1787(7) Benjamin Sias leaving as Loudon JP, recommends Samuel Chamberlain be appointed in his stead[JP]
- 1787(8) Nathan Jones resigns his command in the grenadier company of the 28th militia regiment
- 1787(9) Sarah Little of Portsmouth seeks support for children, husband Dr. Stephen Little having fled as a Loyalist
- Jan 1787(1) Selectmen of Exeter ask power to appoint new tax collector for 1783, 1784, 1785 taxes; former one absconded
- Jan 1787(2) Exeter selectmen seek authority for town to appoint new tax collector for 1783, 1784, 1785
- 1/1/1787 Citizens of Newington oppose the recommendation of Benjamin Adams to be appointed a justice of the peace[JP]
- 1/2/1787 James & William Sheafe seek restoration for ship/cargo siezed by Capt Horatio Nelson in Barbados//NHSP,XVIII,783
- 1/2/1787 Jonas Cutting of Croydon asks validation of land deed conveyed to him by Obadiah Newton & later Joshua Whitney
- 1/2/1787 Selectmen of Loudon recommend Samuel Chamberlain to replace Benjamin Sias as a justice of the peace[JP]
- 1/4/1787 Widow Sarah Purcell in Portsmouth ask restoration to her law re sale of her husband's estate to Woodbury Langdon
- 1/4/1787 newmarket citizens oppose the recommendation of Wentworth Cheswill to be a justice of the peace[JP]
- 1/4/1787 Elisha Thomas of New Durham seeks welfare for injury suffered in military duty at Plank's Point in 1776

1/5/1787 Elizabeth Wallingford seeks attention to her petition of 6/13/1786 re interest on note with Thomas Wallingford estate

1/10/1787 Northfield JP Thomas Gilman recommends Reuben Witcher be appointed JP in his place[JP]

1/10/1787 Lyman non-residents object to paying town's total tax bill for several years

1/12/1787 Dover Quakers seek reimbursement for guns requisitioned for U. S. Army in 1777 and never paid for

1/17/1787 John Stevens of Newington asks rehearing in court case brought by John Pickering, Jr., for debt

1/20/1787 William Loudon of Charlestown lost arm in military, asks disability pay/relief

3/30/1787(1-9) Strafford Co. citizens recommend Ebenezer Smith of Durham to be appointed Register of Probate

4/3/1787 Committee for owners of Masonian land proposes boundary lines alterations

4/4/1787 Strafford Co. citizens recommend Ebenezer Smith of Durham to be appointed Register of Probate

4/13/1787 Citizens of New London recommend Lt. Levi Harvey to be appointed a justice of the peace[JP]

4/26/1787 Citizens of Northfield recommend Lt. Charles Glidden to be appointed a justice of the peace[JP]

4/26/1787 Selectmen of Hancock ask amendment to act for payment of taxes to build a meetinghouse

5/18/1787 Jonas Baker seeks reimbursement for expenses of pauper James O'Neal in Charlestown

5/21/1787 Town of Stoddard asks for tax on land to build meetinghouse and to repair "publick roads"

5/23/1787 Ebenezer Smith resigns as justice of Inferior Court and also as colonel of 10th militia, to become a senator

5/24/1787 Selectmen of Lime ask delay in collecting arrearages in taxes against the town

5/24/1787 Selectmen of Wendell recommend Moses True to be appointed a justice of the peace[JP]

5/24/1787 Committee for Jaffrey opposes the separation of a mile strip of land in south part of town

5/25/1787 Campbells Gore residents ask to tax non-resident lands to build bridge; change town name to Scituate

5/28/1787 Joseph Curtis asks confirmation of deed of Eleazar Davis property in Hanover to complete probate of Davis estate

5/29/1787 Proprietors' assessors for Conway ask authority to complete collections begun prior to "the late War"

5/30/1787 Residents of New Bradford & Washington ask to be incorporated into a new town named Bradford, NH

June 1787 Portsmouth merchants and traders ask redress of grievance re import duties

6/1/1787 Sarah Hartshorn asks to sell estate left by husband David for support of herself & granddaughter Margaret Seaton

6/1/1787 James Hayes seeks proper title to Barrington land he claims he purchased from deceased relative Benjamin Hayes

6/3/1787 Selectmen of Canaan seek abatement of town taxes for 1783 and removal of some of the "doomage"

6/4/1787(1) Middleton selectmen ask guidance on tax extents issued to the town for 1775-1777 before it was incorporated

6/4/1787(2) Dr. Henry Codman asks reimbursement for medicine, & services for Lt. Bazeleel Howe's invalids in Amherst, 1781

6/4/1787(3) Inhabitants of Littleton, NH, ask to be exempt from back taxes, ask help with making roads & rebuilding mills

6/4/1787(4) Walpole committee asks General Court to decide whether to separate land to create a new town

6/4/1787(5) Asahel Brainard, Rumney constable, seeks allowance for state taxes paid for 1780

6/5/1787 Selectmen of Protectworth object to tax extents for the years 1779-1783

6/6/1787 Joseph Kelly of Nottingham West seeks a retrial to redress his grievance in counterfeit case against him

6/6/1787 Legislative committee to fix Masonian line seeks further direction from General Court

6/9/1787 Exeter asks approval of selection of a company of men to maintain & operate the town's fire engine//NHSP, XI, 668

6/11/1787 Town of Lyman seeks direction as to collection of taxes for 1786

6/11/1787 David Hale of Hollis asks restoration to his law in debt case brought by Benjamin Pierce of Westford, MA

6/12/1787(1) John Livingston asks rehearing for his son in case brought for bastardy by Mary Thompson of Westmoreland

6/12/1787(2) Justices of the Superior Court seek increased salaries and payment quarterly

6/12/1787(3) Hampstead seeks its own representative in the General Court

6/12/1787 (4) Citizens of Gunthwaite/Concord object to procedures at a recent town meeting

6/12/1787 (5) Richard Hayes of Rochester asks to reenter complaint vs. John Bennet, Jr., of New Durham, for debt

6/13/1787 Joseph Marsh asks depreciation pay due for service in Rhode Island expedition of 1778

6/14/1787 (1) Grafton Co. sheriff David Webster asks stay in execution of judgment against him re debt to Charles Furbush

6/14/1787 (2) Sarah & Jane Simpson ask hearing by General Court on their claim against estate of Thomas Simpson, Portsmouth

6/14/1787 (3) Samuel French of Hopkinton asks pay for Continental Army service 1781-1787, prisoner of Indians

6/14/1787 (4) New Grantham asks that its name be proper in the Treasury Office and that taxes be abated

6/14/1787 (5) Constable Asa Lewis lost L39 of tax money when his house was lost to fire in March 1787

6/15/1787 Jonathan Dow recommends Samuel Payne, Jr., to be coroner for Hillsborough County

6/16/1787 Cardigan citizens ask tax on proprietors to pay for repairing the road from Canaan

6/17/1787 Winthrop Marston of Ossipee Gore seeks confirmation of deed to land in Strafford Co.

6/18/1787 John Neal seeks appointment of a special justice to determine his case against defendant Jonathan Moulton

6/18/1787 James Calef wants to pay Strafford Co. liquor excise half in state notes and half in money

6/18/1787 William Simpson recommends Jonathan Sawyer to be a justice of the peace [JP] for Orford, NH

6/18/1787 David Batchelder asks restoration to his law in case of size of property in Deerfield purchased from Robert Page

6/19/1787 James Macgregore asks restoration to his law re the collection & payment of Rockingham Co. liquor excise

6/19/1787 John Peirce Sweatt asks to sell land of deceased Richard Ilsley in Newberry, MA, on behalf of his children

6/20/1787 Henry Gerrish asks right to ferry over Merrimack River from Northfield to Salisbury, afraid petition lost

6/20/1787 John Wendell asks to pay taxes in state notes in lieu of hard money

6/20/1787 Enoch Johnson of Henniker asks law vacating land deed to Samuel White and Samuel White, Jr.

6/20/1787 Concord residents ask appointment of a surveyor of pot and pearl ashes

6/21/1787 Chesterfield, reimburse medical costs for soldier & pauper William Loudon, injured firing cannon//NHSP,XI,348

6/22/1787 James Heath of Salem asks relief from judgment of Grafton Co. superior court

6/22/1787 Agent for Lisbon taxpayers ask reversal of act that grants tax breaks to Leonard Whiting & other non-residents

6/22/1787 Robert Morrell of Bedford asks permission to sue town again for money owed for military service

6/25/1787 Inhabitants of Peterborough Slip want empowerments of an incorporated town

6/27/1787 Former coroner John Hogg recommends Jeremy Page, Jr., to be appointed coroner for Dunbarton

8/16/1787 Town of Dorchester recommends Joseph Burley be appointed its justice of the peace[JP]

8/22/1787 James Sullivan asks dismissal of William Simpson petition on behalf of Sarah & Jane Simpson re new trial

8/23/1787 New Chester citizens ask that the town be divided into two towns

8/27/1787 Hannah Shattuck seeks confirmation of deed to Raby land left by husband, deed destroyed in house fire September 1787 Barnard McKeen of Bedford asks relief owing to medical bills incurred during military service

9/3/1787 Inhabitants of Alexandria & New Chester seek incorporation of a new town, unnamed

9/4/1787 Lancaster seeks tax on all land to build/maintain roads & bridges & meetinghouse

9/5/1787 Robert Barnet of Londonderry, invalid from military service, seeks payment of disability assistance

9/8/1787 Stoddard selectmen ask empowerment of special committee to determine location of town's meetinghouse

9/10/1787 Benjamin Lamson lost Rockingham Co. liquor excise order and seeks another order in its place

9/10/1787 Selectmen of Goffstown ask perambulation/establishment of town line with New Boston

9/10/1787 William Fowler of Barrington asks retrial re 1774 trespassing judgment in case brought by George Jaffrey

9/11/1787 Guardians of Abijah Brainard, Jr., ask to sell his land in Lempster to pay taxes & for his benefit

9/12/1787 State residents seek a change in deed recording law to protect purchasers of land

9/12/1787 Prentice Willard of Putney, VT, & Isaac Butterfield of Westmoreland, NH, ask shared right to "Lords Ferry"

9/14/1787 Jaffrey petitioners want to change annual meeting date from last Thursday to first Tuesday each March

9/15/1787 Daniel Emerson, Jr., reports loss of order to pay Rev. Daniel Emerson, seeks issuance of replacement order

9/17/1787 Newport selectmen ask receipt & payment for beef cattle delivered in 1780 by Capt. Samuel Hurd

9/17/1787(87) Selectmen of Charlestown concerned about legal possession of islands in Connecticut River

9/18/1787 Town of Acworth asks to assess & collect tax on all non-resident lands to cover various town expenses

9/19/1787 Selectmen of Unity ask to tax all unimproved land to pay for highway repairs

9/20/1787(1) Unity selectmen ask a stay of 1785 tax assessment until next session of the General Court

9/20/1787(2) Hinsdale selectmen ask that treasurer receive taxes due as paid by residents, without depreciation

9/20/1787(3) Thomas Minor of Hanover asks rehearing in debt case brought by now-deceased Bela Turner

9/20/1787(4) Enoch Hale was defaulted in Hillsborough court case, asks to reenter the case at next superior court

9/20/1787(5) New Grantham residents ask name of town be corrected on tax warrants and that tax be abated

9/21/1787 Benjamin Parsons seeks rehearing on a suit in Cheshire court

9/24/1787 Agents for town of Plainfield & cornish ask that towns' Revolutionary War accounts be settled

9/24/1787 John Sullivan wants to claim debt due him from estate of Hugh Ramsey of New Boston

9/26/1787 John Calfe asks that L24 of the secretarial pay owed to him be credited to his debt to James Macgregore

9/27/1787 Sarson Belcher of Boston seeks secure title to two lots in Peterborough//NHSP,XIII,189

9/27/1787 Margaret Newman of Boston seeks L1,000 from estate of Zaccheus Cutler of Amherst

9/28/1787 Bezaleel Davis of Hanover needs confirmation of title to Hanover land once belonging to brother, now Joseph Green

10/16/1787 Nathan Stickney resigns as lieutenant in the 13th regiment, 2nd company of militia, at Orford

10/17/1787 Two captains in 10th militia regt. ask court of inquiry into recent promotion procedures

10/24/1787 Ens. John Putnam resigns office in the 23rd militia regiment, Lyndeborough, to go into Light Horse

November 1787 Allenstown residents recommend Capt. George Evens to be appointed a justice of the peace[JP]

11/28/1787 Jennet Brown of Deering never got deed to land from John Quigly in 1773, wants money back from his estate

11/29/1787 Men in 18th militia regiment ask to form a company of Light Horse for the regiment

11/30/1787 Protectworth selectmen ask liquidation of dooimage on the town owing to lack of representation

December 1787(1) John Melcher implores the General Court to continue advertising in the *New Hampshire Gazette*

December 1787(2) Loyalist Benjamin Snow asks permission to remain in NH with his crippled wife

12/1/1787 William Lyons asks restoration to his law re court case for debt brought by David McClary of New York

12/4/1787 South Hampton selectmen and citizens recommend Ebenezer French to be appointed coroner

12/5/1787 NH citizens want a committee to lay out an alternate route for the "Province Road"//NHSP,XVIII,791

12/5/1787(1) Clement & Stephen March of Greenland ask rehearing of case with Jonathan Chase re a rule of court and a deed

12/7/1787 Edward Jewett, administrator of Levi Whitney estate, asks to sell land for money for widow and children

12/7/1787 Jonathan Cilley of Nottingham asks relief from liquor excise bond owing to lack of circulating currency

12/7/1787(1) Deerfield citizens seek reorganization of the militia alarm company//NHSP,XVIII,792

12/8/1787 Selectmen of Rindge support Edward Jewett selling property of estate of Levi Whitney

12/10/1787 Exeter prisoner Benjamin Thomson seeks relief from stringency of debtors prison

12/10/1787 Boston merchant John Haskins asks debt payment from estate of absentee Zaccheus Cutler of Amherst

12/11/1787 Surveyor Joseph Blanchard's report on "running out Masopns Patent" as per legislative intent

12/11/1787 Widow Jennet Brown wants return of money paid to state for land from John Quigley estate, no title deed

12/11/1787 Samuel French of Hopkinton served in Continental Army, prisoner of Indians, asks pay through 1782

12/12/1787 Porrtsmouth printer Robert Gerriush seeks exclusive rights to publish state business in the NH *Mercury*

12/12/1787 Widow Mary Lear wants that part of farm in New Castle to be reannexed to Portsmouth for convenience

12/13/1787 Gershom Lord of Dover asks restoration to his law after missing a court date owing to illness

12/14/1787 Proprietors of Portsmouth Library seek remission of impost duty on books brought from overseas

12/16/1787 Jonathan Thurston wants to sell wife's land in Chester to help support his growing daughter: wife died

1788(1) Cardigan constable Jonath Hoyt asks relief while trying to pay taxes owed

1788(2) Town officers complain against recent act for "better observation of the Lords day"

1788(3) Grafton County residents recommend Obed Hall be appointed a justice of the peace [JP]

1788(4) [A-G] Citizens of Londonderry, Chester, et al. recommend Archibald McMurphy to be appointed a justice of the peace [JP]

1788(5) Dorchester citizens recommend Joseph Burley to be appointed a justice of the peace [JP]

January 1788 Society for the encouragement of Manufactures seeks to change law so to encourage more production of sheep wool

January 1788(1) Selectmen of Swanzey ask credit for quota of men paid bounties to serve in "the late war"

January 1788(2) Dorchester/Cockermouth committee seeks abatement of 1777-1779 taxes based on miscalculated inventory

1/6/1788 Selectmen of Warren seek abatement of taxes for 1787 based on General Court hearing in March 1786

1/14/1788 Proprietors of Lempster & Marlow seek settlement of their eastern boundaries

1/15/1788 John McLaughlen of New Boston asks confirmation of title deed to lot of land in the town

1/15/1788 Military return of 15th militia regiment by Maj. Joseph Kimball--of regimental officers

1/15/1788 Selectmen of Amherst seek reimbursement for care of "Burgoyner" John Sabbateer, British soldier sick in 1784

1/17/1788 Committee from Boscawen propose creation of a new county from north ends of Rockingham, Hillsborough, Strafford

1/18/1788 Packersfield selectmen want to tax all land for road maintenance and meetinghouse

1/22/1788 Levi Brigham, constable of Fitzwilliam, lost money paid him by J. Hardy toward taxes, asks abatement of amount lost

1/22/1788 Quakers in Dover ask reimbursement for guns taken in 1777 for use of the "Army of the united States"

1/22/1788 Debtor/prisoner John Hayes seeks a "dismission" from Exeter goal so that he can work to pay his debt

1/23/1788 Thomas Cogswell asks to pay 1786 liquor excise for Strafford County in state notes

1/23/1788 Committee from town of Canterbury suggest structure for a new county

1/23/1788 Children of John Giddinge ask new administrator for his estate because their mother has become incompetent

1/23/1788 Simeon Akerman, Portsmouth boatbuilder, gone blind, asks to sell land, use money for his support

1/24/1788 Cardigan citizens ask to lay tax of 2 farthings per acre for road clearance and maintenance

1/26/1788 John Wendell and/or non-resident proprietors of Town of Lyman ask abatement of tax assessed by town

1/26/1788 (157) Selectmen of Cardigan seek adjustment in method of taxation

1/28/1788 Oliver Evans of New Castle, Delaware, asks exclusive right to build and sell engines for flour mills & water

1/28/1788 Capt. Titus Salter seeks pay/reimbursement for command at the Fort and operating the lighthouse

1/30/1788 Timothy Jones, of Bedford, MA, asks nullification of all legal actions against him by Alexander McDaniel

1/30/1788 Timothy Taylor for town of Merrimack seeks settlement re amount and cost of beef to the army in 1781

1/31/1788 Lyndeborough asks reestablishment of warrant ordering pauper Elisha Wilkins and family to leave

1/31/1788 Mary Whiting of New Ipswich wants authority to proceed with legal matters owing to absenteeism of husband

1/31/1788 Samuel Hobart is desparate for cash to complete building his slitting works//NHSP,XVIII,794

1/31/1788 Charles Joseph Gabriel Colinet wants confirmation of deed to property purchased from deceased Jonathan Moulton

2/3/1788 Thomas Packer wants remedy to suit by Captain Stiles in re laying out lots for Packersfield

2/4/1788 Ezra Towne led a military company in February 1777 to Morrystown, wants travel reimbursement and pay

2/5/1788 Nathaniel Breed asks help in settling accounts for sale of land in Packersfield from Breed batchelder estate

2/5/1788 Concord, per Timothy Walker, seek formation of a new county//NHSP,XVIII,794

2/6/1788 John McDuffee & Archibald McMurphy offer to pay \$80,000 or more for lands along Masonian line

2/7/1788 Noah Lovewell & Timothy Taylor recommend Stephen Lund of Merrimack to be appointed a Hillsborough Co. coroner

2/8/1788 Enoch Bartlet seeks official copnfirmation of ownership of lots in Bath before assessment of nonresident taxes

2/8/1788 Masonian Proprietors, per John Peirce, seek to settle the disputed claim to land between Masonian lines

2/10/1788 Croydon wants to tax 1 penny/acre on all land to build and maintain highways, roads, and bridges

2/11/1788 Asahel Goodenow asks more time to settle accounts dispute with Daniel Loring

2/11/1788 Masonian Proprietors, per John Peirce, propose to settle disputed land title claims to appointed referees

3/1/1788 Hampstead citizens recommend Thomas Muzzey to be appointed a justice of the peace[JP]

3/11/1788 Town of Tamworth wants to impose penny/acre tax on all land to build & maintain highways, roads & bridges

3/29/1788 Daniel Rand of Rindge resigns his office in the militia after 14 years of service

4/8/1788 Joseph Welch, militia major in 1781, asks reimbursement for expenses of jailing a deserter in 1781 in Exeter Gaol

4/24/1788 Selectmen of Surry ask that March 1788 town meeting be declared valid in spite of bieng held on wrong date

4/28/1788 Convicted murderer Elisha Thomas seeks a delay in execution of his death penalty

5/1/1788 Marlow, Capt. Rufus Huntly resigns from 4th Co., 16th militia regiment

5/1/1788 Marlow, Lt. Isaiah Huntly resigns from 4th Co., 16th militia regiment

5/4/1788 Loyalist Benjamin Snow of Plymouth asks permission to stay in NH

5/5/1788 Alstead, Maj. Timothy Fletcher resigns from 16th militia regiment commanded by Col. Amos Shepard

5/9/1788 Hampstead, Edmund Moore recommended to be appointed a justice of the peace[JP]

5/10/1788 Town of Eaton, NH, seeks a committee to settle boundary with Tamworth

5/10/1788(226) Eaton settlers confirm request for settlement of town line with Tamworth

5/13/1788 Excise collectors for Cheshire Co. for 1787 seek stay of payment pending lawsuits for nonpayment to them

5/13/1788 Dover, Richard Tripe seeks restoration to his law in suit for debt against Josiah Folsom

5/14/1788 Group seeks permission to establish a company of Light Horse for Colonel Rand's 12th militia regt//NHSP, XVIII, 795

5/16/1788 Dover prisoner Elisha Thomas seeks additional day or so of pardon from execution as a criminal

5/17/1788 Lancaster et al., ask act to prevent the netting of Salmon on Connecticut River

5/19/1788 Dover residents seek to delay execution of convicted prisoner [Elisha Thomas]

5/19/1788(178) About 50 Dover women seek to delay execution of convicted prisoner (Elisha Thomas?)

5/20/1788 Landaff & Bath seek representation separate from Gunthwaite, Lyman & Littleton

5/20/1788 Londonderry, Joanna Adams seeks to sell farm of her late husband, Dimon Cressy to support Dimon's young son

5/20/1788 Inhabitants of Barnstead et al., seek incorporation of a separate town from parts of four

5/23/1788 Lyme, John Sloan seeks new letter of probate administration to settle Hanover estate of Israel Curtis

5/24/1788 Lempster, Asa Hebard resigns as ensign in 16th militia regiment under Col. Amos Shepard

5/26/1788 Ezekiel Ladd of Haverhill seeks ferry rights over Connecticut River

5/26/1788 Tamworth, town seeks to legitimize the business done by two selectmen not being certain of loyalty of the third

5/26/1788 Town of Ossipee asks abatement of taxes for years 1783 and 1784

5/27/1788 Hinsdale selectmen ask that the treasurer receive payment for 1778 taxes as previously attempted

5/28/1788 Towns in Hillsborough County ask rehearing on their petition to create a new shire or half-shire town

5/28/1788 Inhabitants around Meredith Neck want property set off as a new town to be called Watertown

5/29/1788 Amherst gaolkeeper Ephraim Barker asks replacement execution for prisoner Joseph Clark, paper lost in transfer

5/29/1788 Richard Young seeks ferry right across Connecticut River at Piermont, supported by selectmen

5/29/1788(190) Raby selectmen ask help in selecting location for a meetinghouse

5/30/1788 Winchester selectmen ask that dams be opened for free passage for fish on Ashuelot River
5/30/1788 Town of Cockermouth, NH, asks that name be changed to Danbury, NH
5/31/1788 Lyme selectmen ask that Grant's Island be annexed to the town of Lyme principally to collect taxes
June 1788 (127) Town of Wilton seeks revision of the act establishing education requirements
6/1/1788 Joseph Whipple presents petition for patent on flour mill equipment improvement (no documents enclosed)
6/2/1788 William Chandler et al. of Hanover ask to quiet title deed to Connecticut land belonging to William Taylor
6/2/1788 William Loudon of New Castle seeks disability pay and help with locating a school in the country
6/2/1788 James Hayes of Barrington asks to quiet title deed to property left by Thomas Hayes in Dover and Barrington
6/2/1788 David Badger et al. seek division of land in father's estate owing to child having "come of age"
6/4/1788 Sandwich wants payment by state of taxes on land belonging to Dartmouth College & Phillips Exeter Academy
6/4/1788 Bradford, NH, asks to tax all land for the repair and maintenance of roads
6/4/1788 Capt. Thomas McCloud resigns command in Colonel Blood's regiment.
6/4/1788 William King of Dover asks that his name be changed to Atkinson to comply with devise of Theodore Atkinson
6/5/1788 Non-resident proprietors of Lyman complain, seek to lower the taxes they are expected to pay
6/5/1788 Pembroke selectmen seek authority to change date for town meeting and electing a representative
6/5/1788 Sarah Hazeltine of Walpole asks to sell all real estate left by her deceased husband Moses
6/8/1788 John Wendell asks to be allow to pay taxes in state notes of depreciated value
6/9/1788 John Neal seeks to quiet debt of Jonathan Moulton until Moulton's estate is settled
6/9/1788 James & Eleanor Smith seek confirmation of land title from estate of Thomas W Waldron to their daughter Eleanor
6/9/1788 George King Sparhawk asks quiet to title of land left to him by uncle, Theodore Atkinson

6/10/1788 Benjamin Odiorne et al. seek dismissal of petition by James Hayes claiming Barrington land of Benjamin Hayes

6/10/1788 Joseph Page asks appropriation of a lot of land in Wentworth, NH, in order to operate his mill

6/10/1788(221) Thomas Stickney of Concord wants clarification of bonds on land in Rumford and Bow

6/11/1788 Warner selectmen ask for committee to select a site for a new town meetinghouse

6/11/1788 Amherst citizens want to belong to second parish instead of to the first parish

6/11/1788 Israel Morey of Fairlee, VT, asks 1 year of protection from arrest in New Hampshire to settle his affairs

6/12/1788 Reuben Spencer claims wounded at Bunker Hill, long leg, and has been dropped from pension list: wants pension

6/12/1788 Jeremiah Smith resigns as captain of a company of Light Horse in militia regt. of Colonel Green//NHSP, XVIII, 797

6/12/1788 Nicholas & Comfort Marriner seek payment due for being state witnesses in a 1784 counterfeit case

6/12/1788 Jonathan Cilley wants relief from paying interest on excise collection for 1786-1787

6/12/1788 Thomas Cristy wants to exchange large payment from the state for payment in smaller amounts

6/13/1788 Hanover selectmen ask authority for tax collector James Murch to collect back taxes on non-resident land

6/13/1788 Bradford citizens recommend Ebenezer Eaton be appointed a justice of the peace[JP]

6/13/1788 Town of Peterborough asks abatement of fine levied for inadequate educational season

6/14/1788 Masonian Proprietors' request & settlement with General Court re Masonian Line + surveyors' report of Jan. 30, 1788

6/15/1788 Purchasers of Gov. John Wentworth estate in Lime complain of improper affairs by the tax collectors

6/16/1788 Lt. Col. Jeremiah Clough asks to resign command of the 11th militia regiment

6/16/1788 Selectmen of Weare ask remittance of fine levied for failure to keep a grammar school

6/16/1788(81) Littleton residents ask help collecting taxes and building roads and wants names of original proprietors

6/17/1788 Nathan Hoit behind in collecting excise for Strafford County with Charles Clapham, seeks indulgence

6/17/1788 Col. Daniel Reynold ask restructure of 8th & 17th regts to make artillery unit more effective

6/17/1788 Francis Drew seeks pay for teaching/directing music to militia units of the state

6/17/1788 Sheriff David Webster of Grafton Co. asks correction of name on bond of James Langley of Deerfield

6/18/1788 Winthrop Marston of Ossipee wants confirmation of deed to land bought from Winthrop Smith

9/6/1788 Capt. Jacob Copland of Stoddard resigns command of 10th company in 16th militia regiment

9/16/1788 Lt. John Spaulding of Stoddard resigns from 10th company of 16th militia regiment

9/19/1788 Newmarket residents recommend Daniel Hill be appointed Surveyor of Lumber in place of William Odiorne

9/25/1788 Lt. James Bingham resigns from 6th company of 16th militia regiment

10/10/1788 Lt. Zebulon Crane resigns from 3rd company of 16th militia regiment

10/10/1788(209) Rye inhabitants recommend Simon Jenness be appointed a justice of the peace [JP]

10/10/1788(210) Rye inhabitants recommend Simon Jenness be appointed a justice of the peace [JP]

10/18/1788 Rye inhabitants recommend Frances Jenness, Jr., be appointed coroner

10/31/1788 Rye inhabitants recommend Nathan Goss be appointed coroner

10/31/1788 Sarah Moulton & Thomas Leavitt ask clarification of boundaries of Jonathan Moulton property in Orford

Nov. 1788(1) Constable Samuel Sias of Ossipee asks abatement or other relief for tax money lost or not collectable

Nov. 1788(2) Daniel Brewster administrator of John Flagg estate asks change in court judgment re debt of Daniel Horn

Nov. 1788(3) Benjamin Hayes wants confirmation of deed to land in Barrington inherited from his father, Thomas Hayes

11/1/1788 Daniel Cressey seeks approval of earlier petition from Bradford (for a JP?): overlook local contentiousness

11/1/1788 James Murch of Hanover asks restoration to his law in court case brought by Trustees of Dartmouth College

11/1/1788(38) Plainfield & Cornish petitioners ask to jointly build a meetinghouse and support a minister

11/3/1788 Daniel Poor asks charges against his accused and absconded son John be dropped and John allowed to return

11/3/1788 Selectmen of Mason ask privilege of town meeting to choose replacement for constable selected in March

11/3/1788 Selectmen of Lyme recommend Capt. Jonathan Franklin be commissioned a justice of the peace[JP]

11/3/1788 Col. Reuben Alexander resigns command of the 6th militia regiment

11/3/1788 Sarah Moulton & Thomas Leavitt need quiet title to land in Hampton inherited from Jonathan Moulton

11/4/1788 John Barter of Middleton claims bullet wound during the war disables him from supporting family, asks for pension

11/4/1788 Capt. Samuel Huston of Lyndeborough resigns his commission in the militia

11/5/1788(1) John Neal, excise collector for Hillsborough Co., asks relief from losses in collecting

11/5/1788(2) Daniel Noyce of Lempster seeks retrial in case brought against him by John White of Hopkinton

11/5/1788(3) Jacob Shaw of Marlow asks retrial in case brought against him by John White of Hopkinton

11/5/1788(4) John Caldwell McNeale of Derryfield asks repeal of act favoring Ephraim Barker

11/5/1788(5) Town of Burton asks abatement of 1784 and 1785 assessed taxes

11/5/1788(6) Thomas Simpson & sisters want a time limit set on creditors re claims on father's estate

11/7/1788 James Calef claims inability to collect Strafford excise because of Navigation Act and the Tender Act

11/8/1788 Ebenezer Webster of Salisbury asks formation of a light horse company to be added to the 2nd regiment of Light Horse

11/11/1788 Barnstead residents recommend Jonathan Chesly be appointed a justice of the peace[JP]

11/12/1788 Samuel Corser asks reversal of referees' decision in court case brought by John Sanborn for trespass

11/13/1788 William Page of Charlestown asks payment for attending foreigner James O'Neal during illness

11/15/1788 Henry Knox seeks quiet title to land from estate of his father-in-law Thomas Flucker in Nottingham West

11/21/1788 Group of Northwood Baptists ask that another request to incorporate First Baptist Society not be granted

Dec 1788(1) Joseph Buzzell, Jr., New Durham, seeks reconsideration of court judgment in debt case against Joseph Jackson

Dec 1788(2) Haverhill selectmen object to petition from Ezekiel Ladd for ferry right: it more properly belongs to others

Dec 1788(3) Certificate of military pay due to William Arwin for serving in Capt. Ebenezer Webster's Ranger company

Dec 1788(4) John Sherburne of Portsmouth submits bill for rental of his warehouse to store state's artillery, 1775-1788

Dec 1788(5) Plaintiffs seek right to appeal judgment in case against Jonathan Moulton & Joseph Allen, Moulton having died

Dec 1788(6) Gunthwaite men recommend Maj. John Young be appointed a justice of the peace[JP]

12/11/1788 Coventry inhabitants recommend Obadiah Eastman be appointed a justice of the peace[JP]

12/12/1788 Settlers in Littleton seek tax on all land for road maintenance and general assessment to aid settlement

12/15/1788 Officers in Winchester support petition of Richmond 6th regiment militia decrying severity of the militia law

12/15/1788 Selectmen of Lebanon support William Dana's request for ferry right between White River and Lebanon over CT R.

12/15/1788(138) Northwood citizens ask for committee to straighten road between Barnstead and Country Road

12/15/1788(198) Jeremiah Towl seeks relief for disability from wound received at Bemis Heights while in Continental Army

12/16/1788 Residents of Warner recommend Joseph Sawyer be appointed a justice of the peace[JP]

12/17/1788 Robert MacMurphy et al. suggest amendments to act of 6/23/1785 for better observation of the Lord's Day

12/17/1788(62) Residents object to creation of a poll parish in Cornish and Plainfield

12/18/1788 Cheshire Co. sheriff Samuel Hunt wants pay for delivering election returns to the Secretary of State

12/18/1788 Parker Stevens wants ferry right over CT River between Haverhill and Piermont, lives in northern Piermont

12/19/1788 Sutton selectmen want tax of 1-cent/acre to build and maintain town roads

12/22/1788 Attorney Thomas Sheafe of Portsmouth asks appointment as executor of estates of Edward & Elizabeth Butler

12/22/1788(91) Gilmanton residents recommend Joseph Parsons be appointed a justice of the peace[JP]

12/22/1788(165) Richmond men plead conscientious objection to militia service

12/23/1788 Barnstead citizens recommend Capt. Charles Hodgdon be appointed a justice of the peace[JP]

12/24/1788 Widow and son of John Neal ask reconsideration of his recent petition re paying excise in state notes

12/24/1788(2) Samuel Gregg asks tax of 3-cents/acre on land in Peterborough Slip to build and maintain roads

12/24/1788(3) Town of Canterbury asks wages of deceased soldier for use by the town

12/24/1788(4) William Stinson & John Clark ask reimbursement of losses re the estate of Loyalist Stephen Holland's family

12/27/1788 Eliezer Ferguson seeks recovery of loan to state at full-not depreciated-value

12/29/1788 Town of Charlestown asks to be restored to its law in case brought by Benjamin Giles's executors, re school

12/29/1788 Zebulon Edgerly of Epping asks restoration to law in ejectment case brought by Bradbury Cilley

12/30/1788 Tamworth selectmen recommend Jacob Eastman for constable to finish collecting taxes for 1787

12/30/1788 Nathaniel Meserve accuses Benjamin Hill of fraud in case involving debt to Meserve

12/30/1788(29) Samuel Runnals wants pay for military service to defend Rhode Island in 1779

1789(1) James Read asks that his continental tax due be charged to the "Continent" owing to his loss of eyesight disability

1789(2) John Safford of Ipswich, MA, seeks payment of debt due him from David Brown of Bow, absconded

1789(3) Selectmen of New Durham Gore recommend Joseph Peirce to be Register of Probate for Strafford County

1/1/1789 Fishersfield selectmen request authority to tax 1-cent per acre on all land for 3 years for repair of the road

1/4/1789 Joseph Kelly seeks new trial in Hillsborough court owing to judgment against him for plaintiff Edward Smith

1/5/1789 Excise collectors Josiah Goldsmith & Ezra Metcalf ask release from gaol or at least liberty of the gaol-yard

1/7/1789 Allenstown selectmen ask authority to tax 1-cent per acre on all land for maintenance of roads and bridges

1/7/1789 Masonian proprietors agents recommend procedure for securing their bond to pay state notes agreed upon

1/9/1789 Robert Weir of Walpole trying to obtain debt payment due from James Gould of Hanover in Grafton court

1/10/1789 Barnstead, John Tasker prefers Charles Hodgdon over Jonathan Chesly for justice of the peace [JP]

1/13/1789 Testimony of John Gardner, Jr., that he stored the state artillery in John Sherburne's warehouse in 1778

1/13/1789 John Wendell asks reconsideration of his request to pay taxes with discounted Continental paper money

1/15/1789 John McLaughlin renews his request to quiet title to land in New Boston

1/15/1789 Israel Morey, Fairlee, VT, asks reverse of Rock. court judgment in 1786 case won by Jonathan Moulton now deceased

1/16/1789 Samuel Bean asks pay for carrying mail & papers for the Secretary of State, State Treasurer, et al.

1/19/1789 Levi French asks restoration to his law in debt case with Gould French the court having judged Levi as default

1/22/1789 Andrew Mack wants payment of debt owed estate of Robert Clark by estate of Col. William Stark, also deceased

1/22/1789 Samuel Cherry of Londonderry wants state debt to him paid in currency having full value rather than discounted

1/23/1789 Jonathan Blake asks relief from judgment in case he brought against Josiah Burnham for debt

1/26/1789 John Brown et al. in town of Thornton ask authorization for Matthew Thornton to issue them deeds to land

1/26/1789(242) John Peirce & John Fisher object to tax on all land in Fishersfield for road upkeep as unfair to props.

1/27/1789 James & Sarah Hill ask certification of deed to Newmarket property of her father so she can have her dower

1/27/1789 Thomas Packer asks restoration to his law in court case brought by Jeremiah Stiles re work in Packersfield

1/29/1789 Samuel Folsom asks to pay the excise for Grafton Co. in depreciated notes which the state gave to him

1/29/1789 James Bowdoin of Boston wants his bond or certified copy to pursue judgment against Philip Richardson

1/31/1789 Elizabeth Hanson & Ebenezer Thompson ask authority for Thompson to collect excise for John B. Hanson, deceased

2/5/1789 Clement March & Stephen March ask that new trial be held re deed claimed by Jonathan Chase in Hillsborough Co.

2/5/1789 Hawley Marshall of Exeter asks release from bond of indebtedness of paper money printer Richard Jurden

2/5/1789 Ebenezer Thompson, Jr., & Joseph Clark ask inclusion of Sarah Hill's children as heir of John Burley [1/27/1789]

2/6/1789 John Sullivan wants pay due from his service in the Continental Congress in 1774-1775

April 1789 Citizens of Burton [Albany], NH, recommend Benjamin Weeks be appointed a justice of the peace [JP]

4/10/1789 "Parish" of Loudon citizens recommend John Sanborn be appointed a justice of the peace [JP]

4/30/1789 Loudon residents recommend Lt. Joseph Smith for justice of the peace [JP] to replace Nathan Bachelder, moving

5/26/1789 Benjamin Dodge of New Boston has lost State Note No. 2375 and requests a replacement

5/26/1789 Joseph Blake asks voidance of deed to son of whole of his property in Keene and reestablishment of deed to half

5/27/1789 Fitzwilliam selectmen ask to change annual town meeting date to the first Monday in March

5/27/1789 Langdon selectmen seek 1-cent per acre tax on all land to pay for roads and bridges

5/27/1789 (236) Effingham selectmen seek tax on all unimproved & non-resident land to pay for roads and bridges

5/28/1789 Lempster asks that non-residents pay tax on land toward road maintenance

5/29/1789 Samuel Penhallow & A. R. Cutter ask to resign as guardian for Mehitabel Treadwell, suggest her son Robert

5/29/1789 Town of Washington asks tax on non-resident land to maintain roads and finish building meetinghouse

June 1789 (1) Jonathan Wentworth et al. creditors to Thomas Hayes ask repeal of recent law deeding his property

June 1789 (2) Anna Horn of Rochester asks justice in bastardy charge against John Henry Heiner

6/1/1789 Residents of Cornish and Plainfield ask authority to establish a poll parish to support religion

6/1/1789 John Hall seeks execution of lower court order in his favor re disposition of estate of late Thomas Hall

6/2/1789 Ruth Batchellor asks repossession of Parckersfield estate of Breed Batchellor, deceased loyalist, her husband

6/3/1789(1) Andrew Watson of Lee needs clarification of title to land inherited from his father, deeds lost

6/3/1789(2) Jonathan Hobart asks redress re deed of Goffstown property to Isaac Hoyt

6/3/1789(3) Thomas Greenfield asks to bring court action to secure his land in Boscawen

6/3/1789(4) Seth Wheeler et al. seek incorporation for New Ipswich Academy

6/4/1789(92, 93, 94, 95) Gilmanton residents ask that courts be moved to Norway Plain in Rochester for ease of access

6/5/1789 James Duncan of Haverhill asks payment of debt due him from estate of deceased loyalist William Stark of Dunbarton

6/8/1789 Petition of Joseph Bouttell of Amherst [partial petition only as of 12/13/2004]. Subject unknown

6/9/1789 Simeon Ladd and Benjamin Lamson ask return of costs for land in town of Lyme sold for proprietors' taxes

6/9/1789 Samuel Hogg of Dublin claims misjudgment of court in debt due Joseph Hogg of Jaffrey, asks restoration to law

6/10/1789 Lemuel Chandler asks restoration to his law in court case brought by Jonas Nurse through attorney Luther Emes

6/10/1789 Field officers of 6th militia regiment recommend formation of new company and officers for it

6/11/1789 Derryfield selectmen ask for a committee to establish north and west boundary lines of the town

6/11/1789 Elizabeth Wentworth asks remission of duty laid on two carriages left by Gov. John Wentworth, now destroyed

6/11/1789 Samuel Corser seeks alternate outcome to suit won against him by John Quimby Sanborn, asks for new report

6/12/1789 John Orr seeks adjustment in deeds for property purchased from confiscated estates in Stoddard and in Washington

6/12/1789 Jacob Ashton seeks authority to sell land in estate of Joseph Blancy in Chichester, Canterbury, and Barnstead

6/12/1789 Petitioners ask that hearing on Jonathan Blake be postponed till next session

6/13/1789 David Copp asks that Wakefield be authorized to appoint John Wingate tax collector in place of Joseph Perkins

6/13/1789 David Hillhouse wants to pay debt to NH in Continental Public Securities rather than in cash

6/13/1789 Amos Morrill, accused of counterfeit, seeks permission to reenter New Hampshire

6/14/1789 Town of Cardigan asks to collect tax on non-resident property to build and maintain highways

6/15/1789 James Sheafe trying to settle estate of Loyalist George Meserve, asks relief from confiscation act restrictions

6/15/1789 (135) David Hide asks for a legal survey of town of Dryden & surrounding towns to secure charter//NHSP, XVIII, 800

6/15/1789 Joseph Huckins wants to nullify deed to Samuel Follet involving real estate and elderly maintenance of Huckins

6/16/1789 Strafford County representatives seek longer terms for superior courts

6/16/1789 Town of Moultonborough asks to tax non-resident lands to pay for roads and bridges

6/17/1789 Edmund Chadwick wants payment of bounty for ears from a wolf's head originally killed by Solomon Sutton

6/18/1789 William Page asks postponement of selection of a judge to replace Thomas Sparhawk in Cheshire County, resigned

6/18/1789 James McGregore argues that partner Maj. Jonathan Cass owes balance on extent for Rockingham Co. excises 1784-1786

6/18/1789 (137) Archibald McMurphy asks reimbursement of expenses for committee establishing Masonian boundary//NHSP, XVIII, 802

6/19/1789 Jacob Choate of Enfield asks to pay state/Continental taxes with certificates for wolves heads

9/7/1789 Selectmen of Wendell ask relief from fine for delinquency of soldiers during the war

10/12/1789 Selectmen of Hinsdale recommend Uriel Evans be appointed a justice of the peace[JP]

10/14/1789 Cardigan, NH, residents seek incorporation for the town to be named Orange

10/16/1789 Lt. Col. Joseph Tilton of Loudon resigns command of the 11th regiment of militia

10/22/1789 Citizens of Lee recommend that Capt. Paul Giles be appointed as a justice of the peace[JP]

11/28/1789 Joseph Homan seeks assistance with medical expenses incurred as result of military service: lost leg
Dec 1789(1) Joseph Boutwell of Amherst asks delay in payment of excise collection owing to loss of his house to fire
Dec 1789(1-A) Joseph Boutwell asks delay in paying extent for excise collection: Benjamin Pierce for petitioner
Dec 1789(2) Samuel Jones, collector for Hillsborough in 1780, asks assistance with trying to pay extent in discounted notes
Dec 1789(3) Thomas & Amos Wallingford seek favorable settlement of estate of Thomas Wallingford of Somersworth
Dec 1789(4) Josiah Swett of Campbell's Gore asks restoration to his law in debt case vs. David Goodale & Samuel Jones
Dec 1789(5) Ebenezer Demerit et al. want their names erased from a petition to remove Judge George Frost
12/1/1789 Widow Sarah Hartshorn repeats her request of 1787 for permission to sell inherited land in Amherst
12/1/1789 William Haywood of Charlestown seeks ownership of a gore of land north of Alstead
12/5/1789 John Stokle asks annulment of judgment in case brought by William Fernald, both of Portsmouth
12/9/1789 Proprietors of Errol & Millsfield seek taxes on land from Conway to Errol to build/maintain a road
12/10/1789 Gideon Tiffany asks valid title to land of William Taylor in Hanover, deed lost in Connecticut River
12/15/1789(1) Committee & subscribers ask incorporation of a seminary of learning in town of Chesterfield
12/15/1789(2) Selectmen of Bath, NH, ask for better authority for the collection of taxes
12/15/1789(3) Strafford County inhabitants oppose removal of judge George Frost from Court of Common Pleas
12/16/1789 Bradford, NH, citizens recommend Ebenezer Eaton be appointed a justice of the peace[JP]
12/16/1789 Citizens of New Chester and Bridgewater ask tax on land to build and maintain roads and bridges
12/16/1789 Piermont selectmen ask tax on all land to pay for roads
12/17/1789(1) Strafford County residents oppose removal of George Frost as judge of Court of Common Pleas
12/17/1789(2) Strafford County residents oppose removal of George Frost as judge of Court of Common Pleas
12/19/1789 Selectmen of Piermont ask extension of time to pay taxes to due to state

12/19/1789 Lee citizens recommend Lt. Job Runels to be a justice of the peace[JP]//NHSP,XII,394

12/21/1789 Ela Dow et al. ask to be restored to their offices following the Exeter Riot//NHSP,XVIII,804

12/21/1789(45) Warner residents recommend Zebulon Morrill to be appointed coroner

12/21/1789(51) Warren wants proprietors to pay toward building and repairing highways and bridges

12/22/1789 Citizens of Wendell, Lempster, Unity, Newport, and Fishersfield ask incorporation of a new town

12/22/1789 Jeremiah Folsom feels defrauded by son Peter, asks Newmarket and Epping deed be retitled in his name

12/22/1789 Barnstead citizens recommend Capt. Charles Hodgdon be appointed a justice of the peace[JP]//NHSP,XI,144

12/23/1789(1) William George of Plymouth resigns as coroner for Grafton County

12/23/1789(2) Samuel Penhallow, Jr., asks delay in executing bond for impost due from Capt. John McAdams

12/23/1789(3) New Holderness et al. citizens recommend Maj. Samuel Shepard to be justice of the peace[JP]//NHSP,XII,229

12/23/1789(4) New Holderness citizens oppose Maj. Samuel Shepart for appointment as justice of the peace[JP]//NHSP,XII,230

12/23/1789(5) Citizens of New Castle ask for a lottery to rebuild bridge across Little Harbor//NHSP,XII,697

12/23/1789(6) Widow of Nathaniel Bates of Dublin appeals to sell his estate to support children

12/23/1789(7) Jotham Nute of Rochester, wounded at Tarrytown in 1781, first applies for pension

12/24/1789(1) Rebecca Rowlings seeks a retrial of Enoch Clark on case of her bastard child

12/24/1789(2) Charles Henzell seeks back rent for state use of his island during the Revolutionary War//NHSP,XVIII,814

12/24/1789(3) Citizens of Greenland ask for a lottery to rebuild bridge across Little Harbor to New Castle//NHSP,XII,72

12/24/1789(4) New Castle seeks permission for lottery to raise L1,500 to rebuild bridge over Little Harbor//NHSP,XII,696

12/24/1789(5) Attorney John Phillips of New York City asks to settle debt of Zachariah Foss of Portsmouth

12/24/1789(6) John Sullivan asks General Court intervention in dispute with Ebenezer Thompson

12/24/1789(7) Citizens of Strafford County oppose removal of George Frost from his judgeship on the Court of Common Pleas

12/24/1789(8) Strafford County attorneys signify their support for George Frost as a judge

12/24/1789(9) Strafford County citizens oppose the removal of Judge George Frost from Court of Common Pleas

12/24/1789(10) Strafford County citizens opposes the removal of Judge George Frost from Court of Common Pleas

12/24/1789(11) Strafford County citizens oppose the removal of Judge George Frost from Court of Common Pleas

12/24/1789(12) Strafford County citizens oppose the removal of Judge George Frost from Court of Common Pleas

12/24/1789(13) Strafford County citizens oppose the removal of Judge George Frost from Court of Common Pleas

12/26/1789 Hopkinton inhabitants object to supporting the Rev. Jacob Cram, ask to have a "poll parish"

12/26/1789 Exeter printer Henry Ranlet seeks contract to print all laws & documents for the state in NH Gazetteer

12/29/1789(1) Joshua Harris of Enfield; resigns as Grafton County coroner

12/29/1789(2) Joseph Boutell of Amherst asks reimbursement for baggage lost in 1776 at Fort Lee in Jersey

12/29/1789(3) Woodbury Langdon seeks tax and fine abatements for town of tuftonborough

1790(1) Epsom, NH, citizens oppose recommendation of James Gray to be a justice of the peace[JP]

1790(2) Sanbornton, NH, citizens recommend reappointment of Daniel Sanborn to be a justice of the peace[JP]

1790(3) James Wood and four others oppose the appointment of James Gray to be a justice of the peace[JP]

1790(4) Nicholas Nicholls, blind and decrepit from service in the war, asks subsistence support

1790(5) Lemuel Sergeant seeks charter for ferry right across Connecticut River at Bellows Falls//NHSP,XVIII,804

Jan 1790(1) Jacob Green et al. "join issue" in petition to erect a bridge over the Merrimack River

Jan 1790(2) Samuel Nute of Rochester seeks pay and depreciation for his military service in 1776

1/1/1790 Judith Meloon of Raymond asks authority to settle deeds to estate of late husband Moses Sanborn

1/2/1790 Fishersfield selectmen ask to tax all land to maintain roads and highways

1/4/1790(1) Protectworth selectmen ask to tax all land to pay for making and maintaining roads

1/4/1790(2) Joseph Kembel seeks right to cut a channel through Waterqueechee Falls on Connecticut River

1/4/1790(3) Capt. Jehiel Holdrige, Gilsum collector of excise, says money stolen, needs time to make it up

1/4/1790(4) George Jerry Osborne wants to be state printer, proposes *NH State Advertiser*//NHSP,XVIII,806

1/4/1790(5) Oliver Sanders seeks an act against James McKeene re a suit of trespass dating back to 1772

1/6/1790 Selectmen of Lime, NH, seek tax on non-resident land to maintain roads and bridges

1/6/1790(1) Ebenezer Brewster seeks ferry right at Lime over Connecticut River

1/6/1790(2) Collector Benjamin Cass of Candia asks that title] deed be made valid

1/6/1790(3) Campbells Gore residents ask for committee to set town boundaries and then incorporate town

1/7/1790(1) John Costelloe needs money for furnace in Ossipee to smelt iron ore

1/7/1790(2) Joseph Huntoon seeks pay and depreciation for military service in 1777 and later

1/7/1790(3) Non-resident proprietors of Moultonborough object to law taxing all lands for roads/bridges: say they are exempt

1/7/1790(4) Widow Mary Parsons of Rye asks that sale of husband's land in Croydon be vacated

1/8/1790 Selectmen of Alstead ask to tax non-resident land at 2 cents per acre for the maintenance of roads & bridges

1/8/1790 Report of committee on boundary line between Goffstown and New Boston, with a plan

1/9/1790(1) Peter Cushing, excise collector for Strafford County, says liquor sales down, asks relief

1/9/1790(2) Grafton County residents seek a lottery for money to build bridges over the Ammonusuck & Wild Ammonusuck Rivers

1/9/1790(3) Benjamin Stone seeks retrial with John White of Haverhill, MA, re debt for potash sales in 1766, 1767

1/9/1790(4) Elizabeth Wallingford's attorney seeks appointment of a special justice in her case vs. Samuel Sherburne et al.

