# 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 26th MAY, 1812, AND ENDING ON THE 2d MARCH, 1815.

Published agreeably to a Resolve, passed 16th January, 1812.



VOL. VI.

#### BOSTON:

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1812-15.

# LAWS

OF THE

# COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT.

AT THE SESSION COMMENCING ON THE 12th DAY OF JANUARY, AND ENDING ON THE 28th DAY OF FEBRUARY,

ONE THOUSAND EIGHT HUNDRED AND FOURTEEN.

#### CHAP. LXXIV.

**网络小沙 中** 

An Act to incorporate The Hampden Cotton 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 Joel Norcross, Ward Woodbridge, Eli Goodwin, Russell Talcott, Timothy Packard, corporated. Jun. Amos Norcross, John Avery, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Hampden Cotton Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn, in the town of Monson, in the county of Hampden; and, for the purpose aforesaid, shall have all the powers and privileges, and shall 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.

SEC. 2. Be it further enacted, That said corporation may be lawfully seized and possessed of such real estate, May hold not exceeding the value of one hundred thousand dollars, real and personal estate, not exceeding three hundred sonal estate. thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

Approved by the Governor, January 20, 1814.

# CHAP. LXXV.

An Act to incorporate the President, Directors, and Company of the Augusta Bank.

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 James Bridge, William Rob-Persons in inson, Reuel Williams, John Eveleth, Bartholomew Nason, Samuel Howard, and James Child, their associates, successors and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors, and Company of the Augusta Bank, and shall so continue un-Time incortil the first day of October, which will be in the year of

porated for.

our Lord one thousand eight hundred and thirty-one; and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances and regulations as to them may appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs: provided such by-laws, ordinances and regulations shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations and provisions

Proviso.

herein prescribed. Amount of SEC. 2. Be it further enacted, That the capital stock each of each of said corporation shall consist of one hundred thousand dottars, in gold or silver, divided into shares of one hundred dollars each. The one hundred thousand dollars shall be paid in the following manner, to wit: twenty-five thous-

and dollars shall be paid in, on or before the first day of October next; and the remaining seventy-five thousand dollars on or before the first day of October, which will be in the year of our Lord one thousand eight hundred and fifteen, or by instalments in such sums and at such earlier period as the Stockholders may direct. And the Stockholders at their first meeting shall, by a majority of votes. determine the mode of transfering and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their property and successors and assigns, lands, rents, tenements, and here-amount. ditaments, to the amount of twenty thousand dollars, and no more at any one time, with power to bargain, sell, and dispose of the same, and to loan and negociate their monies and effects by discounting on banking principles, on such security as they shall think advisable. Provided however. That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for or in payment of any debts due to the said corporation. And provided further, That no money shall Proviso. be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

May hold

Sec. 3. Be it further enacted, That the rules, limitations, provisions, restrictions and reservations which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established: provided that the bond required to be given by the Proviso. cashier shall be in the penalty of fifteen thousand dollars, that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for transacting business. And provided also, That the amount of bills Debts not to at any one time issued from said bank, shall not exceed exceed fifty per cent. fifty per cent beyond their capital stock actually paid in.

SEC. 4. Be it further enacted, That the said bank shall be established and kept in the town of Augusta, in the county of Kennebec.

books, &c.

Sec. 5. Be it further enacted. That any committee, specially appointed by the legislature for the purpose, shall Legislative have a right to examine into the doings of said corporation, may examine and shall have free access to all their books and vaults; and if upon such examination it shall be found, and after a full hearing of the said corporation thereon be determined, by the legislature, that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Sec. 6. Be it further enacted, That the persons herein May call a before named, or any three of them, are authorised to call meeting. a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place as they may see fit, (by advertising the same for three weeks successively in the Herald of Liberty printed at said Augusta,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

of accounts.

SEC. 7. Be it further enacted, That it shall be the duty of the Directors of said bank to transmit to the Governor and Council of this Commonwealth for the time being, Shall trans- once in six months at least, and as much oftener as they may mit statement require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due to the same, of monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

counterfeited notes.

SEC. 8. Be it further enacted, That said corporation shall be liable to pay any bona fide holder the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Sec. 9. Be it further enacted, That the said corporation, from and after the first Monday of October next, shall pay, by way of tax, to the Treasurer of this Commonwealth, for the use of the same, within ten days after each semiannual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in: Provided however, that the Proviso. same tax, payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth. And provided further, that nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

SEC. 10. Be it further enacted, That one tenth part of Amount to the whole funds of the said bank shall always be appropriated to loans ated to loans to be made to citizens of this Commonwealth, wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums not less than one hundred dollars. nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of Security. said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law provided in other cases.

Sec. 11. Be it further enacted, That whenever the legislature shall require it, the said corporation shall shall loan to loan to the Commonwealth any sum of money which may the Commonwealth be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any other shorter period at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per cent per annum. Provided however, that the Common- Proviso. wealth shall never at any one time stand indebted to said corporation, against their consent, for a larger sum than twenty per centum on the capital stock actually paid in.

Sec. 12. Be it further enacted, That the Commonwealth shall have a right, whenever the Legislature shall make Common wealth may provision by law, to subscribe, on account of the Common-weather in subscribe. wealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations, and provisions, as shall be by the legislature made and established, as to the management thereof.

Approved by the Governor January 21, 1814.7

# CHAP. LXXVI.

An Act to incorporate the town of Phipsburgh.

Sec. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the Town incor- authority of the same, That all that part of the town of porated, and Georgetown, situate on the west side of Kennebec river, boundaries. together with the inhabitants thereon, be, and the same is hereby incorporated into a separate town, by the name of Phipsburgh. And the said town of Phipsburgh is hereby vested with all the powers, privileges, and immunities, and shall also be subjected to all the duties, to which other corporate towns are entitled and subjected, by the constitution and laws of this Commonwealth.

portion of all property.

SEC. 2. Be it further enacted, That the said town of To hold pro- Phipsburgh shall be entitled to hold such proportion of all the real and personal estate now belonging to, and owned in common by the inhabitants of the present town of Georgetown, as the property of the inhabitants of the said town of Phipsburgh now bears to the property of all the inhabitants of the present town of Georgetown, according to the latest valuation thereof, excepting always all right of common landing places, uses, and privileges, heretofore possessed by the inhabitants of said town of Georgetown all which shall be held and enjoyed by the towns respectively, within whose limits the same may be.

Payment of debts due.

Sec. 3. Be it further enacted, That the said town of Phipsburgh shall be holden to pay their proportion, to be ascertained as aforesaid, of all debts and claims now due and owing from the said town of Georgetown, or which may hereafter be found due and owing by reason of any contract, engagement, judgment of Court, or any matter or thing now or heretofore entered into or existing.

poor.

