

MAINE STATE LEGISLATURE

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LAWS

OF THE

Commonwealth of Massachusetts,

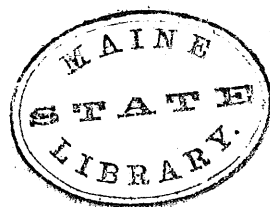
PASSED AT

THE SEVERAL SESSIONS OF THE GENERAL COURT

HOLDEN IN BOSTON.

BEGINNING 31st MAY, 1809, AND ENDING ON THE 29th FEBRUARY, 1812.

Published agreeably to Resolves passed 20th January, 1808, and
16th January, 1812.



VOL. V.

BOSTON:
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1812.

L A W S

PASSED AT THE SESSION, COMMENCED ON THE
THIRTIETH DAY OF MAY,

ONE THOUSAND EIGHT HUNDRED AND TEN.

CHAP. I.

An Act to change the name of Loudon in the county of
Berkshire.

BE it enacted by the Senate and House of
Representatives in General Court assembled, and by the
authority of the same, That the name of the said town of
Loudon shall cease, and the said town shall hereafter be
called and known by the name of Otis, any law to the
contrary notwithstanding.

[This act passed June 13, 1810.]

CHAP. II.

An Act to amend an act, entitled, "An Act to establish
the lines of jurisdiction between the towns of Blanford
and Chester in the county of Hampshire.

BE it enacted by the Senate and House of
Representatives in General Court assembled, and by the
authority of the same, That the line of jurisdiction be-
tween the towns of Blanford and Chester in future shall be
as follows, viz. Beginning at a large heap of stones with
trees marked, facing towards them, said heap of stones is
east seventeen degrees and thirty-six minutes south, forty-

Boundaries.

two rods, distant from a beach tree in the line between Blanford and Becket, marked with various ancient marks, which heap of stones is the corner of the town of Chester, and on the line of Blanford, thence from the said heap of stones easterly about two thousand and seventeen rods, to the east side of Westfield river, in a straight line from said heap of stones to rockhouse corner, (so called) any thing in the act, entitled "An Act to establish the line of jurisdiction between the towns of Blanford and Chester in the county of Hampshire" to the contrary notwithstanding.

[This act passed June 13, 1810.]

CHAP. III.

An Act in addition to an act, entitled "An Act to incorporate Nicholas Thorndike and others into a company by the name of The Beverly Marine Insurance Company.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the further term of one year from and after the twenty-third day of August next, be allowed to the Stockholders in the Beverly Marine Insurance Company, named in the act to which this act is in addition, to pay in the residue, being the last moiety of their instalments, and amounting in all to fifty dollars on a share in the capital stock of the said company. And that the said residue shall be paid in at such times and in such proportions within the period aforesaid, as the directors of the said company shall order or appoint, any thing in the act to which this act is in addition to the contrary notwithstanding. *Provided however,* That nothing in this act shall be construed to exonerate or discharge the estates of the said stockholders from being liable in the manner and for the purposes mentioned in the tenth section of the said act, in addition to which this act is made.

[This act passed June 13, 1810.]

Time length-
ened to pay
instalments.

Proviso.

CHAP. IV.

An Act to set off Asa Worthley, with the lot of land on which he now lives, from the second territorial parish in North Yarmouth in the county of Cumberland, and annex him to the first parish in said town.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Asa Worthley of North Yarmouth, in the county of Cumberland, with the lot of land on which he now lives, be, and hereby are set off from the second territorial parish, and annexed to the first parish in said town. Provided however, said Asa Worthley be holden to pay all taxes legally assessed upon him by said second territorial parish, before the passing of this act.*

[This act passed *June 13, 1810.*]

CHAP. V.

An Act to incorporate certain persons by the name of The Portland Hat Manufactory.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Joshua Shaw, Isaac Ilsley, Thomas Beck, Josiah Pain, Ebenezer Webster, William Evens, Michael Wise, Phineas Varnum, Thomas Carter, Elias Thomas, John Dean, Stitson Lobdell, Robert Ilsley, Daniel Smith, John Lord, Samuel Butts, Francis Osgood, and James Wingate, with such as already have associated, or hereafter may associate with them, their successors or assigns, be, and hereby are made a corporation by the name of The Portland Hat Manufactory, for the purpose of manufacturing hats in the town of Portland, and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, eighteen hundred and nine, entitled "An Act defining the general powers and duties of manufacturing corporations."*

Persons in-
corporated.

Possession
of property
allowed.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding ten thousand dollars, and of such personal estate, not exceeding thirty thousand dollars in value, as may be necessary and convenient for carrying on the manufacture of hats.

[This act passed *June 13, 1810.*]

CHAP. VI.

An Act to set off Samuel Spofford, with his dwelling house, and adjoining land, from the second or West Parish in Rowley, to the second or West Parish in Boxford.

Samuel Spof-
ford and es-
tate set off
and annexed
to

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Samuel Spofford, with that part of his dwelling-house situate in the second or West Parish in Rowley, and his land within the following lines, viz. Beginning at a stake and stones on the line between Rowley and Boxford, from thence running south thirty-four degrees east, eighteen rods and fifteen links, thence south nineteen degrees east, nineteen rods and nineteen links, thence south five degrees west, two rods and twelve links, thence south forty degrees and one half east, five rods and eighteen links, thence south two degrees and one half east, sixteen rods and six links, thence south ten degrees east, five rods and six links, thence north eighty-one and one half degrees west fifteen rods to the aforesaid town line, be, and hereby are annexed to the second or West Parish of Boxford in the county of Essex. *Provided*, That the said Samuel Spofford be held to pay all the taxes that have been lawfully assessed thereon by the the second or West Parish in Rowley.