1/11/1790(1) Town of Wendell wants to tax non-resident land to pay for road maintenance

1/11/1790 (2) John Bryent of Bow and Richard Bartlet of Pembroke ask to build a toll bridge over the Merrimack River

1/11/1790 (3) Jonathan Collins asks authority to alter will of Joshua French, Jr., in behalf of Jonathan Collins French

1/11/1790 (4) John Young asks restoration to his law in debt dispute with David Emerson of New Chester

1/12/1790 Bradbury Cilley seeks relief re collection of excise of Rockingham County for 1788-1789

1/14/1790 Packersfield selectmen seek tax on non-resident land to support maintainence of roads

1/14/1790 Samuel Hobart of Exeter seeks money due from state to support his furnace & slitting mill//NHSP,XVIII,809

1/15/1790 John Samuel Sherburne asks that title be vacated to land sold in Washington, NH, recorded to Thomas Parker

1/18/1790 Marlborough selectmen oppose the recommendation of William Barker to be a justice of the peace[JP]

1/18/1790 State impost officer Joseph Whipple seeks compensation promised for his duties//NHSP,XVIII,810

1/21/1790 Benjamin Titcomb, wounded in "Service of his Country," seeks disability pay as an Invalid

1/22/1790 Mariner John Mendum asks relief from paying bond he signed in 1784 for Spanish merchant James Redonet

1/25/1790 Selectmen of Concord [Grafton Co.]/Gunthwaite seek relief from extent to collect taxes on proprietors' land

1/25/1790 James Macgregore of Londonderry asks to sell Acworth and Goffstown land from estate of Rev. David Macgregore

1/26/1790 Barrington citizens recommend that Paul Hayes be appointed a justice of the peace[JP]

1/26/1790 George Jerry Osborne wants to print Laws of the US, passed by First session of Congress, for the General Court

2/1/1790 Deposition of JP Benjamin Sias re refereeing case of Hanson Hight vs. Thomas Johnson

2/5/1790 Allenstown residents recommend Capt. George Evans be appointed a justice of the peace[JP]

2/10/1790 Middleton residents recommend that Capt. Archelaus Woodman be appointed a justice of the peace[JP]

Mar 1790 Lyman, NH, selectmen ask to tax non-resident proprietors' land to build and maintain roads, highways, and bridges

4/6/1790 Stratham inhabitants recommend that Mark Wiggins be reappointed a justice of the peace[JP]

4/27/1790 Society Land inhabitants ask incorporation of a new town including part of Lyndeborough

5/4/1790 Poplin inhabitants recommend that Ezekiel Godfrey be appointed a justice of the peace[JP]

5/6/1790 Administrators ask authority to sell land from Josiah Hodgman estate in Merrimack on behalf of minor heirs

5/21/1790 Lt. Thomas Bellows, Walpole, resigns from 2nd company of 16th militia regiment, commanded by Col. Amos Shepard

5/25/1790 Residents of Lyndeborough Gore ask incorporation with parts of Lyndeborough & Peterborough to have government

5/26/1790 Peterborough residents ask to be included with Lyndeborough Gore incorporation

5/27/1790 William Tenney seeks clarification of deed to land in estate of Daniel Mosher of Hollis

5/28/1790(1) Residents of Campbells Gore ask incorporation with part of Hillsborough, NH

5/28/1790(2) Abel Allen asks to sell Chesterfield land from Ebenezer Allen's estate on behalf of Ebenezer's family

5/28/1790(3) Certification re petition of Joseph Blake re Keene estate of son Isaac Blake

5/28/1790(4) Administrators ask to sell George Meserve's Portsmouth estate to honorably pay off creditors

June 1790(1) Gilmanton selectmen & JPs ask for a law to regulate the building of dams in the Merrimack River

June 1790(2+3) Waymouth Wallace in Colonel Stark's regiment, wounded at Bunker Hill, seeks disability relief

June 1790(4) Portsmouth merchants seek authority for a lottery to build a "market house" for the town

June 1790(5) Ichabod Robie et al. seek law regulating dams in Merrimack and Winnipisaukee Rivers

June 1790(6) John Taylor for citizens of Morrystown need to know the status of their charter

June 1790(7) Administrators & heirs of Col. John Wentworth of Somersworth seek justice in settling the estate

June 1790(8) Portsmouth defendants ask stay of execution in court case heard in Cheshire re property in Vermont

6/1/1790 William Lowell of Warner was wounded at Bunker Hill, seeks disability assistance

6/4/1790 William Page for Charlestown seeks lottery and incorporation for a free school or academy for the town

6/4/1790 Gilmanton & Sanbornton want committee to determine adequacy of sluiceways at mills & dams on Merrimack River

6/5/1790 Jonathan Cass asks to pay Rockingham County excise extent for 1784-1786 in state notes/securities

6/8/1790 William Page and "associates" seek grant of land along Connecticut River in northern part of state

6/8/1790 Selectmen of Thornton ask to tax non-residents for money to maintain roads

6/9/1790 Ozias Silsby seeks adequate compensation for riding post on behalf of the state//NHSP, XVIII, 818

6/9/1790 New London needs to tax non-resident land to pay for road maintenance

6/10/1790 (1) Probate records for Timothy Bedel's estate have been lost in fire, extension of time needed to reprocess

6/10/1790 (2) James Houston served in 1775 under Col. John Stark, now wants pay for service

6/10/1790 (3) Samuel Camfield of Marlow asks confirmation of deed which was destroyed in a house fire

6/10/1790 (4) George Hough, Concord printer, solicits the printing business of the state

6/10/1790 (5) Wolfborough citizens ask to tax all land in order to maintain good roads

6/11/1790 William Boynton asks restoration to his law and a rehearing in court case against Edward Wells

6/11/1790 Gideon Tiffany asks restoration to his law in case of trespass brought by Alexander Phelps

6/12/1790 Alexandria selectmen seek tax on all land to pay for roads and bridges

6/14/1790 (1+2) William Burrows, Jr., of New Ipswich, asks for rehearing in liquor case brought by James Butterfield, Jr.

6/14/1790 (3) Elizabeth McClary of Epsom asks rehearing in court case re sales of rum

6/14/1790 (4) Jonathan Wilkins injured in 1783 on board the frigate *Hague*, seeks compensation for hurt leg

6/14/1790 (5) Robert B. Wilkins of Amherst injured at Battle of Bunker Hill, asks disability compensation

6/14/1790 (6) Several Amherst citizens ask to remain with their original parish, their land having been cut off

6/14/1790 (7) Heirs of James Cochran of New Boston ask certification of title deed to land he owned in Hanover/Society Land

6/14/1790(8) Joshua Lovejoy injured at Bunker Hill, shattered ankle, seeks disability relief

6/15/1790 Inhabitants of Chester seek change in town meeting date to earlier in March

6/16/1790 Thomas Leavitt seeks to be sole executor of last will of jonathan Moulton of Hampton

6/16/1790(2) Moore Russell wants payment for delivering Attorney General's writs to four northern towns

6/16/1790(3) Hanson Hight of Loudon asks to be restored to law in arbitration dispute with Thomas Johnson of Pittsfield

6/17/1790 Eliphalet Giddinge and son Nathaniel ask restoration to their law in mercantile dispute with Blodget & Gilman

6/17/1790 Certification that John Parkhurst of Marlborough made 300,000 4p. nails[see also 2/6/1786]

7/19/1790 Citizens of Sanbornton recommend James Hersey to be appointed a justice of the peace[JP]

7/22/1790 Citizens of Sanbornton recommend James Hersey to be appointed a justice of the peace[JP]

8/14/1790 Selectmen of Gilsum recommend David Blish to be appointed a justice of the peace[JP]

8/24/1790 John Odlin resigns as 2nd lieutenant of the First Company, 11th militia regiment

9/7/1790 Citizens of Middleton recommend John Chamberlain to be appointed a justice of the peace[JP]

9/9/1790 Samuel Douglas, coroner in Raby, recommends that his son be appointed coroner also

10/9/1790 Settlers in Concord[Graf.], Lyman, Landaff, et al. ask assistance in laying out a direct road south to Portsmouth

10/26/1790 Citizens of Middleton recommend Robert Calder to be appointed a justice of the peace[JP]

11/2/1790 Inhabitants of Chichester & Pittsfield recommend James Gray for appointment as a justice of the peace[JP]

11/9/1790 Selectmen of Protectworth recommend Abraham Sanborn be appointed a justice of the peace[JP]

11/11/1790 Epsom citizens recommend James Gray be reconsidered for appointment as a justice of the peace[JP]

11/16/1790 Warner residents reccommend that Joseph Bartlett be appointed a justice of the peace[JP]

12/2/1790 Some citizens of Unity oppose earlier petition for a separation of the east end of town

12/3/1790 Hinsdale selectmen forward the town's recommendation that Uriel Evans be appointed a justice of the peace [JP]

12/13/1790 Selectmen of Lyman oppose earlier petition of Jacob Hurd of Bath for exclusive right to ferry in Lyman over CT R

12/15/1790 Plainfield citizens recommend that Dr. Ebenezer Wright be appointed a justice of the peace [JP]

12/21/1790 Citizens of Littleton recommend that Nathan Caswell be appointed a justice of the peace [JP]

12/13/1790 Selectmen of Sandwich ask to tax non-resident land one penny/acre for maintaing roads and bridges

12/25/1790 Vine Bingham et al. ask not to be separated from the town of Lempster

12/27/1790 Lancaster, Northumberland & Stratford seek formation of a new county with Conway & other towns

12/30/1790 Trustees of New Ipswich Academy want a lottery to raise L1,000 to provide a library for the school

12/31/1790 Eleazar Brown et al. seek relief from paying taxes pending settlement of estate of collector Jonathan Gaskill

1791(1) Jonathan Warner, Daniel Rindge, et al. seek pay for executive service to "the late Province" government

1791(2) Thomas Pinkham of Durham seeks grant of 30,000 acres north of Errol & Millsfield to settle a "plantation"

1791(3) Moses Kelly, Hillsborough Co. sheriff, has problem with liquor excise collector Joshua Wentworth [incomplete]

1791(4) George Kenfield seeks wages due from military service at Battle of Bennington in 1777

1791(5) John Wendell asks that earlier petition re tax abatement for the town of Lyman be recommitted

1791(6) Canterbury recommends Lt. David Morrill be appointed a justice of the peace [JP]

1791(7) Plainfield residents recommend Dr. Ebenezer Wright be appointed a justice of the peace [JP]

1791(8) Ebenezer Bean of Pittsfield seeks relief from lameness owing to wound in the foot during military duty in 1777

Jan 1791(1) Proprietors of the Aurean School in Amherst seek incorporation and permission for a lottery

Jan 1791(2) Richard Colony seeks relief from wound suffered at Battle of Stillwater in 1777

Jan 1791(3) Town of Plainfield seeks full credit for men who served in Continental service during the war

Jan 1791(4) Isaac Baldwin of Amherst injured in militia artillery explosion in 1790 seeks relief

Jan 1791(5) John Goddard and Boyd children seek just probate of George Boyd's will

Jan 1791(6) John Wendell wants to quiet title to house & lot in Portsmouth once belonging to Zachariah Foss

Jan 1791(7) Robert Parker of Portsmouth asks reimbursement for expenses of equipping an armed vessel in 1779

Jan 1791(8) Strafford Co. residents ask lottery to build bridge Barrington to Dover over Second Falls in Cocheco River

Jan 1791(9) Dover, Rochester, et al. citizens seek lottery to build bridge over Cocheco River at Lower Falls

Jan 1791(10) William Duncan & Daniel Livermore ask to build/operate a toll bridge over Merrimack R. south of Concord

Jan 1791(11) Samuel Rendal seeks reconsideration of debt case vs. Nathan Roberts in Strafford County court

Jan 1791(12) Love Runels of Lee wants retrial of Moses Davis, Jr., father of her bastard child, Paul Giles her attorney

Jan 1791(221) Hampton committee wants lottery to repair & maintain bridges & causeway over Hampton R. & Salt Meadow

1/1/1791(1) George Hull asks an act for relief from action by Solomon Wheeler, now of Newburyport, MA, re Plymouth land

1/1/1791(2) Jabez Shapley wants restoration to his law in case of 1786 deed to Cornish land with Jedediah Rice

1/1/1791(3) Orford selectmen ask to levy a tax of 2 pence/acre on non-resident land to pay for roads and bridges

1/1/1791(4) Joseph Tilden of Lebanon seeks ferry right near White River Falls in Connecticut River

1/1/1791(5) Stephen Harford of Rochester seeks equity in settlement of the estate of his father

1/2/1791 Walpole asks for an act to alter the date of the annual town meeting from 3rd to 1st Wednesday in March

1/3/1791 Benjamin Heath wants pay earned for military service in General Hazen's regiment during the war

1/4/1791 Rebecca Barret of Nottingham-West asks act to confirm her insolvency re debts owed by husband's estate

1/5/1791 Widow Esther Holland of Shrewsbury, MA, seeks to sell husband's estate land in Alstead, NH, for self & daughter

1/5/1791 Cockermouth selectmen ask tax on all land to be used for "making & repairing roads in said town"

1/5/1791(171) Captain Edmund Shattuck of Cockermouth offers his resignation from the militia owing to age

1/5/1791(246) Lyndeborough objects to part of the town being set off to form a new town

1/6/1791 Capt. Samuel Draper resigns command of the 11th company of militia in the 16th regiment, Washington, NH

1/6/1791 Citizens of Hopkinton, Dunbarton, Weare, Henniker, and Warner want a lottery to build/maintain school in Hopkinton

1/7/1791(1) Jacob Green & Enoch Noyes of Bow want right to build & operate a toll bridge over Merrimack River

1/7/1791(2) Lyndeborough residents ask to be set off to Francestown or left in Lyndeborough

1/7/1791(3) Dunstable selectmen recommend Gen. Noah Lovewell be appointed a justice of the peace[JP]:JP Cyrus Baldwin died

1/7/1791(4) William Page of Charlestown seeks action on an earlier petition

1/8/1791(1) Philip Goss, Jr., excise collector for Winchester in 1787, asks relief; payment stolen by Rep Jonathan Gaskill

1/8/1791(2) Daniel Sanborn et al. of Sanbornton recommend James Hersey be appointed a justice of the peace[JP]

1/8/1791(3) James Woodward of Haverhill asks replacement of a state treasury note lost in house fire

1/8/1791(4) Selectmen of Orange as ½ penny/acre tax on unimproved land for "making & reparing Highways"

1/8/1791(5) Selectmen of Orange ask authority to assess and collect taxes for 1788 and 1789

1/10/1791(1) Fishersfield citizens oppose separation of part of the town as requested in earlier petition

1/10/1791(2) Epsom inventory comparable ratable estates for those pro & con James Gray for justice of the peace[JP]

1/10/1791(3) John Orr wants bond promised by state for land in town of Washington

1/10/1791(4) Thomas Simpson of New Hampton seeks retrial in court case with John Sanborn et al. re debt

1/11/1791(1) Benjamin Stone seek legislative hearing on debt due from John White of Haverhill, MA, from 1766 transaction

1/11/1791(2) Lemuel Parker asks to appeal judgment in court for debt brought by Elijah Knap, also of Lyman

1/11/1791 (3) Town of New Grantham asks relief for paying proportion for representative from Cornish

1/11/1791 (4) Benjamin Noyes asks exclusive family right for a ferry in Bow across Merrimack R. near mouth of Suncook R.

1/12/1791 Rumney constables Isaac Clifford & Asahel Brainard ask repayment for town taxes paid to state twice 1779-1780

1/12/1791 Town of Middleton claims 2 more soldiers, asks relief from quota fine and interest, money collected stolen twice

1/13/1791 Nathaniel Doyen wants restoration to his law in matter of a note fraudulently cashed by Phinehas Annis

1/14/1791 Aaron Davis of Lee asks relief owing to loss by theft of state tax money that he collected on behalf of the town

1/14/1791 Town of Campton asks to tax all unimproved land to make and repair roads and bridges

1/15/1791 Proprietors of Millsfield & Errol seek time extension for settling the towns owing to their remote location

1/16/1791 William Loudon of New Castle asks to move his family back to ? with state benefits promised in 1787

1/17/1791 David Webster of Plymouth asks review of court judgment in case brought by William Simpson of Orford in 1783

1/17/1791 John Fisher of London, Eng., wants clear title to farm in Haverhill; John Peirce of Portsmouth is attorney

1/17/1791 Selectmen of Rumney ask to tax all developed land to make and repair roads and bridges

1/18/1791 Dr. Nathan Smith of Cornish wants lottery money to establish a library for students of physic and surgery

1/18/1791 Samuel Paine of Cornish asks allowance and payment of his 14-year-old account

1/19/1791 Elijah Smart of Hopkinton asks disability pay for losing toes during Continental Army service in 1778

1/19/1791 Selectmen of Pembroke & Bow seek lottery to build bridge over Merrimack River from Garvin Falls to Moon Brook

1/20/1791 Jonathan Hoyt, constable of Orange [Cardigan], asks certification owing to not taking oath for second term

1/20/1791 Soldier Daniel Putnam asks compensation for clothing & items lost to the French at Quebec in 1776//NHSP, XVII, 466

1/22/1791 Stephen Peabody et al. seek incorporation of the Atkinson Academy & permission to continue lottery for same

1/22/1791 Trustees of Chesterfield Academy ask permission to raise L1,000 by lottery to support the school

1/24/1791 Concord, Salisbury et al. seek establishment of a new county owing to distance & expenses//NHSP, XVIII, 825

1/24/1791 Alexander Plumley asks restore to his law in fraud case re timber against Solomon Jacobs, John Young, atty.

1/25/1791 (1) James Murch of Hanover asks retrial or relief in case brought by George Engor & James Moor for trespass

1/25/1791 (2+3) Non-resident proprietors of Lyman ask abatement of "overdoomage" for 1780-1783 through agent John Wendell

1/25/1791 (4) Minor Thomas Pinkham(15), Durham, seeks restoration to land in New Durham wrongfully stricken from vendue

1/25/1791 (5) Archibald McMurphy asks repayment of expenses for serving on committee to ascertain Mason's Patent bounds

1/25/1791 (6) Bath selectmen seek action on Dec 1789 petition re taxes, or, special act granting town some relief

1/26/1791 Blacksmith John Livingston of Westmoreland asks pay for blacksmith tools left with the Army in Boston in 1776

1/27/1791 New Holderness selectmen seek equity for beef supplied for the Continental Army in 1780

1/30/1791 Alexander Plumley of Hanover asks stay in judgment for Ebenezer Green's estate & Plumley restored to his law

2/2/1791 excise collector Bradbury Cilley asks justice in calculations based on revenue interference by US Congress

2/3/1791 Richard Colony of New Durham asks just relief for disability owing to wound in hip at Battle of Stillwater 1777

2/5/1791 Washington, NH, wants tax of 1-cent/acre for 3 years on non-resident land to maintain public roads

2/5/1791 Church wardens ask incorporation for Christ Church in Portsmouth [St. Johns], Episcopal parish

2/8/1791 Selectmen ask that Conway be included in a new county for northern part of the state

2/10/1791 Moses Kelly of Goffstown claims he paid Joshua Wentworth his rum tax for 1782, Treasurer should honor

2/11/1791 Robert Bradford Wilkins seeks relief for disability caused by wound received at Battle of Bunker Hill

2/11/1791 Joshua Lovejoy seeks relief for disability caused by two wounds received at Battle of Bunker Hill, 6/10/1775

2/12/1791 Epsom, NH, selectmen testify that names on a petition for James Gray for JP never paid town taxes or voted

2/12/1791(83) Selectmen of Littleton seek adjustment of 1789 act authorizing tax collection in Littleton and Dalton

2/14/1791 Samuel Flagg asks payment of debts due from "absentee" (loyalist) Zachariah Cutler's estate, Joshua Atherton atty.

2/14/1791 John Atherton and Charles Barrett support lotteries to fund Amherst Academy and New Ipswich Academy

2/23/1791 Campbells gore inhabitants ask not to be incorporated with Washington or Stoddard but to be left as they are

3/26/1791 Windham requests appointment of committee to report on the matter of location of the meetinghouse

Apr 1791 Grafton residents recommend Solomon Sayles be appointed a justice of the peace[JP]

4/9/1791 Town meeting of Croydon recommends Benjamin Barton for justice of the peace[JP] to replace Moses Whipple

5/3/1791 Continental soldier Benjamin Heath seeks wages and disability relief due for military service 6 1/2 years

5/12/1791 Wendell residents ask for incorporation of a new town in south end of the town

5/17/1791 JP Benjamin Sias is leaving Pittsfield for Vermont, recommends Robert Tibbets as replacement(see too 9/19/1791)

5/17/1791 John Cram recommends Robert Tibbets to replace Benjamin Sias as Pittsfield JP (see also 9/19/1791)

5/17/1791(10) Daniel Bagley of Bath asks clarification of law respecting enforcement of tax collection

5/18/1791 Jaasiel Harriman of Bath lost land title in house fire, seeks replacement title

5/20/1791 Fishersfield residents ask formation of new town in view of difficulties of travel

5/23/1791 Richmond citizens recommend Henry Ingalls be appointed a justice of the peace[JP]

5/25/1791 Selectmen of Northumberland, NH, with Guildhall, VT, seek lottery to build bridge over Little Falls in CT River

5/25/1791(90) Charlestown Academy trustees ask incorporation of the institution and allowance for lottery to fund it

5/27/1791 Alexander Ewen of Portsmouth seeks act to allow him justice in debt due from John Philips

5/28/1791(1) Josiah Hastings of Chesterfield seeks ferry right over CT River at mouth of West River

5/28/1791(2) Susanna Hazeltine asks right to sell land to support herself & children, husband having been gone 4 years

5/28/1791(3) Elisha Mills of Hatfield, MA, seeks new trial in debt case against Tyxhall Cleaveland of Hanover, NH

5/28/1791(4) Selectmen of Protectworth want to change annual meeting date to second Monday in March

5/28/1791(195) Ossipee selectmen want to tax 1-cent/acre for the making and repairing of roads

5/29/1791 Jonathan Blunt et al. want to be disannexed from New Castle and made citizens of Rye owing to travel over river

5/30/1791 Selectmen & citizens of Unity support separation of group that wants to form a new town

5/30/1791 Thomas Adams asks permission to sell Fitzwilliam land of Daniel Adams for money to support widow and children

June 1791(1) New Ipswich Academy seeks permission for lottery to raise 1,000 pounds

June 1791(2) Micah Reed et al. seek law to recover damage to fields & meadows by logs and lumber from Connecticut River

June 1791(3) Joseph Eaton Kenezon asks restoration to his law in debt case against Allen Hackett for 10-year old loan

June 1791(4) Trustees of Chesterfield Academy ask for lottery to raise 1,000 pounds for the school

6/1/1791(1) Elizabeth Curtis asks extension for probate judge to receive claims against estate of husband Robert Curtis

6/1/1791(2) Shelburne & Chatham citizens ask land tax to build road from Conway to Shelburne [through Bean's Purchase]

6/1/1791(3) Fellows of the Aurean Academy in Amherst ask lottery to increase funding for the school

6/1/1791(35) Residents want county half shire with courthouse to be in western part of Hopkinton//NHSP,XVIII,828-830

6/3/1791 Thomas & George Odiorne report setting up duck manufactory, seek subsidy promised by state//NHSP,XVIII,830

6/3/1791 Wardens of "the first (or North) Parish" in Portsmouth ask incorporation so they can transact business

6/4/1791 Heirs of Joseph Smith of Durham ask trial against John Sullivan's claim against their father's estate

6/5/1791 John Wendell of Portsmouth, for John Phillips, seeks change in law allowing "illegal" court judgments/executions

6/6/1791 Benjamin Archer of Keene asks justice in judgment against him in debt case, Archer in gaol

6/6/1791 Selectmen of Lyndeborough seek reappointment of Levy Spaulding as a justice of the peace[JP]

6/6/1791 Rochester Excise Collector Peter Cushing asks justice in the amount of excise expected from 1788-1789 rum sales

6/7/1791 Lyndeborough selectmen complain that current assessment does not provide enough tax funding for the town

6/7/1791 New Castle Bridge lottery managers proclaim the advantages of the lottery, decry critics

6/7/1791(26) Isaac Baldwin of Amherst was severely wounded during militia artillery training, asks disability relief

6/7/1791(222) Hampton, NH, committee petitions again for a lottery to raise funds for a causeway

6/7/1791(243) Soldier Daniel Russell was wounded at Stillwater in 1777, asks pay at full value for authorized pension

6/7/1791(254) Pembroke seeks for permission for lottery to build a bridge across Merrimack River at Garvins Falls

6/8/1791 William Cargill of Lancaster prevented from holding House seat, asks that his credentials be reconsidered

6/8/1791 Thomas Simpson asks for new trial in case of debt claimed by Henry Dearborn of Pittstown, MA

6/9/1791(1+2) James Wallace asks restoration to his law owing to judgment by default in debt case vs. Moses Smith

6/9/1791(3) Levi French asks to enter appeal to request a new trial in debt case by Gould French, both of Epping

6/9/1791(4) Samuel Hobart wants nail works build in counties & compensation for his quiet slitting mill//NHSP,XVIII,833

6/9/1791(5) James & John McMaster, through Atty Edward S. Livermore, ask books & papers from agent Wentworth Cheswell

6/10/1791 Stephen Evans asks restoration to his law in cases of trespass and debt to estate of Ephraim Hanson

6/10/1791 Chichester selectmen ask to tax non-resident land 2 cents per acre to build meetinghouse and road

6/11/1791 Joel Doolittle of Petersham, MA, wants to sell estate of John Doolittle of Westmoreland, NH, for children

6/13/1791 Robert Works of Richmond seeks new trial re judgment in favor of plaintiff Joseph Cooke of Northfield, MA

6/13/1791 William Page asks authorization for new light horse company to be formed for his 3rd militia regt, Cheshire Co.

6/13/1791 Joshua Tolford seeks hearing on judgment in case of Alexander Walker vs. Hugh Campbell, Tolford return of bail

6/14/1791(1) Zephaniah Clark of Fishersfield recommends Bond Little be appointed a justice of the peace[JP]

6/14/1791(2) Heirs of Joshua Barker of Hingham, MA, asks extension of NH land grant made to him in 1773

6/14/1791(3) Jonathan Wadleigh asks restoration to his law in case brought by James Linsey Perkins, new trial

6/14/1791(4) Walter Geer of Charlestown wants new trial separate from Solomon Grout, with Moses Wheeler, Jr., re trespass

6/14/1791(5) Elias Tarlton wants wages due him as a matross in the company of Captain Salter

6/14/1791(6) Widow Bethiah Winslow of Hingham, MA, asks extension or renewal of land grant made to her husband John in 1773

6/15/1791(1) John Tasker et al. ask permission for town to tax 2 cents/acre to build bridge over Suncook River and road to it

6/15/1791(2) Thomas Smith & John Lathrop seek just compensation for performing their duties as post riders as per the law

6/15/1791(3) Alexander Plumley of Hanover seeks new trial per judgment for Solomon Jacobs re debt for timber from Jacobs

6/15/1791(4) Town of Unity proprietors seek validity of deed given by Hampstead to Kingston in 1764

6/16/1791 John Bryant of Bow wants exclusive ferry privileges across Merrimack River on his property

6/16/1791 Inhabitants of New Grantham ask to tax all land to build and maintain a road

7/20/1791 Selectmen for Plaistow recommend Joseph Welch be reappointed a justice of the peace[JP]

9/19/1791(1) Pittsfield residents recommend that John Shaw be appointed a justice of the peace[JP]

9/19/1791(2) Pittsfield residents recommend Robert Tibbits be appointed [JP] to replace departing Benjamin Sias

9/19/1791(3) Pittsfield residents recommend Robert Tibbets be appointed [JP] to replace departing Benjamin Sias

9/20/1791 Selectmen of Lime, NH, certify that Peter Post presented them with a wolf's head for bounty

9/23/1791 Moses Blake wants exclusive ferry right over Connecticut River at Dalton, NH

10/6/1791 Prominent Portsmouth men recommend Col. William Simpson be appointed sheriff of Rockingham County

10/13/1791 Epping residents recommend Hon. Nathaniel Rogers Esq. be appointed sheriff of Rockingham County

10/15/1791 Rockingham County inhabitants recommend Nathaniel Rogers be appointed sheriff

Nov 1791(1) Abner Hoyt, excise collector in Canterbury, asks relief from loss owing to financial fluctuations

Nov 1791(2) Nehemiah Clough, excise collector in Canterbury, asks relief from financial fluctuations

Nov 1791(3) Henry Young Brown of York County seeks payment of debt owed him by Gov. John Wentworth

Nov 1791(4) Moses Smith complains of court petition by James Wallace, Hillsborough superior court

Nov 1791(5) Silas Betton asks to sell farm in estate of Samuel Betton to support Samuel's two sons

Nov 1791(6) Dover postmaster Eliphalet Ladd seeks higher funding to operate the postal service

11/1/1791 John Tanner, sailor and teacher, asks relief owing to disabilities from naval service

11/20/1791 John Kathan at Dummerston, VT, wants to continue sole right to ferry to Westmoreland, NH

11/21/1791 Stratford citizens seek creation of a new county, they being too distant from a shire town

11/22/1791 Northumberland citizens want creation of a new county from towns in Grafton County, Haverhill too far away

11/22/1791 Lancaster citizens want creation of a new county from towns in Grafton County, Haverhill too far away

11/23/1791 Samuel Silsby seeks stay of execution & restoration to his law re complaint of Ebenezer Corbin for fraud

11/24/1791 Selectmen of Temple seek relief fro their constable/tax collectors for 1787, 1788, and 1789

11/25/1791 Zephaniah Leach of Hinsdale, guardian to Jacob Leach, a minor, asks to sell estate for child, land in Westmoreland

11/25/1791 Dunbarton inhabitants ask to change town meeting date to first Tuesday in March--from the second Tuesday

11/26/1791 Wakefield selectmen ask power to tax to pay expenses "of hiring and paying" soldiers for the Continental Army

11/26/1791(246) Committee from Hampton Falls & Seabrook seek law that polls in town have to labor on resident town roads

11/28/1791 New Hampshire citizens propose a straight road from Durham Falls to Concord to promote trade//NHSP,XVIII,838

11/30/1791(1) John Mendum asks cancellation of bond he signed for foreigner James Redonet

11/30/1791(2) Portsmouth citizens seek a law to regulate the erection of slaughter houses & driving of horses in carts

11/30/1791(3) Committee of 3rd poll parish in Amherst seek to incorporate a "new body politic" for better funding

11/30/1791(4) Conway, Bartlett & locations north ask separate representation from Eaton and Burton

11/30/1791(5) Some members of Amherst 1st parish ask to be included in new town for the 3rd parish

11/30/1791(6) Bartlett residents ask transfer from Grafton County to Strafford County

11/30/1791(7) Samuel Robinson of Shaply, MA, asks permission to come into NH to settle his debts free from arrest

11/30/1791(8) John Young asks exclusive right to build chimneys according to a plan of his invention

11/30/1791(9) Phinehas Parker of Claremont asks restoration to his law in case with Lemuel Newell [mostly unreadable]

11/30/1791(10) Jonathan Warner asks relief from unjust levy on a farm inherited from Theodore and George Atkinson

Dec 1791(1) Caretakers of Stratham Bridge want alteration to the law allowing prosecution for willful damage

1791(2) Widow Abigail Fugard of Bedford seeks military pension due to deceased husband Samuel for 1788-1789

12/3/1791 Town of Deerfield asks to obtain value for money paid to state treasury during the Revolutionary War

12/3/1791 John Pierce 3rd of Portsmouth wants to change his name to Edward John Pierce to avoid confusion

12/5/1791 Joseph Kimball, for Plainfield, asks credit for town toward meeting its military quota during the war

12/5/1791 John Pierce, attorney to loyalist John Fisher, asks that Fisher's children be allowed to inherit his NH estate

12/5/1791 Sgt. Joseph Bell, injured during military service in 1789, asks "redress" for medical and family expenses

12/5/1791 Nathaniel Gilman asks permission to sell Brentwood farm for minors/inheritors of Rev. Woodbridge Odlin

12/6/1791 Madbury tax collector Moses Canney asks relief from the amount of tax money due for 1787 and 1788

12/6/1791 Brentwood tax collector Gilman Leavitt asks relief from amount of species due for taxes 1787-1789

12/7/1791 Cockermouth citizens ask to become a part of town of Plymouth owing to natural boundaries

12/7/1791 Plymouth residents ask to be separated into a town to be named Weston, NH

12/7/1791 Mary Tufton Mason seeks extention to appeal the probate decree on estate of husband John Tufton
Mason//NHSP, XVIII, 839

12/8/1791 John Trott wants wages and allowances due from military service in "the late war" in 1776 at Ticonderoga

12/9/1791 Timothy Gibson and Samuel Dodge ask relief from the penalty for David Dodge having absconded from the state

12/12/1791 Joseph Peirce, for New Durham Gore, asks tax on all land to make and repair town roads

12/12/1791 Benjamin Tripp asks that court judgment be set aside in debt case brought by Joseph Clark of Rochester

12/12/1791 Benjamin Lamson asks permission to sell real estate of Isaac Currier on behalf of Currier's wife and child

12/12/1791 Joseph Hammond seeks jury trial in case of debt claimed against his father Nathaniel's estate

12/13/1791 James Goold of Hanover asks pension payment for July 31, 1788, to March 4, 1789, for Revolutionary War service

12/13/1791 Bondsmen of Exeter tax collector Woodbridge Odlin ask relief from court action by selectmen for 1788 taxes

12/14/1791 Robert Wire of Walpole asks restoration to his law in action brought by tax collector George Kimball

12/15/1791 New Castle committee seeks inquiry into accounts and affairs re rebuilding the bridge to Rye and Greenland

12/15/1791 Trustees of Atkinson, New Ipswich, Charlestown, Amherst & Chesterfield Academies ask a lottery for funding

12/16/1791 Daniel Rindge, Thomas Martin & John Pickering seek incorporation of the New Hampshire Friendly Society

12/17/1791 John S. Sherburne of Portsmouth asks for a state note in lieu of a treasury order for invalid pay

12/17/1791 John Banfill of Portsmouth asks reversal of court judgment for Robertson Treferin pleading sickness & old age

12/18/1791 John Young seeks legislative order re management of lottery re bridges over Ammonusick & Wild Ammonusick Rivers

12/19/1791 George Gains, Richard Champney & Jeremiah Libbey seek incorporation of the United Fire Society No. One

12/19/1791 James Nichols of Meredith needs legal transfer of real estate from estate of Dr. Thomas Peabody of Brentwood

12/20/1791(1) Smith Emerson of Lee asks for rehearing on judgment against his son Samuel in bastardy case of Polly Foss

12/20/1791(2) Thomas Simpson & sisters want limit of 1 year on claims against father's estate in Portsmouth

12/20/1791(3) Selectmen of Greenfield ask settlement of boundary with Lyndeborough

12/20/1791(4) John Reed lost arm on 26 March 1777 while operating artillery in Portsmouth, wants disability pay

12/21/1791 George Jaffrey & other investors want to pay state debts in specie with interest for the equity purposes

12/22/1791 Samuel Penhallow, Jr., asks discharge from surety of bonds for John McAdams for impost duties

12/23/1791 Ammi R. Cutter et al. seek incorporation for the New Hampshire Bank

12/24/1791 Residents of part of Cokermouth want annexation to the Town of Plymouth

12/24/1791 Town of Dorchester asks classification with Cokermouth and Orange for choosing a representative

1792(1) Samuel Stone asks disallowance of an act to restore phinehas Parker to his law in court case

1792(2) Citizens of Society Land, Frankestown & Deering ask incorporation for a new town(Bennington?)

1792(3) Canaan residents recommend William Richardson for appointment as an additional justice of the peace[JP]

1792(4) Administrators Mary & John Neal of John Neal estate in Londonderry ask relief from paying interest on excise bonds

1792(5) John Osborne submits a proposal to print *Laws and Journals* and other documents for the state

1792(6) E. Russell submits a proposal for printing state documents

1792(7) John Melcher offers a proposal for printing certain documents for the state

1792(8) Samuel Odlin asks relief as bondsman for Woodbridge & Peter Odlin who absconded with Exeter tax money of 1789

1792(9) Charles Rice of Keene was wounded at Battle of Bunker Hill, seeks subsistence assistance

1792(10) Grafton County citizens recommend that Benjamin Emmons of Bridgewater be appointed a coroner

1/2/1792 Benjamin Ham of Portsmouth asks restoration to his law and new trial with William Twombly re value of marine cargo

1/3/1792 Silas Betton asks to sell deceased Samuel Betton's farm for the best benefit of Samuel's orphaned children

1/3/1792 Dudley Bradstreet Hobart seeks state loan to put his Exeter iron mill/furnace into operation//NHSP,XVIII,841

1/5/1792 John S. Sherburne wants state treasurer to exchange a state order for a new state note, military pay

1/8/1792 Willard Butterfield asks stay of execution in debt case brought against him by John Morgan of Hartford, CT

3/13/1792 Lyndeborough selectmen ask to change town meeting date from second to first Tuesday in March

3/26/1792 Fishersfield citizens recommend that Bond Little be appointed a justice of the peace[JP]

4/2/1792 Stratham citizens recommend that Capt. Andrew Wiggin be appointed a justice of the peace[JP]

4/20/1792 Jacob Hurd reapplies for a ferry right over Connecticut River at Lyman to Barnett, VT

4/26/1792 Peter Post of Lime, NH, wants bounty due for capture of a wolf that had been destroying his calves

5/5/1792 Jeremiah Stiles recommends that Peleg Sprague of Keene be appointed a justice of the peace[JP]

5/10/1792(1+2) Northern towns (Lancaster, Northumberland, et al.) ask to be classed for a separate representative

5/12/1792 Brentwood residents recommend William Brooks be appointed a justice of the peace [JP]

5/21/1792 Durham citizens ask that proposed highway through the town not be authorized by the legislature

5/21/1792 Protectworth citizens oppose the recommendation that Jedidiah Philbrick be appointed a justice of the peace [JP]

5/22/1792 Alexander Plumley asks nullification of judgment against him in debt case brought by Chauncey Goodrich

5/23/1792 Capt. Daniel Gould of Chesterfield asks to resign command of 3rd company of the 21st militia regiment

5/23/1792 Selectmen of Sharon testify that the whole of Nathan Boynton's farm should be sold in favor of children

5/25/1792 Testimony of Esther Boynton to sell the whole of husband Nathan's farm for sake of children

5/28/1792 Citizens of the northwest parish of Amherst ask for the appointment of a justice of the peace [JP]

5/28/1792 Stephen Evans of Dover wants to review court documents in case against him by Richard Furbush of Lebanon, MA

5/29/1792 Jeremiah Eames wants town of Percy authorized to lay out a road to Shelburne to shorten commercial transport

5/30/1792 Northumberland and other northern towns ask for establishment of an additional representative

5/30/1792 Percy and other northern towns ask for establishment of an additional representative

5/30/1792(15) Lancaster selectmen seek ferry right over Connecticut River to Guildhall and Lunenburgh, Vermont

5/31/1792 Selectmen of Rumney, NH, ask permission to tax all land for repairing highways and bridges

June 1792(1) Thomas How of Barrington asks payment of wages and bounty for military service with 2nd regiment during the war.

June 1792(2) Ithamar Woodward et al. decry being annexed to Greenfield, ask transfer to Francestown

June 1792(3) Ebenezer Tebbets of Dover wants wages & other pay due for military service in 1778 Rhode Island expedition

June 1792(4) Committee of Plaistow, NH, asks reimbursement to the town of costs of Pauper Hugh Potter

June 1792(5) Joshua Foss, Jr., et al. seek grant of lands west of Chatham, north of Conway, for settlement & agriculture

June 1792(6) Cheshire Co. tax collectors John McCurdy & Alexander Ralston ask relief from 1788-1789 collection

June 1792(7) Epsom selectmen ask that county or state pay for part of the Concord-Durham highway through the town

June 1792(8) Strafford Co. tax collectors seek relief owing to death of collector Aaron Davis in Lee & loss of funds

6/1/1792(1) Eleazer Rosbrook ask exclusive right to operate a ferry at Lancaster over the Connecticut River

6/1/1792(2) Matthew Wallace in Keene prison seeks an act to relieve all debtors

6/1/1792(3) Ebenezer Brewster et al. want to cut a canal and build a bridge over Ct River at falls near Hanover/Lebanon

6/2/1792 Francis Blood seeks settlement of his debt to Ralph Emerson who is now deceased owing to a cannon explosion

6/4/1792 Stephen Dearborn of Chester asks to sell land to support three minors of whom he is now guardian

6/4/1792 Col. George Aldrich of the 21st militia regiment requests acceptance of his resignation

6/7/1792 Joseph Eaton Kenneston of Eaton seeks restoration to his law in debt due from Allen Hackett, others involved

6/7/1792 New Hampton selectmen ask that town meeting date be moved from last to the first Tuesday in March

6/8/1792 George Jaffrey seeks compensation for damage to his property at Jerry's Point, New Castle, where fort was built

6/11/1792(1) Trustees of Atkinson, Amherst, New Ipswich and Charleston Academies ask for lottery//NHSP,XVIII,845

6/11/1792(2) Selectmen of Eaton ask permission to tax proprietors' land to pay for roads and bridges

6/11/1792(3) Rochester citizens recommend that attorney Joseph Clark be appointed a justice of the peace[JP]

6/11/1792(4) Bartholomew Goyer of Dublin seeks pay for military service 1781-1782, captured & held by Indians 1782-1783

6/11/1792(5) Widow Abigail Gale of East Kingston needs to settle estate of husband Jacob who died in January 1783

6/11/1792(6) Abel Parker, selectman of Jaffrey, asks the state to accept town's payment for military fine re 1782 quota

6/11/1792(7) Certification by Peter Clark that Lyndeborough would petition for change in town meeting date

6/11/1792 (8) Defendant Jonathan French wants restoration to his law and new trial in case brought by Joseph Richardson, 1790

6/11/1792 (9) Cheshire County committee asks for jury trial in case involving escaped prisoner Thomas Brintal

6/11/1792 (10) Robert McGregore et al. seek incorporation of a toll bridge over Merrimack River, Goffstown/Derryfield

6/11/1792 (11) Abraham Waldron asks abatement on interest due on uncollected excise extent

6/12/1792 (1) Jesse Johnson, Jr., asks grant of gore of land between Grafton, Enfield and Protectworth

6/12/1792 (2) Thomas Millar of Hancock asks voidance of deed to his son Robert to his farm

6/12/1792 (3) Reuben Hill of Lee asks relief from bond to the state to maintain the bridge over Exeter River

6/13/1792 (1) Thomas Cogswell offers to purchase all unlocated land in the northern part of the state

6/13/1792 (2) Samuel Leavitt wants confirmation of deed to old Thurston property in Stratham

6/13/1792 (3) Durham citizens ask authorization for highway route to be straightened to Fox Point ferry to avoid a hill

6/13/1792 (4) Kearsarge Gore, per John Flanders, asks that taxes be abated and property be annexed to other towns

6/14/1792 Sir William Pepperell from London seeks an act allowing his brother Andrew's estate to be sold//NHSP,XVIII,847

6/14/1792 Selectmen of Holderness ask credit on state taxes for beef delivered to Joseph Badger in 1791

6/16/1792 (1) Rochester citizens recommend that Joseph Clark be appointed a justice of the peace[JP]

6/16/1792 (2) Judith Meloon again asks permission to bring in a bill re the estate of Josiah Meloon, William Plumer attorney

6/16/1792 (3) Rochester citizens recommend that Joseph Clark be appointed a justice of the peace[JP]

6/16/1792 (4) Charlestown Academy trustees ask for grant of land adjoining Thornton, Lincoln, Franconia & Bretton Woods

6/16/1792 (5) Bondsmen Samuel & John Young ask extension of stay on extent of excise money from Ebenezer Green estate

6/18/1792 (1) Robert Leathers of Durham seeks an act to relieve him in the case of his debt to estate of Thomas Wallingford

6/18/1792 (2) Ichabod Rollins of Somersworth asks full repayment of L90 worth of supplies furnished the U. S. Army in 1775

6/18/1792(3) Newmarket & Stratham ask that counties be responsible for Exeter R. bridge & a bridge director be appointed

6/20/1792(1) Hillsborough County agents recommend that someone be appointed a justice of the peace[JP] throughout the state

6/20/1792(2) Society Land residents ask incorporation of new town created from Francestown & Deering: Bennington, NH

6/20/1792(3) Alexander Plumley asks stay in execution and rehearing in case against "Col. Brewster"

6/21/1792 Residents of Dover et al. want a committee to lay out a road from Durham to Northwood, to Concord//NHSP,XVIII,854

6/22/1792 John Kimball seeks confirmation of deed to John Waldron property in Dover

9/22/1792 Bezaleel Woodward and George W. Livermore ask allowance from state to pay Granton Co. for dispersing state documents

10/1/1792 Richmond citizens recommend that Rufus Whipple be appointed a justice of the peace[JP]

10/2/1792 Town of Thornton asks to move its annual town meeting date earlier in March

10/4/1792 Dalton and Upper Coos residents seek a tax on all land to maintain roads and bridges

Nov 1792(1) Excise Collector Samuel Brooks is in arrears, asks to renew bonds, for 1788-1789 collection

Nov 1792(2) Town of North Hampton asks for settlement of its boundary line with Town of Rye

Nov 1792(3) Susanna Dodge needs confirmation of deed to "Jones Farm" in Hillsborough to settle probate of Samuel Dodge

Nov 1792(4) Silas Nowell wants to settle father's estate on behalf of Silas's minor children

Nov 1792(5) John & Samuel Young ask relief from bond for excise collection due from the estate of Ebenezer Green

Nov 1792(6) James Flanders renews plea of New London for tax abatement for the town

Nov 1792(7) William Tirrell and John Sanborn ask to borrow L540 from the state treasury

Nov 1792(8) John Bellows seeks ferry right across CT R. between ferries of B. Bellows, deceased, & B. Bellows of Walpole

Nov 1792(9) John Nott of Springfield, VT, seeks depreciation owed to his dead son Jesse, for military service in 1778

Nov 1792(10) Thomas Pinkham of Durham asks payment for hats furnished to the army during the war

Nov 1792(11) Jeremiah Eames for Lancaster et al. asks for equal representation as per the state constitution

Nov 1792(12) Abraham Waldron seeks relief from paying excise owing to change in law re collecting for fines

Nov 1792(13) Citizens seek law to allow for a bridge over Merrimack R. at Goffes Falls, from Derryfield to Bedford

Nov 1792(14) John Nott appeals for money due from death of his son in military service during "the late war"

Nov 1792(15) Town of Burton recommends that Jeremiah Gilman be appointed a justice of the peace[JP]

11/1/1792 Citizens of Northumberland, Percy, & Stratford ask road laid out from Percy to Shelburn

11/12/1792 Joshua Lamkin of Stratford asks clear title to island in Connecticut River promised him by Gov. John Wentworth

11/14/1792(134) Selectmen of Antrim seek tax on all land to maintain roads and bridges

11/14/1792(124) Oliver & Mary Tuttle seek depreciation pay due to estate of her late husband, Quartermaster Richard Brown

11/19/1792 Anna Hanson asks relief from debts claimed against her husband, Ebenezer, who died in military service

11/21/1792(1) Town of Moultonborough asks tax on all land to pay for a new road & maintain other roads and bridges

11/21/1792(2) Widow Lydia Morey asks relief from debt of her husband Ebenezer's estate to Benjamin Morey of Lime, NH

11/21/1792(3) Clerks of court seek revision of recent act regarding fees for writs

11/21/1792(4) John Young asks for new managers for the lottery to build bridges over the Ammonusuck River

11/23/1792 Group asks for committee to lay out a road from Chester to Walpole at Hale's Bridge//NHSP,XVIII,856

11/26/1792 The Social Library Company in Dover seeks to be incorporated by the legislature

11/26/1792 John Waldron asks relief from debt of father to estate of Thomas Westbrook Waldron per John Kimball

11/27/1792 Citizens of Rye recommend that Joseph Parsons be appointed a justice of the peace[JP]

11/29/1792 Moses George seeks wages as a Continental soldier for service 1777-1780 in Col. George Reid's regiment

Dec 1792(1) William Marland of Newburyport, MA, argues that he paid impost on rum in MA, asks relief from NH bond

Dec 1792 (2) Stephen Evans of Durham asks payment of account settlement due to him from the state

Dec 1792 (3) Portsmouth printer John Melcher wants the state's printing business

Dec 1792 (4) Sanbornton citizens want incorporation for the "Sanbornton Musical Society"

Dec 1792 (5) Dealers in pot & pearl ash seek appointment of deputy inspectors as required by act of Dec. 28, 1791

12/1/1792 Grafton County citizens, per Jeremiah Eames, recommend Gains S. Libbe to be a justice of the peace [JP]

12/3/1792 Inhabitants of "New Pelham" ask that 1787 act incorporating the town be nullified so that Pelham continues

12/3/1792 Ozias Silsby requests payment for distributing and returning election precepts for the Secretary of State

12/3/1792 Jeremiah Libbey asks permission for minor Mark Simes to sell land in Portsmouth to Eliphalet Ladd

12/4/1792 Jeremiah Eames asks grant of islands in Connecticut River above the mouth of the Ammonusuck River

12/4/1792 Daniel Tilton et al. ask permission to use materials from Newmarket Bridge to build a new bridge at Newfields

12/5/1792 William Page & Lewis Morris seek grant to build canal around locks at Bellows Falls on CT River//NHSP, XVIII, 856

12/6/1792 (1) Eliphalet Ladd of Dover solicits the contract for state printing

12/6/1792 (2) John Hurd seeks grant of a gore near Enfield to make up loss from Grafton/Enfield town line adjustments

12/6/1792 (3) Nathaniel Gilman & Thomas Stickney ask to sell estate of Peter Gilman on behalf of minors

12/6/1792 (4) William Gardner asks to settle clothing account for New Hampshire troops in 1777//NHSP, XVIII, 857

12/6/1792 (5) Ebenezer Thompson, agent for the proprietors of Peeling, NH, asks abatement of taxes

12/7/1792 (1) Benjamin Gilman asks relief from claim by William (King) Atkinson for alleged failure as a bondsman

12/7/1792 (2) Dr. William Chadbourn of Conway seeks permission to perform smallpox inoculations at Samuel Stark's house

12/7/1792 (3) Levi Pease asks to extend stage line time from 6 to 10 years, southern line to Haverhill, NH

12/7/1792 (4) Samuel Holland of Quebec asks permission to hold NH real estate received in payment of debts

12/8/1792 Citizens of Plymouth bemoan change in Campton line, ask to remain as citizens of Plymouth

12/11/1792 Wolfborough selectmen ask that their tax notification to non-residents be authorized

12/12/1792 Masonian proprietors want to pay state notes to the Treasurer in specie and/or in partial payments

12/13/1792 William Smith asks increased compensation for creating the index to Strafford County deeds

12/14/1792 John Hurd seeks now to purchase a gore of land in Grafton, NH, in lieu of its being granted to him

12/17/1792 Town of Litchfield, per Robert Parker, asks relief--abatement--from doorage established in 1788

12/17/1792 Settlers in gore of land want to be reannexed to Plymouth, from Campton