Sec. 4. Be it further enacted, That the said town of Support of Phipsburgh shall be holden to support their proportion of the present poor of the town of Georgetown, which proportion shall be ascertained as aforesaid; and all persons, who shall or may hereafter become chargeable as paupers. shall be considered as belonging to that town, on whose territory they have gained a legal settlement at the passing of this act, and shall be supported by that town only.

Sec. 5. Be it further enacted, That either of the Justices of the Peace for the county of Lincoln is hereby au-Justice to isthorised to issue a warrant, directed to some inhabitant of sue Warrant. the said town of Phipsburgh, 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 all such officers as towns are by law required to choose in the months of March or April annually.

Sec. 6. Be it further enacted, That the said town of Phipsburgh shall pay their proportion of all such state and county taxes as are already, or may hereafter be assessed sed. upon the inhabitants of the town of Georgetown, until the General Court shall lay a tax upon said town of Phipsburgh.

Approved by the Governor, January 26, 1814.7

## CHAP, LXXVII.

An Act to repeal in part an act, entitled "An act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes.

SEC. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That an act, passed the eighteenth day of June, in the year of our Lord one thousand eight hundred and eleven, entitled "An act providing for the Act repealed appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes," be, and the same is hereby repealed, excepting only the sixth section thereof.

Sec. 2. Be it further enacted, That the Clerks of the several counties shall not be obliged to render any account of the monies received since the passing of the act which is hereby, in part, repealed, or perform any of the duties enjoined by the second section of said act.

SEC. 3. Be it further enacted, That the present Clerk's duty. of the several counties shall continue to exercise the duties. of their office until they are re-appointed, or others apTime of

pointed in their stead by the Judges of the Supreme Judicial Court.

Sec. 4. Be it further enacted, That all acts or parts of acts which would have been in force, if the act which is hereby, in part, repealed, had never been passed, shall be revived and be in force.

Approved by the Governor, January 27, 1814.7

## CHAP. LXXVIII.

An Act to alter the times of holding the Court of Sessions in the county of Hancock.

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, the Court of Sessions for the county of Hancock Courts alter-shall be holden at Castine, in said County, on the several Wednesdays next succeeding the days on which the Circuit Courts of Common Pleas for said county now are, or may hereafter be by law appointed to be holden, instead of the times heretofore established for holding said Court of Sessions; and that all petitions, recognizances, warrants, reports and processes whatsoever, shall be returned to, be entered, have day in, and be proceeded upon in the same, court, to be holden on such Wednesdays aforesaid, any law to the contrary notwithstanding.

Approved by the Governor, January 28, 1814.

# CHAP. LXXIX.

An Act declaring that the town of Livermore shall belong wholly to the county of Oxford.

HEREAS doubts have arisen whether tive more the whole of the town of Livermore is included in the Oxfordcoun- county of Oxford:

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, the whole of the town of Livermore shall, to all intents and purposes, be a part of and belong to the county of Oxford, any law heretofore made to the contrary notwithstanding.

[Approved by the Governor, January 28, 1814.]

## CHAP. LXXX.

An Act to set off Jonah Crosby, Jun. and others from the town of Clinton, and annex them to the town of Fairfax.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Jonah Crosby, Jun. Ezra Cros- off from the by, and Jonah Crosby 3d, with a tract of land bounded as town of clinfollows, to wit: beginning on the North line of the town ton. of Fairfax, one hundred and eighty rods to the eastward of the north-west corner of Fairfax aforesaid; thence running north, twenty-two degrees east, half a mile; thence east-south-east to the east line of the town of Clinton; thence south, twenty-two degrees west, to the north line of Fairfax; thence west-north-west to the first mentioned bounds, be, and are hereby set off from the town of Clinton, in the county of Kennebeck, and annexed to the town of Fairfax, in the same county.

[Approved by the Governor, January 31, 1814.]

# CHAP. LXXXI.

An Act to incorporate the President, Directors, and Company of the Gardiner Bank.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Robert Hallowell Gardiner, William Barker, Joseph Bradstreet, Nathan Bridge, Thomas Agry, Sanford Kingsbury, Peter Grant, Joshua Lord, corporated. James Marston, Frederick Allen, Stephen Jewett, Edward Swan, Rufus Gay, John Stone, Maltiah Lawrence, and

assigns, shall be, and hereby are created a corporation, by the name of The President, Directors, and Company of the Gardiner Bank, and shall so continue until the first day Time incor- of October, which will be in the year of our Lord one porated for thousand eight hundred and thirty-one; and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as to them may appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs: provided such bylaws, ordinances, and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

William Oliver Vaughn, their associates, successors, and

Proviso.

share.

Sec. 2. Be it further enacted, That the capital stock of capital took the said corporation shall consist of the sum of one hun-and of each dred thousand dollars. dred thousand dollars, in gold and silver, divided into shares of one hundred dollars each; twenty-five thousand dollars of which shall be paid in, on or before the first day of September next, and the remaining sum of seventy-five thousand dollars, on or before the first day of September, eighteen hundred and fifteen, or by instalments in such sums, or at such earlier periods, as the stockholders may And the said stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof; which, being entered on the books of said corporation, shall be binding on the stockholders, their successors and And the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of twenty thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negociate their monies and effects, by discounting on banking principles, on such security as they shall think advisable: Provided however, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execu-

Proviso.

tion, to any amount, as security for, or in payment of any debts due to the said corporation: And provided further, Proviso. That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank. until the capital stock subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

Sec. 3. Be it further enacted, That the rules, limitations, provisions, restrictions, and reservations, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established: *Provided* that the bond required to be Proviso. given by the Cashier shall be in the penalty of ten thousand dollars; that the number of Directors annually to be chosen shall be five, and three may constitute a quorum for transacting business: And provided also, That the amount of bills, at any one time issued from said bank, shall not be exceed fifty exceed fifty per cent beyond their capital stock actually per cent. paid in.

Sec. 4. Be it further enacted, That the said bank shall be established and kept in the town of Gardiner.

Sec. 5. Be it further enacted, That any committee, spe- Legislative cially appointed by the Legislature for the purpose, shall committee have a right to examine into the doings of said corpora- may examine books, &c. tion, and shall have free access to all their books and vaults; and if, upon such examination, it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Sec. 6. Be it further enacted, That the persons herein before named, or any three of them, are authorised to call meeting. a meeting of the members and stockholders of said corporation as soon as may be, at such time and place as they may see fit, (by advertising the same for three weeks successively, in any newspaper printed in the county of Kennebeck,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary; and for the

choice of the first Board of Directors, and such other officers as they shall see fit to choose.

of accounts.