Proviso.

[This act passed *June 13, 1810.*]

CHAP. VII.

An Act to amend an act entitled "An Act to incorporate a part of the towns of Boylston, Holden, and Sterling, into a separate town by the name of West Boylston.

WHEREAS, by the provisions of the third section of the act aforesaid, sundry duties are enjoined upon the inhabitants of that part of the town of Sterling, which by the said act is made part of the town of West Boylston, in case of their neglecting to comply with such duties, no action can be brought against said inhabitants as a body corporate. Therefore,

Preamble.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That in case of a neglect by said inhabitants to fulfil or perform any of the duties or provisions of the third section of the said act, an action at law may be maintained by or against the inhabitants of West Boylston, in their corporate capacity, in the same manner, as though the said duties had by said act been enjoined upon the whole of the inhabitants of that town, instead of that part of them only, which formerly belonged to Sterling, any thing in said act to the contrary notwithstanding.

Action maintained in case of neglect.

[This act passed *June 13, 1810.*]

CHAP. VIII.

An Act to alter the names of the several persons therein mentioned.

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 this act, Nathaniel Child, of Gardener, in the county of Worcester, shall be allowed to take the name of Nathaniel Parks Child, that Samuel Stevens, jun. of Newburyport, in the county of Essex, shall be allowed to take the name of Samuel Bingham Stevens, that Federal Brownell, of Westport, in the county of Bristol, shall be allowed to take the name of Frederick Brownell, that Benjamin Crown-

Names of persons altered.

inshield of Salem, in the county of Essex, shall be allowed to take the name of Benjamin Williams Crowninshield, that Abraham Priest, of Boston, in the county Suffolk, shall be allowed to take the name of Abraham Priest Gibson, that Pepper Mixer, of Dedham, in the county of Norfolk, shall be allowed to take the name of Charles Mixer, and each of the persons before named, shall be severally allowed to assume the said names respectively, and they shall in future be called and known by the said names, and the same names shall hereafter be considered as their only proper names to all intents and purposes.

[This act passed *June 13, 1810.*]

CHAP. IX.

An Act to incorporate Thomas Shepherd and others by the name of The Northampton Cotton and Woolen Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Thomas Shepherd, John Shepherd, James Shepherd, 2d, and Charles Shepherd, with such others as already have or hereafter may associate with them, their successors, be, and hereby are made a corporation by the name of The Northampton Cotton and Woolen Manufacturing Company, for the purpose of manufacturing cotton and woolen, in the town of Northampton, and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March in the year of our Lord one thousand eight hundred and nine, entitled "An Act defining the general powers and duties of Manufacturing Corporations.

Persons incorporated.

Possession of property allowed.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of twenty-five thousand dollars, and such personal estate, not exceeding the value of seventy-five thousand dollars, as may be necessary and convenient for carrying on the manufactory of cotton and woolen in the said town of Northampton.

[This act passed *June 13, 1810.*]

CHAP. X.

An Act to incorporate a number of persons in the town of Orange by the name of The Orange Cotton Factory Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Ebenezer Atwood, Phineas Battelle, Otis Butterworth, Nathan Cheney, David Cleave-land, Benjamin Dexter, Amasa Eddy, Abijah Fisher, Ezra Hemenway, Abijah Hill, David Legg, Rufus Meriam, Joseph Metcalf, Saville Metcalf, Saville Metcalf, jun. Joseph Putnam, John Robinson, and Abner Whitney, together with such others as may hereafter associate with them and their successors, be, and they are hereby made a corporation by the name of The Orange Cotton Factory Company, for the purpose of manufacturing cotton in the town of Orange in the county of Hampshire, and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties, requirements and disabilities prescribed and contained in an act, entitled "An Act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That the said corporation in their corporate capacity, shall, and may lawfully hold and possess real estate not exceeding twenty thousand dollars, and personal estate not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton in the said town of Orange.

Possession
of property
allowed.

[This act passed *June 13, 1810.*]

CHAP. XI.

An Act to incorporate a number of the Inhabitants of the towns of Ashby and Fitchburg, in the south-west part of the county of Middlesex, and the north part of the county of Worcester, into a distinct and separate Religious Society, by the name of The First Baptist Society in Ashby and Fitchburg.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Samuel Gibson, Samuel Caswell, Simeon Shattuck, Daniel Rayond, John Pratt, Solomon Gibson, Phinehas Wetherbee, Warren Chase, Adam Stone, Joshua Bowers, Eli Haines, Jacob M'Intire, Stephen Gibson, Jonathan Daby, Samuel Gibson, jr. Stephen Gibson, Edmund Flint, Jonathan Page, Edward Burnap, Israel Wetherbee, Silas Wetherbee, the widow Mary Foster, Abraham Gibson, Timothy Gibson, Abel Gibson, Moses Jewett, Jacob Puffer, Joseph Wetherbee, Daniel M'Intire, Levi Crouch, Mirah Shattuck, Nathan Badcock, Charles Lawrence, Daniel Raymond, jun. Joel Page, the widow Sarah Davis, and Benjamin Wallis, members of the said religious society, with their polls and estates, be, and they are hereby incorporated into a religious society, by the name of The First Baptist Society in Ashby and Fitchburg, with all the privileges, powers, and immunities which other parishes or religious societies in this Commonwealth are by law entitled to.

Persons
becoming
members to
obtain a cer-
tificate.