12/17/1792 Creditors to John Fenton estate ask permission for John Porter to collect the money and discharge the debts

12/18/1792 Edward St. Loe Livermore et al. seek incorporation for Piscataqua R. bridge Blookd Point to Ferbers Ferry

12/19/1792 Eliphalet Ladd seeks compensation for postal service throughout Strafford County

12/19/1792 Proprietors of Amoskeag Bridge want exclusive toll rights for 10 miles on Merrimack River

12/22/1792 George Jaffrey asks further consideration by Senate & House re paying his state notes as a Masonian proprietor

12/23/1792 Proprietors of Amoskeag Bridge want exclusive toll rights for 10 miles on Merrimack River

12/24/1792 John Wendell urges the General Court to loan public money to foster private enterprise

12/24/1792 State Treasurer William Gardner seeks payment for his Treasury service, describes duties and time

12/25/1792 Prince Cesar, or Walley, wants depreciation pay for state service in 2nd regiment

12/25/1792 Exeter printer Henry Ranlet seeks all printing business of the state

12/26/1792 John Young asks amendment to resolve re bond against the estate of Ebenezer Green, Grafton County

12/27/1792 Portsmouth printer John Osborne seeks state's printing business

1793(1) Selectmen of Northfield oppose any nomination of Thomas Gilman to be a justice of the peace[JP]

1793(2) Thomas Crawford & Thomas Simpson ask appointment of Ebenezer Ingalls to be a coroner in New Hampton, NH

1793(134) Dartmouth, NH, citizens ask for new county including Conway to Littleton and northward

1/1/1793 Citizens of Alstead ask incorporation as a separate parish in the town

1/2/1793 William Simpson asks exclusive right to build and operate a toll bridge over CT River at Orford, NH

1/4/1793 Unity, NH, citizens recommend that Jonathan Glidden be appointed a justice of the peace[JP]

1/4/1793 Loudon, NH, citizens recommend that Capt. John Sanborn be appointed a justice of the peace[JP]

1/21/1793(1) Northfield citizens recommend that Charles Glidden re appointed a justice of the peace[JP]

1/21/1793(2) Northfield citizens recommend that Charles Glidden be reappointed a justice of the peace[JP]

1/21/1793(3) Northfield citizens recommend that Charles Glidden be reappointed a justice of the peace[JP]

1/21/1793(4) Northfield citizens recommend that Charles Glidden be reappointed a justice of the peace[JP]

1/22/1793 Salem member of the 7th militia regiment ask delay in appointment of officers pending legislative action

1/29/1793 Jabez Beckwith & Elijah Frink recommend Gen. Amos Sheperd be appointed major general of "west div" of militia

2/5/1793 Cornish citizens recommend that Nathaniel Hall be appointed a justice of the peace[JP]

2/7/1793 Rochester militia officer David Place resigns his command due to age

3/12/1793 Officers of the 23rd militia regiment recommend that Maj. Otis Freeman be put in command of the regiment

3/15/1793 Men of the 23rd militia regiment recommend Maj. Otis Freeman be placed in regimental command

3/18/1793 Citizens of Town of Loudon recommend that Capt. John Sanborn be appointed a justice of the peace[JP]

4/4/1793 Thomas Bartlett recommends Maj. Jonathan Cilley to be appointed brigade inspector for militia

4/13/1793 Greenfield citizens recommend several names for appointment as justice of the peace[JP]

4/18/1793 Daniel Norris declines appointment as a major in the 2nd battalion of the 17th militia regiment

4/22/1793 Town of Croydon asks to be allowed to have representation in the General Court

4/23/1793 Selectmen of Pittsfield recommend that Robert Tibbets be appointed a justice of the peace[JP]

5/9/1793 Citizens of Littleton recommend that Capt. David lindsay be appointed a justice of the peace[JP]

5/13/1793 Timothy Smith resigns as a coroner for Nottingham West, NH

5/13/1793 Thomas Bartlett returns militia resignations of Maj. Daniel Norris and Major Greig

5/16/1793 Littleton and Dalton seek more funding for repairing public roads

5/20/1793 Conway citizens recommend that Lt. Richard Kimball be appointed a justice of the peace[JP]

5/20/1793 Jacob Hurd asks, again, for ferry right at Lyman, NH, to Barnet, VT, over Connecticut River

5/27/1793 Langdon, NH, selectmen ask tax on non-resident land to help fund building of a meetinghouse

5/28/1793 Selectmen of Burton, NH, recommend that Orlando Weed, Jr., be appointed a justice of the peace[JP]

5/28/1793 Selectmen of Tamworth ask settlement of boundary with Eaton before making an inventory for new proportion

5/29/1793(1) Citizens of Dartmouth, NH, ask that the town be incorporated

5/29/1793(2) Citizens of Swanzey, NH, ask to be annexed to Marlborough, NH, which approves

5/29/1793(3) Lyndeborough, NH, asks to withdraw its petition for hearing on difficulties with Francis Epes

5/30/1793 Simon Wiggin of Exeter lost state note #519, seeks issuance of a replacement

5/30/1793(99) Selectmen of Hinsdale seek separate representation for the town

5/31/1793(1) Citizens of Alstead oppose establishment of a "distinct parish" in the east part of town

5/31/1793(2) Alstead selectmen object to petition for creation of a distinct parish from the town

5/31/1793(3) Proprietors of the Universalist Meeting House in Portsmouth seek incorporation to tax for improvements

June 1793(1) Town of Lyman asks to tax all land 2 cents/acre to make and repair roads and bridges

June 1793(2) Joseph Putnam of Society Land asks to be annexed to Town of Hancock, much more convenient

June 1793(3) John Vance seeks pay for military service from 1777 to 1780 in Continental Army//NHSP,XVII,466

June 1793(4) Citizens of Canterbury, Loudon, et al. ask redress re difficulty with court hearings//NHSP,XVIII,862

June 1793(5) NH citizens want lottery to build road and bridges in Hinsdale to connect with Chesterfield/Northfield road

June 1793(6) Plainfield proprietors want perambulation of line with New Grantham and marker at southern corner

June 1793 (7) Citizens of "Bartlett and locations" want a new county or annexation to Strafford County

June 1793 (8) Citizens of Cheshire County seek changes in dates of courts' sessions//NHSP,XVIII,866

June 1793 (9) James Goold seeks wages and depreciation for Revolutionary War service and disability from gunshot

6/1/1793 Town of Rumney recommends that Josiah Sanborn be appointed a justice of the peace[JP]

6/1/1793 Selectmen of Eaton ask that the town meeting and proceedings be authorized by act of the legislature

6/3/1793 Selectmen of Protectworth seek incorporation of the town under the name Springfield

6/3/1793 John Prentice offers his resignation from the Office of State Attorney General

6/5/1793 Newmarket, NH, wants 1777 act dividing the town to be repealed

6/5/1793 Citizens of Greenfield ask annexation of their land in the "South Range of the Odiorne Right"//NHSP,XII,63

6/6/1793 Ebenezer Thompson & Anne Stevens ask state to dismiss precept against Tax Collector Joseph Larey of Wolfborough

6/6/1793 Moses Roberts of Rochester asks for rehearing in court case with John Colony

6/7/1793 Bartlett, NH, citizens ask tax of 1 cent/acre on all land for maintenance of roads through the town

6/10/1793 Lyndeborough tax collector Philip Fletcher asks state treasurer be authorized to settle for 1788 tax as collected

6/11/1793 Boscawen selectmen recommend that Benjamin Little be appointed a justice of the peace[JP]

6/12/1793 Samuel Morey wants exclusive right to build a canal between Piscataqua R. and L.
Winnepesaukee//NHSP,XVIII,865

6/13/1793 "Concerned Memorialists" in Bath, Lyman, Gunthwaite, & Lincoln ask for perambulation of town boundaries

6/13/1793 Charles Glidden et al. ask sole right to build a toll bridge over Merrimack River at Northfield/Salisbury

6/13/1793 William Plumer & Bradbury Cilley offer proposals for disposal of unlocated land in the state

6/15/1793 Mary & John Neal, executors of John Neal of Londonderry, ask more time to discharge excise bonds

6/17/1793 Mary & John Neal ask clarification of deed of land from Samuel Holland to John Quigley re Robert Smith

6/17/1793 Selectmen of Campbells Gore ask incorporation in order to carry on town business re roads, schools, taxes

6/19/1793 James Macgregore expersses a claim against estate of William Stark of Dunbarton

7/27/1793 John Cram opposes appointment of Robert Tibbets for [JP], recommends either John Sahw or John Sterns instead

9/10/1793 John Tasker recommends Robert Tibbets be appointed justice of the peace[JP] for Pittsfield

9/30/1793 Writ to Cheshire sheriff for attaching Willard Butterfield to pay claims awarded to John Morgan

9/30/1793 Hampton & North Hampton citizens recommend that Dr. John Fogg be nominated to be a justice of the peace[JP]

10/19/1793 Henry Knox asks authority to sell Portsmouth estate land of Thomas Flucker

11/26/1793 Alstead group asks to be incorporated as a separate society to support own minister and meetinghouse

Dec 1793(1) New London & Sutton ask to be classed together to send a representative to the General Court

Dec 1793(2) Residents of Stoddard, Washington & Sullivan seek Just value for property after Masonian Line was rerun

Dec 1793(3) Barnstead citizens seek more funding and time for building a bridge

Dec 1793(4) Fishersfield and Bradford ask for classification Together to send a Representative to the General Court

Dec 1793(5) Peleg Williams seeks payment of his depreciation Due from military pay for Revolutionary War service

Dec 1793(6) Elizabeth Bishop asks restoration to her law re Debt due to her husband's estate from Jonathan Warner

12/6/1793 Jacob Watson of New York City seeks a law allowing him to convey NH lands to his English sons-in-law

12/10/1793 Jeremiah Eastman of Deerfield recommends Robert Tibbets to be a justice of the peace[JP] for Pittsfield

12/16/1793 William Gregg, of Londonderry, asks restoration to his law in debt case brought by John Anderson in 1786

12/18/1793 Exeter prisoner Thomas Dollof seeks new trial to prove his innocence in bastardy case brought by Sarah Nason

12/18/1793 Charles Johnston et al. seek incorporation for academy of liberal education in Haverhill

12/19/1793 Thomas Hogg & Other citizens ask for grant of state land to settle a community [no particular place]

12/20/1793 Selectmen of New Hampton recommend that Maj. Thomas Simpson be appointed a justice of the peace[JP]

12/20/1793 Selectmen of Keene and Sullivan seek legislative adjustment of town line

12/21/1793 Town of Lancaster asks for tax on all land to build and repair roads and bridges//NHSP,XII,359

12/23/1793 Prisoner Archibald Taggart asks release from Amherst Goal and a rehearing in case against John McClintock

12/24/1793 Barber Jacob Randall of Exeter asks to sell Newmarket property of his minor children in their behalf

12/24/1793 Robert Burnham seeks retrial [by jury] in case brought by Thomas Snell for non-delivery of millstones

12/25/1793 Proprietors of the McClary relate story of their claim case to this point//see also 6/21/1779; 10/20/1783; 6/7/1786

12/25/1793 (1) Town of Claremont seeks authorization to hold agricultural & commercial fairs annually spring & fall

12/25/1793 (2) John Taylor & proprietors of Morrystown seek extension of town grant or some other redress

12/25/1793 (3) Andrew McMillan asks for additional lands to make up town of Bartlett, NH

12/25/1793 (4) Edward Burnham of Durham seeks wages & depreciation for military service in the war//NHSP,XVII,466

12/25/1793 (5) John Nott seeks wages owed to his son Jesse who was killed during military service in the Revolution

12/25/1793 (6) Andover selectmen ask for a tax on non-resident land to pay for roads and bridges

12/25/1793 (7) Revolutionary War officer Jonathan Perkins seeks L53 owed him for his service

12/25/1793 (8) Jabez Parsons et al. seek alterations & extensions for settlement of northern Coos towns//NHSP,XVIII,867

12/25/1793 (9) Children of Francis Drew contest his will in probate, holding that he was insane when he signed

12/25/1793 (10) Jonathan & Benjamin Sawyer want their Atkinson properties annexed to Plaistow

12/25/1793 (11) Committee of Seabrook asks authority to tax residents currently being taxed by Hampton Falls

12/25/1793 (12) John Young seeks just settlement for his share of the estate of Timothy Bedel of Haverhill

12/25/1793 (13) John Young wants payment for supplies furnished during the Revolutionary War

12/26/1793 David Williams of Amherst asks payment for keeping pauper Ruth Johnson, originally of Monson

12/26/1793 (126) Benjamin Sumner & Ebenezer Rice ask incorporation of the Episcopal Church in Claremont

1794(1) Widow Elizabeth Wigggin of Rochester asks restoration of title to she & children, of land in New Durham

1794(2) Asahel Goodenow asks hearing on judgment in his court case against Daniel Loring of Sudbury, MA

1794(3) Samuel Boldget wants a charter to protect his projected toll canal above Amoskeag Falls

1794(4) Legislative committee report on classing towns for representation

1794(5) Citizens of Sutton ask for a committee to establish the town's [western?] boundary

1794(6) Benjamin Sargent et al. recommend Isaac Chase be appointed coroner for the town of Warner

1794(7) Stratford, NH, selectmen asks the General Court to compel the town of Littleton to repair its highway

1/1/1794(1) John Stark asks full remittance for state note paid for military service & other pay due//NHSP,XVII,468

1/1/1794(2) Fitzwilliam citizens recommend that Nahum Parker be appointed a justice of the peace[JP]

1/1/1794(3) Town of Stoddard wants tax on all land to pay for roads and bridges

1/1/1794(4) Part of Pembroke recommends Daniel Knox be appointed a justice of the peace[JP]

1/1/1794(5) Robert McGregore & William Duncan ask exclusive right to a toll canal at Isle-a-Hooksett & Amoskeag Falls

1/3/1794 Peter Clement seeks certification of Atkinson town line to include his property in the town

1/6/1794(1) William White et al. seek grant of land in north country on which to settle a town

1/6/1794(2) Poplin, NH, citizens want reimbursement of taxes on doorage, Ezekiel Godfrey petitioner

1/7/1794 Gideon Granger, Jr., for himself et al. asks additional time to settle unoccupied land free of taxes

1/7/1794 Thomas Simpson argues that the town of New Hampton duly paid its taxes for 1786

1/8/1794(1) Jacob Abbot wants to build a road through NH from Maine to Lake Champlain through Northumberland

1/8/1794(2) Asa Porter asks right to build a toll bridge over Connecticut River at Haverhill, NH

1/8/1794(3) Defendant Willard Butterfield asks stay of execution and judgment pending rehearing on debt to John Morgan

1/9/1794 Citizens of Hawke object to tax exemptions allowed on a certain group of citizens

1/11/1794 Letter of Asa Porter to John T. Gilman & Nathaniel Rogers arguing against paying a state note for L54

1/13/1794 Lemuel Paige of Antrim asks for reappraisal of his property damages from layout of Chester/Walpole road

1/14/1794 NH citizens petition from Epping for 8 miles square land grant in northern part of the state

1/14/1794(1) Nathan Hoit asks redress for theft of New Hampton 1785 taxes stolen by post rider Samuel Dearborn

1/14/1794(2) Arthur Livermore et al. seek 10 miles square grant of unsettled land in Grafton County

1/15/1794(1) Ephraim Blood of Pittstown, NY, asks depreciation due for Revolutionary War service for Dunstable, NH

1/15/1794(2) Samuel Stevens et al. seek 8 miles square grant of unsettled land in the north

1/15/1794(3) Daniel and Mary Smart seek payment owed from her father's estate

1/15/1794(4) Samuel Atkinson of Boscawen seeks trial by jury re debt owed by Joseph Pearson of Haverhill, 1782

1/16/1794 Citizens of Salem oppose any further appointment of a justice of the peace[JP]

1/18/1794 Committee from Atkinson, NH, wants an act to establish the town's lines "agreeable to its original Charter"

1/19/1794 Salem residents recommend that Joseph Wardwell be nominated to be a justice of the peace[JP]

1/20/1794(1) Salem residents recommend that Joseph Wardwell be nominated to be a justice of the peace[JP]

1/21/1794 Loudon's taxes for 1788 stolen by collector, town wants to pay at a reduced rate

1/22/1794 William Collings Meserve asks restoration to his law in matter of deed to Strafford County land

1/23/1794 Timothy Gibson et al. want grant of 6 square miles for a township in "Northerly part of this State"

1/23/1794 James Mitchell of Landaff asks compensation for contributions he cites to support the Revolutionary War

1/27/1794 Elizabeth Odlin seeks valid title to and authority to sell land from her father's estate

1/28/1794 Salem residents ask Capt. James Webster to stop any further appointment of justices of the peace[JPs] for now

1/31/1794 John Allen seeks special hearing in re debt claimed by Daniel Newcomb against Allen's father, in 1783

2/3/1794 Thomas Bartlett recommends that "Esqr. Glidden" be reappointed for justice of the peace for Northfield[JP]

2/3/1794 John Stark et al. ask for 8 mile square grant to make a settlement in northern part of the state

2/6/1794 Joseph Bass of Portsmouth asks for new trial in case brought by Moses Belcher Bass of Boston

2/12/1794 Rockingham Co. excise collector Bradbury Cilley asks reimbursement loss on Elizabeth Wentworth's carriage

2/14/1794 Citizens of Rochester seek appointment of John Plummer Jr. & Lt. William Palmer to be justices[JPs]

2/14/1794 Susanna Dodge seeks another commission of insolvency to be issued against her late husband's estate

2/14/1794 (313) Ebenezer Tebbetts of Dover asks pay for duty in the Rhode Island campaign under Col. Stephen Evans, 1778

2/18/1794 William Harper of Sanbornton asks dispensation for failing to prove the will of his father Samuel Harper

2/20/1794 1/20/1794 Legislative remonstrance against abusive acts of Congress under the guise of the Federal Constitution

3/11/1794 Town of Washington asks to be classed by itself for legislative representation

3/17/1794 Citizens of "lower" Ossipee recommend that Col. Mark Wiggin be appointed a justice of the peace[JP]

3/17/1794 (2) Wolfborough citizens recommend Col. Mark Wiggin of Ossipee be appointed a justice of the peace[JP]

3/31/1794 Citizens of New Durham Gore ask to be incorporated into a town called Roxbury, NH

4/28/1794 Citizens of Unity and Charlestown ask incorporation of a new town

5/2/1794 Newport selectmen ask to tax non-resident land for maintenance of highways, bridges, and roads

5/5/1794 Subscribers to academy in Gilmanton ask for incorporation for the school + letter of Thomas Cogswell

5/10/1794 Inhabitants of Piercy, NH, seek incorporation for the town

5/12/1794 Selectmen of Bow & Allenstown ask classification together to elect a representative

5/19/1794 Joshua Lamkin repeats his request for a grant of the island in Connecticut River near Stratford at Waits Bow

5/20/1794 Members of the Episcopal Society in Cornish as incorporation as Christ's Church

5/22/1794 Residents of Bridgewater et al. recommend Dr. Timothy Kelly be appointed a justice of the peace[JP]

5/23/1794 Citizens of Unity oppose the creation of a new town to the north of Charlestown

5/23/1794 Franconia, NH, selectmen ask permission to tax all land to build and maintain roads and bridges

5/25/1794 Benjamin Strong asks grant of island at Memorial Bow in Connecticut River and that it be annexed to Stratford

5/25/1794 Committee for Bartlett, NH, recommend additional tract of land for the town

5/27/1794(1) Town of Andover asks authority to send its own representative to the General Court

5/27/1794(2) Citizens of Pelham need direction to discharge town debt

5/27/1794(10) New London citizens seek repeal of so-called "proprietors' act" giving proprietors right to tax all land

5/27/1794(61) John Peirce opposes the incorporation of New Durham Gore owing to its geography & his personal interest

5/27/1794(62) Timothy Davis et al. ask to be left out of any incorporation of New Durham Gore

5/28/1794 Selectmen of Piermont seek an act allowing the town to annex John McDuffee's island and ferry for legal purpose

5/28/1794(48) Isaac Rogers wants a ferry right from Lime, NH, over Connecticut River

5/29/1794 Joseph Gibson et al. seek grant of a six square mile tract "in the Northwardly Part of this State"

5/30/1794 John Dodge requests a ferry right over Connecticut River near Bath, NH, at foot of Dodge's Falls

5/31/1794 Elisha Kingsbury of Alstead seeks state loan to construct a better paper mill

June 1794(1) Abel Holden of Hanover asks restoration of his law in debt case brought by Asa Holden of Hanover

June 1794(2) Joseph Olmsted of Lyman seeks court review of his actions re plaintiff Parrit Hadley

June 1794(3) Andrew Wilkins, taken prisoner at The Cedars in 1776, seeks payment for losses of clothes, gun, money

June 1794(4) Hugh Tallant seeks clarification of deed to land in Pelham from Philip Demaresque in 1773

June 1794(5) John Nott seeks money he says is due to his son Jesse who died in military service in 1778

June 1794(6) John Wendell & Joshua Wentworth ask stay in proceedings of debt complaint against them by Daniel Newcomb

June 1794 (7) Reuben Kimbell of Woburn, MA, asks transfer of his Greenfield farm to town of Francestown

June 1794 (8) Andrew Drew & Jonathan Williams seek a new trial re complaint by John Drew re debt claimed on a bond

June 1794 (9) Society Land residents ask tax on all land for "making and repairing" roads and bridges

June 1794 (10) Towns of Littleton & Dalton ask for tax on all land to pay for roads and bridges

June 1794 (11) Private William Hastings seeks pay for service in the Rhode Island campaign, 1778, under Capt. Samuel Dearborn

June 1794 (12) Samuel Young seeks authority & mode for collecting taxes owed by Concord [Gunthwaite] prior to 1789

June 1794 (13) John & Samuel Young want estate of Ebenezer Green of Lime to pay bond owed

June 1794 (14) Residents of Fishersfield & Bradford ask to be classed together to send a Representative

June 1794 (15) Agent Joshua Wentworth seeks legislation allowing Jonathan Homer to sell John Eddy estate for minors/orphans

June 1794 (16) Zenas Clark, minor, asks to sell property inherited from father Eleazar to pay for an education

June 1794 (17) Nathanael Kelley seeks pay for military service of two years beginning in June 1778

June 1794 (18) Samuel Bailey asks to turn his ferry into a bridge from Lebanon to Hartford, VT, over Connecticut River

June 1794 (19) Minor Daniel Waldron through guardian Thomas Shannon asks to sell land inherited from father & brother

June 1794 (20) Lemuel Paige of Antrim requests changes in layout of Chester/Walpole road

June 1794 (21) Several "Dearing" citizens object to layout of road from Hillsborough to Amherst

June 1794 (22) Jonathan Chase asks "exclusive privilege" to cut a canal from Connecticut R. to Merrimack R. via Sunapee Lake

June 1794 (23) Jonathan Chase asks right to build bridge over Connecticut River, Cornish/Windsor, with tolls

6/1/1794 Committee of Chester, NH, seeks adjustment of western boundary line of the town & additional land

6/2/1794 (1) James and Patrick McMasters & Co. seek authority to sue for debts owed to the business

6/2/1794 (2) Londonderry, NH, selectmen seek adjustment in tax amount due to the state for 1787

6/2/1794 (3) Greenfield, NH, selectmen ask for a committee to determine the location for a meetinghouse

6/2/1794(65) Lemuel Holmes et al. of Surry, taken prisoner in 1776, ask land grant in compensation for military time

6/2/1794(262) Packersfield selectmen seek separate representation for the town

6/3/1794 Samuel Chase et al. seek grant to build a bridge at Cromwells Falls in Litfield over Merrimack River

6/4/1794 Charles Barrett et al. seek committee to lay out road from Walpole Bridge to MA "in a strict line for Boston"

6/4/1794(189) David Gregg seeks a land grant due him for military service to the state in 1758

6/4/1794(215) Noah Porter et al. seek bounty and depreciation promised for service "in the late war"//NHSP,XVII,467

6/7/1794 John Wendell, attorney for William James of Bristol, Engl., asks stay in proceedings re estate of George Meserve

6/7/1794 Selectmen of Hancock ask authority to tax all land to fund road from Stoddard to Amherst with a bridge

6/10/1794 Silas Caldwell of Barrington seeks new trial in case judged for John Drew of Barnstead re alleged debt

6/10/1794(199) Elihu Stevens seeks incorporation for the Congregational Society of Claremont

6/11/1794 Prisoner Archibald Taggart seeks retrial in case of trespass against John McClintock, both of Hillsborough

6/11/1794 William Harper of Sanbornton asks relief from penalty for delay in presenting a will in re probate court

6/11/1794(61) Lempster, NH, citizens ask to change town meeting date from third to first Tuesday of March

6/13/1794 Town of Charlestown, NH, per William Page, asks adjustment of line to satisfy division of the town

6/13/1794(216) Noah Porter + 37 others ask land grant in lieu of war service bounty never received//NHSP,XVII,468

6/13/1794 Stratford, NH, & Percy, NH, ask that Shelburne/Stratford road be completed and opened as planned

6/14/1794 Samuel Boyd seeks wages due for military service in the Continental Army

6/16/1794 Benjamin Whitcomb seeks pay and depreciation for soldiers Noah Levans and Joseph Chandler

6/16/1794 Bow inhabitants recommend that Capt. Jacob Green be appointed a justice of the peace[JP]

6/17/1794 Citizens seek exclusive right to build bridge over Merrimack River, Dunstable/Nottingham, with donors listed

6/17/1794 Daniel Russell seeks supplemental pay for military service during the war

6/19/1794 Luther Dana offers his "public dinner" of June 5 as at no expense to the state

6/20/1794 Sgt. Joseph Bell of Bedford injured in 1789 in 9th regiment militia training, seeks pension

7/7/1794 Chichester, NH, residents recommend that Abraham True be nominated to be a justice of the peace[JP]

9/16/1794 Several inhabitants of Salisbury recommend Joseph Fifield & Andrew Bowers to be justices of the peace[JPs]

10/28/1794 Pittsfield residents recommend that John Stearns be nominated to be a justice of the peace[JP]

Nov 1794 Revolutionary soldier Abner Powers seeks depreciation money for military service 1778-1782

11/1/1794 Pittsfield residents recommend that Robert Tibbits be nominated as a justice of the peace[JP]

11/24/1794 Citizens of Unity, NH, oppose further development of any town from any part of their town

11/27/1794 Cockburn, Colbrook, Stewartstown, and Wales Location want separate/more equal representation

Dec 1794(1) Samuel Tenny seeks reimbursement for expenses in bringing arsonists to justice//TR

Dec 1794(2) Citizens of Haverhill, NH, & Newbury, VT, want a ferry over Connecticut River at site of Great Oxbow

Dec 1794(3) 6th Mil Regt men formed cavalry co., 12th regt. under Reuben Ward in 1789, seek act authorizing their continuance

Dec 1794(4) Jeremiah Eames seeks road layout to connect road from Lake Champlain thru Vermont to Hollowell, MA

Dec 1794(5) Sanbornton, NH, asks to change annual meeting date from last Tuesday to second Tuesday in March

Dec 1794(6) William Stark's sons seek exclusion of James Duncan from administration of William Stark's estate

Dec 1794(7) Sarah Simpson asks interposition of General Court re lost will of her deceased sister, Jane Simpson of Orford

12/8/1794 John Tasker et al. in Pittsfield recommend that Robert Tibbits be nominated for justice of the peace[JP]

12/8/1794 New Boston citizens recommend that James Caldwell be nominated to be a justice of the peace[JP]

12/8/1794 South Hampton, NH, seeks help from General Court in establishing its boundary line with Seabrook, NH

12/9/1794 Stratford, NH, citizens seek tax on all land to make and repair roads to enable commerce

12/10/1794 Westmoreland, NH, citizens express a need for appointment of a justice of the peace[JP]

12/12/1794 (1) Marlow selectmen ask to sell real estate for the support of widow Hannah Sawyer

12/12/1794 (2) New London citizens recommend that Samuel Messer be nominated to be a justice of the peace[JP]

12/12/1794 (3) William Gregg of Londonderry asks restoration to his law in case of debt brought by John Anderson

12/12/1794 (106) Westmoreland, NH, asks that its boundaries be extended to the west bank of the Connecticut River

12/13/1794 Goshen, NH, asks permission to tax all land to build and maintain roads and highways

12/13/1794 Orange, NH, selectmen ask tax on all land to pay Revolutionary War quota fine if it is not abated//MD6

12/15/1794 Selectmen of Canaan, NH, recommend John Worth to be nominated as a justice of the peace[JP]

12/16/1794 (1) David Hopkinson et al. recommend Capt. William Cargill to be a justice of the peace[JP] for Northumberland

12/16/1794 (2) Emerson Corliss demands payment owed to Jonathan Corliss for losses during military service in the war

12/16/1794 (3) Cavalry company of 17th militia regiment seeks additional funding for obtaining colors and trumpet

12/16/1794 (4) Isaac Butterfield seeks rights to a ferry between Littleton, NH, and Concord, VT, over Connecticut River

12/16/1794 (5) Edward Kimball seeks relief for injury received while on light infantry militia business

12/16/1794 (6) Jeremiah Eames seeks authorization to build a bridge from Northumberland, NH, to Guildhall, VT

12/16/1794 (7) Nathaniel Adams asks for redocketing of a Rockingham Co. Superior Court case omitted last term

12/16/1794 (8) Isaac Baldwin asks relief, artillery wounds suffered in training from exploding cannon, 1790

12/16/1794 (9) Town of Deering, NH, seeks to tax all land to maintain roads and bridges

12/16/1794 (10) William Gordon seeks an order on Treasurer for 10 pounds to cover Simeon Wyman's state note, now lost

12/16/1794 (11) Town of Wolfborough asks to hold its annual meeting 1st Tuesday in March instead of the last Tuesday

12/16/1794 (12) Town of Franconia asks that taxes be lowered and that the town be allowed to levy and collect them

12/16/1794 (13) Samuel Sherburne et al. seek incorporation to develop property inherited from Henry Sherburne, Portsmouth

12/18/1794 New Grantham citizens recommend that Jacob Young be nominated to be a justice of the peace[JP]

12/19/1794 Citizens of Northwood recommend that Solomon Buzel be nominated to be a justice of the peace[JP]

12/19/1794 Woodbury Langdon seeks abatement of 1782 quota ["soldier"] tax for his land in Tuftonborough

12/20/1794 Jonathan Searle et al. seek incorporation of the Trustees of Salisbury Academy to promote higher education

12/20/1794 (1) Jeremiah Lock of Rye seeks adjustment to 1764 settlement of Joseph Haynes estate in Greenland

12/20/1794 (2) Northfield seeks to have its own separate representation

12/20/1794 (3) Sarah Simpson asks relief owing to loss of her sister Jane's will to property in Orford

12/21/1794 Ester Gary asks to be restored to her law in trespass conviction by which she will lose her only cow

12/22/1794 Northwood citizens recommend Henry Batchelder and George Frost be nominated for justices of the peace [JPs]

12/22/1794 Benjamin Chamberlin asks to keep ferry or build a bridge from Haverhill to Newbury, VT, over CT River

12/24/1794 Citizens of Alexandria ask to be divided into two towns owing to division by a mountain

12/24/1794 (19) James Williams, for town of Lancaster, seeks tax on all land to build and maintain roads and bridges

12/25/1794 Goffstown selectmen seek redress re expense of the proposed road from Hales Bridge to Chester

12/29/1794 Isaac Baldwin, at Amherst, asks the General Court "to make him a further grant. . . ."

12/29/1794 Nathaniel Emerson et al. recommend James Bingham of Lempster be nominated to be a justice of the peace [JP]

12/30/1794 Sutton selectmen ask to tax all land for funds to build a meetinghouse

12/30/1794 Public notice of the posting of Alexandria's petition for the town to be divided

12/31/1794 Robert Parker recommends that Samuel Chase, Jr., and John Underwood be appointed coroners in Litchfield [1795] Jacob McGaw et al. recommend Cornelius Barnes be appointed a coroner for Merrimack, NH

[1795] (224) Residents of Concord ask rights to build bridge over Merrimack River at Butters Ferry

1/1/1795 Timothy Taylor et al. recommend that General Lovewell be nominated as a justice of the peace[JP] for Dunstable

1/1/1795 Sutton residents ask for a surveying committee to reestablish bounds of proprietors' lots

1/2/1795 Bow residents oppose recommendation of Capt. Jacob Green to be a justice of the peace[JP]

1/6/1795 Samuel Sherburne seeks release of deed to Portsmouth property once deeded to Lane Son & Fraser of London

1/7/1795 Business of Russell & Davis seeks to print the state's journals and laws

1/8/1795 George Hough of Concord asks exclusive right to print the state's documents

1/12/1795 Unity, NH, tax collector Joseph Huntoon seeks refund of overpayment on indents for 1789 taxes

1/12/1795 (12) Jabez Parsons refers to petition in last session for clarification of northern town charters//NHSP,XVIII,877

1/14/1795 Asa Porter et al. object to proposed act to build a Hanover/Newbury bridge at site of Chamberlain's Ferry

1/27/1795 William Ward Blake of Keene seeks means to support minor Harriet Wyman of whom he is guardian

No petitions for February 1795

3/9/1795 Raby, NBH, selectmen recommend that Benjamin Farley be nominated to be a justice of the peace[JP]

3/11/1795 Two Raby, NH, citizens recommend that Benjamin Farley be nominated to be a justice of the peace[JP]

April 1795 Wentworth, NH, citizens recommend that Lemuel Kezar be nominated to be a justice of the peace[JP]

4/2/1795 Lt. Joseph Weld asks acceptance of resignation of his commission in the 20th militia regiment

4/15/1795 John Bludenburge recommended to be a justice on the Strafford County Court of Common Pleas

4/20/1795 Citizens of Percy, NH, recommend that Peter Leavitt be appointed a justice of the peace[JP]

4/28/1795 John Brassbridge won court case against town of Newington, NH

5/11/1795 Citizens of Stuart, NH, ask land tax to make and repair roads, and, for incorporation of the town

5/15/1795 Providence Williams of Littleton asks exclusive ferry right across CT River to Concord, VT

5/15/1795 (97) Hopkinton asks change in recent fishing law to equalize rights on Merrimack R. & tributaries//NHSP,XVIII,878

5/19/1795 Charles Rice of Keene wants arrears of pension due for wound received in the battle at Bunker Hill

5/20/1795 William Gregg seeks another act to allow court to rehear his case against John Anderson

5/20/1795 John Young et al. ask separation of Wolfborough Addition to be attached as part of town of Ossipee

5/23/1795 Citizens of Washington, NH, recommend Azariah Faxon be nominated to be a justice of the peace[JP]

5/25/1795 Selectmen of Wentworth recommend that Enoch Page be nominated to be a justice of the peace[JP]

5/25/1795 Mary Folsom et al. ask to sell real estate that had belonged to Nathaniel Folsom of Exeter, deceased

5/26/1795 Archelaus Batchelder asks pension plus arrears for disability suffered in "the late war"

5/27/1795 Bartlett, NH, selectmen ask 3-cent/acre tax on all land to make and repair roads and bridges

5/28/1795(1) Citizens of Chester ask for lottery to repair post road through "Chester Woods"

5/28/1795(2) Widow Hannah Peasley seeks clear title to Henniker land in behalf of buyer Benjamin Peasley

5/28/1795(3) Jacob Ordway asks deed to Poplin land in behalf of his wards, children of late John Cram of East Kingston

5/30/1795 Nathan Willard of Hinsdale asks grant of "Gravil Island" in Connecticut River

5/30/1795 Selectmen of Marlborough seek settlement of disputed line between Marlborough and Fitzwilliam

June 1795(1) Tylor Spafford seeks wages and depreciation due for military service, enlisted in 1778

June 1795(2) Lempster, NH, citizens seek incorporation of a new town from northwest part of the town [Unity?]

June 1795(3) Town of Orford seeks legislation to eradicate the weed called Thistles

June 1795(4-6) Isaac Moore of Bath asks rehearing re 1785 debt to Samuel Willard as claimed by John Pratt of New Ipswich

June 1795(7) John Gamsby of Stratford asks to replead case re note of debt to Abel Learned "a number of years since"

June 1795(8) Benjamin Peirce of Dover seeks a court action against Benjamin Moulton for debt due Benjamin Parker estate

June 1795 (9) Samuel Blodget et al. ask incorporation of company to build canals along Merrimack River to Lake Winnepesaukee

June 1795 (10) Robert Colburn, in behalf of the town, asks payment of war debts due to the Town of Lebanon, NH

June 1795 (11) Jonathan Chase of Cornish seeks payment of accounts owed him from Revolutionary War expenses

June 1795 (12) James Rankin seeks authority for Town of Littleton to collect taxes from non-residents, or, for abatements

June 1795 (13) Field officers of 12th and 15th militia regiments ask for brass field pieces to train local men

June 1795 (14) Citizens of various grants want to be incorporated as part of the Town of Eaton

June 1795 (15) William Curtis and 5 others ask for pensions owing to disabilities from service "in the late unhappy war"

June 1795 (16) Selectmen of Alexandria and New Chester ask for a committee to settle/establish their boundary line

June 1795 (17) Amos Strafford of Plainfield asks reimbursement for expenses incurred by military war service to the state

June 1795 (18) William Harper et al. ask incorporation to erect a toll bridge over Pemigewasset River at Bridgewater

June 1795 (19) Reuben Kimbell of Woburn, MA, wants his farm in Greenfield to become a part of Francestown

June 1795 (20) Joshua Lamkin asks clear title to island in CT River opposite Stratford, promised in 1774

June 1795 (21) Samuel Paine seeks reimbursement for provisions to soldiers going to the relief of Royalton

June 1795 (22) Citizens of Winchester, Hinsdale et al. want permission for a lottery to raise \$1500 for roads and bridges

June 1795 (23) Asa Holden of Hanover asks for new commission to judge his claim on estate of John Marshall in Norwich, VT

June 1795 (24) The Episcopal Society in Cornish asks to be incorporated to become "a regular Congregation"

June 1795 (25) Jonas Wilder of Lancaster and Isaac Bundy of Guildhall, VT, seek ferry right on CT R. at Sand Bow

6/1/1795 Petitioners living in gore of Derryfield seek incorporation as a separate "body politic"

6/2/1795 Thomas Simpson seeks payment for time and expenses lost in appearing in court on behalf of the state

6/3/1795 Remonstrance of George Wentworth seeking justice from federal court decision, citing "Justice Iredell"

6/4/1795 Deborah Shackford asks to sell husband's real estate in Portsmouth & Rochester, he having been absent since 1784

6/4/1795 Amherst, per Daniel Warner, asks that town meeting date be changed to the first Monday in March

6/4/1795(46) John Nott of Springfield wants money due for his son Jesse's service and death during "the war"

6/5/1795 Phebe Root seeks pay due for military service of husband Lt. Col. Andrew Colbourn [see also 6/10/1786(6) & 11/3/1798]

6/5/1795 Samuel Blodget renews his plea to charge tolls for use of his canal around Amoskeag Falls

6/6/1795 Residents of Tuftonborough Gore ask incorporation as the Town of Tuftonborough

6/8/1795(1) John House seeks reimbursement for military expenses he provided the Army in 1775 and 1776

6/8/1795(2) Haverhill proprietors object to bill of costs from Rockingham County for court witnesses "during the War"

6/8/1795(3) Luke Wilder & Thomas Thompson ask to sell Salisbury land inherited by minor Nathaniel Huntoon, in his behalf

6/8/1795(4) Bezaleel Woodward wants reimbursement for cost of books for Grafton County deeds index he compiled

6/9/1795 Samuel Griffin asks permission to sell land in Nathaniel Griffin estate in Temple on behalf of children

6/9/1795 Joseph Kimball seeks permission to build a dam in order to render Waterquechee Falls navigable

6/10/1795(1+2) Joshua Atherton asks general court intervention in settling accounts on absentee Zacheus Cutler's estate

6/10/1795(3) Frederic French recommends that Joel Lund be nominated to be coroner for Town of Dunstable

6/12/1795(1) Nathaniel Brown Dodge seeks retrial in a different county on the case brought against him by John Harvey

6/12/1795(2) Unity, NH, selectmen ask to pay 1789 tax in specie at a depreciated rate

6/12/1795(3) Concord[Gunthwaite], NH, selectmen ask state to accept 1775-1778 tax payment in depreciated specie

6/12/1795(4) Town of Orange asks abatement of taxes being charged for soldiers not enlisted to serve in "the late unhappy war"

6/13/1795 (1) William Simpson seeks authority to build a toll bridge over Connecticut River at Piermont

6/13/1795 (2) Militia captain Timothy Carleton of Charlestown submits his resignation of command

6/13/1795 (3) Samuel Stone seeks military wages and depreciation due to soldiers William Powel and Nathaniel Martin

6/15/1795 Haverhill selectmen ask reconsideration of sites for proposed bridges in the town

10/20/1795 Inhabitants of Mason, NH, recommend that Capt. Joseph Barrett be nominated to be a justice of the peace [JPI]

10/23/1795 Nothfield citizens support ferry right to Robert Wise across Merrimack River to Salisbury

11/7/1795 Town of Deerfield seeks interest due on reimbursement for bounties and supplies bought for Continental soldiers

11/9/1795 Selectmen & citizens of Lyman ask that Treasurer accept discount tax payments for 1783, 1784 & 1785 town taxes due

11/9/1795 Citizens of Canaan and Grafton County recommend that Oliver Smith be nominated for coroner

11/10/1795 Citizens of Canaan and Grafton County recommend that Oliver Smith be nominated for coroner

11/18/1795 Capt. Timothy Holden of Charlestown resigns his commission in the 16th militia regiment

11/20/1795 Administrator James Eaton asks to sell Hancock, NH, real estate of Nathaniel Davidson on behalf of children

11/23/1795 Tuftonborough residents repeat their request for incorporation of the town

11/23/1795 Benjamin Ballard and Mary Snow ask clarification of deed to Chesterfield estate land of Zerubbabel Snow

11/25/1795 Selectmen of Plainfield ask that two lots of town land be allowed for "Support of the Gospel Ministry"

11/25/1795 Guardian Thomas Witherby asks to sell land in estate of Azariah Wilson of Fitzwilliam on behalf of minors

11/27/1795 Nathan Caswell seeks ferry right over CT River at Littleton, NH, to Halls Brook in Vermont

11/30/1795 (68) Town of Washington asks to change town meeting date from 3rd to 1st Monday in March

11/30/1795 (1) William Dana of Lebanon seeks charter for a toll bridge to replace his ferry near White River Falls

11/30/1795 (2) Timothy Dakin asks to sell land in Temple from Joseph Lowell's estate on behalf of children and widow

11/30/1795 (3) Jonathan Holt of Bridgewater resigns militia commission and complains of low morale and no pay

Dec 1795 (1) Abraham Waldron seeks release from amount of excise due for 1789-1790 owing to inability to collect

Dec 1795 (2) Woodbury Langdon asks abatement of soldier tax for Tuftonborough which had no inhabitants

Dec 1795 (3) Joseph Leavitt of Milford asks to pursue claim against estate of Maj. Isaac Frye of Wilton

Dec 1795 (4) Newington selectmen seek a stay of execution of court order in case brought by John Brassbridge against the town

Dec 1795 (5) Portsmouth selectmen seek continuance of military exemption for firefighters

Dec 1795 (6) Joseph Flint seek full execution of court judgment against Thomas Miner for debt

Dec 1795 (7) Inhabitants of Derryfield and area ask repeal of road layout order between Amoskeag Bridge & Deerneck in Chester

Dec 1795 (8) Vermont citizens support lottery for road & bridge as earlier requested by Hinsdale and Winchester

Dec 1795 (9) Josiah Brown, for Plymouth, asks for liberty in disposing of the town's school money

Dec 1795 (10) Prison keeper Samuel Morrison of Hillsborough Co. seeks funding to feed pauper prisoner William Morland

Dec 1795 (11) John Mills et al. seek reimbursement for losses incurred during the War at Battle of the Cedars

Dec 1795 (12) Joseph Bell of Bedford asks relief grant for wound to foot suffered during militia service Aug. 31, 1789

Dec 1795 (13) Citizens of Warwick & Orange, MA, favor lottery for a road from there to Hinsdale through Winchester

Dec 1795 (14) Aaron Felt of Temple asks to sell land in estate of William Upton on behalf of William's children

Dec 1795 (15) Town of Fishersfield asks to be annexed to a different district for election of state senator

Dec 1795 (16) Benjamin Killam et al. want their Lyndeborough land annexed to town of Temple

12/1/1795 Selectmen of Hebron seek equity of tax on land with town of Plymouth

12/1/1795 New Boston Revolutionary War soldiers ask reimbursement for losses suffered from captivity at The Cedars

12/1/1795 Selectmen of Cornish ask to appropriate public land to use for the benefit of the town

12/2/1795 John Young asks reimbursement of expenses for arms, scouts, etc. in Grafton Co. during war//whole folder

12/3/1795 James Whidden asks that enlistees to 1st militia regiment be returned to his command

12/3/1795(1) Molly Packer of Greenland asks authority to settle the probate of her husband, Thomas Packer, of Portsmouth

12/4/1795 John Duncan asks authority to sell estate property of George Duncan for benefit of George's deaf son, Josiah

12/4/1795 George Wentworth seeks justice from injustice served him by the state and federal courts

12/5/1795 Francis Blood, Jr., asks to resign commission as 1st lieutenant of "trop of horse," 22nd regiment

12/5/1795(27) Dorchester, NH, wants to move town meeting date to first Tuesday in March

12/5/1795(153) Wendell, NH, wants to move its annual town meeting date to second Wednesday in March

12/7/1795 Elizabeth Wallingford of Berwick, ME, asks review of case of debt due to her husband's estate by Samuel Sherburne

12/8/1795 Jonathan Williams seeks release from prison re debt case by John Drew against him and Andrew Drew

12/8/1795 Phinehas Farrar seeks compensation for serving at a militia court martial in Keene [5th brigade]

12/10/1795 George Wentworth asks justice in his case involving the McClary and the Lusana and the prize money therefrom

12/10/1795 John Young petitions for a justice of the peace [JP] to be appointed for the town of Concord[Grafton]

12/10/1795 Proprietors of the McClary ask reimbursement of expenses of their quest for settlement of prize claims

12/14/1795 Stephen Webster of Atkinson seeks to change his name to Stephen Peabody Webster

12/14/1795 New London selectmen want proprietors to hold meetings more conveniently to town residents

12/15/1795(1) Timothy Walker et al. ask incorporation to build a bridge over Merrimack River at Tucker's Ferry site

12/15/1795(2) Jacob Abbot seeks layout of road from Percy to the state line to connect with road to Hallowell, ME

12/15/1795(3) Kearsarge Gore inhabitants ask 3-cents/acre tax on non-resident land to make & repair roads and bridges

12/15/1795(201) Colebrook inhabitants ask incorporation to have roads, schools, etc. as a town

12/16/1795 Residents of east Concord recommend Elijah Russell be appointed coroner
12/17/1795 Warner, NH, citizens recommend that Joseph Bartlett be nominated to be a justice of the peace [JP]
12/18/1795 John Young writes apologetic letter to the Governor and Council
12/23/1795 William Grout resigns his captain's commission in the 16th militia regiment
12/23/1795 James Macgregore appeals for extended time to settle claims on the estate of John Neal of Londonderry
12/23/1795 Abraham Waldron of Barrington asks relief from excise amount expected from his collection
12/24/1795 Administrators of John Neal estate seek abatement of interest on excise bond due to treasurer
12/24/1795 Russell & Davis ask to print the laws of New Hampshire together with US and NH constitutions; journals also
12/25/1795 Thomas Simpson asks for "grant of a small patent" of land for himself and other Revolutionary War invalids
12/26/1795 Michael McClary et al. recommend that George Evans be nominated as a justice of the peace [JP] for Allenstown
12/28/1795 George Hough seeks contract to print laws and journals for the state
12/30/1795 John Young implores for settlement of reimbursement of his expenses "in the late war"
12/31/1795 Secretary of State posts notice of incorporation intent for the Town of Colebrook

Excerpts from the:
Journal of the House of Representatives
Journal of the Senate

1790-1791

being called for taken and counted the Honb^l John Pickering and the Honb^l Josiah Bartlett Esquires were elected —

Sent up by M^r Giles

Voted that M^r Holmes, M^r Warner & M^r Wentworth with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Abel Allen and report thereon

Sent up by M^r Stiles

Voted that M^r J Smith, M^r M^cClary & M^r Taylor with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of William Tenny and report thereon —

Sent up by M^r Emerson

Adjourned to 8 o'Clock to morrow morning

SATURDAY JUNE 5th 1790

Met according to adjournment

° The Committee appointed to prepare rules & orders * 14-7 for the government of the House reported the following

1st Each member shall seasonably and punctually attend his duty in the House —

2^d When the House adjourns each Member shall keep his place until the Speaker goes out and then the Members shall follow —

3^d The Speaker shall preserve decorum and order, may speak to points of order in preference to other Members rising from his seat for that purpose and shall decide questions of order subject to an appeal to the House

4th The Speaker shall rise to put a question but may state it sitting —

5th When any member is about to Speak in debate or deliver any matter to the House he shall rise from his seat and respectfully address himself to the speaker —

6th If any member in speaking or otherwise transgress the rules of the House the speaker shall or any member may call to order in which case the Member so called to order shall immediately set down unless permitted to explain, and the House if appealed to shall decide the case but without debate and if there be no appeal the decision of the chair shall be submitted to —

7th No member shall speak more than twice to the same question without leave of the House nor more than once until every member choosing to speak shall have spoken —

8th Whilst the Speaker is putting the question each Member

shall keep his seat until the question is decided nor shall any one while the member is speaking pass between him and the Speaker —

9th Every member who is in the House when any question is put if he hath heard the debate shall vote thereon unless excused by the House —

10th No debate shall be allowed on any motion until the same is Seconded and any motion shall be reduced to

° 14-8 ° writing or divided if the Sense will admit of it if any member desires it —

11th A motion may be withdrawn at any time before it be divided or amended — and a motion for adjournment shall always be in order and when a motion is regularly before the House no new one shall be received unless to postpone commit or amend it — And no new motion shall be admitted under colour of Amendment as a Substitute of the motion under debate —

12th No member shall act as an advocate without leave obtained of the House for that purpose —

13th No person except a Member of the House or its Officers shall be admitted above the Bar unless by vote of the House on Motion for that purpose unless to deliver a message from the President or Senate —

14th No Bill shall be introduced but by motion for leave or by order of the House on the report of a Committee and shall not pass to be Enacted until the Same be read three times — The first reading shall be for information and if no opposition be made or the question to reject the Bill be negatived a time shall be assigned for a second reading —

15th Before any Bill resolve or vote shall be sent up to the Senate the Speaker shall read the resolve vote or title of the Bill — And a Bill shall never be sent up by less than two members —

16th No member shall be obliged to Serve on more than two Committees at the Same time nor shall any member nominate more than one person for the Same Committee provided the person so nominated shall be chosen nor shall any member after being himself chosen nominate one for the Same Committee —

17th No petition shall be received by the House unless it be presented by a Member thereof and upon motion made

° 14-9 ° for that purpose —

18th The Journal of the House for the preceeding day shall be read every morning previous to entering upon new business —

Signed John Samuel Sherburne for the Committee
which report being read and considered *voted* that it be received and Accepted —

On Motion of M^r Plummer that the following rule should be added to wit, That no member of the House shall in any wise appear or act in the House or before both Houses Assembled in one room, as an advocate or attorney in any cause depending in which the state is a party nor in any matter between Individuals unless interested or engaged previous to the Establishment of these Rules — Upon which the yeas and nays being called for are as follows —

Yeas.	Yeas.	Yeas.	Yeas.
M ^r Connor	M ^r Plummer	M ^r N Hoit	M ^r Kimball
M ^r Blanchard	M ^r Kelley	M ^r Dole	M ^r Baker
M ^r Toppan	M ^r Hale	M ^r Rand	M ^r Burnam
M ^r Brown	M ^r Bedce	M ^r Allen	M ^r Dame
M ^r Eastman			
Nays.	Nays.	Nays.	Nays.
M ^r Gains	M ^r Giles	M ^r Gerrish	M ^r Grout
M ^r Sherburne	M ^r McMillian	M ^r Flanders	M ^r Holmes
M ^r Wentworth	M ^r Taylor	M ^r Page	M ^r Penniman
M ^r Macgregore	M ^r Emerson	M ^r Shepherd	M ^r Morse
M ^r Weeks	M ^r Warner	M ^r Stiles	M ^r Stone
M ^r McClarey	M ^r Parker	M ^r Whitcomb	M ^r Duncan
M ^r Clough	M ^r Barrett	M ^r Caskill	M ^r Crawford
M ^r Chamberlain	M ^r Abbott	M ^r Prescott	M ^r E Hoit
M ^r R Bartlett	M ^r Clark	M ^r Temple	M ^r Dow
M ^r E Smith	M ^r Cragin	M ^r M Smith	M ^r Tarlton
M ^r Palmer	M ^r J Smith	M ^r Wellman	M ^r Young
M ^r Badger	M ^r Wallace	M ^r Lane	M ^r Eames

17 Yeas — 48 Nays — so it passed in the Negative

Voted that M^r Toppan, M^r J Smith, M^r Dow, M^r E. Smith & M^r Page with such of the Honb^l Senate as they may join be a Committee to take under consideration *a * 14-10 Letter from the late President Sullivan and draught such an answer as they shall judge proper and report the Same
Sent up by M^r Holmes

The Letter referred to is as follows (viz)

Gentlemen of the Honb^l Senate & House of Representatives

The General Court being now properly organized and only a few Members who have not been qualified, and it not being of Absolute Necessity that I should remain here till the whole have taken the Oaths & being called to Act in a different department I beg you to permit me to take my leave of the two Branches of the Legislature at this time—

Will you allow me Gentlemen at this moment of my quitting the chair of Government in the state and probably bidding a final

adieu to all posts and Offices within the Same to entreat that you as a body in particular and through you the citizens of the State in General would accept my most cordial thanks for the repeated marks of Confidence which you have so repeatedly and variously honored me with? And to assure you that in whatever department of life providence may place me I shall retain a grateful remembrance of the generous conduct of the people of New Hampshire —

Given at the Council Chamber at Concord the 4th day of June 1790 —

John Sullivan.