Sec. 7. Be it further enacted, That it shall be the duty Shall trans- of the Directors of said bank to transmit to the Governor mitstatement and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors and attested by the Cashier, and shall be verified, by oath or affirmation, before some person competent to administer the same.

counterfeited notes.

Sec. 8. Be it further enacted, That the said corporation Shall pay shall be liable to pay to any bona fide holder, the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwith-

standing such alteration.

urer.

Proviso.

Sec. 9. Be it further enacted, That the said corpora-Shall pay tax tion, from and after the first day of September next, shall to the Treas-pay, by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in; Provided however, That the same tax, payable in manner aforesaid, shall be required by the legislature of all banks, which shall be hereafter incorporated within this Commonwealth: And provided further, That nothing herein shall be construed to impair the rights of the legislature, to lay a tax on any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Amount to ated to loans

SEC. 10. Be it further enacted, That one tenth part of be appropri- the whole funds of said Bank, shall always be appropriated to loans to be made to citizens of this Commonwealth; and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security, by a mortgage of real estate, to the satisfaction of the Directors of said Bank, for a term not less than one year, and

Segurity.

on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is

by law provided in other cases.

SEC. 11. Be it further enacted, That whenever the Legislature shall require it, the said Corporation shall loan shall loan to to the Commonwealth any sum of money, which may be the Commonwealth. required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any time, reimbursable by five annual instalments, or at any other shorter period, at the election of the Commonwealth, with the annual payment of interest at a rate not exceeding five per centum per annum: Provided however, That the Common-Proviso. wealth shall never stand indebted at any one time to said Corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Sec. 12. Be it further enacted, That the Commonwealth shall have a right, whenever the Legislature shall Common, wealth may make provision by law, to subscribe, on account of the subscribe. Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations, and provisions, as shall be by the Legislature made and established, as to the management thereof.

Approved by the Governor, January 31, 1814.7

# CHAP. LXXXII.

An Act to incorporate William Bartlett and others, into a Company by the name of The Merrimack Insurance 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 William Bartlett, Jeremiah Persons in-Nelson, Nicholas Pike, and others, and such persons as corporated. have already, or hereafter shall become Stockholders in said Company, being citizens of the United States, be, and they hereby are incorporated into a Company and body politic, by the name of The Merrimack Insurance Name. Company, for and during the term of twenty years after the passing of this act, and by that name may sue, and be

Powers.

sued, plead and be impleaded, appear, prosecute, and defend to final judgment and execution, and have a common seal, which they may alter at pleasure, and may purchase, hold, and convey any estate, real or personal, for the use of said Company, subject to the restrictions herein after mentioned.

Number of Shares.

Sec. 2. Be it further enacted. That a share in the capital stock of the said Company shall be one hundred dollars, and the number of shares shall be one thousand, and if the said number of shares are not already filled, subscriptions shall be kept open under the inspection of the President and Directors of the said Company, until the same shall be filled; and the whole capital stock, estate or property, which the said Company shall be authorised to hold, shall never exceed one hundred thousand dollars, exclusive of premium notes, or profits arising from said business; of which capital stock, or property, a sum not exceeding thirty thousand dollars, may be invested in real estate.

of Property.

Sec. 3. Be it further enacted, That the stock, proper-Management tv, affairs and concerns of said Company, shall be managed and conducted by thirteen Directors, one of whom shall be President thereof, who shall hold their offices for one year, and until others shall be chosen, and no longer; which Directors shall, at the time of their election, be stockholders and citizens of this Commonwealth, and not Directors in any other Company, carrying on the business of Insurance, and shall be elected on the first Tuesday in January in each and every year, at such times of the day, and at such place in the town of Newburyport, as a majority of the Directors for the time being shall appoint; of which election public notice shall be given in all the newspapers, which are at the time printed in Newburyport, and continued for ten days immediately preceding such election; and such election shall be holden under the inspection of three stockholders, not being Directors, to be appointed previous to every election by the Directors, and shall be made by ballot by a majority of votes of the stockholders present, allowing one vote to each share in the capital stock: *Provided*, That no stockholder shall be allowed more than twenty votes, and the stockholders not present may vote by proxy, under such regulations as the said Company shall prescribe.

Proviso.

Sec. 4. Be it further enacted, That the Directors so chosen shall meet as soon as may be, after every election, and shall choose out of their body, one person to be Pre-Election of sident, who shall preside for one year, and until another President. shall be chosen, and shall be sworn faithfully to discharge the duties of his office; and in case of the death, resignation, or inability to serve of the President, or any Director, such vacancy or vacancies shall be filled for the year in which they may happen, by special election for that purpose, to be held in the same manner as is herein. before directed respecting annual elections for Directors and President.

SEC. 5. Be it further enacted, That the President and six of the Directors, (or seven of the Directors in the absence of the President) shall be a board competent to transact business, and all questions before them shall be decided by a majority of votes; and they shall have power to make and prescribe such by-laws, rules, and regu-By-laws. lations, as to them shall appear needful and proper, touch-Rules, &c. ing the management and disposition of the stock, property, estate and effects of said Company, and the transfer of shares, and touching the duties and conduct of the several officers, clerks, and servants employed, and the election of Directors, and all such matters as appertain to the business of insurance, and shall also have power to appoint a secretary, and so many clerks and servants for carrying on the said business, and with such salaries and allowances to them and to the President, as to the said board shall seem meet: Provided, such by-laws, rules, and regula-Proviso. tions, shall not be repugnant to the constitution and laws of this Commonwealth.