SEC. 2. *And be it further enacted*, That any person who may hereafter join with, and unite in religious worship with the said Baptist society, and give in his or her name to the clerk of either of the towns or parishes to which he or she may belong, with a certificate signed by the minister or clerk of the said Baptist society, that he or she hath become a member of, and united in religious worship with the said Baptist society fourteen days previous to the town or parish meeting, to be holden in the month of March or April annually, shall, from and after giving such certificate be considered, with his or her polls and estate as belonging to said Baptist society. *Provided however*, That all such persons shall pay their proportion

Proviso.

of all monies assessed in the town or parish to which they belonged previous to that time.

SEC. 3. *Be it further enacted*, That when any member of said Baptist society shall see cause, or be inclined to leave said society, and join in religious worship with the parish to which he or she formerly belonged, and shall leave a certificate with the clerk of said Baptist society signed by the minister or clerk of the town or parish where such person formerly belonged, that he or she actually becomes a member of, and united in religious worship with such town or parish, fourteen days previous to their annual meeting, holden in the month of March or April, and shall pay up his or her proportion of all monies actually assessed in said Baptist society previous thereto; such person shall from and after giving such certificate with his or her polls and estates, be considered as belonging to the society to which he or she hath so united.

SEC. 4. *Be it further enacted*, That either of the Justices of the peace for the county of Middlesex or Worcester upon application therefor, is hereby authorised to issue a warrant directed to some member of the said Baptist society, requiring him to notify and warn the members thereof, to meet at such convenient time and place as shall be appointed in said warrant, for the choice of all such officers as other parishes are by law required to choose at their annual meetings.

Justice to issue warrant for meeting.

[This act passed June 14, 1810.]

CHAP. XII.

An Act supplementary to the act to incorporate the Proprietors of St. Peter's Church in Salem, in the county of Essex.

WHEREAS in and by the third section of the said act it is provided, that in default of payment for one year after publick notice of any assessment, the pew or seat upon which such deficiency arises shall revert to the corporation, and may be sold in such way and manner as they shall agree, but no provision is made declaring what shall be publick notice of any such assess-

Preamble,

ment or perpetuating the evidence of such publick notice ; for remedy whereof—

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That such publick notice of any assessment may be given by posting up notifications of any such assessment at the outer doors of the said church, attested by the clerk of the said corporation, within sixty days after any such assessment shall have been made. And it shall be the duty of the clerk of said corporation, to post up such notifications, and to enter on the records of said corporation, a copy of such notifications, and also a certificate of the time when the same were posted up by him ; which record and certificate shall be prima facie evidence of the facts stated therein ; and the clerk of the said Corporation, upon every new choice, shall be sworn to the faithful discharge of his duty, before some proper magistrate.

[This act passed June 14, 1810.]

Clerk to give notice respecting assessments.

CHAP. XIII.

An Act to set off Edward Cole from the first Parish in the town of Middleborough, and to annex him and his estate to Tetiquot Parish, (so called) in said town.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Edward Cole, of Middleborough, in the county of Plymouth, with his polls and estate, be, and hereby is set off from the first Parish, and annexed to Tetiquot Parish, (so called) in the said town of Middleborough. Provided, That the said Edward Cole shall previously pay his proportion of all parish charges, assessed and due to the said first Parish, from the said Edward Cole, prior to the date of this act.

[This act passed June 14, 1810.]

CHAP. XIV.

An Act to divide the town of Granville, in the county of Hampshire, and to establish the West Parish thereof, as a separate town, by the name of Tolland.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the West Parish in Granville, in the county of Hampshire, as known by its present bounds, be, and hereby is incorporated and established as a separate town, by the name of Tolland, with all the powers and privileges, and subject to all the duties and requisitions of other towns, according to the constitution and laws of this Commonwealth.

Tolland incorporated.

SEC. 2. *Be it further enacted,* That the said town of Tolland shall be holden to pay its proportion of all taxes assessed thereon, and not paid prior to the date of this act, and shall be also holden to receive, support, and nourish its proportion of all the poor, which were the proper charge of the said town of Granville, before its division.

Holden to pay arrears of taxes, &c.

SEC. 3. *Be it further enacted,* That any Justice of the Peace for the county of Hampshire, is hereby authorised to issue his warrant, directed to an inhabitant of the said town of Tolland, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place as shall be expressed in said warrant, for the choice of such officers, as towns are by law required to choose, and appoint at their annual town meetings.

Justice to issue warrant.

[This act passed June 14, 1810.]

CHAP. XV.

An Act to incorporate Simon Greenleaf, and others, by the name of the Trustees of the School Fund, in Gray, and for other purposes.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Simon Greenleaf, Peter

Trustees appointed.

Whitney, Daniel W. Green, Nicholas Low, Timothy Waymouth, Joseph Webster, George Latham, Charles Barber, and John Mountfort, all of said Gray, be, and they are hereby appointed trustees, to sell the School Lands in said town of Gray, and to put at interest the monies arising from such sale, in manner herein after mentioned.

And incor-
porated.

SEC. 2. *Be it further enacted*, That the said trustees be, and they hereby are incorporated by the name of the "Trustees of the School Fund, in Gray;" and they, and their successors, shall be, and continue a body polittick and corporate by that name forever; and they shall have a common seal, subject to alteration at their pleasure; and they may sue and be sued, in all actions whatsoever, and prosecute and defend the same to final judgment and execution, by their corporate name aforesaid.

Empowered
to elect offi-
cers.