Voted that M^r Sherburne, M^r Badger & M^r J Smith be a Committee to agree with M^r Hough to print three hundred copies of the Election Sermon this week deliver^d by the Reverend M^r Ogden —

The Honb^l Senate and House being again met in the Assembly Chamber agreed to adjourn the Elections yet to be made before both Houses until Monday next at 4 o'Clock in the Afternoon —

[And the Honb^l Senate withdrew —]

° 14-11 *Voted* that it is the Opinion of this House that an Attorney for the district of New Hampshire is constitutionally Eligible to a seat in this House —

Voted that M^r J Smith, M^r Page & M^r Hoit with such of the Honb^l Senate as they may join be a Committee to take into consideration the present state of the Office of Comptroller general [of Accounts] and report what method shall be taken to procure the Papers in that Office from M^r Gilman late Comptroller General —

Sent up by M^r M Smith

The following vote came down from the Honb^l Senate

In Senate June 5th 1790. The Honb^l Senate proceeded to the choice of a President and the ballots being taken sorted and counted it appeared that the Honb^l Josiah Bartlett Esq^r was elected to that Office —

Sign^d Joseph Pearson Secretary

Voted that M^r Macgregore, M^r J Smith, M^r Eastman M^r Barrett & M^r Page with such of the Honb^l Senate as they may join be a Committee to notify his Excellency Josiah Bartlett Esq^r President elect of his appointment to that office —

Sent up by M^r Allen

Voted that M^r Gains, M^r Sherburne, M^r Hoit, M^r Dow and M^r Hale with such of the Honb^l Senate as they may join be a Committee to make such arrangements as they may think proper for the reception of his Excellency Josiah Bartlett Esq^r President Elect —

Sent up by M^r N Hoit

Resolved that a Special Court of General Sessions of the peace be holden at Amherst in and for the County of Hillsborough on Thursday the tenth day of June Instant and the Justices of said Court be and hereby are impowered so convened to adjourn from day to day as they may think necessary to open & examine * the returns of votes for Register of Deeds in * 14-12 said County and in case it should so happen that the late Moses Nichols Esq^r should have the highest number of votes to that office the said Court be and hereby are impowered to issue precepts to the Selectmen of the Several Towns and places in said County requiring them to call a meeting of the Inhabitants of their Respective towns and places according to Law to chuse a Register for said County and the said Justices be and hereby are further impowered to adjourn said Court to such day antecedent to the next term as they may judge proper to receive the returns of the votes for said Office And at said adjournment the said Court may proceed to examine the return of votes and shall have all the powers relative to the Office of Register of Deeds in said County which the said Court at any Stated term by Law now have — And that the said Court to be holden on the said tenth day, of June Instant may proceed to chuse such person as they may judge proper to take the records of said Office into custody he giving Bond in a Reasonable Sum for the safe keeping of the records and papers, and the person so chosen hereby is impowered to receive all Deeds that may be offered for recording and to file and minute the time of receiving the Same which shall be as good and valid in law as if the Same was so done by the Register of Deeds and for every Deed so received he shall be entitled to Six pence — Sent up by M^r Dole

Voted that the Honb^l John Calfé Esq^r be Clerk of this House in the room of William Plummer Esq^r who has resigned —
Adjourned to Monday next 3 o'Clock P. M —

MONDAY JUNE 7th 1790.

The House met according to adjournment

The Honb^l Senate and House being met in the Assembly Chamber — *voted* to adjourn the Elections until ten of Clock to morrow morning —

* *Voted* that M^r Dow, M^r Sherburne & M^r Abbott with * 14-13 such of the Honb^l Senate as they may join be a Committee to consider of the Petition of the Widow Betsy Pierce and report thereon — Sent up by M^r Morse

Voted that M^r Gains, M^r Hoit, M^r Holmes M^r Emerson & M^r McClarey with such of the Honb^l Senate as they may join be a Committee to consider of the propriety of receiving fees for Petitions and report thereon — Sent up by M^r Dame
Adjourned to 8 o'Clock to morrow morning —

TUESDAY, JUNE 8th 1790.

The House met according to adjournment

Voted that M^r Sherburne, M^r Abbott, M^r Dow, M^r Page & M^r Plummer with such of the Honb^l Senate as they may join be a Committee to inform his Excellency Josiah Bartlett Esq^r that the two branches of the General Court will be ready to receive his Answer in the Assembly Chamber at half past nine of Clock this morning and that they escort him in accordingly —

Sent up by M^r Temple

Voted that the Clerk be directed to notify the Inhabitants of Claremount that their seat is become vacant in the house of Representatives as their Member the Honb^l Sanford Kingsbury Esq^r is chosen a Senator and that they call a meeting for a Second choice —

Voted that M^r Sherburne have leave to bring in a Bill for the encouragement of raising & manufacturing Hemp.

[The honorable Senate and House being met in the Assembly-Chamber his Excellency Josiah Bartlett, Esq. came in and manifested his acceptance of his appointment to the office of Chief Magistrate of this state, and after taking the necessary oaths (which were administered by the senior Senator) his Excellency and the honorable Senate withdrew.]

Voted that M^r Wentworth, M^r Toppan, M^r J Smith, M^r Gains, & M^r Macgregore with such of the Honb^l Senate as they may join be a Committee to take under their consideration the Act of Congress respecting light houses and report whether the light house in this State and whether any and what territory shall be ceded to the United States and likewise to consider of the Situation of fort William & Mary — Sent up by M^r Penniman

* 14-14 * The Honb^l Senate and House being met in the Assembly Chamber according to adjournment to proceed to the Elections yet unfinished —

Proceeded to the Election of Counsellors and the ballots being taken the Honb^l Christopher Toppan Joseph Badger Robert Wallace Lemuel Holmes & Jonathan Freeman Esquires were chosen —

Journal of the Senate

TO

NEW HAMPSHIRE EARLY STATE PAPERS.

[1790

A Vote, that a Special Court of General Sessions of the Peace be held at Amherst on Thursday the tenth of June Instant and the Justices of said Court are empowered to adjourn from day to day to open and examine the returns of Votes for Register of Deeds in said County and if it should so happen that the late Moses Nichols should have the highest number of Votes for said Office the said Court are empowered to issue precept to call a meeting of the Inhabitants in said County to chuse a Register of Deeds for said County and further empowered to adjourn said Court to some day Antecedent to the next term to receive the return of Votes for said Office to proceed to examine said return &c. and to choose some person at said adjustment to take the Records of said Office into custody he giving bonds for safe keeping &c. and the person so chosen is empowered to receive file and minute the time of receiving the same and entitled to receive six pence for each Deed, was brought up, read and concurred

Adjourned 'till Monday next 2, O'Clock A. M. [in the afternoon.]

MONDAY, JUNE, 7th 1790.

Met according to adjournment.

Present as on Saturday, last.

The honorable Senate met with the Honorable House of Representatives in their Chamber and adjourned the Elections until to-morrow 10, O'Clock A M.

A Vote, for a committee to join a committee of the Senate to consider of the petition of Betsy Peirce, and report thereon, was brought up, read and concurred: M^r Nathaniel Peabody, and M^r Kingsbury, joined.

A Vote, for a committee to join a committee of the Senate to consider the propriety of [revising] receiving fees for petitions and report thereon, was brought up, read and concurred: M^r Shepard and M^r Green, joined.

Adjourned 'till to-morrow morning 8, O'Clock.

THURSDAY, JUNE 8th 1790

° 2-541

° Met according to adjournment.

Present as Yesterday.

A Vote, for a committee to join a committee of the Senate to inform His Excellency that the two branches will be ready to receive his answer at half after nine of the Clock, was brought up, read and concurred. M^r Nathaniel Peabody, M^r Green, and M^r Oliver Peabody, joined.

*STATE OF NEW HAMPSHIRE. *14-70

A JOURNAL

OF THE

PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES OF SAID
STATE AT THEIR SESSION BEGUN AND HOLDEN AT CONCORD
ON WEDNESDAY THE FIFTH DAY OF JANUARY ONE THOUSAND
SEVEN HUNDRED AND NINETY ONE AND IN THE FIFTEENTH
YEAR OF THE INDEPENDANCE OF AMERICA—

WEDNESDAY JANUARY 5th 1791.

A quorum of the House met according to adjournment
Information was given to the Honb' Senate that a quorum of the
house were present and ready to proceed to business—
A message from the Honb' Senate gave information that a
quorum of the Senate were present, but as the day was far spent
should be ready to proceed to business to morrow morning at
which time the public papers would be laid before the House—
Adjourned to 9 oClock to morrow morning

THURSDAY JAN^{ry} 6th 1791.

The House met according to Adjournment
Motion was made for the choice of an Assistant Clerk and M^r
Moses Leavitt Neal was chosen for that purpose
The Secretary came down from the Honbl Senate with the fol-
lowing message from his Excellency
Gentlemen of the Senate and Gentlemen of the House of Rep-
resentatives—
It is with peculiar satisfaction I again meet you in Session

when the rapid progress of Agriculture and manufactures and the flourishing state of commerce wear so favourable an aspect and when the great national affairs that concern the United States in General which formerly occupied a considerable part of the time and attention of the state Legislatures having by the adoption of the General Government devolved on the national

Legislature has afforded us a favourable opportunity to * 14-7: attend with more deliberation to those * matters that principally concern the interest of this state in particular, and this being the Season of the year when this Legislature can most conveniently attend to the affairs of the public, you will permit me to suggest for your consideration such matters as appear to me to require your attention the present session —

The Secretary will lay before you such public papers as I have received since your last meeting among which you will observe an Act of Congress past the fourth of August last entitled "an Act making provisions for the debt of the United states which will I apprehend require your early attention —

The proposal of ceeding the light house in this State which was under your consideration the last Session will probably be resumed at this time and determined in such manner as you shall think will be most for the Interest of the state and the expences we have been at in Supporting the light since the 15th of August 1789 adjusted in order that the money may be received agreeably to the Acts of Congress —

The Act for raising a Revenue in this state by Excise I would recommend to your consideration, whether as our affairs are now circumstanced the continuing it longer will be beneficial to the public you will determine, and if you should think proper to continue the excise in whole or in part whether a different mode of collecting it might not be adopted with advantage —

A revision of the Laws and Statutes practised upon in this state and adopting them to our present situation is a matter greatly to be desired, that the people at large may know what are the Laws that are now in force, and if your Committee who were appointed for that purpose are ready to report I should hope the business will be properly attended to the present Session —

The advantage of good roads to keep up a free and easy communication through the state and proper encouragement to post riders to carry dispatches and intelligence through the different parts of it is so great that it is worthy your consideration whether the expence that will accrue will not be greatly overbalanced by

the advantages that may rationally be * expected from it * 14-72 in giving the citizens a better opportunity of being [acquainted] with the public affairs of the state and more effectually uniting and cementing them in one common interest —

I have seen with some concern, considerable part of the time of the Legislature frequently taken up in hearing and determining on private petitions to the hindrance of public business, expence to the parties and the state and loss to the Individuals who compose the Legislature and I would recommend it to your consideration whether in many cases some other mode might not be adopted for granting relief that would do equal justice to the parties at less expence to the state and them —

Gentlemen, of the House of Representatives

The settlement of the Treasurers accounts, making provision for the Supply of the Treasury and granting proper allowances to the public officers being matters that are usually transacted at this Season of the year will not I suppose pass unnoticed —

Gentlemen of the Senate and Gentlemen of the House of Representatives

Laws to encourage agriculture and Manufactures, Regulations that will tend to excite a Spirit of Industry and frugality, proper attention to the education of the rising generation who are soon to come on the stage of Action, to instruct them in the principles of knowledge and literature to implant in their minds the seeds of virtue and morality of benevolence and patriotism and the love of justice will I conceive tend greatly to promote the happiness and prosperity of the community, which are the great objects to which our care and deliberations ought to be directed and Gentlemen you may rely on my hearty assistance and cooperation in every measure that will conduce to the welfare of my fellow citizens —

Concord, January 5th 1791 — Josiah Bartlett

* Voted that M^r Plummer, M^r Jer^s Smith, M^r Abbott M^r * 14-73 Macgregore & M^r Badger with such of the Hon^{ble} Senate as they may join be a Committee to take under consideration his Excellencys Message this day received and report what business is necessary first to be entered upon and done at this Session —

Voted that the Treasurer be directed to receive a certificate in favour of Nathan Andrews and others for killing one grown wolf and a wolfs whelp which certificate is dated at Plainfield April 29th 1789 and signed by the Select men and constable, also one other certificate in favour of Joseph Spaulding for killing one grown wolf which certificate is dated August 13th 1785 and signed

Journal of the House

144

NEW HAMPSHIRE EARLY STATE PAPERS.

[1791

by the Select men and allow said persons the bounties prescribed by Law thereof, any legal defect in said Certificates to the contrary notwithstanding—

Voted that the Treasurer be directed to deliver to John Orr Esq^r a Bond by him signed for the faithful discharge of trust reposed in him respecting the sale of land in Washington, he the said Orr having proceeded in said business agreeably to an Act for that purpose passed Jan^r 15th 1790—

The Seat of the Speaker having become vacant by the Honb^l Thomas Bartlett's having accepted an appointment of a justice of the Inferior Court in the County of Rockingham—motion was made for the choice of a Speaker and the Honb^l Moses Dow Esq^r was chosen to that office—

Adjourned to three oClock P. M.

Met accordingly

Voted that M^r Toppan, M^r Macgregore & M^r Cragin with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Esther Holland and report thereon—

Voted that M^r Gains, M^r Barrett & M^r Page with such of the Honb^l Senate as they may join be a Committee to consider of the Petition from Peterborough slip & report thereon—

° 14-74 ° On motion by M^r Sherburne, does the Resolve past by a former House of Representatives respecting the payment of a Dollar on the preferment of Petitions to the Legislature extend to this House *voted* that it does not—

Voted that M^r Sherburne, M^r Page, M^r Hale, M^r Barrett & M^r Young with such of the Honb^l Senate as they may join be a Committee to take under consideration the Laws of this state relating to Excise and report what is necessary to be done respecting said Laws—

Voted that M^r Page, M^r Hoit & M^r Whitcomb with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Cap^t Robert Parker and report thereon—

Adjourned to 9 oClock to morrow morning

FRIDAY JAN^r 7th 1791.

The House met according to adjournment

Voted that M^r Plummer, M^r Abbot & M^r Holmes with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of John Goddard & others and report thereon—

Voted that M^r Sherburne, M^r Baker & M^r Plummer with such

of the Honb^l Senate as they may join be a Committee to consider of the Petition of George Hull and report thereon —

Upon reading and considering the Petition of the Town of Cockermouth *voted* that the Petitioners be heard thereon before the General Court on the Second Tuesday of their next Session and that in the mean time the Petitioners cause that the Substance of the Petition and order of Court thereon be published three weeks Successively in one of the New Hampshire News papers Six weeks prior to the sitting of said Court that any person or persons may then appear and shew cause why the prayer thereof may not be granted —

Voted that the ballance of the Account of David *14-75 Hills amounting to four pounds and nine pence be allowed & paid out of the Treasury by order of the President from the revenue arising by excise —

Voted that the Account of Ephraim Hartwell amounting to eighteen shillings be allowed and paid out of the Treasury by order of the President from the revenue arising by Excise —

Voted that M^r Eames, M^r Badger & M^r Stiles with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of John Wendall Esq^r in behalf of the Proprietors of Lyman, and report thereon —

Voted that M^r Gibson, M^r Sherburne, M^r Wentworth M^r Plummer and M^r Abbott with such of the Honb^l Senate as they may join be a Committee to take under consideration that part of his Excellency's message that respects ceeding of the Light House to the United states and if they shall judge proper report a Bill for that purpose —

Voted that the Estimate made by Supply Clap Esq^r Commissary General, of Rations due to Cap^t Salter & others be referred to the Committee on the propriety of ceeding the light house to the United states, and that they report thereon —

Voted that M^r Macgregore, M^r N Hoit, M^r Warner, M^r Stiles & M^r Young with such of the Honb^l Senate as they may join be a Committee to consider of the propriety of establishing Post roads and Post riders to the Interior parts of this State and report a Bill for that purpose if they shall judge it necessary —

Voted that M^r Sherburne, M^r Hill, M^r Abbott, M^r Page & M^r Dow with such of the Honb^l Senate as they may join be a Committee to consider of some more easy and less expensive mode of hearing and determining on Petitions preferred to the General Court and report thereon —

* 14-81 the United states and assuming the debt of * Individual States and report thereon —

Voted that M^r Young M^r Gains and M^r Gibson with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Col^o Benjamin Stone and report thereon —

Voted that the Honb^l Thomas Bartlett Esq^r have and receive out of the Treasury Seventeen shillings for money by him paid for the Postage of Letters directed to the Speaker of the House of Representatives — and that the President give order accordingly —

Upon reading and considering the Petition of New, Grantham and the report of a Committee thereon *voted* that the Petitioners be heard thereon before the General Court on the Second Tuesday of the next Session and that in the mean time the Petitioners cause that the Substance of the Petition and order of Court thereon be posted up in Some public place in the Towns of Cornish and New Grantham six weeks prior to the sitting of said Court that any person or persons may then appear and shew cause why the prayer thereof may not be granted and that the Treasurer be directed to stay his extent against the Town of New Grantham for their part of the proportion of the Expence of the Representative from Cornish & New Grantham in the year 1787 until the next Session of the General Court —

The following vote came down from the Honb^l Senate for Concurrence —

In Senate Jan^r 11th 1791 —

Voted that M^r Rogers and M^r Freeman with such of the Honb^l House as they may join be a Committee to consider of the expediency of the Secretary or Clerk continuing to take a fee of Six shillings on every private Petition agreeable to a Resolve passed the 10th of June 1788 — was read and concurred and M^r Abbott, M^r Warner, M^r White, M^r Badger & M^r Cilley joined —

Adjourned to 3 o'Clock P. M.

Met accordingly

Upon reading and considering the Petition of George Hull and the report of a Committee thereon — *voted* that it lay for further consideration —

* 14-82 * *Voted* that M^r Page, M^r Temple & M^r Allen with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of the Inhabitants of the Town of Unity and report thereon —

A vote came down from the Honb^l Senate appointing a Conference with the Honb^l House on the subject of filling a vacancy in

the Honb^l Senate (if the House see fit) as soon as may be, which was read and concurred—

Adjourned to 9 o'Clock to morrow morning

WEDNESDAY, JAN^{ry} 12th 1791—

The House met according to adjournment

Voted that M^r Hoyt & M^r Gerrish [with such of the Honorable Senate as they may join,] be added to the Committee on the Petition of Jacob Green & Enoch Noyes and that the Petition of John Bryant and Richard Bartlett Esq^r be referred to said Committee and that they report thereon—

The Committee on the expediency of continuing to take a fee of Six shillings on every private Petition agreeable to a Resolve passed June 10th 1788—Reported that it is not expedient to take the fee mentioned in the said Resolve, and that a Resolve pass accordingly which report being read and considered *voted* that it be received & accepted

Upon reading and considering the Petition Walter Geer *voted* that the prayer thereof be granted and that he have leave to bring in a Bill accordingly—

Voted that M^r Badger, M^r Hill & M^r Eastman with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Benjamin Heath and report thereon—

Voted that M^r Cragin, M^r Badger & M^r Connor with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Joseph Dow Esq^r and others in behalf of the Town of Hampton and report thereon—

Voted that M^r Jer^m Smith, M^r Penniman & M^r Freeman with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Jabez Shapley * 14-83 and report thereon—

Agreeably to the order of the day proceeded to a hearing on Petitions—

Upon hearing and considering the Petition of the Inhabitants of New London *voted* that the prayer thereof be granted and that the Petitioners have leave to bring in a Bill accordingly—

Upon hearing and considering the Petition of Joseph Kimball Esq^r *voted* that the prayer thereof be granted and that he have leave to bring in a Bill accordingly—

Upon hearing and considering the Petition of Samuel Camfield *voted* that the prayer thereof be granted and that he have leave to bring in a Bill accordingly—

Adjourned to 3 o'clock P. M. —

The third from Portsmouth to Exeter Kingstown Plastow Hampstead Chester Londonderry Litchfield Goffstown Bow to Concord & to return through Pembroke Deerfield Nottingham and by the way of New Market bridge to Portsmouth —

The fourth from Portsmouth to Dover Rochester Wakefield Ossipee Tamworth, Sandwich Center harbour Plymouth, New Hampton, Merrideth Gilmantown Barnstead Barrington New Market bridge to Portsmouth — which report being read and considered Motion was made that it be received and Accepted — On which Motion the yeas and nays were called and are as follows (viz) —

*14-157 Yeas.	Yeas.	Yeas.	Yeas.
M ^r Gains	M ^r Bartlett	M ^r McMillan	M ^r Duncan
M ^r Wentworth	M ^r Jo ^s Smith	M ^r Dole	M ^r Baker
M ^r Macgregore	M ^r Palmer	M ^r Warner	M ^r Crawford
M ^r Blanchard	M ^r Hale	M ^r Clark	M ^r E Hoit
M ^r Brown	M ^r Badger	M ^r Gerrish	M ^r Freeman
M ^r Hill	M ^r Giles	M ^r Page	M ^r Payne
M ^r McClarey	M ^r Bedec	M ^r Stiles	M ^r Tarlton
M ^r Clough	M ^r N Hoit	M ^r Temple	M ^r Young
M ^r Chamberlain	M ^r Copp	M ^r Grout	M ^r Dame
M ^r Bradley			
Nays.	Nays.	Nays.	Nays.
M ^r Weeks	M ^r Parker	M ^r Whitcomb	M ^r Lane
M ^r Eastman	M ^r Barrett	M ^r Prescott	M ^r Penniman
M ^r Plummer	M ^r Abbott	M ^r Alexander	M ^r Morse
M ^r Gibson	M ^r Cragin	M ^r Rand	M ^r Stone
M ^r Kellie	M ^r Wallace	M ^r Allen	M ^r Kimbal
M ^r Taylor	M ^r Fifield	M ^r Wellman	M ^r Eames
M ^r Emerson	M ^r Shepherd		

37 Yeas — 26 Nays — so it passed in the affirmative

An Act regulating process of trial in civil causes, was read a third time and passed to be Enacted —

Sent up by M^r Holmes & M^r Gerrish

An Act regulating Fees, was read a third time and passed to be Enacted —

Sent up by M^r Holmes & M^r Gerrish

An Act regulating Pounds — was read a third time and passed to be Enacted —

Sent up by M^r Holmes & M^r Gerrish

An Act annulling a Judgment recovered at the Superior Court of Judicature holden in the County of Grafton October Term, one thousand Seven hundred and ninety by George Eager and James Moore against James Murch and granting a new trial in the Action in which said Judgment was rendered — was read a third time and passed to be Enacted —

Sent up by M^r Freeman & M^r Plummer .

Journal of the Senate

98

NEW HAMPSHIRE EARLY STATE PAPERS.

[1791

° 3-476

° FRIDAY JAN^r 7th 1791 —

Met according to Adjournment
Present as yesterday.

A vote directing the Treas^r to receive a certificate in favor of Nathan Andrews & others for killing one Wolf & a Wolfs whelp which certificate is dated Aug. 29 1789 Also one other certificate in favor of Joseph Spalding for killing a grown wolf w^h Certificate is dated Aug 13th 1785 was brot up read & concurred

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Geo Hall & report thereon was brot up read & concurred M^r Green & M^r Webster jd

A vote for a Com^{tee} to join a Com^{tee} of the Senate to take under consideration the cession of the Light House to the United States was brot up read & concurred, M^r Peabody M^r Smith & M^r Rogers joined —

A vote to pay the Acc^o of E Hartwell for the Tuition &c of J^r Bowers amo^t to 18s was brot up read & concurred

A vote to pay the Acc^o of D Hills [Hill] for board of J Bowers amo^t to 4£ & 9^d was brot up read & concurred —

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the propriety of establishing Post Roads & post riders &c was brot up read & concurred M^r Shepard M^r Rogers M^r Cilley & M^r Smith joined

A vote referring the estimate of Col Clap to the Com^{tee} on the propriety of ceding the Light House to the U S was brot up read and concurred —

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the pet of J Wendell Esq was brot up read & concurred M^r Smith & M^r Rogers joined —

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of some more easy & less expensive mode of hearing &c petitions was brot up read & concurred M^r Peabody M^r Cilley & M^r Green joined

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider What shall be done with the money now in the Treas^r &c was brot up read & concurred M^r Shepard M^r Peabody M^r Wallace [M^r Cilley] joined —

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of a Letter from the State of Virginia was brot up read & conc^d M^r Peabody & M^r Cilley joined —

° 3-477 ° A Resolve that the Treas^r be directed to procure a suit-

° State of New Hampshire

° 3-479

In Senate January 11th 1791 —

Voted that M^r Rogers & M^r Freeman be a Com^{tee} with such of the Hon^{ble} House as they may join, to consider of the expediency of the Secretary or Clerk continuing to take the fee of 6/ on every private petition agreeably to a Resolve passed June 10, 1788 was sent down for Concurrence — brot up concurred

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the Act of Congress of the 4th of Aug. last was brot up read & concurred M^r Peabody M^r Freeman & M^r Smith joined —

A vote that the petⁿ of Benj Noyes be referred to the Comtee on the pet of Green & Noyes was brot up read & concurred

A vote to pay the Acc^t of Thomas Bartlett Esq amounting to seventeen shillings for money by Him paid for postage of Letters & that the President give order accordingly was brot up read & concurred

A vote granting the prayer of the petition of Esther Holland & giving her leave to bring in a bill accordingly was brot up read & nonconcurred —

State of New Hampshire

In Senate January 11 1791 —

A Vote that the Senate join in conference with the Hon^{ble} House of Representatives in their Chamber on the subject of filling up the vacancy in the Senate (if they should see fit) as soon as may be sent down for concurrence brot up concurred

A vote to hear the petition of the Selectmen of New Grantham on the second Tuesday of the next Session was brot up read and concurred

A vote for a Com^{tee} to join a Com^{tee} of the Senate to take under consideration the petition of the Inhabitants of Unity was brot up read & concurred M^r Shepard & M^r Kingsbury j^d

Adj^d till tomorrow morning 9 °ClockWEDNESDAY JAN^y 12th 1791

Met according to adjournmen

Present as yesterday

A vote to accept a report of a Com^{tee} that it is not expedient to take a fee of 6/ on every private petition & that a Resolve pass accordingly was brot up read & concurred

° A vote that a Com^{tee} be added to the Com^{tee} on the petⁿ of J. Green & E. Noyes & that the petⁿ of John

° 3-480

Journal of the Senate

104

NEW HAMPSHIRE EARLY STATE PAPERS.

[1791

have the same power to settle the estate as she w^d have had had she remain'd a wid^d & giving her leave to bring in a bill accd^d was brot up read & concd

° 3-482 ° A vote to hear the petⁿ of Rich^d Sincler [Jun^r] on the 27th of Jan^r current was brot up read & concurred

A vote to postpone the hearing which were to have been this day until to morrow was bro^t up read and concurred—
Adj^d till to morrow morning 9 °Clock

FRIDAY JAN^r 14th 1791

Met according to Adjournment

Present as yesterday

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider on the petⁿ of J. Clifford & A Brainard was bro^t up, read & concurred M^r Webster joined

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Joseph Hussey was bro^t up read & concurred M^r Waldron joined—

An Act to impower the Inhabitants of New Chester & Bridgewater in the County of Grafton, to levy a tax on all Lands (public lands excepted in s^d Towns for making & repairing the highways— having been read a third time *voted* that the same be enacted

A vote that a Com^{tee} be added to the Com^{tee} on the mode of hearing petitions was bro^t up read & concurred

The Senate agreeably to a vote of yesterday met with the Hon House of Rep in one room and by joint ballot proceeded to ballot for a Senator—the ballots being taken it appeared that the Hon Christ^o Toppan Esq was elected A Senator in the room of the Hon O [Oliver] Peabody who has resigned his Seat at the Senate board the Senate then retired to their own room.—

A vote granting the prayer of the Petⁿ of Elis^a M^cClary and giving her leave to bring in a bill accordingly was brot up read and concurred

A vote to postpone the hearing on the petⁿ of G Tiffany until Tuesday next was brot up read and concurred.

A vote to hear the Petⁿ of B [Col.] Stone on the Second Tuesday of the next Session was brot up read & concurred

A vote granting the prayer of the petⁿ of the Inhabitants of Wolfborough & giving them leave to bring in a bill accordingly was brot up read & concurred

A vote to postpone the hearing of the petⁿ of the Town of Cov-

* 3-503

* TUESDAY FEB^r 8th 1791Met accord^d [according to adjournment.]

Present as yesterday

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of a bill for regulating Licenced Houses was brot up read & concurred M^r Freeman joined —

A vote adding M^r Macgregore & M^r Emerson to the Com^{tee} on the petⁿ of Tim^s Walker Esq was brot up read & concurred.

A vote to hear the petition of Alexander Plumley on the third Wednesday of the next Session was brot up read & concurred

An Act for laying out highways having been read a third time *voted* that the same be enacted

An Act relative to common Fields & regulating Fences having been read a third time *voted* that the same be enacted

An Act for setting off Debts, mutual demands & executions against each other, having been read a third time *voted* that the same be enacted.

an Act regulating the choice & service of Grand Jurors having been read a third time *voted* that the same be enacted

An Act for regulating Towns & the choice of Town Officers having been read a third time *voted* that the same be enacted

An Act for the punishment of certain crimes having been read a third time *voted* that the same be enacted

An Act for establishing an equitable method of making taxes and for ascertaining the powers of Selectmen having been read a third time *voted* that the same be enacted

An Act prescribing the duty & regulating the Office of Sheriff having been read a third time *voted* that the same be enacted

An Act establishing forms of Oaths having been read a third time *voted* that the same be enacted

Adj^d till tomorrow morning 9 o'clock

* 3-504

* WEDNESDAY FEB^r 9th 1791

Met according to Adjournment

[Present as yesterday.]

An Act for the taking of Affidavits out of Court having been read a third time *voted* that the same be enacted

An Act regulating fees having been read a third time *voted* that the same be enacted

An Act regulating process & trial in civil causes having been read a third time *voted* that the same be enacted

An Act to establish an Academy in the Town of Atkinson and to incorporate the Trustees thereof having been read a third time *voted* that the same be enacted

An Act relating to Attorneys having been read a third time *voted* that the same be enacted

An Act to prevent incestuous Marriages & to regulate divorces having been read a third time *voted* that the same be enacted

A vote to pay the Acc^o of John Calfe Esq amo^{us} to 9£ & 7^d for paper recording &c was brot up— read & concurred—

A vote to pay the Acc^o of J Nelson amo^{us} to £18..15..4 for time expences &c was brot up read & concurred—

An Act to incorporate & establish an Academy in Amberst having been read a third time *voted* that the same be enacted

A vote that no Extents issue against the Selectmen of Bath for any public Taxes until Jan^r 1792 was brot up read & concurred

A vote that His Excellency the President be requested to write to the Sec^r of the Treas^r relative to the sums in final Settlement Certificates paid to the State of N. H. by the Agents in the late Army was brot up read & concurred

Adj^d till tomorrow morning 9 *Clock

FRIDAY FEB^r 18 1791—

Met accd Present as yesterday—

A vote that specie orders Excise orders &c be indiscriminately received in the payment of any outstanding specie tax, Impost or Excise bonds was bro^d up read & concurred

A resolve that the thanks of the General Court be returned to the Town of Concord for the generous & polite offer made by the Selectmen in behalf of said Town, of the use of the public building lately *erected for the accommodation *3-516 of the General Court was brot up read & concurred

A vote that the President with advice of Council be desired to appoint a Post Officer at Plastow, provided it be done without any expence to the State was brot up read & concurred

A vote that the President with advice of Council be desired to adjourn the General Court to the last Wednesday in May next, was brot up read & concurred.

His Excellency the President sent down the Secretary to inform the hon: house, that he with advice of Council had thought fit to adjourn the Gen^l Court agreeably to the above vote— A proclamation thereof, was accordingly made

¶ J. PEARSON Sec^r

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1770

in either issue. So true it is that an extreme often induces its opposite.

During the time I was in the legislature, I observed that in petitions for redress at law & a variety of other subjects, affecting the rights of individuals & corporations, public hearings were had, in which the parties were heard before the two houses in convention, by themselves & council. Often times members of the legislature, particularly those who were lawyers, acted as advocates. I had myself, on some occasions, adopted that practice. But from a thorough conviction, that the man who accepts the office of a legislator, is bound to act as a judge, & not as an advocate, in all cases pending before the court of which he is a member. I therefore moved to establish a rule to prohibit members in future from acting, taking fees, or acting as attorneys or advocates in any matter or petition that should occur in the legislature, except in case of a party in interest. The practice of receiving fees & acting as council appeared to me as a dereliction of principle, equally prejudicial & improper. It deprived the legislature of the aid of professional men, whose opinions on some questions of law would be useful. The member who abandoned his seat as a legislator for that of an advocate, need in no case ^{advantage} over the council who was not a member; & instances had occurred before the hearing & before it was known in case of council, where he had insinuated arguments to particular members, & emitted prepossessions in favor of his client. When the hearing was over, being present in the house as a member, I have known him, at the time of deciding upon the petition, make the statement to the house, & seen & heard him suggest arguments to individual members. There was reason to believe, tho' I think only in a few cases, that some lawyers had secretly acted as council, & in fact aided the cause at the time of its being decided. Every lawyer in the house opposed my motion; there were 17 yeas & 12 nays.

Tho' the house refused to adopt the rule, I considered the principle obligatory on me. I never after, during the time I was a member, took any fee or acted as council in any matter pending in the legislature. I was so thoroughly convinced of the propriety of such a rule, that I resolved never to abandon it until it was established. Two years after I moved the convention, who were revising the constitution, to insert it in that instrument. My motion prevailed, & I had the satisfaction of knowing that the people ratified & confirmed it.

The debt contracted in effecting our revolution was considerable during the war & after its peace our credit failed, & the final settlement was made under the authority of congress, to pay the wages of the soldiers, sold in the market at two shillings & six pence on the pound. Congress

[CHAPTER 13.]

*State of
New Hampshire.* }

AN ACT TO RESTORE ELISABETH M^cCLARY TO HER LAW—

[Passed January 25, 1791. Original Acts, vol. 12, p. 36; recorded Acts, vol. 6, p. 149.]

Whereas Elisabeth M^cClary of Epsom in Said State Widow has Petitioned the General court Representing, that at the court of Common pleas holden at Exeter on the Second Tuesday of June 1789, Nathaniel Gilman of Newmarket Commenced an Action against her on an Account wherein were charged Sundry berrels of Rum which were never purchased by or delivered to her, but were in fact sold to one John Casey—That said Action was appealed and Submitted to Refferrees who reported that said Gilman should recover against her Twenty three pounds Eighteen Shillings damage & Cost—Wherefore She prayed for liberty to reenter said Action at the Superior Court—

The facts being proved & the prayer of Said Petition appearing Reasonable—

Therefore Be it Enacted by the Senate and house of Representatives in General Court conven'd that the Said Elisabeth M^cClary have liberty to reenter her Action at the Superior Court of Judicature Next to be holden at Portsmouth in & for the County of Rockingham on the fourth Tuesday of April next and the Justices of Said court are hereby directed to Sustain Said Action, and direct that the Same measures be pursued thereon as in Actions appealed to Said Superior court Notwithstanding the former Judgment, and that the Execution against, the said Elisabeth M^cClary be stay'd till the determination of Said court, and Should the Said Elisabeth M^cClary neglect to reenter her Action at the Said Superior court, then the former Judgment to remain good—

And be it further enacted that the said Elisabeth M^cClary shall cause the said Gilman to be Served with a Copy of this Act fourteen days prior to Said fourth Tuesday of April next, and that in case the Said Elisabeth M^cClary should not enter her Action as aforesaid the said Gilman shall have liberty to enter his complaint for legal costs at said court which complaint said court is hereby directed to sustain & Order costs in like manner as though it was a Complaint entered on an appeal from the Inferior court of Common pleas—

A Vote, for a committee to join a committee of the Senate to consider of the Petition of the proprietors of Morristown and report thereon, was brought up, read and concurred: M^r Freeman and M^r Cilley, joined.

A Vote, for a committee to join a committee of the Senate to consider of the petition of the Inhabitants of Lyndsborough and other Towns and report thereon, was brought up read and concurred, M^r Wallace and M^r Green, joined.

A Vote, that the bond signed by the Treasurer M^r Peabody and M^r Conner be accepted as fully satisfactory, was brought up, read and concurred.

A Vote, to hear the petition of the Inhabitants of Thornton on the second Thursday of the next Session, was brought up, read and concurred

A Vote, to postpone the hearing on the petition of Joseph Kimbal untill the second Wednesday of the next Session, was brought up, read and concurred.

A Vote, for a committee to join a committee of the Senate to consider of the petition of Jonathan Woodley, [Woolley] and report thereon, was brought up, read and concurred: M^r [N.] Peabody, and M^r Cilley, joined.

A Vote, to accept the Answer of the Committee to the Late President and that they present the same to John Sullivan Esq^r was brought up, read and concurred.

Adjourned 'till 8 o'Clock to-morrow morning.

FRIDAY JUNE 11th 1790.

Met according to adjournment

Present as yesterday.

A Vote, for a committee to join a committee of the Senate to consider of the petition of Elizabeth M^rClary, and report thereon. * Was brought up, read and concurred: * 2-546 M^r Webster joined.

A Vote, to hear the petition of the Selectmen of Concord [alias] on the second Friday of the next Session, was brought up, read and concurred.

A Vote to allow Ozias Silsby six pounds in full for his Services [for the postage of publick papers,] was brought up, read and concurred.

A Vote, for a committee to be added to the committee on the account of J Swett, was brought up, read and concurred: M^r Shepard, joined.

to consider of the petition of the Heirs of Col. John Wentworth Deceased, and report thereon, was brought up, read and concurred: M^r Green, and M^r Cilley, joined.

A Vote, to pay the Account of Captain David Hough amounting to three pounds, twelve shillings, was brought up, read and concurred

A Vote, granting the prayer of the petition of the Inhabitants of Cardigan and giving them leave to bring in a bill accordingly, was brought up, read and concurred

A Vote, for a committee to join a committee of the Senate, to consider of the petition of Major Boynton, was brought up, read and concurred: M^r Webster, joined.

A Vote granting the prayer of the petition of Sarah Sherburne, and giving her leave to bring in a bill accordingly, was brought up read and concurred.

A Vote, for a committee to join a committee of the Senate to consider of the petition of G. [George] Hough, and all Similar matters, was brought up, read and concurred: M^r Waldron and M^r Webster joined.

A Vote, to hear the petition of Elizabeth M^rClary on the second Friday of their next Session, and that she cause N. *2-553 Gilman of *Newmarket [to be served] with a Copy of the petition &c &c. was brought up, read and concurred.

A Vote, granting the prayer of the petition of the Selectmen of Packersfield and giving them leave to bring in a bill accordingly, was brought up, read and concurred.

A Vote, for a committee to join a committee of the Senate to consider of the Propriety of exempting the body of Debtors from being imprisoned by executions &c. &c. was brought up, read and concurred: General Peabody, Col. Peabody, and Col. Shepard, joined.

A Vote, for a committee to join a committee of the Senate to consider what shall be done with the Money in the Treasury, was brought up, read and concurred: M^r Nathaniel Peabody, and M^r Shepard, joined.

A Vote, to postpone the hearing on the petition of Joseph Hicks to the third Wednesday of the next Session, was brought up, read and concurred.

An Act to incorporate certain Locations in the County of Grafton by the name of Bartlett, having been read a third time *Voted* that the same be enacted

A Vote, that the Secretary be requested to furnish the Several

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Voted that M^r Rand, M^r Blanchard & M^r Whitcomb with such of the Honb^l Senate as they may join be a Committee to consider of the Accounts of Josiah Gilman Nath^l Gilman & Nath^l Parker Esquires and report thereon — Sent up by M^r Wellman

Upon reading and considering the Petition of the Select men of Thornton *voted* that the Petitioners be heard thereon before the General Court on the Second Thursday of the next Session and that in the mean time the Petitioners cause that the Substance of the Petition and order of Court thereon be published in the Concord Herald three weeks Successively prior to the sitting of said Court that any person or persons may then appear and shew cause (if any they have) why the prayer thereof may not be granted —

Sent up by M^r Baker

Whereas the Inferior Court of Common pleas by Law to be holden at Dover on the third Tuesday of June Instant will happen at the time of this Court's Sitting — many members whereof and other persons obliged to attend thereon have business at said Court of Common pleas * And whereas the General * 14-26 Sessions of the Peace for said County stand adjourned to the first Thursday next following the third Tuesday of June. Therefore *Resolved* that the said Inferior Court of Common pleas by Law to be holden at Dover on the third Tuesday of June Instant as well as said Court of General Sessions be and hereby are adjourned to the Second Tuesday in July next then to be holden at said Dover and all writs pleas and processes returnable to said Courts of Common pleas and quarter Sessions held as aforesaid shall be returned and Sustained at the said Courts to be holden on the Second Tuesday of July next at said Dover —

Sent up by M^r Smith

The Speaker being absent motion was made for the choice of a Speaker Protempore and William Page Esq^r was chosen for that purpose —

Voted that M^r Warner, M^r Dole & M^r Gibson with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Elisabeth M^cClary and report thereon —

Sent up by M^r Tarlton

The Committee on the Petition respecting Starks & M^cMillans Locations reported that the Locations granted to Andrew M^cMillan, William Starks, Phillip Bayley Vera Royce and James Gray all Situate in the County of Grafton and near Conway and contiguous to each other be classed together in One district & Impowered to choose necessary officers for Assessing and collect-

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Voted that M^r Badger, M^r Gains, & M^r Allen with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of the Selectmen of Wendall & report thereon—

Sent up by M^r Young

* Upon reading and considering the Petition of the * 14-36 Select men of Lyman and the report of a Committee thereon *voted* that the Petitioner be heard thereon before the General Court on the Second Friday of the next Session and that in the mean time the Petitioners cause that the Substance of the Petition and order of Court thereon be published three weeks Successively prior to the sitting of said Court in one of the New Hampshire News papers that any person or persons may then appear and shew cause why the prayer thereof may not be granted—

Sent up by M^r Young

The Committee on the Petition of Elisabeth M^cClarey reported that the Petitioner be heard thereon before the General Court on Some day in the next Session— On reading said report Motion was made to accept the Same on which motion the yeas and nays were called and are as follows viz.,

Yeas.	Yeas.	Yeas.	Yeas.
M ^r Blanchard	M ^r Warner	M ^r Temple	M ^r Duncan
M ^r Brown	M ^r Clark	M ^r M Smith	M ^r Baker
M ^r M ^c Clarey	M ^r Wallace	M ^r Rand	M ^r Burnam
M ^r Gibson	M ^r Shepherd	M ^r Wellman	M ^r Dow
M ^r Kellie	M ^r Stiles	M ^r Grout	M ^r Crawford
M ^r Palmer	M ^r Whitcomb	M ^r Penniman	M ^r Young
M ^r N Hoit	M ^r Prescott	M ^r Morse	M ^r Eames
M ^r Copp	M ^r Alexander	M ^r Kimball	M ^r Badger
M ^r M ^c Millan			
Nays.	Nays.	Nays.	Nays.
M ^r White	M ^r E Smith	M ^r Cragin	M ^r Lane
M ^r Eastman	M ^r Hale	M ^r Gerrish	M ^r Holmes
M ^r Plummer	M ^r Giles	M ^r Page	M ^r Stone
M ^r Chamberlain	M ^r Barrett	M ^r Gaskill	M ^r Dame
M ^r Bartlett	M ^r Abbott	M ^r Allen	

33 Yeas — 19 Nays — So it was Accepted —

Whereupon *voted* that the Petitioner be heard thereon before the General Court on the Second Friday of the next Session and that in the mean time the Petitioner *cause * 14-37 that Nathanael Gilman the Petitionee be served with a Copy of the Petition and order of Court thereon three weeks prior to the Sitting of said Court that he may then appear and Shew cause why the prayer thereof may not be granted and that the

Execution against the Petitioner be stayed until the decision of the General Court— Sent up by M^r Gaskill

Upon reading and considering the Petition of Moody Bedel *voted* that the prayer thereof be granted and that he have leave to bring in a Bill accordingly— Sent up by M^r Dow

The Committee to take under consideration the Act of Congress respecting Light Houses &c and report whether the light house in this State and what territory shall be ceded to the United States— Reported that the light house in this State with one quarter of an Acre of Land adjoining be ceded to the United States— which report being read and considered *voted* that it be received and Accepted & that a Bill be brought in for that purpose— Sent up by M^r Wentworth

Upon reading and considering the Petition of William Burrows Jun^r *voted* that the Petitioner be heard thereon before the General Court on the Second Thursday of the next Session and that in the mean time the Petitioner cause that James Butterfield the Petitionee be served with a Copy of the Petition and order of Court thereon within Six weeks from this time that he may then appear and Shew cause if any he hath why the prayer thereof may not be granted and that the Execution against said burrows be stayed until the decision of the General Court—

Sent up by M^r Burnam

Voted that M^r Giles, M^r Plummer, M^r Barrett, M^r Dow & M^r Duncan with Such of the Honb^l Senate as they may join be a Committee to take under consideration a letter from M^r Thomas Odiorne to the Honb^l the Speaker of this House and report thereon— Sent up by M^r Giles—

* 14-38 * *Voted* that M^r Sherburne, M^r Barrett, M^r White M^r Eames & M^r Whitcomb, with such of the Honb^l Senate as they may join be a Committee to draught a Bill for establishing permanent and Honb^l Salaries for the Honb^l Justices of the Superior Court of Judicature for this State and lay the Same before this House— Sent up by M^r Gerrish

Voted that M^r Sherburne, M^r Copp, M^r J Smith, M^r Page & M^r Dow with such of the Honb^l Senate as they may join be a Committee to take under consideration what business is yet necessary to be done at this session and at what time and to what time and place this Court shall be adjourned also consider what allowance shall be made to the Members of the Honb^l Senate & House of Representatives & their Officers for travel & attendance at the present Session and report thereon—

Sent up by M^r Wallace

have the same power to settle the estate as she w^d have had had she remaind a wid^o & giving her leave to bring in a bill accd^{ly} was brot up read & concd

* 3-482 *A vote to hear the petⁿ of Rich^d Sincler [Jun^r] on the 27th of Jan^r current was brot up read & concurred

A vote to postpone the hearing which were to have been this day until to morrow was bro^t up read and concurred—

Adj^d till to morrow morning 9 o'clock

FRIDAY JAN^r 14th 1791

Met according to Adjournment

Present as yesterday

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider on the petⁿ of J. Clifford & A Brainard was bro^t up, read & concurred M^r Webster joined

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Joseph Hussey was bro^t up read & concurred M^r Waldron joined—

An Act to impower the Inhabitants of New Chester & Bridgewater in the County of Grafton, to levy a tax on all Lands (public lands excepted in s^t Towns for making & repairing the highways— having been read a third time *voted* that the same be enacted

A vote that a Com^{tee} be added to the Com^{tee} on the mode of hearing petitions was bro^t up read & concurred

The Senate agreeably to a vote of yesterday met with the Hon House of Rep in one room and by joint ballot proceeded to ballot for a Senator—the ballots being taken it appeared that the Hon Christ^o Toppan Esq was elected A Senator in the room of the Hon O [Oliver] Peabody who has resigned his Seat at the Senate board the Senate then retired to their own room.—

A vote granting the prayer of the Petⁿ of Elis^a M^cClary and giving her leave to bring in a bill accordingly was brot up read and concurred

A vote to postpone the hearing on the petⁿ of G Tiffany until Tuesday next was brot up read and concurred.

A vote to hear the Petⁿ of B [Col.] Stone on the Second Tuesday of the next Session was brot up read & concurred

A vote granting the prayer of the petⁿ of the Inhabitants of Wolfborough & giving them leave to bring in a bill accordingly was brot up read & concurred

A vote to postpone the hearing of the petⁿ of the Town of Cov-

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TUESDAY JAN^y 25 1791

met according to Adjournment

Present as on Saturday last

A vote that the Excise on all excisable Articles from & after the first day of Octo last to the first day of Jan^y instant be collected in the same way & manner as has heretofore been legally practised excepting only that no person who will render a true acc^o on Oath shall be liable to any prosecⁿ for sell^g without license &c and that an Act or Resolve be passed for that purpose was bro^t up read & concurred

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Jon^s Chase Esq was brot up read & concurred M^r Smith & M^r Webster joined—

A vote so far granting the prayer of the petⁿ of Mary Neal & John Neal as that they have leave to bring in a bill for confirming the title of the heirs & assigns of John Neal Esq Dec^d of, in & to certain lands & was brot up read & concurred.