Sec. 6. Be it further enacted, That there shall be stated meetings of the Directors, at least once in every Meetings of month, and as often within each month as the President Directors. and Board of Directors shall deem proper; and the President, and a committee of three Directors, to be by him appointed in rotation, shall assemble daily, if need be, for the dispatch of business; and the said Board of Directors, and the committee aforesaid, at and during the pleasure of the said Board, shall have power and authority, on behalf of the Company, to make insurance upon vessels, property infreight, money, goods and effects, and against captivity of sured. persons, and on the life of any person during his absence

Provision in sence or death.

by sea, and in cases of money lent upon bottomry and respondentia, and to fix the premiums and terms of payment; and all policies of insurance by them made, shall be subscribed by the President, or in case of his death, sickness, case of ab- inability or absence, by any two of the Directors, and countersigned by the Secretary, and shall be binding and obligatory upon the said company, and have the like effect and force, as if under the seal of said company; and the assured may thereupon maintain an action upon the case against the said Company, and all losses duly arising under any policy, so subscribed, may be adjusted and settled by the President and Board of Directors, and the same shall be binding on the Company. SEC. 7. Be it further enacted, That it shall be the duty

Duty of the of the Directors, on the third Tuesday of April and Oc-Directors. tober in every year, to make dividends of so much of the

interest, arising from the capital stock and profits of the said Company, as to them shall appear advisable, but the monies received and notes taken for premiums on risks which shall be outstanding, at the time of making such dividends, shall not be considered as part of the profits of the Company; and in case of any loss or losses, whereby the capital stock of the Company shall be lessened before Stockholders the whole amount of the stock is paid in, each proprietor countable for or stockholder's estate shall be held accountable for the deficiency that may be due on his share, or shares, at the time of said loss, or losses taking place, to be paid into the said Company, by assessments, or such other mode, and at such time or times as the Directors shall order; and no subsequent dividend shall be made, until a sum equal to such diminution shall have been added to the capital; and that once in every two years, and oftener, if required by a majority of votes of the stockholders, the Directors shall

estates acdeficiency.

Sec. 8. Be it further enacted, That the said Company shall not directly or indirectly deal or trade in buying or selling any goods, wares or merchandize, or commodities whatsoever, and the capital stock of said Company after being collected at each instalment, shall, within six of the funds, months after payment of each instalment, be invested either in the funded debt of the United States, or of this Common-

lay before the stockholders at a general meeting, an exact and particular statement of the profits, if any there be,

after deducting losses and dividends.

Investment

wealth, or in the stock of the United States' Bank, or of any incorporated Bank in this Commonwealth, at the direction of the President and Directors of the said Company, or of other officers, which the proprietors shall for such purposes appoint.

Payment of SEC. 9. Be it further enacted, That the whole of the shares. capital stock of said Company, shall be paid in, on or before the 15th day of April next, and under such penalties

as the said Company shall direct.

Sec. 10. Be it further enacted, That the property of Members', any member of said Company, vested in the stock of said ble to attach-Company, shall be liable to attachment, and to the pay-ment. ment and satisfaction of his just debts, to any of his bona fide creditors, in manner following, to wit: in addition to the summons by law prescribed to be left with the defendant, a like summons shall be left with the secretary of said Company, and the debtor's share or shares in the said Company's funds, together with the interest and profits due or growing due thereon, or so much thereof as shall be sufficient, shall thereby be held to respond said suit according to law; and all transfers of the debtor's shares, not noted in the books of the Company, previous to the delivery of such summons, shall be barred thereby, and execution may be levied upon the property of any stockholder in said Company, and his share or shares therein exposed to sale in the same manner as is by law prescribed where personal estate is taken in execution; Duty of offiand it shall be the duty of the officer who extends such cer who exexecution, to leave an attested copy thereof, with his do-ecution. ings thereon, with the Secretary of said Company, and the purchasers shall thereupon be entitled to the reception of all dividends and stocks which the debtor was previously entitled to; and upon any attachment being made, or execution levied on any shares in said Company, it shall be the duty of the Secretary of said Company, to expose the books of the Company to the officer, and to furnish him with a certificate under his hand, in his official capacity, ascertaining the number of shares the debtor holds in said Company, and the amount of the dividends due thereon.

Sec. 11. Be it further enacted, That in case of any loss Penalty for or losses taking place that shall be equal to the amount of subscribing the capital stock of the said company, and the President policy after or Directors, after knowing of such loss or losses taking loss.

place, shall subscribe to any Policy of Insurance, their estates, jointly and severally, shall be accountable for the amount of any and every loss that shall take place, under

policies thus subscribed.

Sec. 12. Be it further enacted, That the President and Directors of said company shall, previous to their subscrib-Shall publish ing to any policy, and once in every year after, publish in all the newspapers printed at the time in Newburyport, risks, &c. the amount of their stock, against what risks they mean to insure, and the largest sums they mean to take on any one risk.

SEC. 13. Be it further enacted, That the President and Shall exhisit Directors of said company shall, when and as often as restatement of quired by the Legislature of this Commonwealth, lay before them a statement of the affairs of said company, and submit to an examination concerning the same under oath.

Sec. 14. Be it further enacted, That William Bartlett and Nicholas Pike are hereby authorised to call a meeting of the members of said company, as soon as may be, in Newburyport, by advertising the same for three weeks successively in the newspaper printed in said town, for the purpose of electing the first Board of Directors, who shall continue in office until the first Tuesday of January next following, and until others are chosen in their room.

Marine Insurance Company, and the Merrimack Marine May dissolve and Fire Insurance Company, in Newburyport, may, at any meeting duly called therefor, dissolve their respective corporations; and each of said companies may appoint a committee to collect the debts due to, and settle all demands against the said corporations, with the same powers therefor as the Presidents and Directors of said companies now have. And it shall be the duty of committees so chosen, to apportion the residue of their funds among the stockholders of said companies respectively, according to the number of shares by them holden in said corporation, and to adopt all proper measures for bringing the concerns of the said companies to a close.

SEC. 15. Be it further enacted, That the Newburyport

[Approved by the Governor February 1, 1814.]

May call a meeting.

corporation.

# CHAP, LXXXIII.

An Act to incorporate The Massachusetts File 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 Seth Boyden, Jun. Warren Persons in-Dutton, their associates, successors and assigns, be, and corporated. they hereby are made a corporation, by the name of The Massachusetts File Manufacturing Company, for the purpose of manufacturing files and other manufactures of iron and steel, at Sharon, in the county of Norfolk, and Boston, in the county of Suffolk; and for this 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."

Sec. 2. Be it further enacted, That the capital stock of said corporation shall not exceed two hundred thousand dollars; and they may be lawfully seized and possessed of such real estate as may be necessary and convenient for sonal estate. the purposes aforesaid, not exceeding the value of thirty thousand dollars, exclusive of the buildings and improvements that may be made thereon by the said corporation. [Approved by the Governor, February 3, 1814.]

May hold

# CHAP. LXXXIV.

An Act to incorporate The West-Boylston 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 Silas Newton, Peter Holmes, Persons in-Frazier Sargent, Alpheus Smith, John Woodcock, James corporated Smith, Aaron Morse, Henry Sargent, Thomas Holmes, Joseph White, Elisha Mirick, and their associates, successors and assigns, be, and they hereby are made a corporation, by the name of The West-Boylston Manufacturing Company, for the purpose of manufacturing cotton and woollen cloths and fine wire, at West-Boylston, in the county of Worcester; and for this 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."