SEC. 3. *Be it further enacted*, That the said trustees, and their successors, shall annually elect, by written ballot, a president, and a clerk, to record the doings of said trustees at their meetings, which clerk shall be sworn by the president to the faithful discharge of his office; also a treasurer, to receive and apply the monies herein after mentioned, as herein after directed; and the said trustees may also elect in any other manner, at any legal meeting, any other officers, needful for the better managing their business.

Number lim-
ited.

SEC. 4. *Be it further enacted*, That the number of trustees shall not at any one time, be less than five, nor more than nine, any five of their number to constitute a quorum for transacting business; and they shall, and may from time to time, fill up, from the inhabitants of said town, such vacancies in their number, as may happen by death, resignation, or otherwise; and they shall have power to remove any of their number, who may become unfit, from age, infirmity, or misconduct, to discharge their duties, and to supply the vacancies so made, by a new choice, as aforesaid. And the said trustees shall annually hold a meeting in March or April, and as much oftener as may be necessary, to transact their business, which meeting, after the first, shall be called in such way and manner, as the trustees may hereafter direct.

Powers and
duties.

SEC. 5. *Be it further enacted*, That any Justice of Peace, in the county of Cumberland, be, and he hereby is

authorized to fix the time and place for holding the first meeting of said trustees, and to notify each trustee of the same, seven days at least before the time of said meeting. First meeting directed.

SEC. 6. *Be it further enacted*, That said trustees be, and they hereby are authorized to sell and convey in fee simple, all the school lands belonging to said town, and to make and execute a good and sufficient deed or deeds thereof, which deed or deeds being signed, acknowledged, and delivered by the treasurer, by direction of the trustees, with their seal affixed thereto, shall be good and effectual in law, to pass and convey the fee simple from said town to the purchaser, to all intents whatever. Trustees authorized to sell, &c.

SEC. 7. *Be it further enacted*, That the monies arising from the sale of said lands, together with all donations or grants that may hereafter be made to said corporation for the use of schools in said town, shall be put to use as soon as may be, and secured by mortgage of real estate, to the full value of the estate sold, or money loaned, or by two or more sufficient sureties with the principal, or the said trustees may invest the same in some publick securities or in bank stock. Monies to be secured.

SEC. 8. *Be it further enacted*, That the interest and profits arising from said fund, shall be annually appropriated for the use of publick schools in said town, and it shall never be in the power of said town to alter, vary, or alienate the appropriation of said fund. Appropriation of interest.

SEC. 9. *Be it further enacted*, That the treasurer of the trustees shall give bond with two sufficient bondsmen, to the trustees, faithfully to perform his duty, and shall at all times be responsible for the faithful application and appropriation of the monies which may come into his hands, conformably to the true intent and meaning of this act, and for all neglect, or misconduct of any kind in his said office. Treasurer to give bonds.

SEC. 10. *Be it further enacted*, That the trustees and their officers for the services they may perform, shall receive no compensation out of the funds, interest, or profits aforesaid, but a reasonable compensation for their services shall be paid to them by said town. Interest to be paid by the town.

SEC. 11. *Be it further enacted*, That at every annual meeting of said town in March or April, the trustees shall exhibit to the town a fair and true statement of their doings. Annual statement.

Trustees to
be responsi-
ble.

SEC. 12. *Be it further enacted*, That the said trustees, and each of them, shall be responsible to the town for their personal negligence or misconduct, whether they be officers or not, the damage or loss arising thereby to be recovered by action at the suit of the town in any court proper to try the same; and the sums so recovered to enure, and be for the use aforesaid.

Preamble.

SEC. 13. And whereas it has been represented, that William Davis of said Gray, more than thirty years since, settled and now dwells on one of the School lots in said town, being lot numbered thirty-one, in the third division, supposing it to be the adjoining lot numbered sixty-one in the same division then and now owned by him: and that no solid advantage can accrue to said town by ejecting said Davis from said lot numbered thirty-one. And whereas it appears that said town of Gray, have heretofore voted in legal meeting to exchange said lot numbered thirty-one, with said Davis, for said lot numbered sixty-one—

Authorized
to exchange
lots.

Be it therefore further enacted, That the said trustees be, and they hereby are authorised to convey to said Davis all the legal and equitable title of said town to said lot, numbered thirty-one, in the manner described in the sixth section of this act, on receiving from said Davis a deed with the usual covenants of seizen, freedom from incumbrances, and general warranty conveying to the said trustees and their successors a complete title in fee simple to said lot numbered sixty-one; and said lot numbered sixty-one when so conveyed, shall be subject to all the regulations and provisions of this act respecting the other school lands in said town.

[This act passed June 14. 1810.]

CHAP. XVI.

An Act appointing Commissioners to settle the accounts of the Managers of the Dixville Road Lottery.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the Hon. Perez Morton,

William H. Sumner, and William Brewer, Esquires, be, and they are hereby appointed commissioners to adjust and settle the accounts of the managers of Dixville Road Lottery, and of the agent appointed to expend the monies raised thereby, and to allow them severally such commissions and compensation as shall be equitable and proper. *Provided*, That said managers and agent shall pay all the expenses arising under said commission, in such proportion as the commissioners shall deem and decide equitable and proper.

Commissioners appointed.

SEC. 2. *Be it further enacted*, That the Attorney and Solicitor General, or either of them, in case either or all the commissioners herein appointed shall decline the duties prescribed by this act, be, and they are hereby authorized and empowered to appoint a commissioner or commissioners, who shall be authorised to settle the said accounts, in the same manner as the commissioners appointed by the first section of this act might do.