A vote to pay Geo. J. Osborne £65.7.3 for printing was bro^t up read & concurred—

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ from Cornish & Plainfield was brot up read & concurred M^r Smith & M^r Webster joined

A vote for a Com^{tee} to join a Com^{tee} of the Senate to consider of the petⁿ of Rebecca Barrett was brot up read & concurred M^r Wallace & M^r Bell joined—

An Act to restore Elisabeth M^cClary to her law having been read a third time *voted* that the same be enacted

An Act in addition to an Act passed March 18. A D 1780 entitled an Act in addition to an Act entitled an Act to confiscate the estates of sundry persons therein named passed A D 1778 having been read a third time *voted* that the same be enacted—

* An Act in addition to and to alter an Act intituled an Act to set off & incorporate a number of Inhabitants living in the north west part of Amherst into a parish passed 24th day of Jan^y A D 1789 having been read a third time *voted* that the same be enacted.

Adjd till tomorrow morning 9 °Clock

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Upon hearing and considering the Petition of the Inhabitants of Wolfborough *voted* that the prayer thereof be granted and that they have leave to bring in a Bill accordingly—

Upon hearing and considering the Petition of the Inhabitants of Wendall Lempster Unity Fishersfield and Newport, motion was made that the prayer thereof be granted on which motion the yeas and Nays were called and are as follows (viz)

Yeas.	Yeas.	Yeas.	Yeas.
M ^r Gains	M ^r Palmer	M ^r Stiles	M ^r Penniman
M ^r Sherburne	M ^r Giles	M ^r Whitcomb	M ^r Morse
M ^r Wentworth	M ^r Dole	M ^r Prescott	M ^r Duncan
M ^r Blanchard	M ^r Warner	M ^r Temple	M ^r Burnam
M ^r Weeks	M ^r Parker	M ^r M Smith	M ^r Crawford
M ^r Eastman	M ^r Abbott	M ^r Rand	M ^r E Hoit
M ^r Cilley	M ^r Fifield	M ^r Allen	M ^r Payne
M ^r Clough	M ^r Gerrish	M ^r Lane	M ^r Young
M ^r Bartlett	M ^r Shepherd	M ^r Holmes	M ^r Eames
M ^r Gibson			
Nays.	Nays.	Nays.	Nays.
M ^r Connor	M ^r Bradley	M ^r Emerson	M ^r Wellman
M ^r Macgregore	M ^r Jo ^s Smith	M ^r Barrett	M ^r Grout
M ^r Brown	M ^r Kellie	M ^r Clark	M ^r Stone
M ^r White	M ^r Hale	M ^r Cragin	M ^r Kimball
M ^r Plummer	M ^r Badger	M ^r Flanders	M ^r Baker
M ^r Hill	M ^r Bedee	M ^r Page	M ^r Freeman
M ^r M ^c Clarey	M ^r N Hoit	M ^r Alexander	M ^r Dame
M ^r Chamberlain	M ^r Taylor		

37 Yeas — 30 Nays — so the prayer of said Petition was granted and the Petitioners hath leave to bring in a Bill accordingly—

Adjourned to 3 oClock P M.

Met accordingly—

Voted that the hearing on the Petition from the Town of Coventry which was to have been this day before the General Court be postponed until the third Wednesday of next Session * 14-89 of which all persons concerned are to take * notice and govern themselves accordingly—

Agreably to the order of the day proceeded to a hearing on Petitions—

Upon hearing and considering the Petition of William Burroughs Jun^r *voted* that the prayer thereof be granted and that the Petitioner have leave to bring in a Bill accordingly

Upon hearing and considering the Petition of Elisabeth M^cClarey *voted* that the prayer thereof be granted and that the Petitioner have leave to bring in a Bill accordingly—

said day of hearing that any person or persons may then appear and shew cause why the prayer thereof may not be granted—

Sent up by M^r Brown

Voted that M^r Barrett M^r Hoit and M^r Macgregore with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Mary Neal and John Neal and report thereon—

Sent up by M^r Brown

Voted that the Account of George Osborne be referred to the Committee on the account of George Hough and that they report thereon—

Sent up by M^r Alexander

Voted that M^r Macgregore, M^r Gibson & M^r Abbott with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of John Orr Esq^r & report thereon

Sent up by M^r Alexander—

* 14-103 * *Voted* that M^r Page M^r Crawford & M^r Bartlett with such of the Honb^l Senate as they may join be a Committee to consider of the Petition of Doct^r Nathan Smith and report thereon—

Sent up by M^r Kimball

An Act to incorporate a tract of Land lying south of Peterborough in the County of Hillsborough was read a third time and passed to be Enacted—

Sent up by M^r Young & M^r Emerson

The Committee on the Petition of Love Rannels reported that the prayer of said Petition be granted and that she have leave to bring in a Bill accordingly which report being read and considered voted that it be received and accepted—

Sent up by M^r Burnam

An Act to restore Elisabeth M^cClarey to her Law—was read a third time and passed to be Enacted—

Sent up by M^r Clough & M^r Flanders—

An Act to enable the Select men of New London in the County of Hillsborough to assess Levy and collect a Tax on all the Lands of Nonresident proprietors in said Town of three pence ³/₄ acre for the purpose of repairing the public roads in said New London, was read a third time and passed to be Enacted—

Sent up by M^r Clough & M^r Flanders

An Act to empower the Select men of Orange to Assess a Tax of a half penny upon an Acre Annually for the term of three years upon all the unimproved lands in said Town for the purpose of making and repairing highways in said Town—was read a third time and passed to be Enacted—

Sent up by M^r Clough & M^r Flanders

[CHAPTER 18.]

*State of
New Hampshire.* }

AN ACT TO ENABLE MARY TUFTON MASON TO TAKE AN APPEAL FROM A CERTAIN DECREE OF THE COURT OF PROBATE FOR THE COUNTY OF ROCKINGHAM TO THE SUPERIOR COURT, NEXT TO BE HOLDEN IN THE SAME COUNTY—

[Passed December 19, 1791. Original Acts, vol. 13, p. 44; recorded Acts, vol. 6, p. 462.]

Whereas Mary Tufton Mason of Brigden in the County of Huntington in the Kingdom of Great Britain—Widow, hath represented to the General Court, that as executrix of the last will and Testament of her late husband John Tufton Mason Esquire, deceased, She hath caused the proper Copy of his Will to be filed in the Register's office of the said Court of Probate, and that without her knowledge Administration cum Testamento annexo hath been granted on his Estate to Doctor Nathaniel Appleton Haven, and by accident she hath lost the legal right of appeal from said decree granting said administration, praying that she may be allowed to take out her appeal therefrom such Accident, and the lapse of time notwithstanding, which facts being proved, & said prayer appearing reasonable, Therefore

Be it enacted by the Senate and House of Representatives in general Court convened, that the said Mary Tufton Mason be, and she is hereby enabled and empowered to take out an appeal at any Time within sixty days from this Time, from said decree, granting administration as aforesaid, (giving bond and notice as the Law requires,) to the Superior Court next to be holden at Portsmouth in said County, and to enter and prosecute said appeal thereto; and have judgment thereon, as though the same had been taken within the Time, and in the manner prescribed by Law, any lapse of time or Law to the contrary notwithstanding—

[CHAPTER 19.]

*State of
New Hampshire.* }

AN ACT TO LAY A TAX OF ONE PENNY $\frac{3}{4}$ ACRE ON THE NON-RESIDENTS LANDS IN OSS�PEE FOR THE PURPOSE OF MAKING AND REPAIRING HIGH WAYS.—

[Passed December 21, 1791. Original Acts, vol. 13, p. 45; recorded Acts, vol. 6, p. 463.]

Whereas a Petition hath been preferred to the General Court in behalf of the Inhabitants of Ossipee, praying for a Tax of two pence $\frac{3}{4}$ Acre on the Lands of the Nonresidents in said Ossipee,

humbly pray your Honors will appoint a proper Committee with full powers, to look out survey and Establish a Public road from Durham falls, directly to Concord as near straight as the nature of the Land will admit, or take such other order, as your Honors may conceive most for the public good, Novem^r 28th 1791 —

William Duncan	Jeremiah Libbey	Abel Harris
Robert Harris	Daniel Rindge	John Goddard
Tim ^o Walker	Thomas Sheafe	W ^m Gardner
Reuben Kimbal	Samuel Hill	

The committee on the within petition report

That a proper committee be appointed with full powers to look out survey and establish a public road from Concord to Durham falls and to Newmarket bridge and shall direct what Compensation shall be made to any individuals injured by the road running thro' their Lands —

the expences and time of said committee shall be paid by the state and all other expences of laying out & maintaining said Road shall be defrayed as the Law in such cases directs — The Committee beg leave to report the annexed Bill

James Sheafe for the Com^o

[8-52] [*Petition of Mary Tufton Mason.*]

State of New Hampshire } To the Hon^{ble} the Senate and House of Representatives now in General Court convened in Portsmouth in said State.

The Petition of Mary Tufton Mason of Bugden in the County of Huntington in Great Britain, Widow and Relict of John Tufton Mason Esq^r deceased Humbly sheweth,

That your Petitioner being appointed Sole Executrix of the last Will and Testament of said deceased, caused the proper Copy thereof to be filed in the Register's Office of the Court of Probate for the County of Rockingham, as he had estate here to be administered upon — That Doctor Nath^l Appleton Haven hath applied to said Court for administration on said Estate with the will annexed, and it hath been granted him. —

That it has so happened from the absence of your Petitioner's Agent and other causes, that this has been done without her knowledge or that of her Agent until after the time allowed for appealing from that Decree granting Administration was closed.

That this is evident to the satisfaction of the said Haven, who therefore joins his consent with her desire that she may have liberty granted her yet to appeal from said Decree to the next Superior Court to be holden in said County, the foregoing accidental Lapse of time notwithstanding —

Wherefore she prays your Honours to order and enact that She may yet have Liberty to take out an Appeal from said Decree, (giving bond to prosecute it) to Said next Superior Court, as the Supreme Court of Probate, and enter and prosecute said appeal as tho' taken out in time — And She as in Duty bound shall ever pray &c

Portsmouth Dec^r 7th 1791.

Tho^s Martin Attorney
to the said
Mary Tufton Mason

I hereby agree to the foregoing Representation, and consent that an Appeal as aforesaid should be granted —

Nath^l A. Haven.

State of New Hampshire —

In the House of Representatives Dec^r 9th 1791

Upon reading and considering the within petition voted that the prayer thereof be granted and that a Bill be brought in accordingly —

Sent up for Concurrence

William Plumer Speaker

In Senate the same day read & concurred

J. Pearson Sec^r

[8-53] [*James McGregor, Commissioner of Claims.*]

Portsmouth Dec^r 7th 1791

Sir In pursuance of the trust reposed in me as one of the Commissioners for stating & proving the Claims of this State against the United States, I on the 25th day of October last called upon M^r Woodbury Langdon (who was then in this Town) for information respecting the progress that had been made towards a Settlement of our Accounts and what further steps were necessary to be taken on the part of the State to procure them Justice, his answer I think was that he neither knew the State or me in the bussiness and that he should make no communications to me upon the subject if I was then a little surprised at this answer I cannot help saying, that I am much more so upon being informed by a friend in Philadelphia that he M^r Langdon

and the person or persons so agreed with is hereby impowered to levy and collect the same as fully and effectually as any Constable or Collector is by law Authorised to do by the Laws of this State and shall be answerable for the Taxes outstanding at the time of the Death of the former Constable or Collector in the same manner as other Collectors are by law answerable for the Taxes committed to them to collect. And the Executor or Administrator of the former Constable or Collector shall be answerable for all Sums received by their Testator or Intestate in his life time.—

And be it further enacted that when any Constable or Collector shall abscond without having collected the Taxes to them committed other Constables or Collectors may be appointed in the manner aforesaid to complete the collection and shall have all the power and authority given to other Collectors of Taxes by the Laws of this State.

[CHAPTER 2.]

*State of
New Hampshire.* }

AN ACT TO RESTORE ELIZABETH LAMSON TO HER LAW—

[Passed December 25, 1786. Original Acts, vol. 10, p. 77; recorded Acts, vol. 5, p. 288.]

Whereas Elizabeth Lamson of Exeter in the County of Rockingham Widow, hath Petitioned the General Court setting forth,—That she is Administratrix of the Estate of John Lamson late of Exeter aforesaid Physician deceased—That the said John at the time of his death owed to Jonathan Tilton of Kensington in said County Fifty pounds, for which sum he had given said Tilton his Note of hand—That said Tilton in the Year 1777 call'd on the Petitioner for the Money due on said Note—That the Petitioner, in consequence of the earnest application of said Tilton, call'd on Persons indebted to the said John's Estate, & received from them monies which had long been due to said Estate, & paid to said Tilton twenty seven pounds fifteen shillings in part of said Note, which sum was indorsed on the same—That the said Tilton commenced an Action against the Petitioner to be heard & tried at the Inferior Court of Common Pleas held at Portsmouth on the first Tuesday of February last—That the Petitioner by her Agent applied to an Attorney to take care of said Action at said Court, who not recollecting said application suffered the Petitioner to be defaulted, & Judgment was rendered against her for the sum of said Note, with the interest thereon, deducting nine pounds only, for the twenty seven pounds fifteen shillings indorsed as aforesaid—And Praying to be restored to

her law, that the default aforesaid, might be taken off, & that she might be allowed to appeal from the Judgment of the Court aforesaid to the Superior Court—which appearing just & reasonable—Therefore

Be it enacted by the Senate and House of Representatives in General Court Convened, that the said Elizabeth Lamson be restored to her law, that the default aforesaid be taken off, & that she be permitted to carry the Action aforesaid in which the Judgment aforesaid was obtained to the Superior Court of Judicature next to be holden at Portsmouth in the County of Rockingham on the fourth Tuesday of April next, & to enter the same there, & there to defend said Action until final Judgment therein, in as full & ample a manner as if she had not been defaulted in the same, and it now stood open for trial—And the Justices of said Superior Court of Judicature are hereby authorised impowered and directed to take cognizance of, & sustain the same, in the same manner they might have done had the said Elizabeth not been defaulted, & the Action been regularly appealed—Any Law Usage or custom to the Contrary notwithstanding—

[CHAPTER 3.]

*State of
New Hampshire.* }

AN ACT TO VEST THE UNITED STATES IN CONGRESS ASSEMBLED,
WITH FULL POWER TO REGULATE TRADE, AND ENTER INTO
TREATIES OF COMMERCE.—

[Passed December 28, 1786. Original Acts, vol. 10, p. 78; recorded Acts, vol. 5, p. 289. Laws, 1780 ed., p. 425. Repeals acts of November 5, 1784, June 23, 1785, and June 19, 1786. Repealed by act of June 20, 1792.]

Whereas Treaties of Commerce, and a due regulation of Trade, through the United States of America are become absolutely necessary: Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, That the United States in Congress assembled, be, and they hereby are vested with full power and authority, on the part and behalf of this State, to make and enter into such general Ordinances and Treaties, for the due regulation of the Trade and Commerce of the United States, as they may judge best calculated to promote the weal and prosperity thereof.

And be it further enacted. That all the Fees profits and emoluments, arising from such regulations of Trade and Treaties of Commerce, shall be appropriated to the Sole use of discharging the public debt.—

division, and be commanded by a Major General to be appointed agreeably to the Constitution for that purpose; and that the Brigades now commanded by the following Brigadiers viz. Bellows Dow and Blanchard constitute another division and be commanded by a Major General to be appointed as aforesaid. Sent down for concurrence. by M^r Webster, Brough[t] up concurr'd June 20th 1786.

A Vote for a committee to Join a committee of the Senate to consider what is best to be done with the old Continental Currency now in the Treasury and in the hands of Individuals of this State, and report thereon, was brought up read and concurred. M^r Wentworth and M^r Gilman were joined.

A Vote for a committee to join a committee of the Senate to draught a bill for regulating the times and places for holding the several Courts of Probate within this State, was brought up read and concurred M^r Thornton and M^r Wentworth joined

A Vote to allow the account of John Melcher amounting to three pounds six shillings and four pence for printing, was brought up read and concurred.

A Vote to allow and pay the Rool of Capt. M. Bell amounting to eight pounds, was bro't up read and concurred.

A Vote to hear the petition of Thomas Stevens on Wednesday the 21st day of June current was brought up read and concurred.

* 2:147 * A Vote for a committee to Join a committee of the Senate to consider of the petition of Mary Conner and Joseph Drew and report thereon, was brought up, read and concurred, M^r Baker joined.

A Vote for a committee to join a committee of the Senate to consider of the petition of Enoch Richardson and others and report thereon, was brought up read and concurred, M^r Bellows joined.

A Vote to hear the petition of William Thomas on the third Wednesday of their next Session was brought up read and concurred.

A Vote to hear the petition of the Selectmen of Packersfield on the third Thursday of their next Session was brought up read and concurred.

A Vote for a committee to join a committee of the Senate to consider of the account of Benjamin Biggelow and report thereon, was brought up, read and concurred, M^r Baker and M^r Wentworth joined.

A Vote to hear the petition of Elizabeth Lamson on the third Wednesday of their next Session was brought up read and concurred.

A Vote for a Committee to join a Committee of the Senate to consider of the petition of Martha Wait and report thereon, was brought up read and concurred, M^r Shepard joined.

[1786

Upon reading and considering the petition of Elisabeth Lamson, praying to be restored to her law in a certain action, *Voted*, That the petitioner be heard thereon before the General Court on the third Wednesday of their next session, and that in the mean time the petitioner cause that Jonathan Tilton, of Kensington, be served with a copy of the petition and order of court thereon, that he may then appear and shew cause (if any he hath) why the prayer thereof may not be granted; and that the execution against said Elisabeth be stayed until the decision of the General Court. [Sent up by M^r Holmes.]

Upon reading and considering the petition of William Thomas, praying for the privilege of a ferry, *Voted*, That the petitioner be heard thereon before the General Court on the third Wednesday of their next session, and that in the mean time the petitioner cause that a copy of the petition and order of court thereon be posted up in some publick place in the town of Chesterfield three weeks successively, that any person or persons may then appear and shew cause (if any they have) why the prayer thereof may not be granted.

[Sent up M^r Chesley.]

Adjourned to 8 o'clock to-morrow morning.

TUESDAY, JUNE 13, 1786.

The House met according to adjournment.

Upon reading and considering the petition of the selectmen of Charlestown, praying for the privilege of a ferry; *Voted*, That the petitioners be heard thereon before the General Court on the third Wednesday of their next session, and that in the mean time the petitioners cause that the substance of the petition and order of court thereon, be published three weeks * successively * 13:125 in one of the New Hampshire papers, that any person or persons may then appear and shew cause (if any they have) why the prayer thereof may not be granted. [Sent up by Maj^r Hale.]

Voted, That Mr. Robinson, Mr. Marsh and Mr. Knowles, with such of the honourable Senate as they shall join, be a committee to consider of the petition of Thomas Davis, and report thereon.

[Sent up by Maj^r Young.]

Voted, That Mr. Robinson, Mr. Holmes and Mr. Wheeler, with such of the honourable Senate as they shall join, be a committee to consider of the petition of Simeon Dearborn, Esq. and report thereon.

[Sent up by M^r Holmes.]

Voted, That Mr. Gibson, Mr. Pickering, Mr. M^r Murphy, Major Wallace, Major Hale, honourable Mr. Langdon, and Mr. Bedee, with such of the honourable Senate as they shall join, be a committee to

An Act for altering, repairing and making fit for the passing of Carts and Waggon, the road from the Town of Conway to the upper Coos; and also for cutting a new road from the said Road which is now used, to the Town of Gunthwait or to the Town of Littleton formerly called Anthrop [Apthorp], was read a third time, *voted* that the same be enacted.

Adjourned 'till to-morrow 9, O'Clock.

SATURDAY, SEPTEMBER 23^d, 1786.

Met according to adjournment.

Present as Yesterday.

IN SENATE September the 23^d, 1786.

Resolved, that there be an addition of three Companies to the first Regiment *Of Light Horse commanded by * 2: 202 Colonel Amos Cogswell, sent down for concurrence by Col. Shepard brough[t] up concurred.

A Vote that the Treasurer be directed to Issue Certificates for 25 p^r Cent of the principal of all State Securities in addition to the Certificates for interest to any person or persons. that are holders of said Securities that may request the same and that said Certificates be received in payment of all State Taxes which are payable in facilities was brought up, read and concurred with this amendment, that 15 instead of 25 p^r Cent, sent down, brought up, concurred.

A Vote that the President with advice of Council be desired to adjourn the General Court to the second Wednesday in December next then to meet at Concord, was brought up, read and concurred with this amendment to meet at Portsmouth instead of Concord.

An Act to authorize empower Ebenezer Harvey of Chesterfield in said State to compleat the Collection of taxes in said Town for the years 1781, and 1783, was read a third time, and *voted* that the same be enacted.

A Vote granting the prayer of the petition of Elizabeth Lamson and giving her leave to bring in a bill at this or the next Session, was brought up, read and concurred.

A Vote to pay James Folsom 43/6 in full for a Case for State papers, was brought up, read and concurred : warrant granted.

*A Resolve authorizing the Selectmen of Warren to * 2: 203 take an Inventory of the Polls and Estates in said Town, was brought up, read and concurred.

A Vote that the Treasury be directed to use his discretion with respect to Issuing Extents, was brought up, read and concurred.

and six pence, in full for his account for a case for state papers, and that the President give order on the Treasurer for said sum.

[Sent up by M^r Copland.]

Adjourned to three o'clock P. M.

Met accordingly.

Upon hearing and considering the petition of William Thomas,¹ praying for the privilege of a ferry [over a certain part of Connecticut river,] *Voted*, That the prayer thereof be granted, and that [he] the petitioner have leave to bring in a bill accordingly, at this or the next session. [Sent up by Cap^t Stiles.]

* Upon hearing and considering the petition of Elisabeth Lamson,² praying to be restored to her law in a certain action, *Voted*, That the prayer thereof be granted, and that the petitioner have [hath] leave to bring in a bill accordingly at this or the next session. [Sent up by Cap^t Stiles.] * 13:200

Voted, That Mr. Robinson, Col. Waldron, Mr. Duncan, Captain Stiles and General Dow, with such of the honourable Senate as they shall join, be a committee to consider of a petition signed [by] Joseph French³ and Richard Adams,⁴ and report thereon.

[Sent up by M^r Duncan.]

Voted, That Captain Stiles, Col. Toppan and Col. Hale, with such of the honourable Senate as they shall join, be a committee to consider of the petition of Col. Jedediah Sangor,⁵ and others, and report thereon. [Sent up by Cap^t Stiles.]

An Act for altering, repairing, and making fit for the passing of carts and waggons, the road from the town of Conway to the upper Cooss, and also for cutting a new road from the said road which is now used to the town of Gunthwait or to the town of Littleton, formerly called Aphthorp, was read a third time and passed to be enacted. [Sent up by Cap^t Stiles & M^r Chesley.]

Agreeably to the order of the day, proceeded to hear several parties on their petitions; agreed to postpone the determination thereof till to-morrow.

Voted, That the hearings on the remainder of the petitions [which] were to have been this day, be postponed until to-morrow, of which all persons concerned are to take notice, and govern themselves accordingly. [Sent up by M^r Kingsbury.]

Adjourned for two minutes, then to meet in the Senate chamber.

Met according to adjournment [accordingly].

Voted, That his Excellency, the President, be desired to call forth a sufficient number of the militia to protect the General Court in their present session. [Sent up by M^r Hubbard.]

1. xl. Ham. Town Papers, 346.
3. xii. id. 479.

2. xii. Ham. Town Papers, 93.

4. xiii. id. 514.

MONDAY, DECEMBER 25th 1786

Met according to adjournment.

Present as on Saturday last except M^r M^cDuffee.

An Act to restore Elizabeth Lamson to her Law having been read a third time, *Voted*, that the same be enacted.

A Vote to pay the Account of John Sparhawk Esquire amounting to thirty four Shillings in full for Wood &c. was brought up, read and concurred, warrant granted.

*A Vote that John Pickering be added to the committee * 2 : 216 for draughting Impost and Exise bills, was brought up, read and concurred.

A Vote for a committee to join a committee of the Senate to examine whether there is any Laws now in force to empower the Selectmen to assess any arrearages of taxes against Towns which have been called upon by the State for Taxes in Years past and an assessment has been neglected and report thereon, was brought up, read and concurred, M^r Baker joined.

A Vote for a committee to join a committee of the Senate to consider of the petition of Abigail Hall and all similar matters and report thereon, was brought up, read and concurred, Mr Bell joined.

Adjourned till to-morrow 9. O'Clock A. M.

FRIDAY, DECEMBER 26th 1786.

Met according to adjournment.

Present all the Senate except Col John M^cClary.

A Vote that all the acts and Resolves be printed as heretofore, and the Journals in Octavo. Acts and resolves at two pence half penny p^r Sheet and the Journals at five pence p^r Sheet to be paid in Specie. unappropriation to be made of monies on the impost revenue, was brought up, read and concurred.

A Vote to Comply with the requisition of Congress of the twentieth of October 1786 respecting 260 men proportioned to this State, was brought up, read and concurred.

*A Vote, for a committee to join a committee of the * 2 : 217 Senate to consider of the petition of Enoch Barker and James Rundlet, and their accounts was brought up, read and concurred, M^r Payne joined.

Adjourned till to-morrow 9. O'Clock A. M.

may not be granted, and that the execution against said Gregg be stayed until the decision of the General Court.

[Sent up by the Col^o Runnels.]

Voted, That the honourable Mr. Langdon, Mr. Betton, Mr. Preston, Mr. Gibson, and Mr. Pickering, with such of the honourable senate as they shall join, be a committee to take under consideration the table of fees for this state, and report a bill for making such alterations and amendments as they shall judge necessary.

[Sent up by M^r Holmes.]

Adjourned to Monday next, at 3 o'clock, P. M.

MONDAY, DECEMBER 25, 1786.

The House met according to adjournment.

Voted, That the account of John Sparhawk, Esq. amounting to thirty-four shillings, be allowed and paid out of the treasury by order of the President.

[Sent up by M^r Holmes.]

An act to impower the several towns and parishes [in this state,] to chuse new constables and collectors in room of such constables and collectors as have [been] deceased or may hereafter decease, or have absconded, or shall hereafter abscond, without compleating the collection of the taxes committed to them, and to authorize such new elected constables and collectors to complete such collection, was read a third time and passed to be enacted.

[Sent up by M^r Young & M^r Peters.]

An act to restore Elizabeth Lampson to her law, was read a third time and passed to be enacted.

[Sent up by M^r Young & M^r Peters.]

Upon reading and considering the petition of Ebenezer Farnum,

Voted, That the Treasurer be directed to issue to [the] said * 13 : 216 Farnum, a new note and certificates equal in value * to the notes lost, and equal [in value] to what he might have drawn if said note had not been lost, he the said Farnum giving security that if the lost note shall be found, that he will be accountable for the note and certificates to be issued in consequence of this note.

[Sent up by M^r Johnson.]

Voted, That Mr. Pickering, Mr. Toppan, and Mr. Young, with such of the honourable Senate as they shall join be a committee to examine whether there are any laws now in force, to impower selectmen to assess any arrearages of taxes against towns which have been called upon by the state for taxes, in years past, and an assessment has been neglected, and report thereon.

[Sent up by M^r Foster.]

Voted, That Mr. Robinson, Mr. Leavitt, and Mr. Peters, with such of the honourable Senate as they shall join, be a committee to con-

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A GENERAL
DICTIONARY
OF THE *late Buchanan*
ENGLISH LANGUAGE.

One main Object of which, is, to establish a plain and permanent
STANDARD of PRONUNCIATION.

TO WHICH IS PREFIXED
A RHETORICAL GRAMMAR.

By THOMAS SHERIDAN, A. M.

QUO MINUS SUNT FERENDI QUI HANC ARTEM UT TENUEM AC JEJUNAM CAVIL-
LANTUR; QUÆ NISI ORATORI FUTURO FUNDAMENTA FIDELITER JECERIT, QUICQUID
SUPERSTRUXERIS, CORRUET. NECESSARIA PUERIS, JUCUNDA SENIBUS, DULCIS SECRE-
TORUM COMES; ET QUÆ VEL SOLA, OMNI STUDIORUM GENERE, PLUS HABET OPERIS,
QUAM OSTENTATIONIS.

QUINCT. L. I. C. 4.

L O N D O N :

PRINTED FOR J. DODSLEY, PALL-MALL; C. DILLY, IN THE POULTRY;
AND J. WILKIE, ST. PAUL'S CHURCH-YARD.

MDCCLXXX.

1780

C A U

CAVERNOUS, ká'úr-nús. a. Full of caverns.
 CAVESSON, ká'éf-sún. f. A noseband.
 CAUF, ká'f. f. A chest with holes, to keep fish alive in the water.
 CAUGHT, ká't. part. pass. from To catch.
 CAVIARE, ká'í'r. f. The eggs of a sturgeon salted.
 To CAVIL, ká'íl. v. n. To raise captious and frivolous objections.
 To CAVIL, ká'íl. v. a. To receive or treat with objections.
 CAVIL, ká'íl. f. A false or frivolous objection.
 CAVILLATION, ká'íl-lá'-shún. f. The disposition to make captious objection.
 CAVILLER, ká'íl-úr. f. An unfair adversary, a captious disputant.
 CAVILLINGLY, ká'íl-líng-lý. ad. In a cavilling manner.
 CAVILLOUS, ká'íl-lús. a. Full of objections.
 CAVITY, ká'íl-tý. f. Hollowness, hollow.
 CAUK, ká'k. f. A coarse talky spar.
 CAUL, ká'l. f. The net in which women inclose their hair, the hinder part of a woman's cap; any kind of small net; the integument in which the guts are inclosed; a thin membrane inclosing the head of some children when born.
 CAULIFEROUS, ká'líf'-fě-rús. a. A term for such plants as have a true stalk.
 CAULIFLOWER, kól'-lý-flow-úr. f. A species of cabbage.
 CAUSABLE, ká'zábl. a. That which may be caused.
 CAUSAL, ká'zál. a. Relating to causes.
 CAUSALITY, ká-zál'-l-tý. f. The agency of a cause, the quality of causing.
 CAUSATION, ká-zá'-shún. f. The act or power of causing.
 CAUSATIVE, ká'zá-tív. a. That expresses a cause or reason.
 CAUSATOR, ká-zá'-túr. f. A causer, an author.
 CAUSE, ká'z. f. That which produces or effects any thing, the efficient; the reason, mo-

C A Y

tive to any thing; subject of litigation; party.
 To CAUSE, ká'z. v. a. To effect as an agent.
 CAUSELESSLY, ká'z-líf-lý. ad. Without cause, without reason.
 CAUSELESS, ká'z-lís. a. Original to itself; without just ground or motive.
 CAUSER, ká'zúr. f. He that causes, the agent by which an effect is produced.
 CAUSEY, } ká'f-wá. } f. A way raised and
 CAUSEWAY, } paved, above the
 rest of the ground.
 CAUSTICAL, ká'f-tý-kál. } a. Belonging to
 CAUSTICK, ká'f-tík. } medicaments
 which, by their violent activity and heat, destroy the texture of the part to which they are applied, and burn it into an eschar.
 CAUSTICK, ká'f-tík. f. A caustick or burning application.
 CAUTEL, ká'tél. f. Caution, scruple.
 CAUTELOUS, ká'tě-lús. a. Cautious, wary; wily, cunning.
 CAUTELOUSLY, ká'tě-lúf-lý. ad. Cunningly, sily, cautiously, warily.
 CAUTERIZATION, ká'tě-rí-zá'-shún. f. The act of burning with hot irons.
 To CAUTERIZE, ká'tě-ríze. v. a. To burn with the cautery.
 CAUTERY, ká'tě-rý. f. Cautery is either actual or potential; the first is burning by a hot iron, and the latter with caustick medicines.
 CAUTION, ká'-shún. f. Prudence, foresight, wariness; provisory precept; warning.
 To CAUTION, ká'-shún. v. a. To warn, to give notice of a danger.
 CAUTIONARY, ká'-shò-nér-ý. a. Given as a pledge, or in security.
 CAUTIOUS, ká'-shús. a. Wary, watchful.
 CAUTIOUSLY, ká'-shúf-lý. ad. In a wary manner.
 CAUTIOUSNESS, ká'-shúf-nis. f. Watchfulness, vigilance, circumspection.
 To CAW, ká'. v. n. To cry as the rook, or crow.
 CAYMAN, ká'-mán. f. American alligator or crocodile.

To

C A S

- ditions as the person to whom it is sent thinks proper.
- CARTEL**, kár-tél'. f. A writing containing stipulations.
- CARTER**, kár-túr. f. The man who drives a cart.
- CARTILAGE**, kár-tí-lidzh. f. A smooth and solid body, softer than a bone, but harder than a ligament.
- CARTILAGINEOUS**, kár-tý-lá-jý'-nyús. }
CARTILAGINOUS, kár-tý-ládzh'-i-nús. }
 a. Consisting of cartilages.
- CARTOON**, kár-tó'n. f. A painting or drawing upon large paper.
- CARTOUCH**, kár-tó'tsh. f. A case of wood three inches thick at the bottom, holding balls. It is fired out of a hobit or small mortar.
- CARTRAGE**, } ká'r-tridzh. } f. A case of
CARTRIDGE, } paper or parchment filled with gunpowder, used for the greater expedition in charging guns.
- CARTRUT**, ká'rt-rút. f. The track made by a cart wheel.
- CARTULARY**, ká'r-tú-lá-ry. f. A place where papers are kept.
- CARTWRIGHT**, ká'rt-rit. f. A maker of carts.
- To **CARVE**, ká'rv. v. a. To cut wood, or stone; to cut meat at the table; to engrave; to chuse one's own part.
- To **CARVE**, ká'rv. v. n. To exercise the trade of a sculptor; to perform at table the office of supplying the company.
- CARVER**, ká'r-vúr. f. A sculptor; he that cuts up the meat at the table; he that chooses for himself.
- CARVING**, ká'r-ving. f. Sculpture, figures carved.
- CARUNCLE**, kár'-únl. f. A small protuberance of flesh.
- CASCADE**, káf-ká'de. f. A cataract, a water-fall.
- CASE**, ká'fe. f. A covering, a box, a sheath; the outer part of a house; a building unfinished.
- CASE-KNIFE**, ká'fe-nife. f. A large kitchen-knife.

C A S

- CASE-SHOT**, ká'fe-shót. f. Bullets inclosed in a case.
- CASE**, ká'fe. f. Condition with regard to outward circumstances; state of things; in physics, state of the body; condition with regard to leanness, or health; contingency; question relating to particular persons or things; representation of any question or state of body, mind, or affairs; the variation of nouns; In case, if it should happen.
- To **CASE**, ká'fe. v. a. To put in a case or cover; to cover as a case; to strip off the covering.
- To **CASEHARDEN**, ká'fe-hárdn. v. a. To harden on the outside.
- CASEMATE**, ká'fe-máte. f. A kind of vault or arch of stone work.
- CASEMENT**, ká'ze-mént. f. A window opening upon hinges.
- CASEWORM**, ká'fe-wúrm. f. A grub that makes itself a case.
- CASH**, kásh'. f. Money, ready money.
- CASH-KEEPER**, kásh'-ké-púr. f. A man entrusted with the money.
- CASHEWNUT**, ká-shó'-nú. f. A tree.
- CASHIER**, káf-shé'r. f. He that has charge of the money.
- To **CASHIER**, káf-shé'r. v. a. To discard, to dismiss from a post.
- CASK**, kásk'. f. A barrel.
- CASQUE**, kásk'. f. A helmet, armour for the head.
- CASKET**, kás'-kit. f. A small box or chest for jewels.
- To **CASSATE**, kás'-fáte. v. a. To vacate, to invalidate.
- CASSATION**, káf-fá'-shún. f. A making null or void.
- CASSAVI**, kás'-sá-vý. } f. An American
CASSADA, kás'-fá-dá. } plant.
- CASSIA**, kás'-shyá. f. A sweet spice mentioned by Moses.
- CASSIOWARY**, kás'-shó-wá-ry. f. A large bird of prey.
- CASSOCK**, kás'-súk. f. A close garment.
- CASSWEED**, kás'-wéd. f. Shepherd's pouch.
- To

PREORDINANCE, prē-ā'r-din-ēns. f. Antecedent decree, first decree.

PREORDINATION, prē-ōr-din-ā'-shūn. f. The act of preordaining.

PREPARATION, prē-pēr-ā'-shūn. f. The act of preparing or previously fitting any thing to any purpose; previous measures; ceremonious introduction; the act of making or fitting by a regular process; any thing made by process of operation.

PREPARATIVE, prē-pār-rā-tiv. a. Having the power of preparing or qualifying.

PREPARATIVE, prē-pār-rā-tiv. f. That which has the power of preparing or previously fitting; that which is done in order to something else.

PREPARATIVELY, prē-pār-rā-tiv-lī. ad. Previously, by way of preparation.

PREPARATORY, prē-pār-rā-tūr-y. a. Antecedently necessary; introductory, previous, antecedent.

To PREPARE, prē-pā're. v. a. To fit for any thing, to adjust to any use, to make ready for any purpose; to qualify for any purpose; to make ready beforehand; to form, to make; to make by regular process, as he Prepared a medicine.

To PREPARE, prē-pā're. v. n. To take previous measures, to make every thing ready, to put things in order; to make one's self ready, to put himself in a state of expectation.

PREPAREDLY, prē-pār-id-lī. ad. By proper precedent measures.

PREPAREDNESS, prē-pār-id-nis. f. State or act of being prepared.

PREPARER, prē-pār-ūr. f. One that prepares, one that previously fits; that which fits for any thing.

PREPENSE, prē-pēns'e. } a. Forethought,
PREPENSED, prē-pēns't. } preconceived, contrived beforehand, as malice Prepenſe.

To PREPONDER, prē-pōn-dūr. v. a. To outweigh.

PREPONDERANCE, prē-pōn-dēr-ēns. }
PREPONDERANCY, prē-pōn-dēr-ēn-sī. }

f. The state of outweighing, superiority of weight.

To PREPONDERATE, prē-pōn-dēr-āte. v. a. To outweigh, to overpower by weight; to overpower by stronger influence.

To PREPONDERATE, prē-pōn-dēr-āte. v. n. To exceed in weight; to exceed in influence or power analogous to weight.

PREPONDERATION, prē-pōn-dēr-ā'-shūn. f. The act or state of outweighing any thing.

To PREPOSE, prē-pō'zē. v. a. To put before.

PREPOSITION, prē-pō-zīsh'-ūn. f. In grammar, a particle governing a case.

PREPOSITOR, prē-pōz-zit-ūr. f. A scholar appointed by the master to overlook the rest.

To PREPOSSESS, prē-pūz-zēs'. v. a. To fill with an opinion unexamined, to prejudice.

PREPOSSESSION, prē-pūz-zēsh'-ūn. f. Pre-occupation, first possession; prejudice, preconceived opinion.

PREPOSTEROUS, prē-pōs-tēr-ūs. a. Having that first which ought to be last, wrong, absurd, perverted; applied to persons, foolish; absurd.

PREPOSTEROUSLY, prē-pōs-tēr-ūs-lī. ad. In a wrong situation, absurdly.

PREPOSTEROUSNESS, prē-pōs-tēr-ūs-nis. f. Absurdity, wrong order or method.

PREPOTENCY, prē-pō-tēn-sī. f. Superior power, predominance.

PREPUCE, prē-pūs. f. That which covers the glans, foreskin.

To PREREQUIRE, prē-rē-kwī're. v. a. To demand previously.

PREREQUISITE, prē-rēk'-kwiz-it. a. Something previously necessary.

PREROGATIVE, prē-rōg-gā-tiv. f. An exclusive or peculiar privilege.

PREROGATIVED, prē-rōg-gā-tīvd. a. Having an exclusive privilege, having prerogative.

PRESAGE, prēs-sādzh. f. Prognostick, presentation of futurity.

To PRESAGE, prē-sā'dzhe. v. a. To forebode.

toleration clause, however, many of the sectarians fared badly at the hands of overly zealous magistrates and judges.³⁰ The Baptists, and other nonconformists after them, were inclined to resist the union of church and state in its entirety, and refused to pay taxes that they considered to be in violation of their consciences as well as their rights. Plumer was in complete agreement with this position. His active sympathy soon produced a strange spectacle in New Hampshire public life—a deist allied with religious zealots whom he often despised personally, against the ruling class of orthodox clergymen, lawyers, and squires with whom he naturally associated.

30. For specific examples of such persecution, culled from local histories and court records, see Charles Kinney, *Church and State: The Struggle for Separation in New Hampshire, 1630-1900* (New York, 1955), 86-97.

CHAPTER II

Politics and Law

"There's a report the General Court,
To regulate the sawyer,
Of late in fact have pass'd an act,
But quite forgot the lawyer."¹

THE collapse of William Plumer's brief career in the Baptist ministry left him perplexed, restless, and dissatisfied. He had finished his schooling, exhausted the intellectual resources of his community, and returned to the endless round of farm labor. Although William's father was determined to make him a farmer, the young man found agricultural labor distasteful, partly because of his slender constitution, but chiefly because it did not challenge his mind. There was nothing stimulating about an agricultural career in New England in the eighteenth century. Men farmed as their fathers and grandfathers had farmed, with the same primitive equipment and in the same unimaginative routine. The rocky soil of New England tested the muscle and endurance of the Yankee husbandman, but not his vision. By 1781, young Plumer realized that the time was fast approaching when he should have to make a permanent choice of career, or remain bound to the soil forever.

For three years the young man wavered among law, medicine, and commerce. With his shrewd business sense and habits of industry, Plumer might have had a successful commercial career, but grubbing for money did not appeal to him and he did not consider it very seriously. Medicine lured the young farmer much more strongly. It was a profession that supported a surprisingly large number of practitioners in those days and paid them with prestige as well as cash. But medical science was still in its infancy, and physicians, in Plumer's opinion, had made less progress than either lawyers or the clergy. He was vain enough to believe that his high ethical standards would put him at a

1. *N. H. Gazette* (Portsmouth), Aug. 26, 1785.

disadvantage with the quacks who infested the country. After having read a considerable amount of medical literature, Plumer reluctantly concluded that the profession was in a chaotic condition, and he abandoned the field with a curious prejudice against physicians that he retained throughout life.²

By the time he was twenty-six Plumer had made up his mind to become a lawyer. His earlier hesitation had been due in part to the disturbed condition of the country, and particularly of the judiciary. During the Revolution, when the courts had often been suspended, the majority of New Hampshire's lawyers had either been avowed loyalists or conspicuously neutral. When the courts reopened in the latter period of the war, the lawyers alienated the people by their alliance with creditors; debtors were harassed not only by creditors and lawyers but also by the deflationary policy of the state government. Plumer's relatives, being simple people, had their full share of this popular anti-lawyer feeling. In an effort to draw William away from the law, Samuel Plumer purchased a sixty-acre tract on the Dearborn homestead in the center of Epping and made an outright gift of it to his son.³ But even this \$2,500 bribe was not sufficient to overcome William's yearning for an expanded stage of activity, and he finally obtained his parents' consent to begin his legal education.

Perhaps Plumer's decision had been influenced by his entry into politics as a selectman and justice of the peace. In 1783 the voters of Epping chose the twenty-four-year-old farmer as one of the town's elders. The Baptists were undoubtedly annoyed with him for having so recently forsaken their ranks, and the dominant Congregationalists must have been no less irritated by his deism, yet he was continued in office for three successive years. He launched a consistently unorthodox political career by making an affirmation before the magistrate rather than taking the prescribed oath. "I considered it irreverent & degrading to the character of the Supreme being to invoke his name as a witness to our petty transactions," he explained.⁴ The duties of his office, which were prescribed by state law, were not such as to tax unduly either Plumer's capacities or his fellow citizens' pocketbooks. He performed them easily

2. In New Hampshire, physicians outnumbered clergymen or lawyers. Nathaniel Bouton printed an interesting table of the comparative numbers in the professions as an appendix to his discourse on the history of education in 1833. "History of Education in New Hampshire," New Hampshire Historical Society, *Collections*, 4 (1834), 37-38.

3. Plumer, *Autobiography*, 17; Plumer to William Coleman, Aug. 27, 1784, *Letter Book*, I, Lib. Cong.

4. Plumer, *Autobiography*, 16.

and to the satisfaction of the townspeople; testimonial of their regard was a petition to the president and council of state, begging that William Plumer "of this town Whome We humbly Conceive is Quallified for the Office" should be appointed a justice of the peace.⁵

When the new justice of the peace decided to study law, he had little choice but to follow the eighteenth-century practice of attaching himself to a practicing attorney for a few months as a combination student, apprentice, clerk, and boarder. The quality of legal education under these conditions depended almost entirely upon the industry, intelligence, and initiative of the apprentice.⁶ This was certainly true in Plumer's case, for he was not particularly fortunate in his instructors. He applied first to Theophilus Bradbury of Newburyport, one of New England's most distinguished lawyers, and then to John Pickering of Portsmouth, probably the busiest attorney in New Hampshire, but neither of these men was able at the time to accept another student.⁷ He next tried Joshua Atherton, who lived in the New Hampshire village of Amherst, and was accepted. A "man of a haughty imperious disposition," Atherton had held office under the royal governor of the colony and had continued after 1775 as a staunch loyalist, for which offense he had been mobbed and jailed.⁸ However, he had finally taken the oath of loyalty to the new government in 1779, and thereafter rapidly regained his professional standing. His practice soon returned to its former extent, and he was sent by Amherst as a delegate to the convention which framed the state constitution in 1783.

It was a year after Atherton's return from this work that young William Plumer, thin and spare, wearing a snuff-colored coat, and still looking a good deal like a Baptist preacher, appeared at his door to begin the study of law. Atherton set him to work reading *Coke upon Littleton*, but four weeks later abruptly told him that he must study Latin grammar before he could appreciate English law. This Spartan regimen was too much for Plumer, who, concluding that he had chosen the wrong vocation after all, returned to Epping. The only thing he had

5. *N. H. State Papers*, XI, 625-27.

6. The first law school in New England was not founded until 1784, the very year that Plumer began his training, and none was attached to any college in New England until 1817. See Edwin Dexter, *History of Education in the United States* (N. Y., 1904), 316-18.

7. Plumer, *Autobiography*, 16. Bradbury would have taken him but advised against it since Massachusetts law differed from that of New Hampshire.

8. Plumer, "Joshua Atherton," *Biographies*, IV, 484, N. H. Hist. Soc.; Charles Bell, *The Bench and Bar of New Hampshire* (Boston, 1894), 150.

gained from this false start was the friendship of William Coleman, a fellow student in Atherton's office, who was to become the editor of the *New-York Evening Post* and the "field marshal of federalism."⁹

From this disappointment, Plumer plunged once more into politics. In March 1785, only a few days after he had taken possession of his farm and installed a tenant, young Plumer was chosen by his fellow townsmen to be their representative in the state legislature. By this time, the first flush of postwar prosperity had faded into the drab shades of depression. The state of public affairs in New Hampshire was "gloomy & menacing," Plumer wrote; "they approached an alarming crisis, threatening the destruction of order & civil government."¹⁰ The chief problem was economic. Like all her sister states, New Hampshire in 1782 was flooded with paper money that had depreciated to one seventy-fifth of its face value. Professional men with fixed incomes saw their purchasing power dwindle to the vanishing point, and creditors, as Plumer noted, "instead of seeking avoided their debtors, & used every effort to prevent payment." The situation had produced an inevitable deflationary reaction. First, the money printing had been stopped; then the hard money advocates in the legislature had partially repudiated the old currency and attempted to restore specie payment for debts. For a few months the deflationary policy was supported by a continuing artificial war prosperity. Plumer noted that: "In this interval British merchants, & our own merchants, imported an immense quantity of goods into this country, a great portion of which were articles of luxury & superfluity. These importations in a few months drained the money from the country, & it became scarce & valuable."¹¹ By November 1783, the agricultural towns were complaining of the complete absence of gold and silver. In the absence of legal currency, no amount of hard work or good intentions would pay debts or taxes. A group of malcontents put the whole matter succinctly when they said, "the war with all its Calamityds did not seem near so distressing as the present times."¹²

9. Plumer, Jr., *Life of Plumer*, 56; Plumer, *Autobiography*, 17.

10. Plumer, *Autobiography*, 19, 21. Plumer's defeated opponent threatened to contest his right to the seat on the ground of failure to fulfill the religious qualification, but eventually thought better of it.

11. *N. H. State Papers*, VIII, 907, 913; Plumer, *Autobiography*, 22; Richard Upton, *Revolutionary New Hampshire* (Hanover, 1936), 141-43. For the effect of inflation upon a minister's standard of living, see Jane Marcou, *Life of Jeremy Belknap, D. D.* (N. Y., 1847), 33 ff.

12. *N. H. State Papers*, XII, 765.

As a farmer, Plumer might have been expected to join the rising clamor for debt cancellation and inflation. One of his campaign promises, on the contrary, was an assurance that he would vote against any further extensions of time on the payment of past-due taxes by delinquent towns.¹³ This attitude was obviously dictated by sectional interests, since most of the tax-debtor towns were on the northern and western frontier, while Epping had faithfully met its obligations and was tired of carrying a disproportionate burden.¹⁴

Tax delinquency greatly augmented the appalling problem of the public debt, which imposed a per capita obligation of eighteen dollars upon every resident of New Hampshire.¹⁵ This obligation could be met only by grinding taxation that fell with peculiar severity upon the poor.¹⁶ After 1782, however, New Hampshire fell further and further behind in meeting her obligations to the national treasury, and the conservatives in general, including Plumer, regarded this financial infidelity with shame and apprehension. As if all this were not enough, the title to every acre in the richest and oldest two-thirds of the state's territory was suddenly jeopardized by the revival of an ancient dispute.

In 1783 the so-called Allen claim to this area was acquired by a group of speculators who promptly declared all other titles invalid. Since every land title in a score of New Hampshire towns derived from the so-called Masonian Proprietors, who had purchased the original proprietary claim in 1746, public indignation was extreme. Plumer, who later became an attorney for one of the Masonian Proprietors,¹⁷ may not have been an unprejudiced observer, but he noted that the land dispute aroused deep anxiety. "Many people," he declared, "believed it was the intention of

13. The obligation of the delinquent towns to the state treasury had mounted to a sum of £399,877. Upton, *Revolutionary N. H.*, 137. Plumer's election promises are preserved in Plumer, *Repository*, IV (1741-1805), 279-81, Plumer Papers, New Hampshire State Library.

14. For the problems of the delinquent towns, see the petition of Dorchester, Grafton County, in *N. H. State Papers*, XI, 502-3. Dozens of such petitions are scattered among the *Town Papers* volumes in this series. See especially XII, 406-9, XIII, 121-23.

15. Allan Nevins, *American States During and After the Revolution, 1775-1789* (N. Y., 1927), 477.

16. *N. H. Gazette* (Portsmouth), June 3, 1785. New Hampshire followed Massachusetts' lead in levying heavy specie taxes and trying to discharge its debts. Virginia, on the other hand, discharged its state debt by repudiating its paper currency and paying its soldiers with land grants. Virginia's policy, of course, was easy on debtors; New Hampshire's added to their burdens. See Merrill Jensen, *The New Nation* (N. Y., 1950), 304-8.