SEC. 2. Be it further enacted, That the capital stock of said corporation shall not exceed one hundred and forty-four thousand dollars; and they may be lawfully seized al and per and possessed of such real estate as may be necessary and sonal estate. convenient for the purposes aforesaid, not exceeding the value of thirty-four thousand dollars, exclusive of buildings and improvements that may be made thereon by said

corporation.

[Approved by the Governor, February 3, 1814.]

#### CHAP, LXXXV.

An Act to unite the Parishes in Fitchburgh.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That an act, entitled "An act to incorporate a number of the inhabitants of the town of Fitchburgh, in the county of Worcester, into a religious society, by the name of the Calvinistic Congregational Society in Fitchburgh," passed on the fourteenth day of June, in the year of our Lord one thousand eight hundred and five, be, and hereby is repealed; and the Calvinistic Congregational Society in Fitchburgh, and the First Parish in said town, shall hereafter constitute one parish: Provided however, That both of said parishes shall be holden, in their corporate capacity, to perform all contracts and agreements already entered into. And the Calvinistic Congregational Society in Fitchburgh shall have power, in their corporate capacity, to convey or otherwise dispose of any real or personal estate, which now belongs to said corporation. [Approved by the Governor, February 3, 1814.]

**Parishes** 

united.

# CHAP. LXXXVI.

An Act for the support of the Ministry and Schools, in the town of Norway.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Job Eastman, Nathan Noble, Joshua Crocket, Solomon Millet, Levi Whitman, Joshua corporated. Smith, and Jonathan Cummings, all of Norway, in the county of Oxford, be, and they are hereby appointed, a committee to sell all that part of a tract of land, granted to the said town of Norway by a resolve of the General Court, passed the fourth day of March, A. D. eighteen hundred and one, for the use of the ministry and the support of schools in the said town; and also all the ministerial and school lands, secured to the said town by its original act of incorporation, and to pay over the proceeds of said sale to the trustees of said fund herein after appointed.

Sec. 2. Be it further enacted, That the said Job Eastman, Nathan Noble, Joshua Crocket, Solomon Millet, Levi Whitman, Joshua Smith, and Jonathan Cummings, be, and they hereby are authorised and empowered to sell and Authorised convey, in fee simple, all the said ministerial and school to sell lands. lands before mentioned, either granted or secured to the said town; and to make, execute, and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds, signed and sealed by them, or any four of them, shall be good and effectual in law, to pass and convey the said land, in fee simple, from said town to the purchaser

or purchasers, to all intents and purposes whatsoever.

Sec. 3. Be it further enacted, That the said Job Eastman, Nathan Noble, Joshua Crocket, Solomon Millet, Levi Whitman, Joshua Smith, and Jonathan Cummings, be, and they hereby are incorporated into a body politic, by the name Trustees in of The Trustees of the Ministerial and School Funds in the corporated. town of Norway, and they and their successors shall continue a body corporate forever, by that name; and shall have a common seal, subject to be altered at their pleasure; and may sue and be sued in all actions, and prosecute and defend the same to final judgment, by their name aforesaid. And the said trustees may annually elect a President and a

Clerk, to record the doings and transactions of the said corporation, at their meetings, and a Treasurer, to receive and apply the monies herein after mentioned, as herein after directed, and any other needful officers, for the better managing of their business.

Number of Trustees.

Sec. 4. Be it further enacted, That the number of the said trustees in the said body politic shall not, at any one time, be more than seven, nor less than five—any five of whom shall constitute a quorum for transacting business; and any three of their number shall constitute a quorum, for the purpose of adjourning from time to time. And they may and shall, from time to time, fill up vacancies in their number, which may happen by death, resignation, or otherwise, from the inhabitants of said town; and shall also have power, from time to time, to remove any of their number, who may become unfit or incapable from age, infirmity, misconduct, or any other cause, to discharge their duty; and supply any vacancy, so made, by a new choice, Annual mee- from the inhabitants as aforesaid. And the said trustees shall annually hold a meeting, in March or April, and as much oftener as may be found necessary, to transact their necessary business; which meeting, after the first, shall be called in such way and manner, as the trustees may hereafter direct.

ting of Trus. tees

Duty of the Trustees.

Sec. 5. Be it further enacted, That the said trustees shall receive the monies, arising from the sale of the said lands, and put the same at interest, as soon as may be, and shall be secured by mortgage of real estate, to the full value thereof, or by two or more sureties with the principal, unless the trustees shall think it best to invest the same in public funded securities, or bank stock of any bank of this Commonwealth, at their discretion.

applied.

Sec. 6. Be it further enacted, That the interest arising from the said funds may and shall be annually, or oftener, Interest, how applied to the use of the ministry and schools in the said town of Norway, in proportion to the sum which the sale of the land, exclusively appropriated for each purpose, may produce. And it shall never be in the power of the said town or trustees, to alienate, or in any wise alter or change the appropriation of the funds aforesaid.

> SEC. 7. Be it further enacted, That the clerk of said corporation shall be sworn, previous to his entering on the duties of his office; and the treasurer of the said corpora-

tion shall give bond, in double the amount of the monies by him received, to perform his duty faithfully, and to be at all times responsible for the application and appropria- Duties of the tion of the money which may come into his hands, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his said office; and the said bond shall be given up to the treasurer of said town, to be by him collected, for the benefit of the said fund.

SEC. 8. Be it further enacted, That the said trustees, or their officers, for any services they may perform, shall be compensation of Trust entitled to no compensation out of any money, arising from tees. the fund aforesaid; but may be compensated in such way, and to such amount, as the said town, in town meeting, may direct and order. And the said trustees and their successors shall exhibit to the said town, at their annual meeting in March or April, a fair and regular statement of their doings. And the said trustees shall be responsible to the said town, for their personal negligence or misconduct, whether they be officers or not; and liable to a suit, for any loss or damage arising thereby—the debt or damage, to be recovered in said suit, to be for the use of the fund aforesaid.

Sec. 9. Be it further enacted, That Albion K. Parris, Esq. a Justice of the Peace for the county of Oxford, be, Justice to isand he is hereby authorised, upon application therefor, to sue warrants issue a warrant, directed to one of the said trustees before named, requiring him to notify and warn the first meeting of the said trustees, at such time and place as shall be expressed in said warrant, to organize the said corporation, by the election and appointment of its officers.

[Approved by the Governor, February 3, 1814.]

# CHAP. LXXXVII.

An Act to incorporate The North Yarmouth Academy.

