

Mr. Paine died Oct. 10, 1660. In his will, signed Oct. 2 1660, he made generous remembrance of the school.

"I give unto the free scoole of Ipswitch the little neck of land at Ipswitch commonly knowne by the name of Jefery's neck. The which is to bee and remaine to the benefitt of the said scoole of Ipswitch forever as I have formerly Intended and therefore the sayd land not to be sould nor wasted. I give unto the college at Cambridge the some of Twenty pounds not to be expended but to remain as a stock to the College aforesayd forever."

Suffolk Reg. of Probate, 1:346.

PROVINCE LAWS.—1755-56. [CHAP. 26.]

CHAPTER 26.

AN ACT FOR REGULATING THE GRAMMAR SCHOOL IN IPSWICH, AND FOR INCORPORATING CERTAIN PERSONS TO MANAGE AND DIRECT THE SAME.

WHEREAS divers piously disposed persons in the first settlement of the town of Ipswich, within the county of Essex, granted and conveyed to feoffees in trust, and to such their successors in the same trust as those feoffees should appoint to hold perpetual succession, certain lands, tenements and annuities by them mentioned, for the use of school-learning in said town forever; of which feoffees the honourable Thomas Berry, Esq^r., Daniel Appleton and Samuel Rogers, Esqrs., with Mr. Benjamin Crocker, are the only survivors; and whereas the town of Ipswich did also, in their laudable concern for promoting learning, about the same time, and for the same use, give and grant to certain persons in said grant mentioned, and to such others as the said town should appoint, a large farm, then called a neck of land, situate in Chebacco, in the same town, with some other lands adjoining; all which farm and lands were soon after leased out for the space of one thousand years, the rents to be applied to the uses of learning in said town as aforesaid; but as is apprehended by some, no power was given by the said town to their trustees to appoint successors in that trust for receiving and applying the rents, or of ordering and directing the affairs of the school in said town, as in the first-mentioned case is provided; from which difference in the original constitution of those grants, which were all designed for one and the same use, considerable disputes have already arisen between the said town and the feoffees; and not only so, but some doubts are started whether it is in the power of said town or feoffees to compel the payment of the rents of the farm and adjoining land before mentioned; and inasmuch as the said town of Ipswich, by their vote of the twenty-second day of January, one thousand seven hundred and fifty-six, by and with the consent of the aforementioned feoffees, have agreed to apply to this court for aid in the manner in said vote mentioned; wherefore,—

Be it enacted by the Governour, Council and House of Representatives,

Feoffees of Ipswich school appointed.

[SECT. 1.] That from and after the first day of March next, for and during the space of ten years, the aforementioned Thomas Berry, Daniel Appleton and Samuel Rogers, Esqrs., with Mr. Benjamin Crocker, the present surviving feoffees on the part of the private persons granting lands as aforesaid, together with Francis Choate, Esq^r., Capt. Nathaniel Tredwell and Mr. John Patch, Junr., three of the present selectmen of said town, shall be and they are hereby incorporated a