17. George Jaffrey to Plumer, June 5, 1794, *N. H. State Papers*, XXIX, 363-71.

[the Allenites] to establish lordships, & reduce people to vassallage." 18

Such was the explosive state of public opinion in 1785 when William Plumer rode to Portsmouth to take his seat in the legislature. "Numerous applications were made to the legislature," he wrote, "requesting relief against the scarcity of money, & the claims of the Allenites." The legislature voted overwhelmingly against a paper currency issue, but, feeling that some gesture of conciliation should be made, passed by a large majority an act to exempt debtors from arrest if they tendered real or personal property in satisfaction of executions. Representative Plumer was one of seventeen members "who strenuously opposed its passage," and he supported the senate in several efforts to modify or repeal the bill. It may seem inconsistent that a man who always considered imprisonment for debt barbaric should have been unwilling to sanction the small measure of relief that this law seemed to afford. But Plumer's judgment that the act was a defective palliative rather than true relief seemed to be borne out by experience. "People were afraid to loan their money, lest when they called for it they should receive a tender of old houses, uncultivated lands, or property of little value," he wrote.¹⁹

The legislature of 1785 made another ill-digested effort to stop the clamor against the lower courts by passing an act for the expeditious recovery of small debts, which allowed justices of the peace to try civil suits involving ten pounds or less. Plumer claimed that the bill was passed "at a time when there was scarce a quorum of the House present — & the number of justices who were members was more than ten to one who was not in Commission."²⁰ The Epping representative courageously, or theatrically, entered his single dissent against this act on the journals. He reasoned that the act was unconstitutional, and within a few months he had the satisfaction of seeing it so pronounced by the courts, after it had led to some ridiculous miscarriages of justice. The other enactments of this addled parliament were in the same character. When its final session had stumbled to adjournment, Jeremy Belknap, the state historian, wrote to a friend, "Our G.C. quarrelled among themselves, and broke up. . . . Fine times!"²¹

18. Plumer, *Autobiography*, 22. For a thorough discussion of the tangled land title question in New Hampshire, see Otis Hammond, *The Mason Title and Its Relations to New Hampshire and Massachusetts* (Worcester, 1916).

19. *N. H. State Papers*, XX, 434-35, 445, 518; Plumer, *Autobiography*, 22-23.

20. Plumer to William Coleman, May 31, 1786, Letter Book, I, Lib. Cong.

21. *N. H. State Papers*, XX, 450; Plumer, *Autobiography*, 382; Massachusetts Historical Society, *Collections*, 5th Ser., 2 (1877), 422-23, 433.

In his first session, Plumer had taken little part in debate. In the second session, which met at Concord in November, he had been much more articulate and his name began to appear frequently in the proceedings. By the end of this session, he had decided to forsake his farm in Epping and resume his legal studies. When the third session of this assembly met at Portsmouth in February 1786, Plumer was no longer only a farmer, but a law student and a companion of great men. "I was treated with much attention by many of the members & respectable families in Portsmouth," he recalled.²² Plumer had certainly demonstrated that he was about as far from being a radical extremist as it was possible to be. Whether Epping approved of its representative's conservatism would be hard to say, for he did not subject it to the test of re-election. Instead he devoted himself to the completion of his legal studies and, consequently, lacked any opportunity to influence by his vote the course of action during the year 1786.

Plumer acquired his knowledge of the law in the office of his second preceptor, John Prentice, a Londonderry lawyer and a fellow legislator. Prentice was an undisciplined character, with a professional status even more obscure than Plumer's first tutor, but he was a good neighbor and companion and he had a pleasant home. The bargain between the instructor and his pupil provided that Plumer would pay five hundred dollars and "perform the usual business of the office" in return for two years of board, lodging, and instruction.²³ The board and lodging were excellent, but the instruction was negligible.

Prentice knew very little law, was not fond of reading, and had a library that Plumer thought extremely meager. His legal practice was largely that of a conveyancer, and he seldom appeared at the bar in important cases. Plumer was particularly irked at his instructor's complete ignorance of special pleading, which led to his own serious deficiency in that art.²⁴ Left largely to his own devices, Plumer began to wade laboriously through Blackstone. He presently found his task lighter, then intensely interesting. Long before his two years were finished, he had devoured his host's small library and transcribed virtually the whole of it into notebooks. By dint of hard work, long hours of study, and persistent effort, he mastered all that Prentice had to offer and much besides. Plumer was not sufficiently interested in the study of law to become a profound legal scholar. His legal education was adequate for

22. Plumer, *Autobiography*, 21.

23. *Ibid.*, 19-20.

24. Plumer, "John Prentice," *Biographies*, IV, 445, N. H. Hist. Soc.

his time and purpose. It is probable, however, that he gained more of it in Prentice's office than he did in Prentice's library.

Plumer's pursuit of legal learning was disrupted by a courtship, a term in the state legislature, and the exciting events of 1786 that culminated in the Exeter riot. Nevertheless, in spite of all distractions, he finished his two years with Prentice, intending to apply for admission to the bar at the February term in 1788. Three months earlier, he happened to be present at a session of the Court of Common Pleas in Exeter, when the court unexpectedly directed him to take the necessary affirmation and admitted him to practice. This action was taken upon the recommendation of the bar, without Plumer's knowledge and without examination.²⁵ It was an unusual procedure, contrasting strangely with the experience of Jeremiah Smith, a Harvard graduate from Peterborough, who knew a great deal more law than did Plumer. In the spring of the previous year, young Smith had been refused even an examination by the bar in Hillsborough County and had only been admitted by the court against the malevolent opposition of the lawyers, including Atherton. "'Tis devilishly provoking to be denied admittance into *bad company*," he had written to Plumer.²⁶

Although Plumer was not a member of the legislature that met in June 1786, he attended its sessions, drafting bills and petitions, and supporting them before committees. Such lobbying was a regular part of the lawyer's practice in Plumer's day, and the experience was more valuable to him than weeks of study in Prentice's office. In the taverns of Concord he encountered several men who had been elected from nearby towns to a paper money convention, which was expected to browbeat the legislature into acquiescence.²⁷ Noting that the delegates seemed uncertain as to the proper revolutionary procedure, Plumer and several young lawyer friends conceived the idea of turning the convention into a farce. They assumed the character of delegates from their respective towns and suggested to the genuine members that they proceed immediately to organize without waiting for further reinforcements. When two delegates from a Hillsborough County convention, who would have been the leaders of the lobby under more conventional circumstances, arrived in Concord, they found matters already out of hand, and were even unwilling, by exposing the hoax, to share the ridicule which would be heaped upon their fellows. They had brought

to Concord a memorial from the Hillsborough County convention for submission to the legislature, but decided to leave town without presenting their ultimatum.

In the meantime, the Concord wits, artfully opposing each other in debate, had joined with the innocent delegates in adopting a set of extravagant resolutions, including one that the state should "emit *three million* of dollars in paper money," and another that there should be "but two lawyers in each county." At this point, Plumer thought that the comedy had proceeded to its proper climax and demurred at presenting such resolutions to the legislature. But his companions were enjoying themselves too much to stop so soon, and they assured the delegates that brother Plumer had made his declaration merely to test their courage and perseverance. Accordingly, the next day all the members marched solemnly to the assembly room and presented their memorial to the legislators, who had been apprised beforehand of the deception and were greatly amused. The whole procedure excited so much contempt for the so-called state convention that the delegates slunk home and the legislature was spared any further pressure for paper money during that session.²⁸

It soon appeared, however, that the paper money mania was no laughing matter. The resolutions adopted in the spurious convention were not one whit more extravagant than those being voted in town meetings on every hand. The example of Rhode Island, where paper had depreciated 500 per cent during the summer, filled New Hampshire conservatives with dread. Calling upon his memory of Scripture, Plumer wrote with grim humor to a friend: "It seems the zealous advocates of paper currency intend to convince an infidel age of the truth of a part, at least, of the Scriptures, by demonstrating *that riches take to themselves wings & flee away*—That notes, bonds & other obligations are *vanity & vexation*—That it is best to revive the Apostolic age, & *have all things in common*—that the indolent, extravagant & wicked may divide the blessings of life with the industrious, the prudent & the virtuous."²⁹

The New Hampshire farmers were enraged because the legislature had ignored their petitions in June, and they were inflamed by the bold action of their neighbors across the southern border. They were also, in young Plumer's opinion, secretly encouraged by "others of more

25. Plumer, *Autobiography*, 31.

26. Jeremiah Smith to Plumer, Oct. 31, 1787, Letter Book, I, Lib. Cong.

27. Plumer, *Autobiography*, 24.

28. *Ibid.*, 25, 26; Plumer to Samuel Plumer, July 22, 1786, Colonial Society of Massachusetts, *Publications*, II (1910), 385.

29. Plumer to John Hale, Aug. 13, 1786, Letter Book, I, Lib. Cong.

consequence . . . by men who are bankrupts in fame and fortune, by men who are disaffected with the government because they are unable to obtain offices of honor and profit."³⁰ In July, Plumer had an excellent opportunity to take the pulse of their desperation when a self-styled Rockingham County convention met in Londonderry, where he was studying law. The chairman of this convention was an honest, gullible farmer from Hampstead, Joseph French, who later aspired to be the Daniel Shays of New Hampshire. Still convinced that ridicule was the only weapon likely to discourage such people, Plumer and his friends attempted to repeat their Concord comedy when the Rockingham Convention met again in August in nearby Chester. The law student sent a copy of the fabulous resolutions drawn up by his mock convention to the Exeter *Freeman's Oracle*, accompanied by a letter of explanation in which he revealed the full virulence of his conservative instincts. He believed that his account, if printed, would serve as a fitting introduction to:

. . . the proceedings of the *real* Convention—in which the consummate Statesmen appeared, formed not by the specious rules of Art but by simple *uninstructed* nature—whose externals (adorned with leather doublets and shoe strings) corresponded with their internal faculties . . . the Members of our Convention without ever turning a page of history, perusing a sheet of Law, or even reading the title page of human Nature, are equal to the more than Herculean task, of giving Laws to the State. Their knowledge is Intuitive. Who would wish for the *dim taper of science* to direct their wandering steps, that is blessed with the full collection of the efulgent rays of Intuition?³¹

But ridicule, this time, only served to inflame the passions of the outraged masses. The Chester convention voted to raise a force of armed men to enforce their claims if the legislature persisted in its neglect. "I hope these visionary schemes will not end in acts of rebellion against the constituted authorities—tho' much I fear it," wrote Plumer in genuine alarm.³²

The legislature that met at Exeter in September 1786 was under heavier popular pressure than any since the early days of the Revolutionary War. It received an enormous number of petitions from county conventions, towns, and groups of clamorous citizens. "Paper money

30. Plumer to Hale, Sept. 18, 1786, Col. Soc. of Mass., *Publications*, 11 (1910), 387.

31. Plumer to Randlet and Lampson, Printers, Aug. 25, 1786, Plumer, *Repository*, IV, 269-70, N. H. State Lib.

32. Col. Soc. of Mass., *Publications*, 11 (1910), 386.

was what they requested," observed Plumer, "nothing else would satisfy them, tho every well informed man knew, if it was made, it would depreciate, & prove a fertile source of fraud & iniquity."³³ Plumer, who had again deserted his books in favor of the more exciting educational opportunities at Exeter, was inclined to take a very lofty attitude toward legislators who bent before this gale. There were enough of them, however, to send to the towns, for a referendum vote, a complicated scheme for issuing interest-bearing state notes that would not be legal tender. In the meantime, three years after the Treaty of Paris had been signed, a bill for removing the legal impediments in New Hampshire to the collection of debts by British subjects was finally passed.³⁴ A report was immediately spread that the lawmakers had promised the Tories to return their confiscated property. This spark touched off armed insurrection in New Hampshire.³⁵

Upon receipt of this inflammatory falsehood, earnest Joseph French hastened to Londonderry and called another meeting of the Rockingham Convention delegates; this time they were armed with staves, pitchforks, and a few Revolutionary muskets. On the afternoon of the twentieth, while the assembly was debating a new ferry over the Connecticut, Plumer saw this motley army of two hundred men and boys march into Exeter with colors flying, drums beating, and arms clubbed.³⁶ Ignoring a vigorous warning against their treasonable course by Major General Sullivan, the president of the state,³⁷ the rioters surrounded the meetinghouse, placed sentinels with fixed bayonets at all doors and windows and declared "that unless the Genl Court would grant their Petition [they] would Starve them till they would comply & much more."³⁸

The subsequent events are nowhere so graphically described as in the unpublished autobiography of Plumer. He was himself outside the meetinghouse, in an excellent position to see what occurred and even to participate in events. At sunset, when the mob prevented Sullivan and

33. Plumer, *Autobiography*, 23.

34. *N. H. State Papers*, XI, 127-30; XX, 699. Orin Libby reported the vote on this bill incorrectly in his *The Geographical Distribution of the Vote of the Thirteen States on the Federal Constitution, 1787-1788* (Madison, 1894), 54.

35. Plumer, *Autobiography*, 27; Col. Soc. of Mass., *Publications*, 11 (1910), 390, 395.

36. The mob first mistakenly marched to the townhouse where the Superior Court was sitting. Chief Justice Livermore ignored the rioters and sternly forbade anyone inside the courtroom to look out the windows. Bell, *Bench and Bar*, 37.

37. *New Hampshire Mercury*, Sept. 24, 1786, quoted in N. H. Hist. Soc., *Collections*, 3 (1832), 122; Plumer to John Hale, Sept. 20, 1786, Letter Book, I, Lib. Cong.

38. *N. H. State Papers*, XVIII, 744, 745.

the senators from leaving the building, twenty men, of whom Plumer was one, formed a company and marched upon the rioters. Since they were joined by many of the spectators, the prospect of a serious clash and the "effusion of blood" appeared imminent.³⁹ Sullivan effected a temporary truce by which French agreed to withdraw his men and camp outside the town on the assurance that the legislature would do no more business that night but would consider their grievances on the next morning. Plumer, who had been highly critical of the slightest evidence of concession to the mob, found no fault with the legislature when it reconvened as soon as the insurgents were out of town and authorized Sullivan to call out the militia. The young man who had felt no compulsion to fight during the Revolution, now procured arms and joined as a volunteer in the Exeter militia company commanded by Nicholas Gilman, a New Hampshire delegate to Congress. In the early morning, Plumer and five other citizen-soldiers were detached to arrest a Revolutionary veteran from Londonderry "who was lurking as a spy." Six other deputies from French who came to seek their comrade's release were also thrown into jail.

By eight o'clock, a well-armed militia force including cavalry units, had assembled in Exeter, and marched out to meet French's ragged force, which had begun moving toward town. Fortunately, no battle ensued. A cavalry charge put the insurgents to flight and most of their leaders were captured. "We returned to the town, in good order," wrote Plumer exultantly, "not a man on either side received any considerable injury. . . . We took thirty nine prisoners, who after marching thro our columns with their heads uncovered & hats under their arms, the music playing *the rogues march*, were lodged in the gaol."⁴⁰

No one was more pleased with the collapse of the rebellion than William Plumer, who returned in October to Londonderry, the chief center of revolt. "President Sullivan has acquired credit by his prudence

39. Plumer, *Autobiography*, 28-29.

40. *Ibid.*, 29-30. Contemporary accounts of the riot may be found in Col. Soc. of Mass., *Publications*, 11 (1910), 390-96; Marcou, *Life of Jeremy Belknap*, 124-25; Charles Warren Brewster, *Rambles About Portsmouth* (Portsmouth, 1869), II, 139-42; N. H. Hist. Soc., *Collections*, 3 (1832), 122; *Historical Magazine*, 15 (1869), 37-38. The legislative journals are printed in *N. H. State Papers*, XX, 671-713, and a few documents connected with the affair may be found in *ibid.*, XVIII. The Exeter Riot has also been treated in at least two unpublished master's theses: Abraham Sondak, *The Paper Money Struggle in New Hampshire, 1786-1788* (Columbia University, 1936); and Sturgis Wilson, *The Riot at Exeter, New Hampshire, September 20 and 21, 1786* (no place, 1928 [typescript in N. H. Hist. Soc.]). Neither of these authors made use of the Plumer Papers.

caution & firmness," he declared.⁴¹ In November, when Sullivan visited Londonderry on a grand military tour of the state, Plumer was chosen by the town to write the welcoming address to the president, and the young law student gave Sullivan a liberal dose of the flattery he loved. "The Spirit & wisdom with which your *Excellency* so happily extinguished the flame of sedition at the very crisis when it became most alarming, merits the thanks of every friend to order & to mankind," he declaimed.⁴² Thus early in his career did William Plumer align himself with those conservatives who reacted in alarm against the excesses of populism.

The civil commotions of the fall and winter convinced Plumer and many others in all parts of the Confederation that strong measures were necessary for a restoration of stability and prosperity. "I fear to look forward, anarchy, confusion & sometimes bloodshed rise full to my view. . . . Is it not . . . all over with this Republican country?" queried William Coleman, Plumer's former fellow student at Amherst, who had just spent a month's service against the Shaysites in Massachusetts.⁴³ "There is an absolute necessity of establishing a more efficient system of government," wrote Plumer in response to this pessimism.⁴⁴ Most of New Hampshire's leaders, including John Langdon and Nicholas Gilman, the two delegates whom the state sent belatedly to the Philadelphia convention, were in complete sympathy with these views. When the new Federal Constitution, which these men helped to construct, was finally revealed to the public and the magnificent extent of its renovating power became apparent, the New Hampshire conservatives were overjoyed. "Men of talents, information, & attachment to their country, seem to have turned their whole attention to the Constitution reported by the late Federal Convention," wrote Plumer in December 1787. "'Tis an object of much importance to this nation." Here was a transformation worked in the national government such as the "men of talents" had not yet achieved in the state. "Our liberties, our rights & property are now the sport of ignorant unprincipled State legislators," Plumer went on to say, but he believed that the adoption of the new system would end their tyranny. The young lawyer was indeed disappointed that the medicine was not even stronger. He wished more authority granted to the President and fewer restrictions placed

41. Plumer to John Hale, Sept. 21, 1786, Letter Book, I, Lib. Cong.

42. Plumer, *Repository*, IV, 283, N. H. State Lib.

43. William Coleman to Plumer, Mar. 28, 1787, Letter Book, I, Lib. Cong.

44. Plumer to William Coleman, May 31, 1786, *ibid.*

upon the powers of Congress, but he recognized that a formidable opposition existed, which would render any greater centralization altogether hopeless.⁴⁵

Plumer was one of the first to feel the effects of this opposition. When the state legislature ordered the towns to elect delegates to a convention which would meet at Exeter in February to consider the new Constitution,⁴⁶ Plumer, who had only just returned to Epping to open up his law office, offered himself as a candidate. He buttonholed "most of the freeholders of Epping" and obtained the unanimous support of the Federalists, but all in vain. It developed that Epping, although it had not been one of the paper money towns, was suspicious of the new Constitution, and elected Plumer's Antifederalist rival, Nathaniel Ladd, who subsequently did not even bother to attend the convention.⁴⁷

It soon became apparent that the overly confident Federal leaders could have used Plumer's vote in the convention. At the first session, in February, the Antifederal delegates were obviously in the majority, and their opponents were fortunate to secure an adjournment without an adverse vote. New Hampshire finally ratified in June by a close, sectional vote which clearly foreshadowed the future lines of political battles within the state. But for the moment, New Hampshire's men of "wealth and talents" had secured control and brought their state into firm union with the rest of the nation.

This was a result with which William Plumer was thoroughly in sympathy, but he gave it little immediate attention. At the moment he was more concerned with his new law practice and his new wife. Plumer's courtship occupies a minimum of space in his autobiography, for he was little given to romantic memories. Nevertheless, he had carried on with certain friends a lively correspondence dealing with girls, parties, good dinners, and amusements, as well as with law, religion, and politics. The letters that he considered worthy of preservation include those from the number of young ladies whom a busy and somewhat diffident young man might be expected to know, and at least one of them suggests the existence of an early love affair which was ended by the death of the girl.⁴⁸ A poem addressed to this young lady reveals

45. Plumer to Daniel Tilton, Dec. 16, 1787, *ibid.*

46. *N. H. State Papers*, XXI, 149, 160.

47. Plumer, *Autobiography*, 34. Plumer later insisted, somewhat erroneously, that this was one of only three offices he had ever sought for himself, and that in every such case he had been defeated.

48. Sophia Murray to Plumer, Dec. 8, 1785, *Letter Book*, I, Lib. Cong.

Plumer's character, demonstrating at once the prosaic quality of his mind and the genuine sincerity of his emotion:

Attend, fair maid, to what I shall impart,
Let the precepts of truth sink in thy heart;
So shall the virtues of thy mind, adorn
With lustre, the elegance of thy form—
And as the Rose, tho past its bloom, is sweet,
Thy beauty, even in age, shall be compleat.
In spring of youth & morning of thy days,
When men with joy & rapture on thee gaze—
And Nature tells thee what their looks impart,
'Gainst their seducing words guard well thy heart.
Thou wast not made Man's loose desires to gratify,
And with his passions only to comply—
Kind Heaven did thee, fairest creature, form,
Man's soul with love & tenderness to warm—
The roughness of his sen's to humanize,
And all his cares & joys to realize—
Such is the lovely maid that wins his soul,
And shall reign in my breast without controul.⁴⁹

If any broken heart resulted from this short reign, it was soon mended, for in the spring of 1787, Plumer met his future wife, Sally Fowler. The daughter of a respectable landowner in Newmarket, New Hampshire, she was on a visit to Londonderry at the time of the encounter. In July, Plumer wrote in high spirits to his friend, Moses Neal, that he had taken up a new sport since Neal's departure:

You well know that I frequently expressed strong doubts of the lawfulness of depriving either beasts or *fowls* of their existence. . . . Notwithstanding my former sentiments & aversion, *fowling* now constitutes a principal source of my delight. . . . Some are pleased to say that this *fowling game* will eventually tend more to the reproduction of life than to its destruction. Should that be the case I shall enjoy the double pleasure of playing with a *fair Fowler* & not destroying that *tenderness* which I have long cherished in favor of the world of life. . . . But whether the *game* will end with the season or terminate but with life, is equally uncertain.⁵⁰

49. Plumer to Sophia Murray, Nov. 7, 1785, *ibid.* It should come as no surprise, after reading this sample, that Plumer concluded: "nature had not formed me for a poet." Plumer, *Autobiography*, 14.

50. Plumer to Moses Neal, July 6, 1787, *Letter Book*, I, Lib. Cong.

The game did indeed terminate but with life, for William Plumer and his wife lived together for the remarkable span of sixty-three years. Mrs. Plumer did not appear to have any strong influence over her husband, and she certainly shared little, if at all, in his manifold public interests. Nevertheless, their life together was happy and placid. She bore him six children, managed his household during his numerous absences, and provided for him an indispensable domestic surcease from the distractions of his public life. Plumer unquestionably loved and appreciated her, but it was not within his nature to perpetuate his sentiments in epic or sonnet. Almost the last mention which he makes of his wife in his autobiography occurs shortly after they were married—a classic of succinctness: "On the 13th day of February [1788] I was married to Miss Fowler; on the first day of April moved her to my house; & have since enjoyed as much happiness in the marriage state as I had any right to expect."⁵¹

Plumer's entry into marriage and the law almost coincided. Admitted to the bar three months before his wedding, Plumer found himself a member of a select and distinguished company. In 1787, New Hampshire had only twenty-nine lawyers, one for every 4,600 inhabitants.⁵² Seven months after Plumer's admission to the bar, a majority of the attorneys met at Concord and organized the New Hampshire Bar Association. Plumer could not be present, but he was represented by proxy⁵³ and became a charter member. The group included a goodly portion of the genius and ability of New Hampshire; besides Prentice and Atherton, there were John Pickering of Portsmouth, whom Plumer greatly admired and would have preferred as his instructor; Major General John Sullivan of Durham, who had become a national figure during the War of Independence; Benjamin West of Charlestown, a man of painful modesty but commanding eloquence; and Samuel Livermore, the chief justice, a frontier aristocrat, and constitution maker.⁵⁴

These men were the patriarchs of the New Hampshire bar, rounding out their last years of service in 1788. It was principally with their sons

51. Plumer, *Autobiography*, 34.

52. N. H. Hist. Soc., *Collections*, 4 (1834), 38.

53. Plumer kept a record of the minutes of the state meeting and of the Rockingham County meeting in 1788. See William Plumer, *Repository*, IV, 271-76, N. H. State Lib.

54. Plumer, "John Pickering," "Benjamin West," "John Sullivan," "Samuel Livermore," *N. H. State Papers*, XXII, 839-40, 861; XXI, 818. Thirty-four of Plumer's biographical sketches of men prominent in the state government just after the Revolution were published as appendices to vols. XXI and XXII of the *N. H. State Papers*.

and a group of younger contemporaries that Plumer was to ride the circuits over muddy trails and unbridged rivers, dine and sleep in wayside taverns, and fight the endless legal battles of the turn of the century. Prominent among this generation were two sons of Samuel Livermore, Edward St. Loe and Arthur, who, according to Plumer, inherited full portions of those "strong intellectual powers . . . decision of character," and "arbitrary" conduct that had characterized their father.⁵⁵ Clifton Claggett, however, was a humorless man who suffered severely in comparison with his gifted father, Wyseman Claggett, the aggressive attorney-general of New Hampshire in colonial times. The Atherton name was carried on by Charles Humphrey Atherton, a son of Joshua, who was a more eminent lawyer than his father had been. Joshua Atherton's son-in-law, William Gordon, was also a contemporary of Plumer at the bar and a good friend. Another famous son of a noted father was George Sullivan, an able orator who settled at Exeter and adorned the Rockingham County bar throughout this period. Jonathan Steele, who studied with General Sullivan and married his preceptor's daughter, was admitted to the bar at the same time as Plumer. He showed early promise, acquired an extensive practice, and was appointed to the Superior Court bench, but his gloomy disposition and irritable temper prevented him from attaining pre-eminence in either law or politics.⁵⁶ Plumer seemed to get along amiably with most of his colleagues at the bar except for John Samuel Sherburne, a Portsmouth lawyer whose guile and hypocrisy were especially distasteful. Jeremiah Smith perverted Scripture in order to say of him, "I hate him with a pure heart, fervently."⁵⁷

Plumer's deep friendships were as few as his ineradicable hatreds. A promising friend was John Hale, a young Portsmouth attorney with whom he maintained his earliest correspondence, but who died in 1796. More important was his friendship with Jeremiah Smith, the brilliant young Scotch-Irish scholar who had welcomed him to the bar with generous wit: "I hate a monopolizing spirit; and though the profession seems somewhat crowded at present, the harvest small, and the laborers very many, yet I cannot help thinking that there is room for as many good characters as may be disposed to enter into the profession."⁵⁸ This friendship grew within the next few years, and after Smith was

55. Plumer, "Samuel Livermore," *ibid.*, XXI, 818.

56. Plumer, "Jonathan Steele," *Biographies*, V, 327, N. H. Hist. Soc.

57. Plumer, Jr., *Life of Plumer*, 114n.

58. Jeremiah Smith to Plumer, Oct. 31, 1787, Letter Book, I, Lib. Cong.

ected to Congress, the two men corresponded untiringly. In 1797, Plumer had an opportunity to repay Smith's generosity with interest, when he helped his friend settle in Exeter, where Smith would necessarily take away some of his business. Until 1805, the serious, persistent lawyer in Epping and the witty, industrious lawyer in Exeter were good friends, but in that year they quarreled. After that, their rivalry was part of the history of the state.

It was with such men as these, rather than among the frontier evangelists, the country squires, the merchant princes of Portsmouth, or the ill-trained physicians of New Hampshire, that William Plumer had cast his lot. In the winter of 1787, he opened in his house the first law office in Epping, and was soon engaged in as much business as he could handle. Despite his late start, he had qualities that commanded success—industry, persistence, shrewdness, and integrity. "I was always ready & prepared for my clients," he boasted; "their causes were not delayed by my inattention. I managed their business as if it had been my own . . . my fees were moderate & reasonable. By this course of conduct I gained the confidence & esteem of the people, & acquired property & reputation."⁵⁹

Plumer's greatest activity at the bar fell between his admission to practice before the Superior Court in 1789 and his election to the United States Senate in 1802. During these busy years he attended nearly every session of the courts held in Rockingham and Strafford counties. The Rockingham bar, at this time, contained a particularly distinguished galaxy of legal talent. Accustomed to outstanding performances by the lawyers already mentioned, the courts in southeastern New Hampshire were later dazzled by the appearance of two meteoric newcomers: Jeremiah Mason and Daniel Webster. Mason, a physical and intellectual giant with a persistent Yankee nasal twang, came to Portsmouth in 1797 and soon earned the reputation of being the greatest lawyer who had ever practiced in New Hampshire.⁶⁰ This he retained until 1807 when Daniel Webster opened an office in Portsmouth. As if this native talent were not enough to bewilder the simple New Hampshire judges and juries, such brilliant Massachusetts lawyers as Theophilus Parsons, Samuel Dexter, and Theophilus Bradbury regularly practiced in the Rockingham County courts.⁶¹

59. Plumer, *Autobiography*, 35-36.

60. George Hillard, *Memoir and Correspondence of Jeremiah Mason* (Cambridge, 1873), 38.

61. Plumer, Jr., *Life of Plumer*, chap. 6.

How well William Plumer fared in such distinguished company is difficult to determine. The records of the courts in his time were not printed, and evidence of what went on in them consists largely of later reminiscences and exaggerated impressions. In the course of preparing his father's biography, William Plumer, Jr., solicited a large number of testimonials from people ranging in importance from the clerk of the Superior Court to Daniel Webster—testimonials that unanimously praised Plumer's industry, shrewdness, skill, courtesy, and effectiveness. In classical simile, William, Jr., described the "strife of Titans" in the Rockingham County courts: "If . . . my father, from age or character, was the Nestor or Ulysses of this assembly; Smith, the Menelaus, with a touch of the Thersites humor; and Mason, the Ajax or Agamemnon, towering head and shoulders above the rest; the youthful vigor of Webster, in this first exhibition of his unrivalled power, 'the flash and outbreak of a fiery mind,' stamped itself boldly on all beholders, as the Achilles, *impiger, iracundus, inexorabilis, acer*, of the scene."⁶²

Since young Plumer was himself a witness to some of these memorable contests, his miniature Iliad may be accepted as an approximate picture of this concentration of powerful minds within a limited sphere of action. The elder Plumer had less pretension to learning or genius than many of his colleagues. Unlike Webster he could never have dazzled the Supreme Court of the United States with learned eloquence, but he was able to win cases from Webster before a New Hampshire jury. He did not have time for such profound legal research as distinguished the two Jeremiahs of the New Hampshire bar, Smith and Mason, but he could clarify the fundamental issues of a case in simple language, a device which was more effective with a New Hampshire judge and jury than innumerable citations or the most biting sarcasm. He was also shrewd enough to take advantage of a court's prejudice. On one occasion, he carried a point with a patriotic judge against no less an opponent than Theophilus Parsons backed by Coke and Blackstone, simply by quoting a Mosaic law that contradicted the English authorities.⁶³

As he became a familiar figure in New Hampshire's courtrooms, Plumer made a strong impression upon his younger contemporaries. His tall, spare figure, black hair, and piercing dark eyes were accentuated rather than subdued by the simplicity of his dress and manners. A casual observer, watching him chewing raisins in apparent absent-mindedness

62. *Ibid.*, 179.

63. *Ibid.*, 206.

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while counsel for the other side had the floor, might even have thought him torpid; but when he rose to his feet he was "keen, and ready, always prepared."⁶⁴ In addressing the court he was respectful, "gentlemanly in his demeanor to the senior members of the bar, and more than others affable and courteous to those . . . who were his Juniors."⁶⁵ He was not a courtroom actor; his jury speeches were "fluent, plain and always intelligible . . . unshowy, but full of good sense, and to the point." It is unlikely that he ever lost a case through inattention to detail; "there was a minute correctness in his mode of doing business." The clerk of the Superior Court, who heard him argue hundreds of cases, declared that he was "shrewd, sagacious, forbearing, and calculating, of an high order of intellect." He made many friends among his fellow itinerants as they followed the judicial circuits, for he was a good conversationalist who had a fund of experience upon which to draw; he was also a good listener when a still better speaker was in their midst. Perhaps the greatest compliment to him was that "he understood human nature."⁶⁶

Bench and bar presented a curious anomaly in Plumer's day, for whereas the lawyers were clearly distinguished, the judges were, at best, mediocre. Judicial salaries were ridiculously low, judicial duties were onerous, and legislative interference with judicial decisions was a constant irritant. Under these circumstances, well-trained lawyers could seldom be persuaded to accept judicial appointments, and the state executives tended to avoid disappointing refusals by filling the bench with ill-trained and sometimes illiterate farmers, shopkeepers, and politicians. This resulted in needless delays, conflicting decisions, and legal uncertainty. "What a Superior Court we have to judge of special pleading to decide nice & abstruse questions of law," Plumer once exclaimed in disgust. "Who of them can resort to first principles? . . . These are your \$800 judges."⁶⁷

These conditions cried for reform, and a number of the younger lawyers, led by Plumer and Smith, dedicated themselves to the task.

64. Nicholas Emery to William Plumer, Jr., Jan. 12, 1854, Plumer Papers, N. H. State Lib.

65. Moody Kent to William Plumer, Jr., Mar. 4, 1853, Plumer Papers, N. H. State Lib. The quotations in this paragraph are all from this letter and the one in the preceding citation.

66. William Plumer, Jr.'s biography of his father contains in chap. 6, pp. 191-238, many delightful anecdotes of Plumer's experience as a lawyer and his courtroom battles with Smith, Mason, Webster, Sullivan, and other eminent men. Most of the accounts rest upon the author's memory or were related to him by the participants. They are worth reading.

67. Plumer to William Gordon, Apr. 2, 1798, Letter Book, I, Lib. Cong.

In the courts themselves, they worked constantly for the clarification, improvement, and standardization of legal practice. Plumer's greatest victory in this campaign occurred in 1791, when, in the case of *McClary v. Gilman*, he argued that an act by which the legislature had restored the plaintiff to her law, that is, permitted her a second suit in the same court, was unconstitutional.⁶⁸ Plumer's contention was that the law either reversed the court's judgment or demanded a new trial without reversing the court's judgment, either of which was a palpable violation of the Bill of Rights.⁶⁹ The Superior Court accepted his argument, declared the law unconstitutional, and dismissed the plaintiff's plea.⁷⁰ Such opportunities, however, were rare before 1802, at which time Plumer had ceased to practice regularly in the courts, and he did not, like Smith, carry on the work of reform from the bench. It was in his political, rather than his professional capacity, that he was to perform his most effective labors for the improvement of the judiciary. In the revision of the state constitution, in the passage of new laws, and in the executive appointment of judges, he kept the perfect dispensation of justice before him as a constant ideal.

During his active years at the bar, Plumer figured prominently in legal battles over the issue of the ecclesiastical tax. He invariably refused to take the cases of town officers seeking to compel dissenters to pay their taxes, but he readily defended those who claimed exemptions. Most of these cases in Rockingham and Strafford, he asserted, were confided to him. He acted in this matter on principle, not prejudice. Plumer had no religious sympathies with the sectarians, but he warmly approved the principle of religious freedom for which they were contending. "It was my opinion," he wrote, "that no man ought to be *compelled* to contribute any thing to the support of religion, but every man left to the perfect freedom of his own will to join or not join any society, & to contribute or not to its support, as he pleased."⁷¹ Plumer, indeed, re-

68. In this suit Plumer was counsel for the defendant, for whom the Superior Court rendered judgment based on a report of referees to whom both parties had agreed to submit their case. Nevertheless, Elizabeth McClary, the plaintiff, appealed to the legislature, which ordered the case re-entered on the Superior Court's docket. See *N. H. State Papers*, XXII, 22, 59, 67, 104, 113, 156, 168.

69. Plumer, Jr., *Life of Plumer*, 170. See also Walter Dodd, "The Constitutional History of New Hampshire, 1775-1792," *New Hampshire Bar Association, Proceedings*, 2 (1906), 399-400.

70. Plumer, *Repository*, IV, 303-6, N. H. State Lib. About this same time, Jeremiah Mason argued a similar *cause célèbre* in Cheshire County and carried it against two legislative orders to the courts. See Hillard, *Mason*, 26-27.

71. Plumer, *Autobiography*, 74.

garded the multiplicity of sects as a strong guarantee of freedom and security.

His labor in behalf of religious freedom was hardly remunerative, since the zealots whom he defended were usually the poorer members of each community, often able to repay him only with gratitude. This sentiment might indeed have been useful to Plumer if his intention had been to turn it into votes, but at the time he was most active in the courts he had much to lose and little to gain by his policy. He was then a leading Federalist; his political friends were the men who upheld the religious establishment and expected it, in turn, to prop up their government. Some of them were judges who considered it their sacred duty to interpose the bench between their church and such legal assaults as Plumer seemed to be making upon it. Judge Paine Wingate of the Superior Court was particularly insistent upon making "every man tributary to the dominant sect of congregational priests," and he highly disapproved of Plumer's efforts to block his purpose. On one occasion, Plumer was counsel for a Universalist who claimed damages for property taken by distraint to support a rigidly Calvinist minister. Judge Wingate asked the lawyer if he expected to prove that Calvinists and Universalists were different sects. Plumer replied that "it did not require either argument or testimony to *shew* there was an essential difference between the chastisements of this short life & eternal flagellation in the next, & between the doctrine of the eternal salvation of *all men*, & the everlasting misery of nearly the whole human family."⁷² Nevertheless, the judge directed the jury to find costs for the defendant. Plumer may have lost his case by the very bluntness with which he outlined the salient features of the judge's theology.⁷³

In spite of such experiences with judicial bias, however, Plumer always had an instinctive respect for a strong and independent judiciary. In 1786, as a young and rather extreme conservative, he wrote: "If our elective government is long supported, it will owe its existence to the

72. *Ibid.*, 79.

73. A few years later (in 1803), Judge Wingate dissented from the opinion of the court, pronounced by Chief Justice Jeremiah Smith, Judge Arthur Livermore concurring, which declared that Presbyterians constituted a sect different from Congregationalists and were not subject to church taxes. See *Muzzy v. Wilkins*, Jeremiah Smith, *New Hampshire Reports* (Boston, 1879), 1-37. This decision reversed the precedents established by Wingate and others in such cases as the ones Plumer defended and in *Henderson, et al. v. Erskine* (1802), in which a Universalist was declared not to differ from a Congregationalist. It is an interesting fact that the first case ever reported in the New Hampshire courts, *Muzzy v. Wilkins*, mentioned above, involved this issue of religious taxation.

Judiciary. That is the only body of men who will have an effective check upon a numerous Assembly."⁷⁴ In 1825, as an old and moderate Republican, he still maintained that the judiciary was the ultimate repository of the people's liberties, and that they had less to fear from it than from any other branch of the government.⁷⁵

74. Plumer to William Coleman, May 31, 1786, Letter Book, I, Lib. Cong.

75. "Cincinnatus," No. 126, in William Plumer, *Essays*, III (1823-29), 136-41, Plumer Papers, N. H. State Lib.

CHAPTER III

Constitution Maker

"I commenced public life with a resolution that I would attach myself to no party or faction, but perform my duty regardless of its consequences as it related to my popularity."¹

IN the years of readjustment and political realignments following the adoption of the Federal Constitution, William Plumer rose to the first rank of politicians in New Hampshire. Although he had been defeated for a seat in the ratifying convention in February 1788, he was promptly elected in March to the state legislature by his fellow townsmen, who thus proved that they did not associate Federalism with any permanent principles. In his second term as a lawmaker, Plumer played a leading role, serving on so many important committees that he was forced to plead the rules of the House to avoid being completely enmeshed in committee duty. "I had the satisfaction of knowing that I possessed the confidence of the legislature," he recalled, "& had considerable influence upon its deliberations."² He spoke frequently and learned to develop a succinct, closely reasoned, and impersonal style, which served him well in political debate.

Representative Plumer won his political spurs by the active role he assumed in the arrangements for New Hampshire's first national elections. Although the immediate necessity of choosing two United States senators and three representatives as well as five presidential electors presented almost irresistible temptations to logrolling and intrigue, Plumer's actions were guided by his instinct for national strength and conservatism. At the same time, however, he gave evidence of a talent for parliamentary maneuver that commanded the respect of older colleagues.

1. Plumer, *Autobiography*, 53.

2. *Ibid.*, 34.

Plumer joined in the virtually unanimous election of John Langdon, the Revolutionary patriot and ardent supporter of the Constitution, as the senior senator. He was determined, however, to prevent the second senatorial seat from going to Dr. Nathaniel Peabody of Atkinson, also a Revolutionary hero, but a notorious speculator who was strongly suspected of playing an underhanded role in the paper money agitation and uprising of 1786. Fearing that many who sympathized with the easy money party might vote for Peabody under cover of the secret ballot which the House had decided to employ, Plumer devised an ingenious parliamentary trick.³ He first persuaded the House that their choice of senator should be made by a regular resolution, which could be sent to the Senate for concurrence. Then he sprang his surprise by calling for the yeas and nays in the voting, as any single member had a right to do in the case of a regular resolution. Having thus circumvented the secret ballot, Plumer made a forthright speech against Peabody and promised to hold individual members accountable to the people for their votes if they supported him. The resolution for Peabody's election received only forty votes in the House and was decisively rejected by the Senate.⁴ It is said that the Atkinson physician, understandably angry, threatened Plumer with bodily chastisement, but was promptly met with a promise of still further financial exposures.⁵

True to his conservative principles, Plumer opposed the popular election of the state's five presidential electors, but the measure passed.⁶ It provided, however, that when popular majorities were not obtained, the electors should be chosen by the legislature. In the absence of party machinery, this contingency proved to be inevitable. At its December session, therefore, the legislature had the opportunity of choosing five electors from among the ten highest candidates, but the two houses immediately began quarreling as to whether the choice should be by joint or concurrent resolution. Since by the former method, the vote of the twelve senators would be swallowed up in the much more numerous House, and their constitutional role as a conservative counterweight destroyed, Plumer took the side of the Senate against his own colleagues.

The electors had to be chosen before midnight of January 7, 1789. As the winter shadows lengthened in the old Exeter meetinghouse on

3. *Ibid.*, 35.

4. *N. H. State Papers*, XXI, 357, 359, 425.

5. Plumer, Jr., *Life of Plumer*, 103.

6. *N. H. State Papers*, XXI, 355, 876.

that day, frantic efforts were made to wear down the opposition. Watching the political temperature carefully, Plumer detected signs that the House was cooling, and he kept the Senate posted in order to bolster its determination. Just before midnight, the House gave in and concurred in the Senate's choice of electors. General Sullivan, who had favored joint action, then requested that the speaker appoint Plumer to carry the glad tidings to the Senate, "as [he] knew the way to [their] chamber."⁷ Plumer and his colleagues recognized this sardonic remark for what it was—a tribute of grudging respect from a veteran politician to a victorious neophyte. Their disagreement had nothing to do with candidates or politics; it was simply a struggle for the future control of electoral machinery, in which Plumer had helped gain a victory for conservatism.

Plumer may have been unusually successful with his fellow legislators, but he neglected to curry favor with the voters at home. One of the measures he opposed in the winter session was a more stringent blue law against Sunday travel.⁸ Other skeptics were politic enough in this matter to yield "to the rabble," but Plumer led the fight against it on the floor and lost his seat in the House as a consequence.⁹ In 1790, however, he returned to the political wars with his third election to the state legislature and served briefly as clerk of the House until the former clerk had recovered from a temporary illness. Re-elected in 1791, Plumer was chosen speaker of the House when Nathaniel Peabody resigned. This was a considerable honor to come to a man of thirty-one who was serving only his fourth year in the legislature, but the former Baptist preacher righteously concluded that it was not undeserved. "The duties of speaker required my constant attention," he admitted, "but by introducing a greater degree of order & method than had been previously practised, I performed its duties with greater ease & more dispatch than I expected. My promptness & uprightness was rewarded by the approbation of the house." By the end of the year 1792, Plumer could state with smug satisfaction that he had "already enjoyed office & influence beyond my expectations."¹⁰

The confusion of principles and factions within the state during these years did not make it easy for Plumer to discover his place in local poli-

7. Plumer, *Autobiography*, 36-37.

8. *N. H. State Papers*, XXI, 488-92.

9. Plumer, *Autobiography*, 37.

10. *Ibid.*, 38, 49, 53.

tics. Although he had vigorously advocated the adoption of the Constitution and was to become an almost fanatical Federalist, he was rather more Jeffersonian than otherwise in 1790 and 1791.¹¹ He wrote to New Hampshire congressmen approving Madison's proposal to discriminate between original holders and speculators in the funding of the national debt, and in June he opposed Hamilton's assumption scheme, begging his congressman to vote "agt the adoption of a system so partial & injurious to some of the States, particularly to this."¹² Plumer's indignation at New Hampshire's treatment in Philadelphia did not, however, dissolve his nationalism. He thought that Virginia had gone too far in attacking the constitutionality of the Assumption Act, and he helped secure the defeat of a resolution in the New Hampshire House stating that the law was "an infringement on the rights of the legislature of this state." In 1791, however, when he was speaker of the House, a second such memorial was introduced. Since it "was in decent & respectful language," Plumer made no objection to it, "& it passed with apparent unanimity."¹³

The young lawyer of Epping had not risen high enough to profit by the first distribution of federal offices, which were divided largely between the supporters of John Langdon and John Sullivan. Unfortunately for his modest efforts at plum-gathering,¹⁴ Plumer was not inclined to cultivate influential friends. On the contrary, he seemed to seek opportunities for antagonizing such powerful politicians as Senator Langdon and his intriguing brother-in-law John Samuel Sherburne. In 1790, he moved for Sherburne's expulsion from the state House of Representatives on the ground that he held office under the United States government as a war pensioner. This was rather an excessively strict construction of the state constitution's clause against pluralism, and Plumer's motion was decisively beaten. Sherburne was subsequently

11. So were New Hampshire's first congressmen. See Orin Libby, "Political Factions in Washington's Administrations," *University of North Dakota, Quarterly Journal*, 3 (1913), 298, 304. According to the criteria selected by Libby, the four New Hampshire representatives in the lower house voted with the administration 93 times and against it 43 times between 1789 and 1793.

12. Plumer to Abiel Foster, June 28, 1790, Letter Book, I, Lib. Cong.

13. *N. H. State Papers*, XXII, 146, 227; Plumer, *Autobiography*, 41, 46, 49; Charles Wingate, *Life of Paine Wingate* (Medford, Mass., 1930), II, 543-44. Wingate was the author of this memorial.

14. Plumer to Jeremiah Smith, Mar. 22, 1794, Letter Book, I, Lib. Cong. Plumer hinted to Smith that he would not be averse to accepting appointment to the federal district court if a vacancy should occur.

adroit enough to obtain a resolution from the House that its members were not precluded from holding federal offices.¹⁵

In 1791 when the laws of the state were being revised, an ex-Congregational minister proposed to substitute for the old law against blasphemy, a more stringent one providing the penalty of boring through the tongue with a hot iron. To his amazement, Plumer heard Sherburne and other responsible legislators play politics with this barbarism, exalting the Bible in hypocritical speeches, anathematizing those who dared to traduce it, and suggesting that the proposed penalty was not strong enough. Although he was conscious that his deism would arouse prejudice against his cause, Plumer combated the proposal, declaring that it was not in support of, but contrary to, the teachings of true Christianity. Christians, he said, would do well to allow their God to vindicate himself. This argument helped to defeat the motion, but Plumer could not prevent the framing of a new law that punished with a fine of fifty pounds any person who should "wilfully blaspheme" the Trinity or "the canonical scriptures."¹⁶

The Plumer-Sherburne antagonism flared up at nearly every point of contact. In 1792, when Sherburne, no longer a member, was appearing as counsel to plead for certain petitions before the legislature, Plumer, as speaker of the House, was forced to silence him or "suffer the rules of the House . . . to be grossly violated." The members upheld Plumer's decision on appeal, and Sherburne "left the Court in a great passion."¹⁷ Later, the Langdon-Sherburne group became the nucleus of the Republican party in New Hampshire, and Plumer immediately engaged it in mortal combat.

Before party lines had formed, however, Plumer took an interesting stand on the question of impeaching John Langdon's brother, an associate justice of the Superior Court. Woodbury Langdon's career as a merchant and shipowner had not included much time spent in the study of the law, but Plumer, who practiced before him, insisted that "he had a strong discriminating mind, and great promptness and decision of character." When Woodbury failed several times to attend distant sessions of court and answered the inquiries of a legislative investigating committee with contemptuous defiance, the western delegates obtained

15. *N. H. State Papers*, XXII, 41, 47, 56-57; Plumer, *Autobiography*, 39; Plumer, "John Samuel Sherburne," *Biographies*, V, 490, *N. H. Hist. Soc.*; Plumer, Jr., *Life of Plumer*, 106.

16. Plumer, *Autobiography*, 46-47; *Laws of the State of New Hampshire* (Portsmouth, 1792), 256-57.

17. Plumer to Jeremiah Smith, Jan. 2, 1792, Letter Book, I, Lib. Cong.

his impeachment. Plumer had worked with the leader of this movement, Colonel William Page of Charlestown, "a bold, assuming, but imprudent, man," in projects of judicial reform, but he voted against the impeachment and refused to become one of the House managers for the trial before the Senate. Not only this, but he scolded his friend Jeremiah Smith for accepting such an appointment. Plumer believed that the persecution of Langdon was "instituted more to gratify personal pique and private resentment than to promote the public interest," and he objected strongly to what he considered unwarranted legislative interference with the judiciary. He was pleased, therefore, as well as vastly amused, when the impeachment trial ended in a complete fiasco after Langdon had resigned in order to accept a federal appointment.¹⁸

The only group to compare in strength with the Langdon influence was a junto of expert politicians at Exeter, headed by the state treasurer, John Taylor Gilman. They were soon to become the leaders of the Federalist party in New Hampshire, but it was Plumer's misfortune to fall afoul of them as well as of the Portsmouth leaders. The first brush came in 1791 over the question of a state tax. In spite of the fact that annual expenditures had fallen to their prewar level, which was amazingly low, and that the people were still burdened with a large amount of delinquent taxes, the Exeter gentry wished to raise a tax of three thousand pounds for the year. The treasurer insisted that taxes, whether wanted or not, should be collected every year to habituate people to paying them. This was good Hamiltonian doctrine, but Plumer could not agree with it. Since the treasury already contained enough money to pay the expenses of government for two years, Plumer was convinced that Gilman and his cohorts wanted the additional funds only for speculation. He took credit for the defeat of the measure in the House, and came to be regarded as a troublesome person by the Exeterites.¹⁹

During his tenure as speaker, Plumer split with the Gilman crowd over two other important issues. Since the beginning of the Revolution, state securities, though not by their terms of issue exempt from taxation, had been omitted from the list of taxable property. In the days when they had circulated at a fraction of their face value, this leniency was justifiable, but now that the state's credit was restored and its notes

18. *N. H. State Papers*, XXI, 813, 815; XXII, 76, 81-82, 117; Plumer, *Repository*, IV, 241, *N. H. State Lib.*; Plumer, *Autobiography*, 41-43, 45; Plumer to Smith, July 6, 1790, Letter Book, I, Lib. Cong.; Lawrence Mayo, *John Langdon of New Hampshire* (Concord, 1937), 257.