WHEREAS the encouragement of literature in the rising generation has ever been considered by Preamble. the wise and good, as the basis upon which the safety and happiness of a free people ultimately depend: And wherepointed.

ever.

as it appears from a petition of a number of the inhabitants of the town of North Yarmouth, that they have expended a considerable sum towards erecting a suitable

building for an Academy in said town:

SEC. 1. Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That there be, and hereby is established, in the town of North Yarmouth, an Academy, by corporated, the name of North Yarmouth Academy, for the purpose of promoting piety and virtue, and for the education of youth in such languages, and such of the liberal arts and sciences as the trustees shall direct: And the Rev. Francis Brown, Mr. Cushing Prince, the Rev. Amasa Smith, Hon. Ammi R. Mitchell, Rev. Thomas Green, Rev. Sylvanus Boardman, Gen. Alford Richardson, Rev. John Dutton, Tristram Gilman, Seth Mitchell, William Barrows. Jun. Edward Russell, Esquires, Messrs. Nathaniel Jenks, Allen Drink water, and Calvin Stockbridge, be, and they hereby are nominated and appointed Trustees of said Academy; and they are hereby incorporated into a body politic, by the name of the Trustees of North Yarmouth Academy; and they and their successors shall be and continue a body politic and corporate, by the same name for-

> Sec. 2. Be it further enacted, That all the lands and monies heretofore given or subscribed, or which, for the purpose aforesaid, shall be hereafter given, granted and assigned unto the said Trustees, shall be confirmed to the said Trustees and their successors in that trust forever, for the uses which in such instruments shall be expressed; and they, the said Trustees, shall be further capable of having, holding, and taking in fee simple, by gift, grant, devise or otherwise, any lands, tenements, or other estate, real or personal: Provided, the annual income of the same shall not exceed three thousand dollars, and shall apply the rents and profits thereof in such manner as that the end and design of the institution may be most effectually promoted.

Troviso.

Sec. 3. Be it further enacted, That the said Trustees mpowered e elect offi- shall have full power, from time to time, as they shall decers. termine, to elect such officers of the said Academy, as they shall judge necessary and convenient, and fix the tenures of their respective offices; to remove any Trustee

from the Corporation, when in their opinion he shall be incapable, through age or otherwise, of discharging the duties of his office; to fill all vacancies by electing such per- Vacancies sons for Trustees, as they shall judge best; to determine supplied, the times and places of their meetings; the manner of notifying the said Trustees; the method of electing or removing Trustees; to ascertain the powers and duties of their several officers; to elect preceptors and teachers of said Academy; to determine the duties and tenures of their offices; to ordain reasonable rules, orders and bylaws, not repugnant to the laws of the Commonwealth, with reasonable penalties, for the good government of the Academy, as to them the said Trustees and their successors shall, from time to time, according to the various occasions and circumstances, seem most fit and requisite; all which shall be observed by the officers, scholars, and servants of said Academy, upon the penalties therein

Sec. 4. Be it further enacted, That the Trustees of the said Academy may have one common seal, which they may Seal of office. change at pleasure; and that all deeds made, signed and sealed with said common seal, and duly executed by the Treasurer of said Trustees, by their order, shall be considered valid in law, as good deeds of bargain and sale; and that the Trustees of said Academy, may sue and be sued, in all actions, real, personal and mixed, and prosecute and defend the same unto final judgment and execution; by the name of the Trustees of North Yarmouth Academy.

Sec. 5. Be it further enacted, That the number of said Number of Trustees shall not, at any one time, be more than fifteen, Trustees nor less than nine, seven of whom shall constitute a quorum for doing business; and a majority of the members present, at any legal meeting, shall decide all questions proper to come before the Trustees.

Sec. 6. Be it further enacted, That the Hon. Ammi R. First Meet-Mitchell, be, and he hereby is authorized and empowered ing. to fix the time and place for holding the first meeting of the said Trustees, and to notify them thereof.

[Approved by the Governor, February 4, 1814.]

## CHAP. LXXXVIII.

An Act to incorporate The Gay Cotton Manufacturing Company in Stoughton.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the Persons in-corporated, authority of the same, That Lemuel Gay, Otis Briggs, Simeon Presbee, Jun. Ephraim Stephens, Isaac Reynolds, Seth Pratt, Nathan Drake, 3d. Joseph Battles, Benjamin Battles, and John Gay, together with such others, as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Gay Cotton Manufacturing Company, for the purpose of manufacturing cotton goods, in the town of Stoughton, in the county of Norfolk; and for the purpose aforesaid, 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."

May hold real and per-

Sec. 2. Be it further enacted, That said Corporation sonal estate. may be lawfully seized, and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

Approved by the Governor, February 4, 1814.

# CHAP. LXXXIX.

An Act to incorporate The Boston Porcelain and Glass Company.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Jesse Putnam, Thomas Cur-Persons intis, and George Blake, with such others as already have corporated. associated, or hereafter may associate with them, their successsors or assigns, be, and hereby are made a Corporation, by the name of The Boston Porcelain and Glass Company, for the purpose of manufacturing earthen ware and glass of all kinds, at any place or places, within the Commonwealth, not exceeding three, 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, one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Sec. 2. Be it further enacted, That said Corporation may be lawfully seized and possessed of such real estate, May hold renot exceeding fifty thousand dollars, and such personal at and perestate, not exceeding one hundred and fifty thousand dol-sonal estate. lars in value, as may be necessary and convenient for car-

rying on the aforesaid manufacture.

Approved by the Governor, February 4, 1814.

#### CHAP. XC.

An Act to incorporate the President, Directors, and Company of the Springfield Bank.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Jonathan Dwight, John Hook- Persons iner, George Bliss, James Byers, James S. Dwight, Justin corporated Ely, Jonathan Dwight, Jun. Moses Bliss, Jun. Edward Pynchon, and Oliver B. Morris, their associates, successors, and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors, and Company of the Springfield Bank, and shall so continue until Time incorthe first day of October, which will be in the year of our porated fort Lord one thousand eight hundred and thirty-one; and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as to them may appear necessary and convenient for the government of the said corporation, and the

Proviso.

prudent management of their affairs: provided such bylaws, ordinances, and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth: and the said corporation shall be always subject to the rules,

share.

restrictions, limitations, and provisions herein prescribed. SEC. 2. Be it further enacted, That the capital stock of the said corporation shall consist of the sum of two hundred thousand dollars, in gold and silver, divided into shares of capital tock one hundred dollars each, which shall be paid in four equal instalments: the first, on the first day of June next; the second, on the first day of December next; the third, on the first day of June next after; and the fourth, on the first day of December next after. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof; which, being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns. And the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of thirty thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negociate their monies and effects, by discounting on banking principles, on such security as they shall think proper: Provided however, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to the said corporation: And provided further, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to fifty thousand dollars.