Attorney General empowered.

[This act passed June 14, 1810.]

CHAP. XVII.

An Act to incorporate certain persons, by the name of The First Universal Christian Society, in Fryeburg.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Ebenezer Stephens, Samuel Stephens, John Stephens, Nathaniel Walker, Solomon Charls, Noyes Knight, Samuel Charls, Bliss Charls, Abner Charles, Joseph Charles, James Charles, John Charles, John Charles, jun. Simeon Charles, Isaac Charls, Moses Chandler, Joseph Chandler, John Gorden, Isaac Abbott, Oliver Knight, Ebenezer Day, Charles Walker, Stephen Farrington, jun. Henry D. Hutchins, Jabez Day, Daniel Chandler, James Wiley, Benjamin Wiley, with their families and estates, together with such others as may hereafter associate with them, or their successors, be, and they hereby are incorporated into a Religious Society, by the name of The First Universal Christian Society in Fryeburg, with all the powers, privileges, and immuni-

Persons incorporated.

ties, and subject to all the duties to which other parishes or religious societies are entitled or subjected, by the constitution and laws of this Commonwealth.

Method of
joining the
society.

SEC. 2. *Be it further enacted*, That any person belonging to the said town of Fryeburg, or to either of the adjacent towns, who may be desirous of joining in religious worship with, and becoming a member of the aforesaid society, shall give in his or her name to the town clerk of said Fryeburg, or to the clerk of the town to which he or she belongs, with a certificate signed by the minister or clerk of said society, that he or she has actually become a member of, and united with the said Universalist Society, in religious worship, fourteen days, at least, previous to the town meeting, to be holden in said Fryeburg, in the months of March or April, annually, shall, from and after giving such certificate, with his or her polls and estate, be considered as part of said society. *Provided however*, That such persons shall be holden to pay their proportion of all money assessed in the town to which they belonged, previous to that time.

Proviso.

Method of
leaving the
society.

SEC. 3. *Be it further enacted*, That if any member of said Universalist Society, shall from and after the passing of this act, see cause to leave the same, and unite in religious worship with any other religious society in the towns from whence they came, and lodge a certificate of such his or her intention, with the minister or clerk of said Universalist Society, and also with the clerk of the town to which he or she belongs, fourteen days at least, before the town meeting in the months of March or April, annually, and shall pay his or her proportion of all money assessed in said society, previous thereto; such person shall, from and after giving such certificate, with his or her polls and estate, be considered as belonging to the town or parish in which he or she may reside, in the same manner, as if he, or she had never belonged to the said Universalist Society.

Justice to is-
sue his war-
rant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace in the county of Oxford, be, and hereby is authorized to issue his warrant, directed to some suitable person, who is a member of said Universalist Society, requiring him to warn and notify the members thereof, to meet at such time and place in said town of Fryeburg, as shall be directed in said warrant, to choose such officers as par-

ishes and other religious societies in this Commonwealth are by law authorized to choose, in the months of March or April, annually.

[This act passed *June 14, 1810.*]

CHAP. XVIII.

An Act in addition to an act, entitled "An Act establishing a Corporation, by the name of The Marblehead Social Insurance Company.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the further term of one year from and after the seventeenth day of July next, be allowed to the stockholders of the Marblehead Social Insurance Company, to pay in the residue of the Capital Stock of said company, amounting to fifty dollars on each share, and being the last moiety of their instalments of the sum of one hundred thousand dollars, the capital stock of said company, and that the said residue shall be paid in such proportions, and at such times within the period mentioned, as the directors of said company shall order or appoint, any thing in the act to which this act is in addition, to the contrary notwithstanding. *Provided however,* That nothing in this act shall be construed to exonerate or discharge the estates of the stockholders of said company from being liable in the manner, and for the purposes mentioned in the said act, to which this is in addition. *Provided also,* That fifty thousand dollars of the capital stock of said company, shall have been actually invested in publick or other stock, pursuant to the act of incorporation, on or before the seventeenth day of July next ensuing ; otherwise this act shall be of no force or effect.

Further
time allowed
to pay in
stock.

Proviso.

[This bill passed *June 14, 1810.*]

CHAP. XIX.

An Act to incorporate the Honourable Stephen Jones, Esq. John Cooper and Ebenezer Inglee, Esquires, and other proprietors of a Meeting-house in the town of Machias, in the county of Washington, for the purpose of finishing and repairing the same.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Honourable Stephen Jones, Esq. John Cooper and Ebenezer Inglee, Esquires, their associates and assigns, proprietors of the meeting-house in Machias aforesaid, be, and hereby are incorporated into a body politick by the name of The Proprietors of the First Congregational Meeting-house in Machias, and by that name may sue and be sued, plead and be impleaded, defend and be defended in all causes whatsoever.

Persons incorporated.

Their powers.

SEC. 2. *Be it further enacted*, That said Corporation shall have power to choose all such officers, as parishes are by law entitled to choose, and such officers so chosen shall have the same power as parish officers so far as to enable them to manage the prudential concerns of said corporation as provided in this act, also to raise money for the finishing, maintenance, and repairs of said meeting-house, and expend the same according to the vote of said corporation for the purposes aforesaid. *Provided*, That in assessing taxes, each proprietor's right in said house shall be appraised by the assessors and the taxes apportioned according to each proprietor's right therein.

Proviso.