19. Plumer, *Autobiography*, 47-48; *N. H. State Papers*, XXII, 177, 231-32, 237.

appreciating in value, it was inequitable that they should not be taxed, particularly when most of them were held by speculators. Plumer introduced a bill to add securities of this character to the list of ratable property. "I thot the holders could better afford to pay a moderate tax on that property than many poor persons could for their polls, or small farmers with large families for their lands, houses & cattle," he explained.²⁰ As he was walking homeward from the day's session, Plumer fell in with Gilman, who upbraided him severely for his authorship of the bill and complained that it operated chiefly against himself and his brothers, who were holders of a large amount of the notes. Plumer replied that the bill was completely impersonal; that he saw no reason why state securities should escape taxation when money at interest did not; and that if the Gilman brothers had purchased state notes, they had already earned 20 per cent in appreciation and could well afford to pay a small tax. The two men parted in a bad humor, and a few days later Plumer's bill was passed, although the official copy had been stolen from the clerk's file by a speculating state senator in a crude effort to prevent its consideration.²¹

At this session, the legislature also incorporated the first bank in New Hampshire, located at Portsmouth. The proprietors and chief supporters of the corporation were Portsmouth and Exeter men who had long been prominent in commercial affairs. Plumer found himself again at odds with his wealthy friends, for he had no great faith in private banks as financial institutions. "I very much doubt whether the bank will have sufficient applications for loans—or whether the bills will obtain so general circulation as to render the bank profitable to the Stockholders," he wrote to Congressman Smith. He was afraid that New Hampshire's unfavorable balance of trade with Massachusetts would draw the bank's notes, and ultimately its specie, to Salem and Boston. The community was not sufficiently commercial to support a bank—farmers would derive no benefit from it. "Banking is, however, a subject with which I am little acquainted," he admitted. "I therefore am not sanguine as to the correctness of my opinion."²²

Plumer's opposition stalled the incorporation bill for several days in the legislature. Two of the proprietors, James Sheafe and John Pierce,

20. Plumer, *Autobiography*, 50.

21. *Ibid.*, 50-51; Plumer to Jeremiah Smith, Jan. 2, 1792, Letter Book, I, Lib. Cong.; *N. H. State Papers*, XXII, 444, 451; *Laws of N. H.* (1792), 191.

22. Plumer to Jeremiah Smith, Jan. 2, 1792, Letter Book, I, Lib. Cong.

conservative, respectable Portsmouth merchants and friends of Plumer, tried to win him over by offering him as many of their own shares as he might wish to take at par, although the bank stock was already selling at a premium. Sherburne tried to discredit his opposition by circulating rumors that it grew out of his fear that the bank would put an end to private moneylending and thus cut off a rich source of his income. Ultimately, the bank bill passed, but Plumer did manage to defeat an attempt of the proprietors to induce the state to purchase part of the bank's stock.²³

By 1792 Plumer had had his fill of politics. Although still speaker of the House, he had alienated men of power and influence by his stand on public finance. When he was nominated in council to be probate judge in Rockingham County, the office went to Oliver Peabody, one of the Exeter Junto.²⁴ When his friends backed him for the state Senate in 1790 and 1792, he was defeated. When he was proposed as a candidate for Congress in 1792, he refused to run. "I really wish not to be named as a Candidate," he wrote, "for I declare that if every vote in the State was dependent on my will, no man should vote for me."²⁵ But, he was neither despondent nor bitter. Despite his differences with the Langdon-Sherburne faction and the Exeter Junto, he protested that he felt "no party spirit" and he stated flatly that "there is no office I seek."²⁶ Increasingly, his thoughts turned toward political retirement.

After four years of experience under the Federal Constitution, politics in New Hampshire still operated, as they had in the 1780's, on a purely personal basis. "Parties" were temporary alliances of office-seekers and their friends put together before each election, as Plumer indicated in 1792 when reporting on political intrigues in the legislature.²⁷ So rudimentary was political organization that, although William Plumer had become one of the principal Federalists in New Hampshire, he had never made a campaign speech, written a political editorial, drawn up a list of voters, or made any sort of appeal to any part of the electorate outside the bounds of Epping township. Politics was still a gentlemanly occupation, or at least an activity confined to gentlemen, and the average man

23. The New Hampshire Bank was the sixth bank chartered in America. James Squires, *The Granite State of the United States* (N. Y., 1956), I, 170 ff.; Plumer, *Autobiography*, 51-52; *N. H. State Papers*, XXII, 385, 394, 446, 475.

24. *Ibid.*, 249-50; Plumer to Jeremiah Smith, July 6, 1790, Letter Book, I, Lib. Cong.

25. Plumer to William Page, Aug. 1, 1792, *ibid.*

26. Plumer to Jeremiah Smith, Jan. 2, 1792, *ibid.*

27. Plumer to William Page, Aug. 1, 1792, *ibid.*

—even the average voter—pretty largely ignored it.²⁸ Something more challenging to New Hampshire and Plumer than Hamiltonian fiscal policy was required to set the pattern of politics.

At the moment of his renunciation of political ambition in 1792, William Plumer was just completing one of the most important and enduring labors of his life—a revision of the constitution that remains to this day, in effect, the fundamental law of the state of New Hampshire. Although the constitution adopted in 1784 has technically never been replaced, it was actually so thoroughly modified by Plumer and his colleagues in the constitutional convention of 1791-92 that the state courts have made the mistake of referring to the amendments of those years as a new constitution.²⁹ In carrying through these sweeping changes, Plumer was consummating the efforts of constitutional architects over a period of sixteen years toward the creation of a workable instrument of government.

Plumer lived in an era of constitution-making and resided in the state that experimented most extensively with this process. In her hastily and crudely constructed constitution of January 5, 1776, New Hampshire demonstrated her reaction against a strong royal governor, swinging abruptly from a well-balanced colonial government to a form of legislative dominance in which executive authority virtually disappeared.³⁰ When this provisional document was replaced by a more formally considered state constitution in 1782-84, a group of conservatives, led by John Pickering, tried to restore a genuine separation and balance of powers,³¹ but their efforts were defeated by the people, to whom the proposed constitution had been submitted for ratification.³² Although young William Plumer, then a selectman in Epping, had worked hard for the acceptance of the emasculated constitution which was finally adopted, his personal attitude toward it was merely tolerant.³³ He did

28. George Leutscher, *Early Political Machinery in the United States* (Phila., 1903), 4, 122. See also John Morison, *The Life of Jeremiah Smith* (Boston, 1845), 124-25.

29. James Colby, *Manual of the Constitution of New Hampshire* (Concord, 1912), 93.

30. *Ibid.*, 69-72. The record of the adoption of this constitution may be found in the journal of the so-called Fifth Provincial Congress, printed in *N. H. State Papers*, VIII, 1-4. A facsimile of the original printed copy is included in the appendix of vol. XI, opposite p. 738.

31. See "Address of the Convention," *ibid.*, IX, 845-52. According to William Plumer, Jr., this was written by Pickering and Jonathan Sewall. William Plumer, Jr., "The Constitution of New Hampshire," *New Hampshire Bar Association, Proceedings*, 2 (1905), 233n.

32. Nevins, *American States*, 175, 183.

33. Plumer, *Autobiography*, 16.

"not feel hostile to either democracy, aristocracy or monarchy," he wrote. "I am fully resolved to use my power & influence in supporting that form of Government which my country establishes. . . . I am inclined to think the people are much more interested in the good administration than in the theory or form of the government."³⁴

Seven years under the constitution of 1784, however, had convinced Plumer and many others that theory and form were important after all. By 1791 conservatives were worried about the innumerable weaknesses which stood revealed, and wished to restore those features that had been rejected by the people in 1784. The Federal Constitution, which had replaced the weak Articles of Confederation, served as a good example of what could be accomplished by determined conservatives. Moreover, the operation of the new federal government rendered anomalous many provisions of a constitution designed for a supposedly sovereign state in a loosely confederated league. Plumer had wrestled vainly with some of the problems raised by this ambiguity, and he was convinced that constitutional prescriptions were necessary to govern such cases.³⁵

Eager to participate in the formulation of the state's fundamental law, Plumer secured election in August 1791 to the revisionary convention which had been mandated by the constitution of 1784. This success encouraged him to believe that his community was finally in the mood to consider a stronger government. Other like-minded towns sent such conservative co-workers as John Pickering, William Page, Edward St. Loe Livermore, and Jeremiah Smith, who were able to offset the anarchic tendencies of Nathaniel Peabody and Joshua Atherton.³⁶ The stage was set for the climax of the counterrevolutionary movement that had begun with the policy of deflation and the first draft of the constitution in 1781.

William Plumer was the most indefatigable worker and perhaps the most influential man in the convention of 1791-92. To the first session he brought a sheaf of amendments which would have established a virtually new constitution, had they all been adopted. Throughout this seven-day session he was in constant attendance, vigilant in debate, and active upon a number of important committees. At the end of the

34. Plumer to Jesse Johnson, Dec. 23, 1784, Letter Book, I, Lib. Cong.

35. For Plumer's attacks on the endemic pluralism in New Hampshire, see above, and Plumer, *Autobiography*, 39.

36. For biographical sketches of these and other delegates to the convention, see Nathaniel Bouton, ed., *Journal of the Convention to Revise the Constitution of New Hampshire, 1791-1792* (Concord, 1876).

week's discussion, the convention elected a grand Committee of Ten (two delegates from each county), which was to consider all the suggested amendments and any others considered suitable, and report at the next session.³⁷ Plumer represented Rockingham County, and he was the moving spirit in the committee's deliberations. Throughout the winter of 1791-92, the group met whenever a session of the General Court or of the law courts brought the members together. Much of the labor devolved upon Plumer, who complained but nevertheless complied with the committee's assignments, if only to prevent Peabody and Atherton from obstructing progress.

Early in February the full committee fought its way through a heavy snowstorm to Concord to prepare its final report for the second session of the convention. Plumer feared that Peabody's delays would prevent the report from being made ready, and he denounced Atherton as being "fickle as Proteus." "This has thrown a heavy burden on Page & myself," he grumbled to Jeremiah Smith, who had taken his seat in Congress. "I have drawn all the amendments, & have made out a fair copy of the whole constitution with those amendments incorporated therein."³⁸ Plumer also prepared the committee's report and the explanatory address³⁹ which accompanied it. Peabody and Pickering opposed the report on the floor of the convention, but Plumer, Page, Atherton, and Livermore⁴⁰ defended the committee's recommendations.

The real work of the constitutional convention was done at this February session of sixteen days. Plumer was placed on all the important committees, drew up a majority of the reports, and probably devised the strategy by which the amendments were finally carried. His influence was so marked that people who disliked the result of the convention's labor called it "Plumer's Constitution." But it was far from being Plumer's ideal.

Plumer's major efforts at reform were directed toward four goals: a separation of church and state, the creation of a genuine executive au-

37. *N. H. State Papers*, X, 57. The committee consisted of Nathaniel Peabody and William Plumer for Rockingham County, Nathan Hart of Moultonborough and Ebenezer Smith of Meredith for Strafford County, Robert Wallace of Henniker and Joshua Atherton of Amherst for Hillsborough County, William Page and Sanford Kingsbury of Claremont for Cheshire County, Elisha Payne of Lebanon and Jonathan Freeman of Hanover for Grafton County.

38. Plumer to Jeremiah Smith, Feb. 8, 1792, Letter Book, I, Lib. Cong.

39. Plumer preserved a copy of this address, probably the only one now in existence, in his Repository, IV, 331 ff., N. H. State Lib.

40. Plumer, *Autobiography*, 53.

thority, a rational system of legislative apportionment, and a thoroughgoing reform of the judiciary. As a substitute for the ambiguous statement on religious toleration in the Bill of Rights, Plumer introduced in the first session of the convention a guarantee that "the free exercise & enjoyment of religious profession & worship, without discrimination or preference, shall forever hereafter be allowed within this State to all mankind," and that no person should "ever be obliged to pay tithes taxes or any other rates . . . for the maintenance of any minister or ministry, contrary to what he believes to be right, or had deliberately or voluntarily engaged himself to perform."⁴¹

Plumer's motion was defeated by a crushing majority of eighty-nine to fifteen on the first roll call vote in the convention.⁴² A proposal to expunge the Protestant test for officeholders was also defeated in the convention, but Plumer persuaded the Committee of Ten to reverse that decision and justified the step before the people in the following words: "The Religious test is omitted because it is incompatible with the principles of a free government, and inconsistent with the bill of rights which secures to all the free enjoyment of their Religious sentiments and the right of electing and being elected into office; and because it is not sufficient to exclude the wicked and designing but may prevent the honest and virtuous."⁴³ Although approved by a majority of the voters, the anti-test amendment failed to receive the necessary two-thirds majority⁴⁴ and the Protestant test was not finally stricken from the constitution until 1877.

The convention showed substantial agreement on the necessity of a clearer separation of powers in the state government. It removed the governor, heretofore called the president, from the Senate and gave him a qualified veto over acts passed by the legislature. Although the Executive Council was retained, its members were to be chosen by the people rather than by and from the General Assembly, and the governor could veto nominations made by them.⁴⁵

Plumer and like-minded reformers failed, however, in their proposals for revision of the legislative department. The constitution of 1784 had created an elective Senate of twelve members, in which the wealthier

41. Plumer, *Repository*, IV, 331, N. H. State Lib. Plumer's proposed article does not appear in the journal of the convention.

42. *N. H. State Papers*, X, 41-42; the journal of the convention is printed, *ibid.*, 23-168.

43. Plumer, *Repository*, IV, 331 ff., N. H. State Lib.

44. *N. H. State Papers*, X, 141.

45. *Ibid.*, 48, 67-68, 93, 104; Plumer, *Repository*, IV, 331 ff., N. H. State Lib.

counties were more heavily represented.⁴⁶ The House of Representatives was composed of one delegate from every town with 150 male taxpayers (and another representative for every 300 additional voters); those with fewer than 150 could be combined with neighboring towns to be jointly represented. Plumer and his friends thought that this awkward and discriminatory concession to wealth in the Senate and to the cherished tradition of town autonomy in the House had resulted in a grossly deformed General Assembly. They therefore recommended that the senators be elected from districts equal in wealth, to be determined by the legislature.⁴⁷ The convention approved the proposal. But when the Epping delegate then introduced an amendment that would have given New Hampshire a manageable House of Representatives by limiting the membership to sixty, elected from equal districts,⁴⁸ his proposal won only twenty-two favorable votes. Eventually he persuaded the Committee of Ten to bring in a report that the House should never consist of more than 110 members or less than 80, but the convention rejected his proposal without a recorded vote. In the end, the reformers were forced to leave the composition of the House exactly as it stood. The only change was a provision for the payment of representatives' salaries by the state, rather than by the towns—an obvious victory for the rural villages.⁴⁹

Although Plumer and his colleagues failed in their efforts to revamp the House, they took full advantage of their unexampled opportunity to remodel the state judiciary. At its first session the convention decided to abolish the old courts completely and entrusted to the Committee of Ten the task of constructing a new system. During the session of the legislature in December, the committeemen who were also members of the General Court met in Plumer's lodgings every night to carry on this work. Plumer obtained permission from the legislature to examine the dockets of the courts, and there secured valuable data to support his theories.⁵⁰ His research revealed that only one of twenty actions entered in the lower court dockets ever reached a trial decision; and that of this

46. Rockingham County was given five senators; Strafford, Hillsborough, and Cheshire, two each; Grafton, one.

47. *N. H. State Papers*, X, 43-44, 51-52.

48. Plumer, *Repository*, IV, 331 ff., N. H. State Lib.

49. *N. H. State Papers*, X, 48-50, 96, 178. After the latter clause became effective, membership in the House increased until by 1821 it reached 192, out-distancing the national House of Representatives.

50. Plumer to Jeremiah Smith, Dec. 10, 1791, Letter Book, I, Lib. Cong.; Plumer, *Autobiography*, 50.

twentieth, three-fourths were appealed. By increasing the original jurisdiction of the state's highest court and decreasing appeals from justices of the peace and county courts, the committee hoped to expedite procedures and eliminate costly delays. The Committee of Ten proposed to give the state Supreme Court the power "of granting new trials and restorations to law and of hearing and determining causes in equity," which would deprive the legislature of its excuse for interfering with the decisions of the courts. "We conceived," boasted Plumer, "that the proposed Judicial system for administering Justice promises less expence and much more uniformity and will greatly increase the wisdom dignity & respectability of the courts of law."⁵¹

No part of the committee's report caused such stormy debate in the second session of the convention as did the judiciary section. It was attacked in print by Thomas Cogswell, the delegate from Gilmanton and a judge of the Inferior Court that the committee proposed to destroy.⁵² "What . . . can these gentlemen be after!" the angry pamphleteer asked. "At one stroke [they] level a judiciary system, that has cost the wisdom of ages to erect!" After warning his readers that they should suspect the motives of Page and Livermore, he turned to Plumer:

I have a regard for him, not because he was a great zealot in religion, and through our troubles in the war created a great deal of uneasiness by administering under the appearance of an itinerant preacher the doctrines of passive obedience and non-resistance. Neither do I regard him for his changeableness of disposition; but because he often discovers a goodness of heart, which if genuine, would do honor to human nature. But I am afraid he will be found as erroneous in politics, as he has been enthusiastic in religion. . . —how came it about, that these gentlemen should be so anxious to alter our laws and judiciary system? Is it out of pure regard to the love of liberty, and the citizens of this State? Or is it because they once had an antipathy to our government, and still retain it?⁵³

51. Plumer, *Repository*, IV, 331 ff., N. H. State Lib. The exegesis, which Plumer prepared as an explanation of the Committee's recommendations, appears nowhere in print. Plumer's copy of the document is a hasty transcription of the original and there are obvious errors in spelling and punctuation. In 1813, when the entire judicial system was actually renovated by Plumer's political enemies, then including Smith, this pattern of 1792 was followed in its essential parts. Plumer then opposed it. See chap. 12.

52. Plumer, *Biographies*, IV, 541, N. H. Hist. Soc.; Bouton, ed., *Journal of the Convention*, 34.

53. [Thomas Cogswell], *Some Remarks on the Proceedings of the Late Convention* (n.p., 1791), 12.

Plumer sent a copy of this pamphlet to Jeremiah Smith with the contemptuous comment, "If you have an unusual stock of patience you will read it."⁵⁴ Nevertheless, Cogswell gave apt expression to the extremely conservative viewpoint on the judiciary. The new courts, he insisted, would be arbitrary and expensive; they would favor the rich and mulct the poor; the only people to benefit by them would be the pettifogging lawyers and a new train of twenty judges at two hundred pounds each.⁵⁵

These were persuasive arguments, and Plumer soon discovered that since voting at their first session to overhaul the judicial system, the delegates to the constitutional convention had weakened considerably. Reforming zeal had given way to discretion, and the convention decided to dump the entire problem into the lap of the legislature.⁵⁶ From the general wreckage, only two specific recommendations from the committee's report were ultimately accepted by the convention and the people.

Plumer was personally responsible for one of these recommendations, an amendment which prevented lawyer-members of the legislature from acting as counsel for parties whose petitions or memorials were under consideration by the General Court. Plumer denounced this practice as "a dereliction of principle, equally degrading & improper,"⁵⁷ combining the incompatible roles of advocate and judge. The people were inclined to believe that lawyer members even encouraged appeals to the legislature in cases where they were interested, intending to use their influence for a more favorable settlement than could be had before a judicial tribunal.⁵⁸ Plumer's motion to prohibit this evil passed in the convention without a recorded vote.⁵⁹

After the convention finished its labors it referred the long list of seventy-two amendments to the people and adjourned to await their decision.⁶⁰ The leaders most responsible for these amendments suffered considerable anxiety during this waiting period. From Charlestown, Page wrote to Plumer in alarm that the amendments had not yet reached the towns in Cheshire County, but that the opposition had already de-

54. Plumer to Jeremiah Smith, Dec. 10, 1791, Letter Book, I, Lib. Cong.

55. [Cogswell], *Some Remarks on the Convention*, 26.

56. *N. H. State Papers*, X, 98-100.

57. *Ibid.*, XXII, 47; Plumer, *Autobiography*, 40.

58. [Cogswell], *Some Remarks on the Convention*, 10.

59. *N. H. State Papers*, X, 53.

60. *Ibid.*, 111-12. A few copies of this document, entitled *Articles in Addition to the Constitution of the State of New-Hampshire...* (Exeter, 1792), are still in existence. See New York Public Library, *Bulletin*, 8 (1904), 175.

feated his re-election to the legislature.⁶¹ Plumer had qualms of his own about having his reputation at the mercy of the people, whom he considered an erratic tribunal. The best minds in New Hampshire had spent the better part of a year in studying, debating, writing, and polishing a document which the people might destroy overnight by a few votes.⁶² "The great mass of the people took no interest in the revision," Plumer admitted. "Many of them felt their inability to decide the questions submitted to them, & refused acting."⁶³ The highest number of votes cast on May 7 for and against any amendment was 4,987—only a little more than half the vote cast two months earlier in an almost uncontested gubernatorial election.⁶⁴

Small as it was, however, the popular vote in May was sufficient to riddle the structure that the convention had so laboriously erected. When the delegates reconvened to count the votes, Plumer was placed on the committee that announced the result. Forty-six of the seventy-two amendments had been accepted by the necessary two-thirds vote, but the twenty-six rejected articles contained the very heart of the revised system.⁶⁵ The people had vetoed the changes proposed in the Senate, had voted against removing the governor and councilors from the legislature and adding to their powers, and had refused to order the legislature to remodel the judiciary. Only the trimmings on the new structure had been accepted; the great internal framework that gave it form was thoroughly demolished.

After a brief period of dismayed indecision, the convention appointed a committee of four, including Plumer, to survey the wreckage and salvage what it could. This group agreed that the amendments which had been accepted were themselves inconsistent without those which had been rejected, and they used these incompatibilities as an excuse for recommending that the convention draw up a new series of amendments. The convention promptly appointed a strong committee, again including Plumer. After two days of discussion, this committee reported "that the

61. William Page to Plumer, Apr. 5, 1792, Letter Book, I, Lib. Cong.

62. Perhaps Concord provided a typical example. The "Freeholders" met on May 7 at one o'clock in the afternoon, decided not to straighten a road, leased part of the school lot to James Walker, and voted upon the 72 amendments to the constitution apparently without previous public debate. *Concord Town Records, 1732-1820* (Concord, 1894), 271-72.

63. Plumer, *Autobiography*, 54.

64. *N. H. State Papers*, X, 141.

65. *Ibid.*, 141-42.

seeming inconsistency mentioned in the Report of the Committee of Saturday last, may be fairly reconciled,"⁶⁶ and asked to be discharged. The convention then appointed two more committees, one to reconcile the seeming inconsistencies and another, including Plumer, Smith, and Livermore, to rewrite the amendments dealing with the executive. The two committees submitted reports incorporating minor revisions of the amendments which had originally been sent to the people in February. The revised amendments actually reconstituted the system which the people had flatly rejected.

The convention quickly accepted these recommendations and decided that no opportunity would be given for piecemeal rejection; the reconstituted amendments, of which the sections on the executive were most significant, would have to be accepted or rejected as a whole. This proved to be a successful stratagem. When the convention met again in September, Plumer had the satisfaction of reporting that there had been 2,122 votes cast in favor of the amendments and only 978 against them.⁶⁷ Thus, although the efforts made to remodel the legislature and the judiciary had been defeated, Plumer and his friends had made good their attempts to organize a strong and independent executive department. It was a maneuver comparable in decision and daring to the calculation by which the Massachusetts conservatives had made sure of their constitutional victory in 1780.⁶⁸

By the time "Plumer's Constitution" was finally ratified, its alleged author had already carried into action a resolution to withdraw his candidacy for re-election to the legislature. He had, by 1792, become the father of two children and felt compelled to devote more attention to his family and his law practice. His responsibilities as speaker of the House, a leading member of the constitutional convention, and a very busy attorney had kept him almost continuously away from home for two years,

66. *Ibid.*, 144.

67. *Ibid.*, 164. The convention ordered a number of printed copies of the revised constitution. Some of these, entitled *Constitution of New Hampshire as Altered, Approved and Established by the Convention at Concord in September, 1792* (Concord, 1792), survive in various libraries. The full text of the constitution as amended in 1792 may be consulted in *N. H. State Papers*, X, 169-96. Various editions of the *New Hampshire Manual for the General Court* print the current constitution with all amendments clearly marked, so that the changes made in 1792 can easily be discovered.

68. For the story of the Massachusetts convention, See Samuel Eliot Morison, "The Struggle Over the Adoption of the Constitution of Massachusetts," *Mass. Hist. Soc., Proceedings*, 50 (1917), 353-412; Robert J. Taylor, ed., *Massachusetts, Colony to Commonwealth: Documents on the Formation of Its Constitution, 1775-1780* (Chapel Hill, 1961), *passim*.

and had seriously injured his health. "I resolved," therefore, he wrote, "to abandon public life & devote my attention to my professional business, & enjoy the ease & comfort of domestic life, books, & friends."⁶⁹ It was a resolution firmly carried out, but destined to be reversed by events in faraway Paris.

69. Plumer, *Autobiography*, 53.

Journal
of the
Convention;

which assembled

To revise the Constitution
of New Hampshire,
7 Sept. 1791.

A Journal of the
Proceedings in the Convention of the
State of New Hampshire for revising the
Constitution of said State

A journal of the proceedings of the Convention of the state of New Hampshire for revising the Constitution of said State

Wednesday Sept^r 7th 1791. upwards of eighty members met in Convention agreeably to precepts issued for that purpose after making choice of the Hon^{ble} Timothy Walker Esq as chairman and being sworn. proceeded to the choice of a Secretary by ballot and John Calfe Esq was chosen and sworn for that purpose

Motion was then made for the choice of a President & the Hon^{ble} Samuel Livermore Esq was chosen

Voted that Mr Cilley, Mr Thompson Mr Newcomb, Mr Walker & Mr Macgregore be a Committee to examine the returns of the several members and report thereon

Voted that Mr Plummer, Mr Page, Mr Rogers Mr Livermore & Mr Atherton be a Committee to

Adjourned to 3 o'clock P.M.
Met accordingly

Voted that the Constitution be read by sections or articles in order that any member may offer his sentiments relative to any defects therein and propose such alterations as he may think necessary

the 1st 2^d 3^d 4th & 5th articles ^{in the Bill of rights} were read and no debate ensued

the 6th Article was read & largely debated and some alterations proposed but no vote obtained in favour of the alterations

A motion was made to erase the 6th Article in order to substitute another in its stead. On which motion the yeas & Nays were called and are as follows (viz)

- | | | | |
|---------------|----------|-------------|-------------|
| Yeas | Yeas | Yeas | Yeas |
| Mr Huntington | Mr Tark | Mr Landers | Mr Johnson |
| Mr Sumner | Mr Cope | Mr Whipple | Mr Hutchins |
| Mr Dow | Mr Green | Mr Rogers | Mr White |
| Mr Hoyt | Mr Stark | Mr Crawford | |

71

The 5th, 6th, 7th, 8th, 9th & 10th paragraphs were read and not debated.

The eleventh paragraph was read and after some debate the following alteration were voted. That the words "Members of Congress or any person holding an office under the united states shall ^{the} the office of Governor or" which words are to be inserted between the word "naval officers" and the words "shall at the same time".

The following motion was made: "that attorneys that practice at the bar be exempted from holding a seat in the Senate or House of Representatives" on which motion the yeas & nays were called and are as follows. -

15 Yeas - 79 Nays - so the motion was lost -

Motion was then made that no member of the General Court shall take fees, be of Council or Act as advocate in any cause before either branch of the legislature. And upon due proof thereof such member shall forfeit his seat in the legislature which passed in the affirmative. This motion was made by William Plumer.

The remaining paragraphs were read and no debate thereon.

Voted that W. Chumner, W. Smith & W. Wayne be a Committee to reduce to form the proposed amendments and report thereon.

73

Voted that Mr Newcomb, Mr Humphrey and
Mr Atherton be a Committee to take under considera-
tion the Several paragraphs under the head "Council"
and report thereon

Adjourned to 9 o'clock to morrow morning -
Wednesday Sept. 14. 1791 Met according to adjournment
The Committee to consider of that Article in the
Constitution which directs ^{that} the Journals of both Houses of
the General Court be printed immediately after every
adjournment &c - Reported that said Article ought
to be amended - upon reading and comparing said
report motions were made to accept the same - on which
motion the yeas and nays were called and were as follow

73

Voted that W. Newcomb, W. Humphreys and
Mr. Atherton be a Committee to take under considera-
tion the Several paragraphs under the head Council
and report thereon

Adjourned to 9 o'clock to morrow morning
Wednesday Sept. 14. 1791 Met according to adjournment
The Committee to consider of that Article in the
Constitution which directs ^{that} the Journals of both Houses of
the General Court be printed immediately after every
adjournment &c - Reported that said Article ought
to be amended - upon reading and comparing said
report motions were made to accept thereof - on which
motion the yeas and nays were called and are as follows

44
37 Yeas 56 Nays - so it was rejected -

Voted that Mr Walker, Mr Seabody & Mr Coy.
shall be a Committee to take under consideration and
report such directions respecting printing the jour-
nals of the proceedings of both Houses of the General
Court as they may judge proper.

Adjourned to 3 o'clock P.M. - Met accordingly.

The Committee to consider the 19th Article in
the Bill of Rights &c. Reported that after the

as if he had signed it; unless the Legislature, by their Adjournment, prevent its return in which case it shall not be a Law.

6. Every Resolve shall be presented to the Gov^m, and before the same shall take effect, shall be approved by him; or being disapproved by him, shall be re-passed by the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

7. No Member of the gen^l Court shall take Fees, be of Counsel, or act as Advocate in any Cause before either Branch of the Legislature; and upon due proof thereof, such Member shall forfeit his Seat in the Legislature.

==

as if he had signed it; unless the Legislature, by their Adjournment, prevent its Return in which Case it shall not be a Law.

6. Every Resolve shall be presented to the Gov^m, and before the same shall take Effect, shall be approved by him; or being disapproved by him, shall be rejected by the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

7. No Member of the gen^l Court shall take Fees, be of Counsel, or act as Advocate in any Cause before either Branch of the Legislature; and upon due proof thereof, such Member shall forfeit his Seat in the Legislature.

No member of the General Court shall take fees, be of Council, or act an Advocate in any cause before either branch of the Legislature. - Upon due proof thereof such member shall forfeit his seat in the Legislature.

All persons who behave decently shall have liberty of admission to hear the debates & proceedings of both Houses of the Legislature, except when the welfare of the State shall require secrecy.

While the public charges of Government, or any part thereof, shall be assessed on polls & estates in the manner that has heretofore been practised. In order that such assessments may be made with equality, there shall be a valuation of the estates within the State taken anew once in every five years at least, & as much oftener as the General Court shall order.

Senate

1. The Senate shall consist of twelve members, who shall hold their office ^{from the 3^d week of Sept} for two years, next ensuing their election.

2. And that the State may be equally represented in the Senate, the Legislature shall divide the State into twelve districts, as nearly equal as may be.

Continued

A R T I C L E S

IN ADDITION TO AND AMENDMENT OF THE

CONSTITUTION

OF THE

STATE OF NEW HAMPSHIRE,

AGREED TO BY THE CONVENTION OF SAID STATE,

AND SUBMITTED TO THE PEOPLE THEREOF FOR THEIR

APPROBATION.



PRINTED AT EXETER, NEW HAMPSHIRE,

BY HENRY BANLET, AND SOLD AT HIS OFFICE IN MAIN STREET.

In Convention held at Concord, the second Wednesday
of February, 1702, by adjournment—ordered,

THAT the Constitution, with the articles of a-
mendments incorporated, be printed, in order that
the Constitution amended may be better understood—

And the articles of amendments be also printed and
sent to the severall towns and unincorporated places, as
soon as may be, to be laid before each town and unin-
corporated place, at a meeting of the inhabitants duly
warned for that purpose, to be held on the F I R S T
MONDAY of MAY next, being the seventh day
of said month, to be separately voted upon, by the
qualified voters present—And the Clerk of such town
or place shall seal up the articles of amendments, with
the number of votes written down for or against each
particular article, and cause return thereof to be made
to the Convention, at Concord, on the last Wednesday
in May next.



A M E N D M E N T S

notable salaries ascertained and established by standing laws.

Votes for
the Amend-
ments

Votes
against the
amendments

Under the head General Court.

VIII.

The Senate and House shall assemble every year, on the last Wednesday of October, and at such other times as they may judge necessary; and shall dissolve and be dissolved seven days next preceeding the last Wednesday of October; and shall be stiled THE GENERAL COURT OF NEW-HAMPSHIRE.

44 0

IX.

No member of the General Court shall take fees, be of Council, or act as advocate, in any cause before either branch of the Legislature; and upon due proof thereof, such member shall forfeit his seat in the Legislature.

46 0

X.

The doors of the galleries of each House of the Legislature shall be kept open to all persons, who behave decently; except when the welfare of the State, in the opinion of either branch, shall require secrecy.

46 0

Senate.

XI.

That the several paragraphs under the head of Senate be expunged, and the following be substituted in lieu thereof, viz.

0 34

The Senate shall consist of thirteen members, who shall hold their office for one year, from the last Wed-

AMENDMENTS

Votes for
the Amend-
ments

Votes
of the
members

any of October next ensuing their
election.

XII

And, that the State may be equally
represented in the Senate, the Legisla-
ture shall from time to time divide
the State into thirteen districts, as
nearly equal as may be without divid-
ing towns and unincorporated places,
and in making this division they shall
govern themselves by the proportion
of public taxes paid by the said dis-
tricts, and timely make known to
the inhabitants of the State the limits
of each district.

XIII

The freeholders and other inhabi-
tants of each district, qualified as in
this Constitution is provided, shall an-
nually give in their votes for a Senator
at some meeting holden in the month
of March.

XIV

The Senate shall be the first branch
of the Legislature, and the Senators
shall be chosen in the following man-
ner, viz. Every male inhabitant of
each town and parish, with town pri-
vileges, and places unincorporated 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
at the annual or other meetings of the
inhabitants of said towns and parishes

A M E N D M E N T S

to be duly warned and holden annually forever in the month of March, to vote in the town or parish wherein he dwells for the Senator in the district whereof he is a member.

XV.

Provided nevertheless—THAT no person shall be capable of being elected a Senator, who is not seized of a freehold estate, in his own right, of the value of two hundred pounds, lying within this state; who is not of the age of thirty years; and who shall not have been an inhabitant of this state for seven years immediately preceding his election; and at the time thereof he shall be an inhabitant of the district for which he shall be chosen.

XVI.

AND every person, qualified as the Constitution provides, shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in the town, parish or plantation where he dwelleth and hath his home.

XVII.

AND the inhabitants of plantations and places unincorporated, qualified as the Constitution provides, who are or shall be required to assess taxes upon themselves towards the support of government, or shall be taxed therefor, shall have the same privilege of voting for Senators in the plantation

Votes for the Amendments.

Votes against the Amendments.

19

14

19

Voices for the Amendments	Voices against the Amendments
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and places wherein they reside, as the inhabitants of the respective towns and parishes aforesaid have, and the meetings of such plantations and places for that purpose, shall be holden annually in the month of March at such places respectively therein, as the assessors thereof shall direct, which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns by this constitution.

XVIII.

The meetings for the choice of Governor, Councillors and Senators, shall be warned by warrant from the selectmen, and governed by a moderator, who shall, in the presence of the selectmen, (whose duty it shall be to attend) in open meeting, receive the votes of all the inhabitants of such towns and parishes present, and qualified to vote for Senators; and shall, in said meetings, in the presence of the said selectmen and of the town clerk, in said meeting, sort and count the said votes, and make a public declaration thereof, with the name of every person voted for, and the number of votes for each person. And the town clerk shall make a fair record of the same at large, in the town book, and shall make out a fair attested copy thereof, to be by him sealed up and directed to the Secretary of the

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State, with a superscription expressing the purpose thereof.—And the said town clerk shall cause such attested copy to be delivered to the sheriff of the county, in which such town or parish shall be, forty days, at least, before the last Wednesday of October or to the Secretary of the State, at least, thirty days before the said last Wednesday of October.—And the sheriff of each county, or his deputy, shall deliver all such certificates by him received into the Secretary's office, at least, thirty days before the last Wednesday of October.

XIX.

And, that there may be a due meeting of Senators on the last Wednesday of October annually, the Governor and a majority of the Council for the time being shall, as soon as may be, examine the returned copies of such records, and, fourteen days before the said last Wednesday of October, he shall issue his summons to such persons, as appear to be chosen Senators by a majority of votes, to attend and take their seats on that day. *Provided nevertheless* that for the first year the said returned copies shall be examined by the President and a majority of the Council then in office, and the said President shall in like manner, notify the persons elected to attend and take their seats accordingly.

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Votes for the Amendments. Votes against the Amendment.

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XX.

AND, in case there shall not appear to be a Senator elected by a majority of votes, for any district, the deficiency shall be supplied in the following manner, viz. The members of the house of Representatives, and such Senators as shall be declared elected shall take the names of the two persons having the highest number of votes in the district, and out of them shall elect, by joint ballot, the Senator wanted for such district; and in this manner, all such vacancies shall be filled up in every district of the State, and in like manner all vacancies in the Senate arising by death, removal out of the State, or otherwise, shall be supplied as soon as may be after such vacancies happen.

XXI.

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THE Senate shall be final judges of the elections, returns and qualifications of their own members, as pointed out in this Constitution.

XXII.

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THE Senate shall have power to adjourn themselves, provided such adjournment do not exceed two days at a time; Provided, nevertheless, that, whenever they shall sit on the trial of any impeachment, they may adjourn to such time and place as they may think proper, although the Legislature be not assembled on such day or at such place.

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XXIII.

The Senate shall appoint their President and other officers; and determine their own rules of proceedings; and not less than seven members of the Senate shall make a quorum for doing business; and when less than eight Senators shall be present, the assent of five at least shall be necessary to render their acts and proceedings valid.

Votes for the Amendments.

Votes against the Amendments.

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XXIV.

The Senate shall be a court, with full power and authority, to hear, try and determine all impeachments made by the house of Representatives, against any officer or officers of the state, for bribery, corruption, mal-practice, or mal-administration in office; with full power to issue summons or compulsory process for convening witnesses before them, with all necessary powers incident to a court of trials. But previous to the trial of any such impeachment the members of the Senate shall respectively be sworn truly and impartially to try and determine the charge in question, according to evidence. And every officer impeached for bribery, corruption, mal-practice, or mal-administration in office, shall be served with an attested copy of the impeachment and order of Senate thereon, with such citation as the

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Senate may direct, setting forth the time and place of their sitting to try the impeachment, which service shall be made by the Sheriff, or such other sworn officer as the Senate may appoint, at least fourteen days previous to the time of trial, and such citation being duly served and returned, the Senate may proceed in the hearing of the impeachment, giving the person impeached, if he shall appear, full liberty of producing witnesses and proofs, and of making his defence by himself and council, and may also, upon his refusing or neglecting to appear, hear the proofs in support of the impeachment, and render judgment thereon, his non-appearance notwithstanding; — and such judgment shall have the same force and effect, as if the person impeached had appeared and pleaded on the trial. Their judgment, however, shall not extend further than removal from office, disqualification to hold or enjoy any place of honor, trust, or profit under this State; but the party so convicted shall nevertheless be liable to indictment, trial, judgment and punishment, according to the laws of the land. — Whenever the Governor shall be impeached, the chief Justice of the Supreme judicial court shall during the trial, preside in the Senate but have no vote therein.

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Under the head House of Representatives.

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XXV.

THAT the fifth paragraph under this head be expunged and the following added, viz.

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ALL persons qualified to vote, in the elections of Senators, shall be entitled to vote within the district where they dwell, in the choice of Representatives. Every member of the house of Representatives shall be chosen by ballot, and for two years at least next preceeding his election shall have been an inhabitant of this state—shall have an estate within the district, which he may be chosen to represent, of the value of one hundred pounds; one half of which to be a freehold, whereof he is seized in his own right; and shall be at the time of his election, an inhabitant of the district he may be chosen to represent, and shall cease to represent such district immediately on his ceasing to be qualified as aforesaid.

XXVI.

THAT the sixth article under said head be expunged and the following added:

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THE members of both houses of the Legislature shall be compensated for their services out of the Treasury of the State by a law made for that purpose, such members attending seasonably and not departing without licence. All intermediate vacancies in

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the house of Representatives, may be filled up, from time to time in the same manner as annual elections are made.

XXVII.

THE House of Representatives shall be judge of the returns, elections and qualifications of its members, as pointed out in this Constitution.

THAT the last paragraph under said head be expunged and the following added, viz.

XXVIII.

14

The journals of the proceedings and all public acts of both houses of the Legislature shall be printed and published immediately after every adjournment or prorogation; and upon motion made by any one member, the yeas and nays upon any question shall be entered on the journals; and any member of the Senate or House of Representatives shall have a right, on motion made at the time for that purpose, to have his protest or dissent, with the reasons against any vote, resolve or bill passed, entered on the journals.

Executive Powers

GOVERNOR

XXIX.

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The Governor shall be chosen annually in the month of March; and the votes for Governor shall be received, sorted, counted, certified and returned

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in the same manner as the votes for Senators; and the Secretary shall lay the same before the Senate and House of Representatives, on the last Wednesday of October to be by them examined; and in case of an election by a majority of votes, through the State, the choice shall be by them declared and published.

XXX.

AND the qualifications of electors of the Governor shall be the same as those for Senators. And if no person shall have a majority of votes, the Senate and House of Representatives shall, by joint ballot, elect one of the two persons having the highest number of votes, who shall be declared Governor.

XXXI.

AND no person shall be eligible to this office unless, at the time of his election, he shall have been an inhabitant of this state for seven years next preceeding, and unless he shall be of the age of thirty years, and unless he shall at the same time have an estate of the value of five hundred pounds, one half of which shall consist of a freehold, in his own right, within this state.

XXXII.

In cases of disagreement between the two houses, with regard to the time or place of adjournment or prorogation, the Governor, with advice

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of Council, shall have a right to adjourn or prorogue the General Court, not exceeding seven months, at any one time, as he may determine the public good may require, to meet at the place where the General Court shall be at that time sitting; and he shall dissolve the same seven days before the said last Wednesday of October.

XXXIII.

AND in case of any infectious distemper prevailing in the place where the said court, at any time, is to convene, or any other cause, whereby dangers may arise to the health or lives of the members from their attendance, the Governor may direct the session to be holden at some other the most convenient place within the state.

XXXIV.

Every bill, which shall have passed both houses of the General Court, shall, before it become a Law, be presented to the Governor; if he approve he shall sign it;—but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with such objections, to the other House, by which it shall likewise

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be reconsidered; and if approved by two thirds of that house it shall become a law: But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Legislature, by their adjournment, prevent its return, in which case it shall not be a law.

XXXV.

EVERY resolve shall be presented to the Governor, and before the same shall take effect, shall be approved by him; or being disapproved by him shall be repassed by the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

XXXVI.

ALL judicial officers, the Attorney General, Solicitors, all Sheriffs, Coroners, Registers of Probate, and all officers of the navy, and general and field officers of the militia, shall be nominated and appointed by the Governor and Council; and every such nomination shall be made at least three days prior to such appointment;

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and no appointments shall take place unless a majority of the Council agree thereto. The Governor and Council shall have a negative on each other, both in the nominations and appointments. Every nomination and appointment shall be signed by the Governor or Council, and every negative shall be also signed by the Governor or Council, who made the same.

XXXVII

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The Captains and Subalterns, in the respective regiments, shall be nominated by the field officers, and if approved by the Governor, shall be appointed by him.

XXXVIII

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WHENEVER the chair of the Governor shall become vacant, by reason of his death, absence from the State, or otherwise, the President of the Senate shall, during such vacancy, have and exercise all the powers and authorities which, by this Constitution, the Governor is vested with when personally present; but when the President of the Senate shall exercise the office of Governor, he shall not hold his office in the Senate.

XXXIX

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The several paragraphs under the head *President* in the Constitution shall be altered by expunging the word *President* and inserting the word *Governor* in lieu thereof.

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XL.

AND the second, third, fourth, sixth, ninth, sixteenth and last paragraph under the head President in the Constitution shall be expunged and be considered as no longer in force.

Votes for the Amendment. Votes against the Amendment.

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Council.

XLI.

THE several paragraphs under the head Council in the Constitution shall be expunged, and the following substituted in lieu thereof.

21

THERE shall be, annually, elected, by ballot, five Counsellors for advising the Governor in the Executive part of government. The freeholders and other inhabitants, in each county, qualified to vote for Senators, shall, sometime in the month of March, give in their votes for one Counsellor, which votes shall be received, sorted, counted, certified and returned to the Secretary's office, in the same manner as the votes for Senators, to be by the Secretary laid before the Senate and House of Representatives, on the last Wednesday of October.

XLII.

AND the person having a majority of votes in any county shall be considered as duly elected a Counsellor— But if no person shall have a majority of votes in any county, the Senate and House of Representatives shall take the names of the two persons who have

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the highest number of votes in each county, and not elected, and out of those two shall elect, by joint ballot, the Counsellor wanted for such county.

XLIII.

Provided nevertheless—THAT no person shall be capable of being elected a Counsellor, who has not an estate of the value of five hundred pounds within this state; three hundred pounds of which (or more) shall be a freehold in his own right, and who is not thirty years of age, and who shall not have been an inhabitant of this state for seven years immediately preceeding his election, and at the time of his election an inhabitant of the county in which he is elected.

XLIV.

THE Secretary shall, annually, fourteen days before the last Wednesday of October, give notice of the choice of the persons elected.

XLV.

If any person shall be elected Governor or member of either branch of the Legislature, and shall accept the trust, or if any person elected a Counsellor shall refuse to accept the office, or in case of the death, resignation or removal of any Counsellor out of the state, the Governor may issue a precept for the election of a new Counsellor, in that county where such vacancy

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shall happen, and the choice shall be in the same manner as before directed. And the Governor shall have full power and authority to convene the Council from time to time at his discretion, and with them, or the majority of them, may and shall, from time to time, hold a Council for ordering and directing the affairs of the state, according to the laws of the land.

XLVI.

The members of the Council may be impeached by the House and tried by the Senate, for bribery, corruption, mal-practice, or mal-administration.

The resolutions and advice of the Council shall be recorded, by the Secretary, in a register, and signed by all the members present agreeing thereto, and this record may be called for at any time, by either house of the Legislature; and any member of the Council may enter his opinion contrary to the resolutions of the majority, with the reasons for such opinion.

XLVII.

The Legislature may, if the public good shall hereafter require it, divide the state into five districts, as nearly equal as may be, governing themselves by the number of rateable polls and proportion of public taxes—Each district to elect a Counsellor; and in case of such division the manner of the

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choice shall be conformable to the present mode of election in counties.

XLVIII.

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AND whereas the elections appointed to be made by this Constitution, on the last Wednesday of October, annually, by the two houses of the Legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of the elections shall be as follows—

The vacancies in the Senate, if any, shall be first filled up—the Governor shall then be elected, provided there shall be no choice of him by the people, and afterwards the two houses shall proceed to fill up the vacancy, if any, in the Council.

Under the head Secretary, &c.

XLIX.

21

THE Secretary of the State shall, at all times, have a deputy to be by him appointed, for whose conduct in office he shall be responsible; and in case of the death, removal, or inability of the Secretary, his deputy shall execute all the duties of the office of Secretary of this State, until another shall be appointed.

L.

THE Secretary, before he enters upon the business of his office, shall give bond, with sufficient securities, in a reasonable sum, for the use of the State

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for the punctual performance of his trust.

Votes for the Amendments. Votes against the Amendments.

County Treasurer, &c.

LI.

THAT the paragraph under this head in the Constitution be expunged and the following substituted in lieu thereof:

21

THE County Treasurer and Register of Deeds shall be elected by the inhabitants of the several towns in the several counties, in the state, according to the method now practiced, and the laws of the state; *Provided nevertheles*, the Legislature shall have authority to alter the manner of certifying the votes and the mode of electing those officers, but not so as to deprive the people of the right they now have of electing them.

LII.

AND the Legislature, on the application of the major part of the inhabitants of any county, shall have authority to divide the same into two districts for registering deeds, if to them it shall appear necessary—Each district to elect a register of deeds.

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LIII.

THE County Treasurer and Register of Deeds, before they enter upon the bu

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finels of their offices, shall be respective-ly sworn faithfully to discharge the duties thereof; and shall severally give bond, with sufficient surities, in a reasonable sum, for the use of the county or district, for the punctual performance of their respective trusts.

Judiciary Power.

LIV.

21

It shall be the duty of the General Court to make a reform in the judiciary system, that justice may be administered in a more cheap and expeditious manner than is now practiced; and that no party shall have a review after the cause has been determined against him twice by jury.

LV.

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THE General Court are hereby empowered to make alterations in the power and jurisdiction of the Courts of Common pleas and General Sessions of the peace respectively, or, if they shall judge it necessary for the public good, to abolish those courts, or either of them, and invest such other courts, as they may establish, with the jurisdiction and powers now vested in the courts of Common pleas, and courts of General Sessions of the peace; as the General Court may, from time to time.

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judge expedient for the due administration of law and justice

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LVI

AND it shall be the duty of the General Court to vest in such court or courts of law, as to them may appear expedient, the power of granting new trials, or a trial after judgment, either upon verdict of a jury, default, nonsuit or complaint for affirmation of judgment, in all cases where substantial justice has not been done (except as before excepted) in such manner and under such restrictions and regulations as to the General Court may appear for the public good; provided application be made for such review or trial within one year from the rendition of judgment.

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EVII

FOR the more effectually preserving the proper separation of the three great powers of government, agreeably to the 37th article in the Bill of Rights, the power of hearing and deciding in causes of equity shall be vested either in some judicial court or courts, or in some court to be established specially for that purpose—provided no power shall be granted to any such courts, incompatible with the Bill of Rights and Constitution. And the powers of said courts shall be li-

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mitted and defined by express laws. And no suit in equity shall be sustained where clear and adequate remedy may be had at law.

LVIII.

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THE General Court are empowered to give to Justices of the peace jurisdiction in civil causes; where the damages demanded shall not exceed four pounds, and title of real estate is not concerned; but with right of appeal to either party to some other court, so that a trial by jury, in the last resort, may be had.

LIX.

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No person shall hold the office of Judge of any court, or Judge of Probate, or Sheriff of any county, after he has attained the age of seventy years.

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No Judge of any court, or Justice of the peace shall act as attorney, or be of counsel to any party, or originate any civil suit in matters which shall come, or be brought before him, as Judge or Justice of the peace.

LXI.

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ALL matters relating to the probate of wills, and granting letters of administration shall be exercised by

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the Judges of Probate, in such manner as the Legislature have directed, or may hereafter direct. And the Judges of Probate shall hold their courts at such place or places, on such fixed days, as the conveniency of the people may require, and the Legislature from time to time appoint.

Votes for the Amendments. Votes against the Amendments.

LXII.

No Judge or Register of Probate shall be of counsel, act as advocate, or receive any fees as advocate or counsel, in any probate business, which is pending, or may be brought into any court of Probate, in the county of which he is Judge or Register.

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LXIII.

THAT the paragraph under the head Clerks of courts, in the Constitution be expunged and the following substituted, viz.

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LXIV.

THE Judges of the courts (those of probate excepted) shall appoint their respective clerks, to hold their office during pleasure; and no such clerk shall act as an attorney, or be of counsel in any cause in the court of which he is clerk, nor shall he draw any writ originating a civil action.

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LXV.

THAT the paragraph in the Constitution under the head Delegates to Congress, be expunged.

LXVI.

THE Oath of allegiance in the Constitution shall be expunged, and the following substituted in lieu thereof, viz:

I *A B* do solemnly swear that I will bear faith and true allegiance to the State of New-Hampshire, and will support the constitution thereof.—*Sa help me God.*

LXVII.

ANY person having taken and subscribed the oath of allegiance, shall not be obliged to take said oath again.

LXVIII.

AND the oaths or affirmations shall be taken and subscribed by the Governor, before the President of the Senate, in presence of both houses of the Legislature, and by the Senators and Representative first elected under this Constitution, as amended and altered, before the President of the State and a majority of the Council then in office—and forever afterwards before the Governor and Council for the time being, and by all other officers before such persons, and in such manner as

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the Legislature shall from time to time appoint.

Votes for the Amendment.	Votes against the Amendment.
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LXIX.

THAT the fifteenth paragraph in the Constitution, under the head oaths and subscriptions &c. be expunged and the following substituted in lieu thereof, viz,

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LXX.