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Sec. 3. Be it further enacted, That the rules, limitations, and provisions, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established: Provided that the bond required to be given by the Cashier shall be given in the penalty of twenty thousand dollars; that the number of Directors to be annually chosen shall be five,

Proviso.

and three may constitute a quorum for the transaction of business: And provided also, That the amount of debts, at Debts not to any one time due from said bank, shall not exceed fifty per cent. per centum beyond their capital stock actually paid in.

SEC. 4. Be it further enacted, That the said bank shall be established and kept in the town of Springfield, in the

county of Hampden.

feited and void.

SEC. 5. Be it further enacted, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonto the Commonwealth any sum of money, that may be wealth. required, not exceeding twenty thousand dollars at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest at a rate not exceeding five per centum per annum: Provided however, That the Com- Proviso. monwealth shall never, at any one time, stand indebted to the said corporation, without their consent, for a larger sum than thirty thousand dollars.

Sec. 6. Be it further enacted, That any committee, specially appointed by the Legislature for that purpose, shall Legislative have a right to examine into the doings of said corpora-committee tion, and shall have free access to all their books and vaults; may examine books, &c. and if, upon such examination, it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions, or conditions in this act pro-

vided, the incorporation shall thereupon be declared for-

SEC. 7. Be it further enacted, That the persons herein before named, or a majority of them, are authorised to call May call a a meeting of the members and stockholders of said corpo-meeting. ration as soon as may be, at such time and place as they may see fit, (by advertising the same three weeks successively, in the Hampden Federalist, printed at Springfield,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary; and for the choice of the first Board of Directors, and such other offi-

cers as they shall see fit to choose. Sec. 8. Be it further enacted, That it shall be the duty of the Directors of said bank to transmit to the Governor of accounts.

and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount mitstatement of the capital stock of said corporation, and of debts due the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors and attested by the Cashier, and shall be verified by oath, before some person competent to administer the same.

Common. subscribe.

SEC. 9. Be it further enacted, That the Commonwealth shall have a right, whenever the Legislature shall wealth may make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Shall pay counterfeited notes.

Sec. 10. Be it further enacted, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Sec. 11. Be it further enacted, That the said corpo-

Shall pay tax urer.

ration, from and after the first day of June next, shall to the Treas- pay, by way of a tax, to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in; Provided however, That the same tax, payable in manner aforesaid, shall be required by the legislature of all banks that are now, or shall be hereafter incorporated within this Commonwealth: And provided further, That nothing herein contained shall be construed to impair the rights of the legislature, to lay a tax or excise on any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

Proviso.

Sec. 12. Be it further enacted, That one tenth part of Amount to the whole funds of said Bank, shall always be appropriatated to loans ed to loans to be made to citizens of this Commonwealth; and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which

loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security, by Security. a mortgage of real estate, to the satisfaction of the Directors of the said Bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption, as are by law provided in other cases.

[Approved by the Governor, February 4, 1814.]

## CHAP. XCI.

An Act to establish The Dedham Manufacturing Company.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the Fersons inauthority of the same, That Samuel Dexter, David S. corporated. Greenough, Aaron Davis, Charles Davis, John Grew, James Richardson, and John Guild, together with such other persons as may hereafter associate with them, their successors and assigns, be, and hereby are made a Corporation, by the name of The Dedham Manufacturing Company, for the purpose of manufacturing wool, cotton and iron, in the town of Dedham, in the county of Norfolk; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed in the year of our Lord, one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Sec. 2. Be it further enacted, That said Corporation may be lawfully seized of such real estate, not exceeding real and perthe value of one hundred thousand dollars, and such per-sonal estate, sonal estate, not exceeding the value of four hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactory of wool, cotton and iron, in the town of Dedham aforesaid.

[Approved by the Governor, February 4, 1814.]

## CHAP. XCII.

An Act to establish the Town of Searsmont, in the County of Hancock.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the plantation, known by the name of Searsmont, in the county of Hancock, as contained within the following described bounds, with the inhabitants thereon, be, and hereby is established as a town porated, and by the name of Scarsmont, viz. at a birch tree and stake and stones in the northwesterly line of Lincolnville; thence running south fifty-six degrees west, on said line four miles and one hundred and ten rods to a beech tree, being the northwest corner of said Lincolnville, and standing in the easterly line of the twenty associates' land; thence north thirty-four degrees west, on said line of said twenty associates, six miles and two hundred and sixteen rods to a stake and stones, at an angle in said line called the Elbow; thence north, thirty-four degrees east, on said twenty associates' line, five miles and two hundred and fourteen rods to a stake and stones; thence south, thirtyfour degrees east, adjoining land of Samuel Parkman, Esq. three hundred and ten rods to a stake and stones; thence south, twenty-six degrees east, on land of Benjamin Joy, Esq. eight miles to the place of beginning: And the inhabitants of said town of Searsmont are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Justice to is-

boundaries.

Sec. 2. Be it further enacted, That any Justice of the ueWarrant. Peace for the county of Hancock is hereby empowered, on application therefor, to issue a warrant directed to an inhabitant, freeholder of the said town of Searsmont, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place, as shall be appointed in the said warrant for the choice of such officers, as towns are by law required to choose and appoint, at their annual town meetings.

Approved by the Governor, February 5, 1814.

#### CHAP. XCIII:

An Act in addition to the several acts establishing and regulating The Third Massachusetts Turnpike Corporation.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Third Massachusetts Turnpike Corporation be, and they hereby are authorised to demand and receive of each passenger at each gate erected on said Turnpike road, for every waggon, cart or Rates of toll. truck, drawn by one horse, six cents and one quarter of a cent, and for every sleigh, or sled, drawn by one horse, five cents: Provided however, that nothing herein con- Proviso. tained, shall extend to entitle said Corporation to demand or receive toll from any person passing to or from his usual place of public worship, or from any person residing in the towns where either of the gates may be placed, unless they are going or returning from beyond the limits of said town, or from any person going to or from any grist-mill, or on the common and ordinary business of family concerns.

[Approved by the Governor, February 5, 1814.]

#### CHAP. XCIV.

An Act to divide the town of Canaan, and to establish the westerly part thereof a separate town, by the name of Bloomfield.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all that part of the town of Canaan, lying west of Kennebeck river, in the county of Somerset, as described by the following bounds, be, and hereby is established as a separate town, by the name of Town incor-Bloomfield, viz. Easterly by a line drawn on the middle porated and boundaries. of Kennebeck river, including all the islands belonging to

the jurisdiction of the town of Canaan by its act of incorporation, (excepting Oaks' Island) and northerly, westerly and southerly by its present bounds; and the inhabitants of the said town of Bloomfield are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Holden to pay arrears of taxes.