SEC. 3. *Be it further enacted*, That if any member of said corporation shall neglect for the space of sixty days, to pay such sum or sums of money as shall be assessed on him to pay, on any right or pew in said house, the said right or pew, may by the collector be sold at publick vendue, and the money arising from said sale applied to the discharge of said taxes, and the residue, if any, returned to the debtor, provided that the said collector shall give notice of said sale fourteen days at least previous thereto, by posting up advertisements at said meeting-house, and at two of the publick taverns in said town, of the time and place and cause of sale.

Sale of property in case of delinquency.

SEC. 4. *And be it further enacted*, That John Dicken-^{First meet-}son Esq. be empowered to call the first meeting of said ing. proprietors, and said proprietors shall then agree upon the manner of calling future meetings.

[This act passed June 14, 1810.]

CHAP. XX.

An Act to extend the charter of the Worcester and Fitzwilliam Turnpike Corporation.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Worcester and Fitzwilliam Turnpike Corporation from the fifteenth day of June, one thousand eight hundred and ten, shall be allowed two years to make their road from the north line of this Commonwealth in the town of Royalston, near to Graves' Mills (so called,) to the dwelling-house of Eden Baldwin in Templeton, near to Baldwin's Mills (so called,) and when said corporation shall have completed said road, and it shall be accepted by the Justices of the Court of Common Pleas for the county of Worcester, the said corporation shall have a right to erect one gate, at or near the said north line of this Commonwealth, at which they shall have power to collect a toll of travellers in proportion to the distance so made, completed, and accepted, with that which is allowed by law to other turnpike corporations.

Time allowed to make the road.

SEC. 2. *And be it further enacted*, That all deeds, bonds, and obligations running to said corporation shall be good and valid in law.

Papers valid

[This act passed June 14, 1810.]

CHAP. XX.

An Act in further addition to an act, entitled "An Act to secure the town of Boston from damage by Fire, and repealing certain parts thereof," passed February 9, 1803.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That in all cases where one dwell-

Brick parti-
tion.

ing-house, ware-house, store, stable, or other building above ten feet high, is separated from another dwelling-house, or ware-house, or store, stable, or other building above ten feet high, by a partition; such partition shall be built of stone or brick, and shall be twelve inches thick in the lower story, and eight inches thick above the lower story, and shall be built up as far as may be necessary in order to cover or cap the same with flat stones above the roof, and such wall shall be entirely covered or capped with flat stone at least two inches in thickness above the roof.

Repeal.

SEC. 2. *And be it further enacted*, That so much of the first section of the act to which this act is in further addition as requires that partition walls shall rise in battlements at least three feet above the roof, be, and the same is hereby repealed.

[This act passed June 14, 1810.]

CHAP. XXI.

An Act determining the times and place, for holding the Courts of Common Pleas, within and for the county of Somerset, and for other purposes.

Times of
holding
court.

SEC. 1. **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 first day of October next, the Court of Common Pleas within and for the county of Somerset, shall be held at Norridge-wock, on the third Tuesday of March, the fourth Tuesday of June, and the first Tuesday of November, in each and every year. And that so much of an act, entitled, "An Act to divide the county of Kennebeck, and to constitute the northerly part thereof into a county, by the name of the county of Somerset," as relates to the times of holding the Courts of Common Pleas, be, and the same hereby is repealed, from and after the first day of October aforesaid.

SEC. 2. *Be it further enacted*, That all actions, appeals, recognizances, and other processes, that now are, or may hereafter be, prior to the said first day of October next,

commenced, or sued out, returnable to, or continued, or pending in the said Court, which before the passing of this act was to have been holden on the third Tuesday of February next, shall be returnable, entered and continued to, pending in, prosecuted, tried, determined and adjudged at the term of said court, to be held by virtue of this act on the first Tuesday of November next.

When re-
turnable.

SEC. 3. *Be it further enacted*, That the Grand Jurors, returned to serve at the Court of Common Pleas for said county of Somerset, on the third Tuesday of February last, shall be considered as the legal Grand Jury of said court throughout the year, or until they shall be discharged by said court at their term in September next, after another Grand Jury shall be impannelled in their stead, and the said court of Common Pleas, shall at any time within five years from and after the passing of this act, have power to dispense with the attendance of the Grand Jury, at any term of said court, when in their opinion it may be proper so to do.

Grand Jury
for the year.

[This act passed *June 14. 1810.*]

CHAP. XXII.

An Act to incorporate the proprietors of the second Congregational Meeting-house in Nantucket.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Thaddeus Coffin, Richard Cary, Samuel Cary, Samuel Swain, Zopher Hayden, Thomas N. M. Cleave, David Myrick, Aaron Mitchel, Timothy Folger, jun, Jeremiah Lawrence, James Barnard, Ebenezer Watts, Daniel Whitney, George Myrick, Jonathan C. Briggs, William Coffin, Jeremiah B. Wood, Reuben Baxter, Hezekiah B. Gardner, Henry Riddle, Elisha Starbuck, John Brock, jun. Peter Hussey, William Riddle, Elisha Raymond, Zaccheus Hussey, Matthew Pinkham, Abel Rawson, Samuel Riddell, Albert Gardner, Benjamin Glover, Eliza Bunker, Samuel Barker, and Wyer Swain, with such other persons as shall associate and become interested with them in manner herein after mentioned, be,

Persons in-
corporated,

and they hereby are incorporated and made a body politick by the name of The Proprietors of the Second Congregational Meeting-house in Nantucket.

Allowed to
purchase
land.

Proviso.

