

MAINE STATE LEGISLATURE

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115994

L A W S



OF THE

Commonwealth of Massachusetts.

PASSED AT

SEVERAL SESSIONS

OF THE

GENERAL COURT,

HOLDEN IN BOSTON.



PUBLISHED AGREEABLY TO A RESOLVE PASSED IN JANUARY,

1808.



BOSTON :

PRINTED BY ADAMS AND RHOADES,

PRINTERS TO THE STATE.

1808.

JAN 3 1852

L A W S

PASSED AT THE SESSION COMMENCED ON
THE NINTH OF NOVEMBER, 1808.



NAMES ALTERED. *November 17, An. 1808.*

CHAP. XXIII.

An act to change the name of Samuel M. Burnside, of Charlestown, in the County of Middlesex, and to render valid the doings of said Samuel, under the name of Samuel M. Burnside.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Samuel M. Burnside, of Charlestown, in the County of Middlesex, shall be allowed to take the name of Samuel M. Burnside, and that in future he be known by the same, as his only legal and proper name, and that all the acts which heretofore he may have done, and performed, by the name of Samuel M. Burnside be and hereby are ratified and confirmed as far as respects the use of said name.

Corrected by
Act of 4th
March, 1809.

[This act passed Nov. 17, 1808.]

CHAP. XXIV.

An act to change the name of Harris Tuckerman.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of this act, Harris Tuckerman, of Boston, in the County of Suffolk, Merchant, be allowed to take the name of Henry H. Tuckerman; and said Tuckerman shall in future be known and called by the name he is hereby allowed to take as aforesaid, and the same shall be considered his proper name to all intents and purposes.

[This act passed Nov. 17, 1808.]

E e e

CHAP.

CHAP. XXV.

An act to empower the several Towns in this Commonwealth to excuse such of their Inhabitants as are Engine men from serving as Jurors in any Court within this Commonwealth.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all persons legally attached to any Engine within this Commonwealth, be and they hereby are excused from being chosen or drawn to serve as Jurors in any Court within this Commonwealth, in all cases where the town, to which such Engine men belong, shall at a legal meeting of its inhabitants, by vote declare the expediency of excusing such persons from serving as Jurors.

[This act passed Nov. 17, 1808.]

CHAP. XXVI.

An act to establish an Academy at Limerick, in the county of York, by the name of Phillips Limerick Academy.

SECT. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That an Academy shall be, and hereby is established in the town of Limerick, in the county of York, for the purpose of promoting piety, religion and morality, and for the education of youth in such languages, and such of the liberal arts and sciences, as the trustees and their successors shall from time to time direct, and that the Honourable Joseph Leland, Esq. Ichabod Fairfield, John Low, Josiah Fowl, James Bradbury, Rev. Jonathan Atkinson, Rev. Edmund Eastman, Azael Cole, Isaac Lord, Samuel Bradbury, John M'Donald, John Baker, Edmund Hayes, William Swasey, Bordman Johnson, John Morrill, and Moses Philpot, be and they are hereby appointed Trustees of the said Academy, and they and their successors in the said trust are hereby made and declared to be a body politick and corporate, by the name of The Trustees of Phillips Limerick Academy, and the said Trustees shall have, hold, and continue to exercise all the powers and privileges incident and usually given to, and enjoyed by other Academies, and the number of the said Trustees, shall

Persons incor-
porated.

shall never exceed seventeen, nor be less than twelve, and *nine* shall constitute a quorum for doing business. And the said Trustees may keep, and use a common seal, which they may alter or change, when they see cause. And all Deeds or other Instruments made by the said Corporation, shall be sealed with their seal, and signed by the President or Secretary of the said Corporation, and executed, acknowledged, and delivered by the Treasurer, by order of the Trustees, and being so done shall be good and valid in law.

Number of Trustees.

SECT. 2. *Be it further enacted,* That all the lands, monies or other property already subscribed, or which may hereafter be given, assigned or transferred to the said Trustees for the use of the said Academy, shall be received and held by them, and their successors in office in trust for the said Academy, and the said Trustees in behalf of said Academy, may also receive and hold in fee simple, by gift, grant, or otherwise, any lands or other estate, real or personal, provided the annual income thereof shall not exceed the sum of five thousand dollars, and the said Trustees may sell and dispose of the same, and apply the rents or profits thereof, in such way as they may determine will be most productive to the general interests of said Academy and the promotion of literature. And the said Trustees in their corporate capacity are hereby made capable in law to sue and be sued in all actions, real, personal or mixed, and prosecute and defend the same to final judgment and execution by the name of Trustees of Phillips Limerick Academy.

Trustees may hold real or personal estate.

SECT. 3. *Be it further enacted,* That the said Trustees shall have power to appoint a Secretary, Treasurer, and such other Officers and Instructors in the said Academy, as they may from time to time judge necessary; to fix the tenure of their several offices, and to define their respective powers and duties, to vacate the place of any Trustee, Officer or Instructor, when in their opinion by reason of age or otherwise, he is become incapable of discharging the duties of his office, and to fill all vacancies which may so happen; to fix the times and places for the meetings of the said Corporation and the mode of notifying the Members, and to prescribe and establish such reasonable Statutes and Bye-Laws, as will best promote and cultivate a spirit of obedience and just and mild government in the said Academy, and to annex reasonable penalties for neglect of duty, or breach of the laws, *Provided, however,* That such Statutes

Powers of Trustees.

Proviso.
and

Bye-Laws, shall not in any case be repugnant to the Constitution and laws of this Commonwealth.

SECT. 4. *Be it further enacted*, That there be and hereby is granted, for the use and benefit of the said Academy, one half Township of six miles square, of any of the unappropriated publick lands in the District of Maine (excepting the ten townships on Penobscot river, lately purchased by the Commonwealth of the Indians, and excepting also the land contracted to be sold to Jackson and Flint, and which contract is now rescinded) to be located and assigned under the direction of the Agents for the sale of Eastern Lands, subject to the reservations and restrictions made in like cases, on condition that the said Trustees shall within three years from the passing of this act, produce satisfactory evidence to the said Agents, that the sum of three thousand Dollars has been actually subscribed, and security taken for the payment thereof, for the endowment of the said Academy, and appropriated to that use : *Provided also*, that the said corporation shall cause the said half township to be laid out within three years from the passing of this act ; and thereupon the said trustees, in behalf of the said Academy, shall receive of the said agents, in the name of the Commonwealth, a Deed of the said half township.

Lands granted.

Proviso.

SECT. 5. *Be it further enacted*, That any Justice of the Peace for the County of York, is hereby authorized to appoint the time and place, for holding the first meeting of the said trustees, and to notify them thereof accordingly.

[This act passed *November 17, 1808.*]