No person holding the office of Judge of any court (except special judges) Secretary, Treasurer of the State, Attorney General, Commissary General, Military Officers receiving pay from the continent or this State, excepting officers of the militia occasionally called forth on an emergency, Register of deeds, Sheriff, or Officer of the Customs, including Naval Officers, Collectors of Excise, and State and Continental taxes hereafter appointed and not having settled their accounts with the respective officers, with whom it is their duty to settle such accounts, Members of Congress, or any person holding an office under the United States, shall, at the same time, hold the office of Governor, or have a seat in the Senate, or House of Representatives, or Council; but his being chosen and appointed to and accepting the same shall operate as a resignation of his seat in the chair of the Senate, or House of Representatives, or Council; and the place so vacated shall

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be filled up. No member of the Council shall have a seat in the Senate or House of Representatives.

LXXI.

To the end that there may be no failure of justice, or danger to the state by the alterations and amendments made in the Constitution, the General Court is hereby fully authorized and directed to fix the time, when the amendments and alterations shall take effect, and make the necessary arrangements accordingly.

That the last paragraph in the Constitution be expunged and the following substituted in lieu thereof, viz.

LXXII.

It shall be the duty of the Selectmen and Assessors of the several towns and places in this state, in warning the first annual meeting, for the choice of Senators, after the expiration of seven years from the adoption of this Constitution as amended, to insert expressly in the warrant this purpose, among the others, to the meeting, to wit, to take the sense of the qualified voters on the subject of a revision of the Constitution. And the meeting being warned accordingly, and not otherwise, the moderator shall take the sense of the qualified voters present, as to the necessity of a revision, and a return

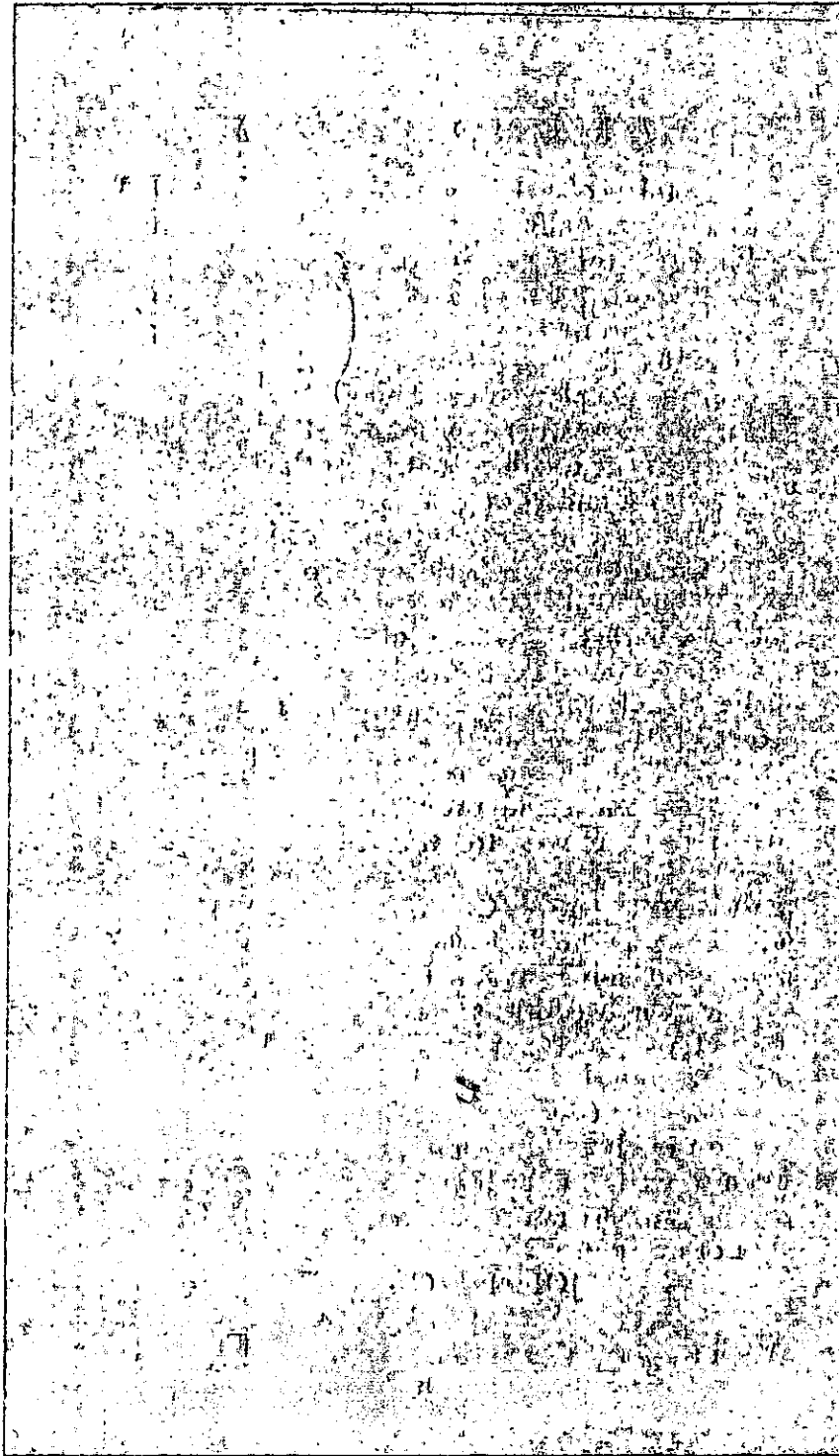
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of the number of votes for and against such necessity, shall be made by the clerk, sealed up and directed to the General Court, at their then next session; and if it shall appear to the General Court, by such returns, that the sense of the people of the state has been taken, and that, in the opinion of the majority of the qualified voters in the state present, and voting at said meetings, there is a necessity for a revision of the Constitution, it shall be the duty of the General Court, to call a Convention for that purpose; otherwise, the General Court shall direct the sense of the people to be taken, and then proceed in the manner before mentioned. The delegates to be chosen in the same manner and proportioned as the representatives to the General Court—Provided that no alterations shall be made in this Constitution, before the same shall be laid before the towns and unincorporated places, and approved by two thirds of the qualified voters present, and voting on the subject. And the same method of taking the sense of the people, as to the revision of the Constitution, and calling a convention for that purpose, shall be observed afterwards at the expiration of every seven years.

Votes for the Amendments.
 Votes against the Amendments.

JOHN PICKERING,
 [President, P. T.]

Attest: JOHN CALFE, Secretary.



In CONVENTION, February 24th, 1792.

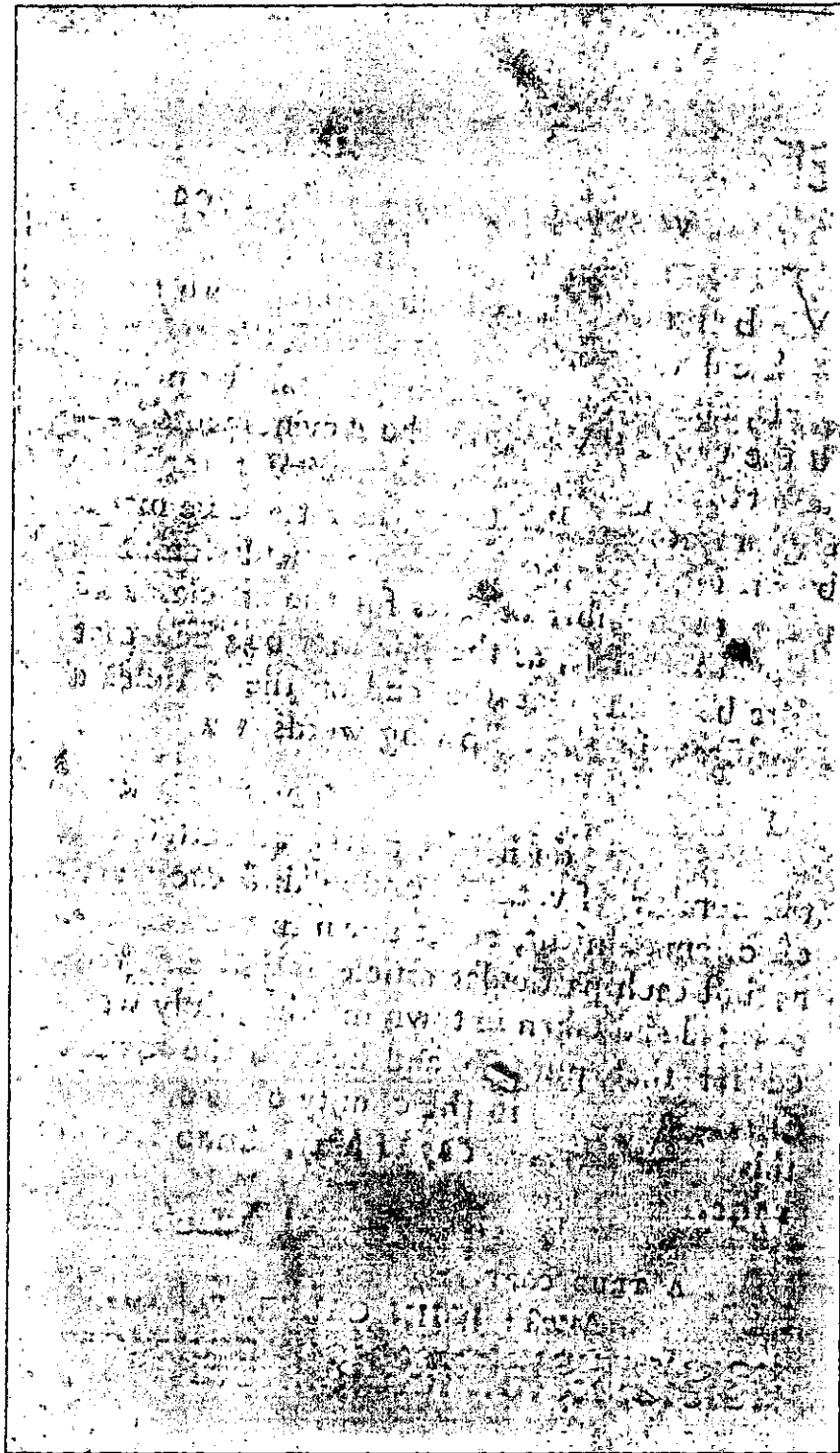
VOTED, that the articles of amendment be numbered, and also printed with two blank columns on each page with the amendments, and at the top of one column, be printed the words "Votes for the Amendments" --- and at the top of the other column "Votes against the Amendments" --- That the returns be made by writing down, against each particular amendment, the number of votes for the article or against the article, as the case may be; and that there be printed at the end of the articles a Certificate in the following words, viz.

I *Andrew Mack* Town Clerk of *Londonderry* do hereby certify and attest that the number of votes for and against each article of amendment, as set down in each column against each particular article, is just and true as voted and taken in town meeting, duly warned for that purpose and held in the town of *Londonderry* in the county of *North Down* this *24th* day of May, Anno Domini 1792.

Andrew Mack Town Clerk

A TRUE COPY.

Attest: JOHN CALFE, Secretary.

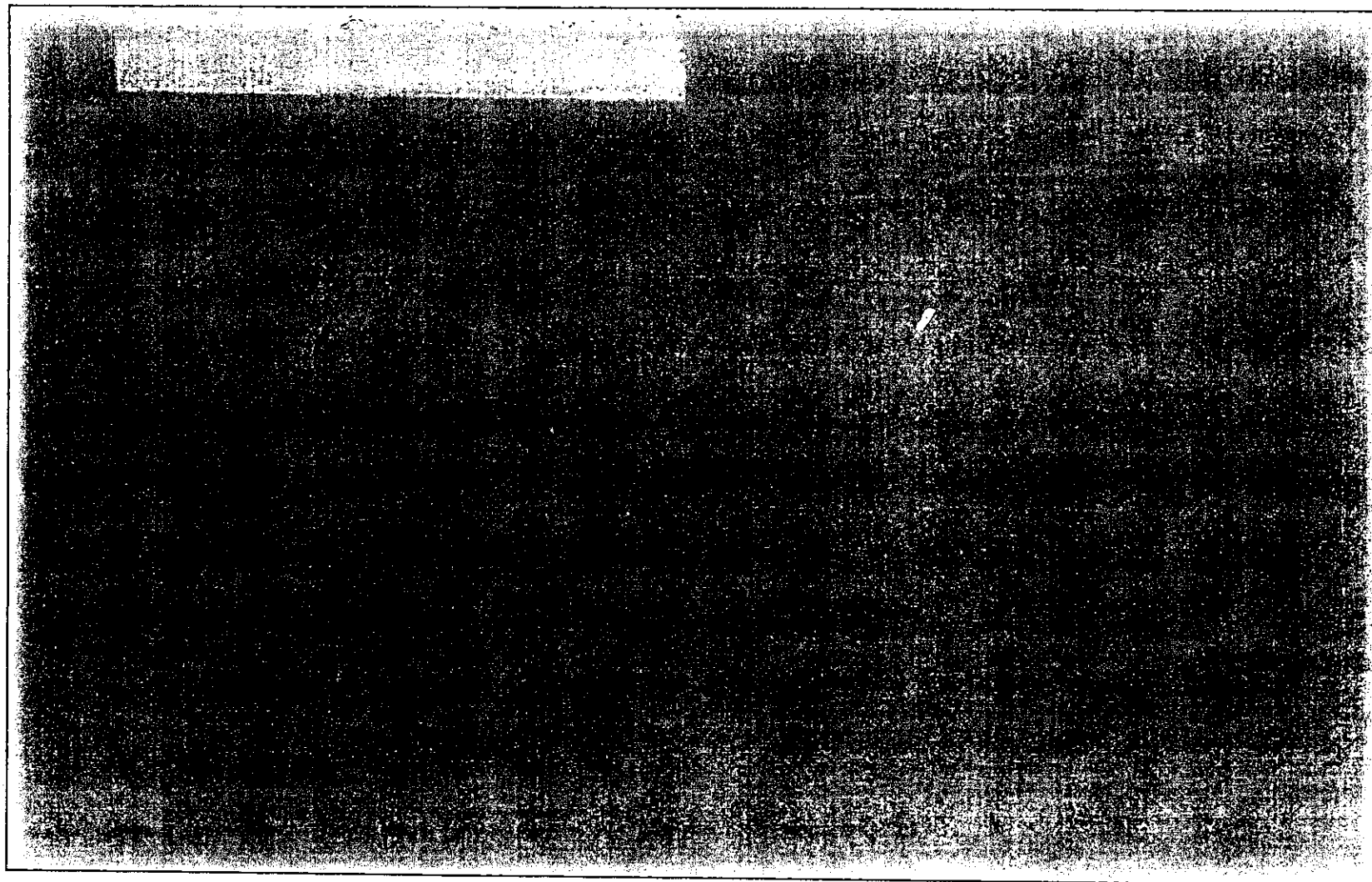


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Francis Newton Thorpe

N.H. 1732.

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THE NEW HAMPSHIRE STATE CONSTITUTION

A Reference Guide

Susan E. Marshall OLS 02
Susan E. Marshall

Foreword by Richard A. Hesse

REFERENCE GUIDES TO THE STATE CONSTITUTIONS OF THE
UNITED STATES, NUMBER 39
G. Alan Tarr, *Series Editor*

PRAEGER

Westport, Connecticut
London

[ART.] 101. [ENROLLMENT OF CONSTITUTION.]

This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land and printed copies thereof shall be prefixed to the books containing the laws of this state, in all future editions thereof.

Source: 1784.

This article provides for the enrollment on parchment of the constitution of 1784 and requires that the constitution be printed in the books containing the state laws.

This article is virtually the same as a provision of the 1780 Massachusetts Constitution.

Unfortunately, there is no known parchment copy of the constitution of 1784. The earliest existing parchment copy of the constitution was created after the amendments adopted by the voters in 1792 were incorporated into the constitution. This copy contains a number of nonsubstantive, minor changes in punctuation and wording that have become an accepted part of the constitution.

NOTES

1. *Journal of the Convention to Revise the Constitution, January 1889* (Manchester: John B. Clarke, 1889), p. 39.

2. *Concord Evening Monitor*, December 12, 1888.

3. The difference between direct contempt and indirect contempt was explained by the court in *Town of Nottingham v. Cedar Waters, Inc.* (1975) 118 N.H. 282. A direct criminal contempt is contempt "committed in the presence of the court and in its immediate view, all elements of the contempt being clearly observable by the court." Indirect contempt is "committed outside the presence of the court and without the judge having full personal knowledge of every element of the contempt. Establishment of the contempt thus depends upon proof of facts of which the court could not take judicial notice."

4. This was the "Dartmouth College Case," which was decided in favor of the state's controlling the college's charter in 1817, but reversed by the United States Supreme Court in *Dartmouth College v. Woodward* (1819) 17 U.S. 518.

5. *New Hampshire General Court Ethics Booklet, RSA 14-B, Ethics Guidelines and Procedural Rules* (November 2000), Part Two, Ethics Guidelines, Sect. 4, Prohibited Activities, paragraph I.

6. *Reynolds v. Sims* (1964) 377 U.S. 533 and a group of related cases set the "one person, one vote" standard.

7. *The Concord Monitor*, May 8, 1956.

8. Chief Justice Charles Doe of the New Hampshire Supreme Court concluded in his famous dissent in *Hale v. Everett* (1868) 53 N.H. 9 that, based on historical evidence, the "Protestant" test was simply an "anti-Catholic" test. Chief Justice Doe was a highly respected judge who sat on the state's highest court for 35 years.

9. See Leon W. Anderson, *To This Day: The 300 Years of the New Hampshire Legislature* (Canaan, NH: Phoenix Publishing, 1981), pp. 169-183 for a discussion of the tumultuous 1887 session.

10. A senator who participated in the impeachment trial wrote an account of the trial that includes some documents relating to the trial. See Mary E. Brown, *The Impeachment Trial* (Pittsfield, NH: Lynxfield Publishing, 2001).

11. *Journal of the Convention to Revise the Constitution, May 1984* (Concord: Evans Printing Co., 1984), pp. 299-300.

12. Between 1862 and 1912, the legislature had to decide elections for chief executives whose terms began in 1863, 1871, 1874, 1887, 1889, 1891, 1907, and 1913 *State of New Hampshire Manual for the General Court* (Concord, NH: Department of State, 2001), p. 91, notes 11, 12, 14-18.

13. The governor's pocket veto power became a particular issue after Governor Meldrim Thomson made extensive use of the pocket veto at the end of the 1974 legislative session, when he killed over 20 bills after the legislature adjourned by refusing to sign them. The 1974 constitutional convention presented the voters with the option of eliminating the pocket veto in February 1976, but the change was not adopted. The proposed solution in 1976 would have given the governor ten days instead of five days to act on legislation submitted to him and required the governor to recall the legislature to reconsider any bills vetoed after the legislature had adjourned.

14. Laws of 1829, ch. 100, Laws of New Hampshire, Vol. 9 (1821-1829), p. 879.

15. Laws of 1829, ch. 104, Laws of New Hampshire, Vol. 9 (1821-1829), p. 896.

16. *Report to the Fifteenth Constitutional Convention by the Commission to Study the State Constitution* (Concord: Evans Printing Co., 1964), pp. 17-18.

17. See Richard F. Upton, "The Independence of the Judiciary in New Hampshire," 1 *New Hampshire Bar Journal*, 28 (1959), for a detailed account of this period.

18. As the judiciary was reorganized, the name of the highest court went back and forth from superior court of judicature to supreme judicial court (1813), superior court of judicature (1816), supreme judicial court (1855), superior court of judicature (1874), and supreme court (1876). Until 1901, the highest court sat at both law term and trial term. The law term and trial term were made separate in the modern structure of the court system set out in Laws of 1901, ch. 78, with a supreme court acting as an appellate court and a superior court as the highest trial court.

19. Hon. Robert J. Lynn argues in "Judicial Rule-Making and the Separation of Powers in New Hampshire: The Need for Constitutional Reform," 42 *New Hampshire Bar Journal* 44 (2001), p. 47 that the court went too far in this case and deprived the legislature of any meaningful role in regulating court practice and procedure, as it has historically exercised in New Hampshire.

20. Laws of 1929, ch. 21.

21. Laws of 1791, ch. 94, Laws of New Hampshire, Vol. 5 (1784-1792), p. 732.

22. *Journal of the Convention to Revise the Constitution, June 1912* (Manchester: John B. Clarke Co., 1912), p. 383.

23. Charles G. Douglas, III, *Manual for Notaries Public and Justices of the Peace* (Orford, NH: Equity Publishing Corp., 1991), p. 26.

24. David McCullough, *John Adams* (New York: Simon & Schuster, 2001), pp. 222-223.

25. *The Concord Monitor*, October 28, 1980.

[ART.] 6-b. [USE OF LOTTERY REVENUES RESTRICTED TO EDUCATIONAL PURPOSES.]

All moneys received from a state-run lottery and all the interest received on such moneys shall, after deducting the necessary costs of administration, be appropriated and used exclusively for the school districts of the state. Such moneys shall be used exclusively for the purpose of state aid to education and shall not be transferred or diverted to any other purpose.

Source: 1990.

This article, added in 1990, constitutionally mandates that revenues from a state-run lottery must be used for aid to education. New Hampshire has the oldest state-run lottery in the nation, having passed a law allowing a state sweepstakes lottery in 1963. The lottery was originally tied to horse races, and its revenues were intended to be used for educational purposes. When the lottery was created, a statute was enacted to provide for the distribution of lottery revenues to school districts, but the statute was suspended during several years in the 1980s because of budgetary shortfalls. The circumstances of the suspensions are discussed in *King v. Sununu* (1985) 126 N.H. 302. The fear that revenues, in a time of fiscal need, would be used for noneducational purposes motivated the adoption of this article.

This article has not been interpreted by the court.

[ART.] 7. [MEMBERS OF LEGISLATURE NOT TO TAKE FEES OR ACT AS COUNSEL.]

No member of the general court shall take fees, be of counsel, or act as advocate, in any cause before either branch of the legislature; and upon due proof thereof, such member shall forfeit his seat in the legislature.

Source: 1792.

This article, added to the constitution in 1792, prohibits legislators from taking fees or acting as counsel or advocate before the house or senate. This article was intended to curb conflict-of-interest situations which had commonly occurred during the Revolutionary and early constitutional periods.

This article is not codified in statutory law, but ethics guidelines adopted by the general court prohibit a legislator from accepting "anything of value . . . in return for . . . participating in, influencing, or attempting to influence any decision of the legislature."⁵

The article has never been interpreted by the court.

[ART.] 8. [OPEN SESSIONS OF LEGISLATURE.]

The doors of the galleries, of each house of the legislature, shall be kept open to all persons who behave decently, except when the welfare of the state, in the opinion of either branch, shall require secrecy.

Source: 1792.

This article provides for the opening of galleries in the House and Senate that their proceedings can be observed by the public, except when the welfare of the state requires secrecy. This provision has not been interpreted by the New Hampshire Supreme Court.

[ART.] 9. [REPRESENTATIVES ELECTED EVERY SECOND YEAR. APPORTIONMENT OF REPRESENTATIVES.]

There shall be in the legislature of this state a house of representatives, biennially elected and founded on principles of equality, and representation therein shall be as equal as circumstances will admit. The whole number of representatives to be chosen from the towns, wards, places, and representative districts thereof established hereunder, shall be not less than three hundred seventy-five or more than four hundred. As soon as possible after the convening of the next regular session of the legislature, and at the session in 1971, and every ten years thereafter, the legislature shall make an apportionment of representatives according to the last general census of the inhabitants of the state taken by authority of the United States or of this state. In making such apportionment, no town, ward or place shall be divided nor the boundaries thereof altered.

Source: 1784. Amended 1877, 1942, and 1964.

The size of the house of representative is set in this article to range between 375 and 400, with elections to be held every two years on the basis of equal apportionment. No town, ward, or place may be divided in the creation of a district, unless a division has been locally approved under Part 2, Article 11.

The 1784 version of this article was patterned after the 1780 Massachusetts Constitution. Representation in 1784 was based on ratable polls, persons entitled to vote on the basis of property, rather than on population. A town with ratable male polls was allowed one representative, and another representative was allowed for each additional 300 polls. This type of unequal apportionment favored the small towns.

In 1877, the basis of representation for one representative was changed from 150 ratable polls to 600 inhabitants, based on the most recent census. Twice as many inhabitants were still required for each additional representative. This is sometimes referred to as the "two for one" requirement. Changing the basis from ratable polls to population in 1877 was important because the use of ratable polls as the basis for representation was prone to abuse by towns which manipulated their property values to inflate the number of representatives which they were entitled. *Levitt v. Attorney General* (1962) 104 N.H. 100.

enacted a "fair rental ordinance." When the ordinance was challenged, certain tenants who resided in the town contended that the town had, under "home rule" powers, authority to enact rent control ordinances. The court held that "home rule" powers delegated by the state to local governmental units were broad, but not unlimited, and that the legislature was the supreme legislative authority, citing this article and Part 2, Article 2. The court found that a broad interpretation of the home rule statute would result in a delegation of legislative authority without any guidelines, supervision, or legislative review, which would raise "serious constitutional questions" under this article and Part 2, Article 2. The ordinance was not permitted.

[ART.] 30. [FREEDOM OF SPEECH.]

The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any action, complaint, or prosecution, in any other court or place whatsoever.

Source: 1784.

This article preserves the principle that the legislature must be free to both speak and act without fear of criminal or civil liability.

This article is very similar to Part 1, Article XXI of the 1780 Massachusetts Constitution. The New Hampshire version deletes the reference to immunity from "accusation."

The privilege afforded debate and deliberation under this article is intended to protect the integrity of the legislative process. The parameters of this article were discussed in the 1976 case of *Keefe v. Roberts* (1976) 116 N.H. 195. Representative Keefe brought suit against Speaker of the House Roberts, after Roberts enforced Keefe's attendance in the house chamber. Roberts had issued a quorum call, and Keefe refused to return to the house chamber. Roberts instructed the house sergeant-at-arms to arrest Keefe and return him to the chamber. The court responded to a lower court's question as to whether the immunity granted to legislative debate and deliberations by Article 30 afforded protection to the house speaker in an action based on arrest of a house member in order to secure a quorum.

The court held that a legislator must be acting within the scope of legitimate legislative activity to be protected by the guarantee under this article, and that this article should be broadly interpreted. The article is the equivalent of the speech and debate clause of Article I, Section 6 of the United States Constitution. The speaker was acting within the scope of his responsibilities when he enforced the attendance of the representative. When a call of the house has been ordered, the attendance of a member may be compelled. Speaker Roberts was protected by Article 30 because his acts were consistent with the due functioning of the legislative process and were part of the legislative process itself.

[ART.] 31. [MEETINGS OF LEGISLATURE, FOR WHAT PURPOSES.]

The legislature shall assemble for the redress of public grievances and for making such laws as the public good may require.

Source: 1784. Amended 1792.

This article states the purposes for which the legislature is to assemble, namely, for the making of the laws and the redress of public grievances.

The version of this article in the 1784 New Hampshire Constitution was verbatim the same as Part 1, Article XXII of the 1780 Massachusetts Constitution. In 1792, an amendment added the requirement that grievances addressed by the legislature must be public grievances, and to remove references to "frequent" assembly and "correcting, strengthening, and confirming the laws."

This article has not been interpreted by the court.

[ART.] 32. [RIGHTS OF ASSEMBLY, INSTRUCTION, AND PETITION.]

The people have a right, in an orderly and peaceable manner, to assemble and consult upon the common good, give instructions to their representatives, and to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.

Source: 1784.

This article states the public right of assembly and the right of the public to instruct and petition their representatives.

This article is almost identical to Part 1, Article XIX of the 1780 Massachusetts Constitution.

Right to Public Assembly

This article guarantees the right to peaceable public assembly for the purpose of calling public attention to a matter of concern to the persons assembled, the right of citizens to instruct their representatives, and the right to petition the legislature for redress.

Several cases on the right to peaceable assembly have affirmed the right of government to place reasonable restrictions on public assemblies. In 1963, students were arrested who engaged in a protest and refused to "take to the nearest shelter" during a civil defense drill authorized by state law. *State v. Pinsince* (1963) 105 N.H. 38. The court held that the shelter requirement did not interfere with the students' right to peaceable assembly and was justified as a preventive measure to ensure the protection and welfare of the general public through the establishment of orderly procedures to be followed in the event of emergency or disaster.

In 1967, a requirement to obtain a parade license was held not to violate this article, as long as the local officials administering the licensing acted reasonably

and in a nondiscriminatory manner. *State v. Harvey* (1967) 108 N.H. 139. In 1973, the court held that a statute that prohibited assembly for the purpose of committing a crime did not violate the article. *State v. Albers* (1973) 113 N.H. 132.

In contrast, a disorderly conduct law was held in *State v. Nickerson* (1980) 120 N.H. 821 to be partly unconstitutional because it was overbroad. The law made a person guilty of disorderly conduct if the person was asked by law enforcement to move from a public place and refused to do so. Antinuclear protesters who refused to move from a traffic island were arrested. The court held that under this article and Article 22 of Part 1 and the First Amendment to the United States Constitution, the language allowing arrest for refusing to move from a public place was unconstitutionally overbroad. People must be afforded a chance to peacefully express their views, and the police could have used other means to secure public safety and the safety of the demonstrators.

The court distinguished the *Nickerson* case from another review of a disorderly conduct law in 1988 in *State v. Comley* (1988) 130 N.H. 688. The defendant in *Comley* was found guilty of disturbing the peace by purposely disrupting the governor's inaugural ceremonies when he ran down the aisle of the house chamber, shouting antinuclear statements. The right to free speech under Part 1, Article 22 and this article was found to be subject to reasonable restrictions of time, place, and manner.

The right to peaceable assembly includes the right to engage in public discussion. A group of cases from 1981 focused on this issue. The court reviewed two proposed laws on restricting campaign expenditures. The first bill placed an absolute limit on the amount of the total amount of contributions that a candidate for office could accept. This was held to violate the guarantees of free expression and association under this article. *Opinion of the Justices* (1981) 121 N.H. 434. A second bill imposed a campaign spending limitation on candidates for public office as a condition of access to public funds, and this bill was found not to violate this article. *Opinion of the Justices* (1981) 121 N.H. 529. The second bill differed from the first by not placing an absolute restriction and by allowing the candidate to voluntarily choose to accept public financing as a condition to receipt of public funds.

Another case from 1981 examined an individual's right to engage in free political discussion. In *State v. Chong* (1981) 121 N.H. 860, a city ordinance was challenged that required a person to obtain a permit from the chief of police before distributing handbills, notices, or advertising devices. The police chief was allowed to impose "reasonable limits" and attach "reasonable conditions." The court held that the ordinance violated this article because it allowed standardless prior approval and unjustifiably inhibited the defendant's right to engage in free political discussion.

Right of Public to Instruct and Petition

A commentator reports that townspeople began giving written instructions to their representatives, beginning in the late 1760s.²⁷ An example of an important issue on which a number of towns provided instructions to their representatives was the ratification of the federal constitution. In this case, at least 30 of the 108 delegates had received formal instructions from the town or towns they represented.²⁸ The custom of a municipality's giving written instructions on an important issue to an elected representative has long been in disuse.

The right to petition under this article could not be abridged by a law requiring certain notice of petitions before the beginning of a legislative session. *Opinion of the Court* (1885) 63 N.H. 625.

The practical limits of the right to petition for redress were briefly addressed in *Sousa v. State* (1975) 115 N.H. 340. The court noted that the remedy of petitioning the legislature existed for persons injured by the negligence of state employees, but that it was costly and time consuming. The court suggested the creation of a state board of claims to hear such cases, which was done in 1977.

The right to petition a legislative body for redress of grievances was the focus of *Pickering v. Frink* (1983) 123 N.H. 326. A petition signed by various citizens to remove a public official contained statements accusing the official of misconduct. Charges brought against the official were eventually dismissed, and the official brought a libel action against the signers of the petition. The court considered the issue of whether the signers of the petition were absolutely privileged because they were exercising their constitutional right to redress. The court held that this article provided a higher level of protection than the common law, which provided a qualified or conditional privilege, but that the article did not provide an absolute privilege. The court decided that once the signers demonstrated that they were exercising their constitutional right to petition for removal of an official from public office, they could not be held liable unless they actually knew that the statements in the petition were false.

[ART.] 33. [EXCESSIVE BAIL, FINES, AND PUNISHMENTS PROHIBITED.]

No magistrate, or court of law, shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

Source: 1784.

This article protects individuals from excessive bail, from the imposition of excessive fines, and from cruel or unusual punishments. These guarantees also appear in the Eighth Amendment to the United States Constitution, which was made applicable to the states through the due process clause of the federal constitution in *Robinson v. California* (1962) 370 U.S. 660. The words of this article are the same as Article XXVI of Part 1 of the 1780 Massachusetts Constitution.

This article applies only to the charters of cities or towns. Therefore, a referendum was not required to change the charter of a county recreational area. *Opinion of the Justices* (1969) 109 N.H. 367.

NOTES

1. David G. McCullough, *John Adams* (New York: Simon & Schuster, 2001) pp. 221, 224.
2. See remarks of Senator Conley, *Journal of the Senate* (Concord: State of NH, 1981), p. 470.
3. Cox was affirmed by the United States Supreme Court in *State v. Cox* (1941) 312 U.S. 569.
4. This act replaced a colonial law from May 15, 1714, which allowed voters at town meetings to choose a minister and to pay him a salary, the salary to be funded by taxes assessed on the inhabitants of the town.
5. Richard Francis Upton, *Revolutionary New Hampshire: An Account of the Social and Political Forces Underlying the Transition from Royal Province to American Commonwealth* (New York: Octagon Books, 1971), p. 209.
6. Laws of 1819, ch. 69. Laws of New Hampshire, Vol. VIII (1811–1820), pp. 821–822.
7. See Henry S. Drinker, "Some Observations on the Four Freedoms of the First Amendment," 37 *Boston Univ. Law Rev.* 1, (1957), p. 55 and Arthur E. Sutherland, Jr., "Due Process and Disestablishment," 62 *Harvard Law Rev.* 1306 (1949), p. 1309.
8. Robert Gilmore, "Governor Meldrim Thomson Jr., and the Tenth Amendment," 16 *New Hampshire Bar Journal* 246 (1975), p. 247.
9. *Journal of the Convention to Revise the Constitution, May 1974* (Concord: Evans Printing Co., 1975), pp. 170–171.
10. Laws of 1967, ch. 251:1.
11. See Akhil Reed Amar, "The Consent of the Governed: Constitutional Amendment Outside Article V," 94 *Columbia Law Review* 457 (1994), p. 479.
12. Part 2, Articles 29, 42, and 61 of the New Hampshire Constitution provide for a minimum age for governor, senator, and executive councilor that is higher than the minimum age for voting and holding other elective offices.
13. Laws of 1925, ch. 20.
14. See *Fischer v. Governor* (2000) 145 N.H. 28.
15. 1986 *Opinions of the Attorney General*, p. 60.
16. See discussion in Justice Doe's dissent in *Orr v. Quimby* (1874) 54 N.H. 590 on the relationship between the Virginia, Pennsylvania, and Massachusetts declarations of rights.
17. See RSA 628:2, II.
18. Laws of 1977, ch. 180:1 amending RSA 652:11-a.
19. Under federal law, a defendant does not have automatic standing at a suppression hearing to challenge the legality of a search or seizure. *United States v. Salvucci* (1980) 448 U.S. 83.
20. *Journal of the House of Representatives* (Concord: State of NH, 1985), p. 51.
21. Laws of 1791, ch. 47, "An Act regulating fees." Laws of New Hampshire, Vol. 5 (1784–1792).
22. *Journal of the Convention to Revise the Constitution, May 1964* (Concord: Evans Printing Co., 1964), p. 218.

23. McCullough, *John Adams*, p. 224.
24. RSA 110-B:1.
25. *Journal of the Convention to Revise the Constitution, May 1984* (Concord: Evans Printing Co., 1984), entries relating to Resolution 105 on pp. 165, 204, 252, and 298.
26. 1986 *Opinions of the Attorney General*, p. 79.
27. Jere R. Daniell, *Colonial New Hampshire: A History*, (Millwood, NY: KTO Press, 1981), p. 228.
28. Jere R. Daniell, "Counting Noses," *New Hampshire, The State That Made Us a Nation* (Portsmouth, NH: P. E. Randall, 1989), p. 197.
29. *Report to the Seventeenth Constitutional Convention by the Task Force to Study the State Constitution* (Concord: State of NH, 1984), p. 9.
30. See the committee report and discussion of delegates in the *Journal of the Convention to Revise the Constitution, May 1984*, pp. 261–262.
31. James Fairbanks Colby, *Manual of the Constitution of the State of New Hampshire, Compiled from Official Sources and Edited, with Sketch of the Constitutions of the State, the Basis of Representation, and Appendix* (Manchester, NH: J. B. Clarke, 1912), pp. 64–65.
32. Richard B. McNamara, "The Separation of Powers Principle and the Role of the Courts in New Hampshire," 42 *New Hampshire Bar Journal* 66 (2001).
33. See RSA 49-C, Local Option-City Charters and RSA 49-D, Local Option-Town Charters.

Testimony in support of House Bill 585

Presented by: William H. Dunlap
Executive Director
New Hampshire Historical Society
February 8, 2011

My name is Bill Dunlap and I am Executive Director of the New Hampshire Historical Society, located here in Concord, New Hampshire. The Society is a privately funded non-profit organization founded in 1823 with the mission of preserving, saving and sharing New Hampshire history. The extensive collections located at our museum and library document the life of our state from pre-colonial times to the present. We have over 4,000 members and we serve between 15,000 and 20,000 New Hampshire elementary school children each year with our educational programming.

On behalf of our board of trustees and membership I strongly urge passage of House Bill 585. Our rich history defines us as a state: it is an important part of what makes us a unique and wonderful place to live, and what makes us such a popular destination for tourists.

An appreciation of our history is critical to the development of the values of good citizenship in our democracy. In the recent election cycle there has been a renewed interest in the principles expressed in our foundational documents, such as the Declaration of Independence and the Constitutions of both our state and nation. An engagement with our shared history – learning about the life and times of the remarkable figures who created these documents – helps to bring these important principles of our democracy to life. It helps to create a more active and informed citizenry.

New Hampshire has a strong tradition of volunteerism and community involvement. An example of this can be found among the thousands of members of the 206 local historical societies located throughout the state. New Hampshire history day will serve as a focal point to stimulate activities and events promoting interest in history among these local historical societies and other community organizations.

The New Hampshire Historical Society strongly endorses enactment of this legislation. Thank you.

File Copy NB585
Jennifer Goodman



February 8, 2011

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EXECUTIVE DIRECTOR
JENNIFER GOODMAN

The Honorable Paul Mirski
Chairman, Committee on Legislative Administration
State of New Hampshire
Legislative Office Building
Room 104
Concord, NH 03301

Re: HB 585

Dear Chairman Mirski and members of the committee:

The New Hampshire Preservation Alliance supports HB 585 and urges the committee's positive endorsement of this bill. The Preservation Alliance is the non-profit statewide organization committed to the preservation of historic buildings, communities and landscapes through leadership, education and advocacy.

Our history, as it is associated with our built environment, is the centerpiece of the historic preservation movement, and we feel there are great opportunities to increase public awareness of our connections to our history, and historic preservation. From our assistance to communities across the state, we know that much of the work promoting state and local history is done by volunteers, and a centralized tool like a commemorative "New Hampshire History Day" can be a strong focal point for groups with limited resources.

Increased public awareness can help prevent unnecessary losses, enhance the quality of our communities, and provide economic benefits. Labor-intensive rehabilitation and restoration activity creates and supports well-paying jobs and keeps money circulating in local economies. Heritage visitors stay longer and spend more than other types of visitors.

This very modestly-scaled commitment by state government could be an effective vehicle for leveraging the work of local historical societies, heritage commissions, historical sites, school groups, local businesses and other partners.

Sincerely,

Jennifer Goodman, Executive Director

NEW HAMPSHIRE PRESERVATION ALLIANCE

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*File Copy #B 585
Elizabeth Muzzey*



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

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**House Bill 585 – As Introduced
Public Hearing Testimony, February 8, 2011**

The New Hampshire Division of Historical Resources is pleased to speak today on behalf of House Bill 585, with appreciation for Representative Watters for his leadership in sponsoring the bill, along with Representatives Welch, Norelli and Roberts, and Senators Odell and Merrill.

House Bill 585 recognizes the deep value that residents of our state place on its heritage, traditions and historical sense of place. Over the past year, the Division of Historical Resources talked with hundreds of people about the resources they care about in New Hampshire and their concerns for them moving into the future. Last spring we held five public forums, and then followed up those up with an online questionnaire.

Universally, everyone was worried that history in New Hampshire is no longer emphasized or nurtured for future generations. People of all ages voiced concerns about a diminished emphasis in school curriculums on history and suggested place-based education and lessons in local architecture and historical places as tools that can instill a life-long sense of stewardship in the next generation. Others spoke of today's newest challenge: engaging people and volunteers locally, despite the distractions of an international online world.

We closed our questionnaire with the question "What will you be working on over the next five years to preserve and promote historical and archeological resources?" The answers – pages and pages of responses – were phenomenal. People all over New Hampshire, whether as volunteers or professionals, are hard at work uncovering and preserving the state's history. They are serving on town heritage commissions, updating town histories, redeveloping once vacant landmarks, preserving stone walls and cemeteries, and much more. New Hampshire History Day would tell these residents that what they are doing is important – that it enriches both our lives today and the future as well.

One of my favorite quotes is by the historian and author David McCollough; it sits on my desk at work. "History is a guide to navigation in perilous times. It is who we are and why we are the way we are." As much as we enjoy the stories and people of our past, perhaps the true value of history is the confidence that it gives us to move forward as engaged and capable citizens.

I encourage you to support House Bill 585, and thank you very much for the opportunity to speak today.

Respectfully submitted,

Elizabeth H. Muzzey
Director and State Historic Preservation Officer
NH Division of Historical Resources
NH Department of Cultural Resources

NB 585 Lib Copy
Richard Boisvert



The New Hampshire Archeological Society

PO Box 406, Concord NH 03301-0406

New Hampshire General Court
House of Representatives
Legislative Administration Committee
Honorable Paul Mirski, Chairman

February 8, 2011

Re: HB 585

An act proclaiming the third Friday in October as New Hampshire history day.

The New Hampshire Archeological Society is a private, non-profit organization which has been in existence since 1948 and whose purpose is to inform and educate the public about New Hampshire's archeology and to identify and protect the archeological sites and artifacts of the state. The Society produces an annual journal, regular newsletters, sponsors Archeology Month and holds semi-annual meetings open to the public.

The New Hampshire Archeological Society fully supports HB 585 the New Hampshire History Day bill. The purpose of the bill and the goals of the Society are fully in concert. We see the need for a continuing effort to bring to light the remarkable history of this state, which reaches back to the end of the Ice Age and continues up to contemporary times. Many in the State are unaware of its broad and rich history and this bill will assist in addressing this need.

We look forward to passage of this bill and the New Hampshire Archeological Society can be counted on to support New Hampshire History Day through promotion and participation in various activities.

for Sheila Charles, President
NH Archeological Society

Richard Boisvert
2nd Vice President

Rep. David Watters
Strafford 4

House Bill 585 proclaims the third Friday in October as New Hampshire History Day. The bill is introduced in the belief, as you will hear in testimony from others and read in letters you have received, that such an annual proclamation would benefit schools, historical societies, libraries, museums, and the general public. As the bill states in its findings, the commemoration of New Hampshire history is a public good that unites New Hampshire citizens in recognition of the important events, people, places, documents, and artifacts that form the distinctive character of the state. In times of great change, the state has found strength in recognizing that citizens in New Hampshire can find important shared values in the history of the state. Each generation has to wrestle with the legacy of the past in charting the future. Moreover, the bill finds that the preservation of New Hampshire's historical documents, artifacts, and buildings, as well as its historic areas and archaeological sites, is necessary for understanding history. We are indebted to New Hampshire historical societies, preservation societies, museums, and libraries that serve the public by collecting, preserving, and interpreting New Hampshire history. If we are to have historical resources so today's history can be understood, we must rely on families with full attics, local libraries and historical societies, and our great museums, colleges, and universities, and, indeed, on the state government. The State House itself is a shrine that our predecessors in the legislature have curated so that new legislators, and all those fourth graders, can touch the past and imagine the future. Finally, the bill finds that educating students and the general public in the importance of New Hampshire history and its preservation promotes civic life. Our founding fathers and mothers knew that in a Republic it would be the function of memory of the events that gave birth to our freedoms rather than the rituals of privileged classes that would sustain our freedom.

These findings, valuable as they may be in themselves, need to be served through the establishment of a New Hampshire history day so that at least once a year the history of the state is called to the foreground of public awareness. When there is a Governor's proclamation, people take notice, and in particular, a proclamation provides an opportunity for observation by schools, historical societies and museums, and other groups. An October date is a practical choice for such opportunities. In consultation with Ken Relihan in the New Hampshire Department of Education, Bill Dunlap of the New Hampshire Historical Society, among others, it became apparent that an October date would give teachers enough time to prepare classes for it. Local historical societies, which often close or have reduced activities during the winter months, would find an October date convenient for open houses and special programs. The date avoids conflict with the National History Day essay program in which some schools participate in March. The October date also avoids conflicts with other state proclaimed commemorations, school vacations, and religious holidays.

October is a month with many significant dates in New Hampshire history, and I will note only a few. Given the depth of local knowledge in the state, there is no doubt that we will be surprised at all the October dates students, teachers, local historians, and others will discover. Three dates in October resonate in significance. On October 7, 1756, The New Hampshire Gazette, the first newspaper in the state, commenced publication, reminding us that freedom of the press is essential to our liberty. President George Washington, on his visit to New

Hampshire, spoke from the state house in Portsmouth, on October 30, 1789. It was a visit and a speech that helped define the nature of the presidency and executive power in our republic. And on October 8, 1869, the death of President Franklin Pierce stood as a reminder of the cauldron of conflicts during his presidency that preceded the Civil War. I recall a discussion a few years ago between two high school students, at an exhibit at the New Hampshire Historical Society, who were looking at Pierce's pen with which he signed the Kansas-Nebraska Act. They argued over whether that was the pen that started the Civil War. That's the kind of conversation that forges citizenship, and as this act proposes, a New Hampshire History Day will promote. I urge you to make a recommendation of ought to pass.

Voting Sheets

HOUSE COMMITTEE ON LEGISLATIVE ADMINISTRATION

EXECUTIVE SESSION on HB 585

BILL TITLE: proclaiming the third Friday in October as New Hampshire history day.

DATE: February 8, 2011

LOB ROOM: 104

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Comerford

Seconded by Rep. Wallner

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

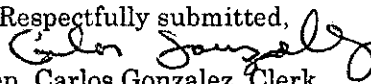
Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carlos Gonzalez, Clerk

HOUSE COMMITTEE ON LEGISLATIVE ADMINISTRATION

EXECUTIVE SESSION on HB 585

BILL TITLE: proclaiming the third Friday in October as New Hampshire history day.

DATE: 2/8/2011

LOB ROOM: 104

Amendments:

Sponsor: Rep. OLS Document #:

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Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Comerford

Seconded by Rep. Wallner

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: yes

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. ~~Russell Ober~~, Clerk

Carlos Gonzalez

LEGISLATIVE ADMINISTRATION

Bill #: HB 585 Title: Proclaiming the third Friday in October as New Orleans History Day.

PH Date: 2/8/11

Exec Session Date: 2/8/11

Motion: OTR as presented.

Amendment #: _____

MEMBER	YEAS	NAYS
Mirski, Paul, Chairman	✓	
Comerford, Timothy P, V Chairman	✓	
Gonzalez, Carlos E	✓	
<u>Kidder, David H.</u> chair		
Garcia, Marilinda J	✓	
Tobin, William B	✓	
Ball, J. Michael	.	
Beattie, Thomas L		
Bradley, Lester W	✓	
Brown, Kevin J	✓	
Condra, William F	✓	
Duarte, Joe	✓	
<u>Harty, Martin C</u>	✓	
Richardson, Jon F	✓	
Ritter, Glenn F	✓	
Browne, Brendon S	✓	
Pelletier, Marsha L	.	
Wallner, Mary Jane	✓	
Chase, Cynthia L	✓	
<u>Johnsen, Gladys</u>		
	15	2
TOTAL VOTE:	15	2

Committee Report

CONSENT CALENDAR

February 16, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on LEGISLATIVE ADMINISTRATION to
which was referred HB585,**

**AN ACT proclaiming the third Friday in October as New
Hampshire history day. Having considered the same,
report the same with the recommendation that the bill
OUGHT TO PASS.**

Rep. Timothy P Comerford

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	LEGISLATIVE ADMINISTRATION
Bill Number:	HB585
Title:	proclaiming the third Friday in October as New Hampshire history day.
Date:	February 8, 2011
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill proclaims the third Friday in October as New Hampshire history day. Our state is steeped in tradition and is rich in history. The first shots of the Revolution were actually fired here. New Hampshire has been the cradle of liberty ever since the adoption of its first in the nation Bill of Rights. Thomas Jefferson said that the price of liberty is eternal vigilance, and this includes having a citizenry that is properly cognizant of its history and traditions.

Vote 15-0.

Rep. Timothy P Comerford
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

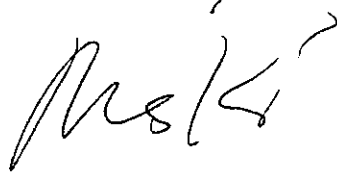
LEGISLATIVE ADMINISTRATION

HB585, proclaiming the third Friday in October as New Hampshire history day. **OUGHT TO PASS.**

Rep. Timothy P Comerford for LEGISLATIVE ADMINISTRATION. This bill proclaims the third Friday in October as New Hampshire history day. Our state is steeped in tradition and is rich in history. The first shots of the Revolution were actually fired here. New Hampshire has been the cradle of liberty ever since the adoption of its first in the nation Bill of Rights. Thomas Jefferson said that the price of liberty is eternal vigilance, and this includes having a citizenry that is properly cognizant of its history and traditions. **Vote 15-0.**

Original: House Clerk
Cc: Committee Bill File

This bill proclaims the third Friday in October as New Hampshire history day. Our state is steeped in tradition and is rich in history. The first shots of the Revolution were actually fired here. New Hampshire has been the cradle of liberty ever since the adoption of its first in the nation Bill of Rights. Thomas Jefferson said that the price of liberty is eternal vigilance, and this includes having a citizenry that is properly cognizant of its history and traditions.

A handwritten signature in black ink, appearing to read "M. K.", is written above a horizontal line.

COMMITTEE REPORT

COMMITTEE: Legislative Administration

BILL NUMBER: NB 585

TITLE: Proclaiming the third Friday in October as New Hampshire History Day

DATE: 2/8/2011 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
 - OUGHT TO PASS W/ AMENDMENT
 - INEXPEDIENT TO LEGISLATE
 - INTERIM STUDY (Available only 2nd year of biennium)
- Amendment No.

STATEMENT OF INTENT:

This Bill Proclaims the Third Friday in October as NH History Day. Our State is steeped in tradition and is rich in history. The first shots of the Revolution were actually fired here. NH has been the cradle of Liberty ever since the adoption of its first in the Nation Bill of Rights. Thomas Jefferson said that the price of Liberty is eternal vigilance, and this includes having a citizenry that is properly cognizant of its history and traditions.

COMMITTEE VOTE: 15-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,
Mark Chan
Rep. Tim Comerford *Tim P. Comerford*
For the Committee