SEC. 2. *Be it further enacted*, That the said corporation, may purchase and hold the lot of land in Nantucket aforesaid, whereon they have lately built a meeting-house, and such other estate, real and personal, as the corporation shall determine to own; *Provided*, That the annual income of the whole estate of the corporation besides the meeting-house and land under it, shall not exceed three thousand dollars, and the said corporation may sue, and be sued, by its corporate name, may make and use a common seal, and break and alter it at pleasure, may make any bye laws for the government thereof, and for the management of the corporate property, that a major part of the members present (calculating according to their respective interests as is hereafter set forth) shall think for the best, provided the same are not contrary to the constitution and laws of this Commonwealth; and is invested with all the powers, privileges, and immunities to which other religious societies in this Commonwealth are entitled by law.

Property
proportion-
ate.

SEC. 3. *Be it further enacted*, That the property of the several members of the said corporation for the time being, shall be calculated according to their respective rights and interests in the pews and seats of the meeting house lately built as aforesaid, by admeasurement as has been heretofore made, and all persons who shall become proprietors or interested in said pews and seats, shall be deemed to have associated with, and shall become members of this corporation according to their respective interests in such pews or seats.

Authorized
to raise
money by as-
sessment.

SEC. 4. *And be it further enacted*, That the said corporation are hereby authorized to raise, by an assessment on the pews and seats in the said meeting-house, such sum, and sums of money for the settlement and maintenance of a minister or ministers, for the purchase of said lot of land, for building up and repairing the meeting-house, and for defraying the other expenses of publick worship with incidental charges, as the members of the same shall agree on at any legal meeting to be called for that purpose, according to the said admeasurement, and the sums so assessed shall be paid by the respective proprietors of

such pews and seats, and if any proprietor of such pew or seats shall neglect to pay any assessment, which shall be legally made thereon as aforesaid, for one year after the same shall have been made, the treasurer of said corporation for the time being shall be authorised and empowered to sell and convey all the estate, share, and interest of such delinquent proprietor in the said corporation, at publick auction, first giving notice thereof fourteen days at least previous to the sale, at two of the doors of said meeting-house, and upon such sale to execute a good and sufficient deed or deeds thereof to the purchaser, and after deducting the amount of such delinquent's assessment, together with legal interest thereon from the time the same was made, and all incidental costs and charges, the said treasurer shall pay the surplus, if any there be, to such delinquent proprietor.

Authorized
to sell in
case of de-
linquency.

SEC. 5 *And be it further enacted*, That any Justice of the Peace for the county of Nantucket be, and hereby is authorised and directed to issue his warrant to some principal member of said corporation ; requiring them to meet at such time and place, as shall be therein set forth, to choose a moderator and a clerk, (who shall be duly sworn,) a treasurer and such other officers as the proprietors shall judge necessary, and the moderator of that, and of all future meetings, shall have power to administer the oath of office to the clerk.

Justice to is-
sue warrant.

[This act passed June 14. 1810.]

CHAP. XXIII.

An Act to incorporate a number of the inhabitants of the town of Thomaston, in the county of Lincoln, by the name of The Methodist Society in Thomaston.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Isaac Mayo, James Partridge, Benjamin Williams, James Stagpole, jun. Otis Robbins, Otis Robbins, jun. Jabez Morse, John D. Morse, Mathias Ulmer, David Watson, jun. Elijah Torry, Isaac Brown, Benjamin Blackington, Nathan Blackington, John Spear,

Persons in-
corporated.

Elkanah Spear, Joseph Ingraham, jun. Richard Smith, David Watson, Alibens Partridge, John Hasty, Robert Robins, Jonathan Ames, Thomas Stevens, William Killsa, Danis Brewster, Daniel Palmer, Wellcome Healy, Silas Gleason, Joseph Hasty, Taft Comstock, Eliphas Healy, William Presson, Ephraim Knowlton, Benjamin Blackington, jun. Simeon Blood, Samuel Fales, Philip Ulmer, Jacob Ulmer, Nathaniel Fales, Nathaniel Fales, jun. Simon Blood, James Blackington, with their families and estates, together with such others as have, or may hereafter associate with them and their successors, be, and they are hereby incorporated into a separate religious society, by the name of The Methodist Society in the town of Thomaston, with all the powers and privileges, to which other parishes are entitled by the constitution and laws of this commonwealth: *Provided however*, That all such persons shall be holden to pay their proportion of all monies legally assessed for parochial purposes, in the parish to which he or she formerly belonged.

Proviso.

SEC. 2. *Be it further enacted*, That any person belonging to any other religious society, in the said town of Thomaston, who may desire to join the said Methodist society, and who shall at any time within one year from the passing of this act, declare such intentions in writing, delivered to the town clerk, or to the clerk of such other religious society, and shall produce a certificate signed by the minister or clerk of the said Methodist society, that he or she has actually become a member of, and united in religious worship with the said Methodist society, such person shall, from the date of such certificate, be considered with his or her polls and estate, as a member of said society.

Method of joining the society.

SEC. 3. *Be it further enacted*, That when any member of the said Methodist society shall see cause to leave the same, and to unite with any other religious society in said town of Thomaston, and shall give notice of such intention to the minister or clerk of the said Methodist society, and shall also give in his or her name to the minister or clerk of such other society, fifteen days at least previous to its annual meeting, such person shall from the date of such certificate, with his or her polls and estate, be considered a member of said society: *Provided however*, That in every such case, such person shall be held to pay

Method of leaving the society.

his or her proportion of all parochial expenses incurred previous to the leaving said society.

SEC. 4. *Be it further enacted*, That any justice of the peace for the county of Lincoln, upon application therefor, is hereby authorised to issue a warrant, directed to some member of the said Methodist society, requiring him to notify and warn the members thereof, to meet at such time and place as shall be appointed in said warrant, for the choice of such officers as parishes are by law empowered to choose at their annual parish meetings.

Justice to is-
sus warrant.

[This act passed *June 14, 1810.*]

CHAP. XXIV.

An Act to incorporate sundry persons by the name of
The First Congregational Society in the town of Vassalborough.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Philip Leach, Samuel Redington, Daniel Marshall, Abiel Getchell, Henry Getchell, Samuel Bugbee, jun. Moses Rollins, Lewis Thacher, Barnard Hoyt, Joseph R. Abbott, Ebenezer Hall, Daniel M'Fadden, Jeremiah Babcock, Abiel P. Follensbee, Jonathan Carlton, Joseph Robinson, James Thatcher, Jesse Mitchell, John Duckey, Jonathan Low, Joseph Robinson, jun. Daniel Marshall, jun. Elijah Morse, Thomas Carlton, Edward Sturgess, Benaiah Packard, Benjamin Brown, jun. Prince Hawes, Joseph Bartlett, Theophilus Capen, John Getchell, jun. Dean Bangs, jun. and Elijah Robinson, with such as shall hereafter join them, be, and hereby are incorporated into a body corporate and politick, by the name of The First Congregational Society in the Town of Vassalborough, with all the privileges and immunities belonging to parishes in this Commonwealth, and subject to all the duties to which parishes are subjected by the constitution and laws of this Commonwealth.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That any justice of the peace for the county of Kennebeck, is hereby authorised, upon application of any three of said society, to issue a

Justice to is-
sue a war-
rant. warrant for the first meeting of said society, to be directed to any member of said society, and to be served as in said warrant shall be directed, and said society may at said meeting agree upon the method of calling future meetings.

[This act passed *June 14, 1810.*]

CHAP. XXV.

An Act repealing "An Act providing for the payment of two fifth parts of the state debt, and for other purposes," and providing for the payment of one fifth part of the state debt and for other purposes.

Treasurer
empowered
to pay SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the treasurer of this Commonwealth be, and he is hereby directed and empowered to pay on the first day of July next, one fifth part of the debts due from this Commonwealth, on notes issued in conformity to an act passed on the twelfth day of March, eighteen hundred and eight, entitled "An Act to provide for the payment of part of the State debt," in addition to the interest which shall then have accrued thereon.

Treasurer to
issue new
notes. SEC. 2. *Be it further enacted,* That the treasurer shall issue new notes to the several holders of the notes aforesaid, similar to those issued under the said act, passed the twelfth day of March, eighteen hundred and eight, *mutatis mutandis*, for the balance which shall be due to them after deducting and paying off one fifth part of the State debt as aforesaid, and the one fifth part of the State debt as aforesaid shall cease to bear interest after the first day of July next: *Provided however,* That the treasurer shall issue no new note for a less sum than twenty dollars; but in any case, where after the deduction of one fifth it would be incumbent on him to issue any such note, he be, and he is hereby directed and empowered wholly to pay the same.

Money to be
appropriat-
ed. SEC. 3. *Be it further enacted,* That all the money now in the hands of the treasurer, or which may hereafter come into his hands, be appropriated to the purposes aforesaid, excepting such sums as may be necessary for defraying

the expenses of government, and such as have been, or may be otherwise appropriated by law.

SEC. 4. *Be it further enacted*, That the treasurer of this Commonwealth be, and he is hereby authorized and directed to borrow of the president and directors of the Union and Boston Banks, in proportion to the Commonwealth's stock in each of said banks, any sum which may be necessary for carrying into effect the purposes of this act, and to repay the sum he may so borrow as soon as money sufficient for that purpose not otherwise appropriated, shall be received into the treasury. reasurer authorized to borrow.

SEC. 5. *Be it further enacted*, That an act, entitled, "An Act providing for the payment of two fifth parts of the State debt and for other purposes," passed on the sixth day of March last, be, and the same is hereby repealed. Act repealed.

[This act passed June 14, 1810.]

CHAP. XXVI.

An Act in further addition to act, entitled, "An Act in further addition to an act, entitled, 'An act to divide the county of Kennebeck, and to constitute the northerly part thereof into a county, by the name of the County of Somerset.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the doings of the person appointed by the Judge of Probate for the county of Somerset, to discharge the duties of Register of Probate for said county, until a Register was appointed by the Governor and Council and qualified, shall be held as good and valid to all intents and purposes whatever, as if the same had been appointed by the Governor and Council. Doings of the Register prob. valid.

SEC. 2. *Be it further enacted*, That the person appointed by the Justices of the Court of Common Pleas of said county, on the twenty-ninth day of June last, to be clerk of said court, shall to all intents and purposes from that time be considered as the legal clerk of said court, and all his acts and doings from that time shall be considered as good and valid in law, as if he had been appointed Doings of the Clerk valid.

June 14, 1810.

by said court at any time thereof, or by the Supreme Judicial Court.

Venires for
Jurors.

SEC. 3. *Be it further enacted*, That the clerk of the Supreme Judicial Court, whenever he shall issue venires for any Grand or Traverse Jurors to attend the Supreme Judicial Court to be held for the counties of Kennebeck and Somerset, shall be governed by the division into Jury districts, which was made by the Court of Sessions for the county of Kennebeck before said county of Kennebeck was divided, until another census shall take place, and a new division into districts thereafter in both of the counties of Kennebeck and Somerset.

[This act passed June 14, 1810.]

END OF JUNE SESSION, 1810.