SEC. 2. Be it further enacted, That the inhabitants of the said town of Bloomfield shall be holden to pay the arrears of all State, County and Town taxes, which have been legally assessed upon them, together with their proportion of all debts due from the said town of Canaan, prior to the date of this act; and the said town of Bloomfield shall be entitled to receive their proportion of the said debts and taxes due to the said town, when collected and paid into said town; and the said town of Bloomfield proportion of shall be entitled to hold four seventh parts of all the perreal and personal property, belonging to the town of Canaan, before the passing of this act, and all future State and County taxes, which may be levied on the said towns of Canaan and Bloomfield, previous to a new valuation, shall be assessed, and paid in the proportion of four sevenths by the town of Bloomfield, and three sevenths by the town of Canaan.

erty.

Entitled to

Sec. 3. Be it further enacted, That the ministerial property belonging to the said town of Canaan, shall be Ministerial property didivided and proportioned between the said towns of Cavided. naan and Bloomfield, according to the last ministerial tax

assessed upon the said town of Canaan.

To support poor.

Sec. 4. Be it further enacted, That the said town of Bloomfield shall be holden to support their proportion of the poor of the town of Canaan, which are now chargeable to said town; which proportion shall be ascertained by the present valuation of the town; and all persons, who may hereafter become chargeable as paupers to the said towns of Canaan or Bloomfield, shall be considered as belonging to that town, or the territory of which they had their settlement at the time of the passing of this act, and shall in future be chargeable to that town only.

Sec. 5. Be it further enacted, That any Justice of the Justice to is. Peace for the county of Somerset, is hereby empowered, upon application therefor, to issue a warrant, directed to a freehold inhabitant of the said town of Bloomfield, requiring him to notify and warn the inhabitants thereof, qualified to vote in town affairs, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers, as towns are by law required to choose and appoint, at their annual town meetings.

[Approved by the Governor, February 5, 1814.]

# CHAP. XCV.

An Act to alter the name of the town of Gerry, in the county of Worcester.

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 town of Gerry, in the county of Worcester, be, and the same hereby is town altered altered to the name of Phillipston; and that said town shall henceforth be known and called by the said last mentioned name, any thing in the act whereby the said town was incorporated notwithstanding.

[Approved by the Governor, February 5, 1814.]

# CHAP. XCVI.

An Act to establish the easterly part of the Plantation, heretofore called Green, in the county of Hancock, as a town, by the name of Belmont.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all that part of the plantation, heretofore known by the name of Green, in the county of Hancock, as contained within the following described bounds, be, and the same is hereby established as a town, Town incorby the name of Belmont, viz. beginning at a yellow birch porated. tree, being at the southwesterly corner of the town of Belfast; thence north, twenty-two degrees west, by the line of said Belfast, four miles and two hundred and ninety-two

this Commonwealth.

rods, to a maple tree, being the northwesterly corner of Belfast aforesaid: thence continuing the same course by unincorporated lands, two miles and one hundred and seven rods, to a stake and stones; thence north, eighty-three degrees west, by the plantation of Knox, two miles and one hundred and twenty rods, to a stake and stones, in the line of Montville; thence south, thirty-four degrees west, by the line of Montville, one mile and one hundred and ninety-eight rods, to a stake and stones, being the north corner of Searsmont; thence south, thirty-four degrees east, by the line of Searsmont, three hundred and ten rods. to a stake and stones; thence south, twenty-six degrees east, by the line of said Searsmont, eight miles, to a birch tree, in the line of Lincolnville; thence north, fifty-six degrees east, by the line of Lincolnville, one mile and two hundred and seventy-five rods, to a stake and stones, in the line of Northport; thence northwest, by the line of Northport, eighty-two rods, to a stake and stones; thence north. fifty-six degrees east, by the line of said Northport, one mile and forty-five rods, to the place of beginning. And the inhabitants of the said town of Belmont are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions of other corporate towns, according to the constitution and laws of

Boundaries described.

sue warrant.

Sec. 2. Be it further enacted, That any Justice of the Peace for the county of Hancock is hereby empowered, Justice to is- upon application therefor, to issue a warrant, directed to a freehold inhabitant of the said town of Belmont, requiring him to notify and warn the inhabitants thereof, qualified to vote in town affairs, to meet at such convenient time and place as shall be expressed in said warrant, for the choice of such town officers, as towns are by law empowered to choose and appoint at their annual town meetings.

[Approved by the Governor February 5, 1814.]

# CHAP. XCVII.

An Act, declaring the true intent and meaning of an act, entitled "An act to provide for the safe keping all prisoners committed under the authority of the United States in the several gaols within this Commonwealth."

SEC. 1. DE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That nothing contained in an act, entitled "An act to provide for the safe keeping all pris-Explanation oners, committed under the authority of the United States, in the several gaols within this Commonwealth," shall be so construed, as to authorise the keepers of the said gaols to take custody of, and keep within said gaols any prisoners, committed by any other authority than the Judicial authority of the United States.

And whereas, several prisoners of war have been committed to gaols within this Commonwealth, under the

executive authority of the United States:

SEC. 2. Be it further enacted, That the keepers of the said gaols are hereby authorised and required to discharge prisoners of from the said gaols all such prisoners of war, after the ex-war. piration of thirty days from the passing of this act, unless they shall be sooner discharged by the authority of the United States.

[Approved by the Governor, February 7, 1814.]

# CHAP. XCVIII.

An Act, in addition to the several laws now in force, to preserve and regulate the taking of Shell Fish in the town of Wellfleet, in the county of Barnstable.

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 passing of this act, no fisherman or other person, not an inhabitant of said town, shall take or carry away, at any one time, more

Shall not take fish with

Provisos.

than one bushel of clams or quahogs, including their shells: out a permit. without a permit first obtained from the selectmen in writing, expressing the name of the person and the quantity permitted to be taken; and every person so offending shall forfeit and pay, for every bushel so taken, the sum of one dollar, any thing in the act to which this is in addition to the contrary notwithstanding: Provided nevertheless, That the selectmen, or the major part of them for the time being, shall have power to give permits in writing to any person, to take clams and quahogs in said town of Wellfleet, at such times and in such quantities as they may think reasonable, and express in their permits: Provided also, That any inhabitant of said town of Wellfleet, without such permit, shall have a right to take shell fish for the use of his family.

Fines and forfeitures.

Sec. 2. Be it further enacted, That all fines and forfeitures, which may be incurred by force and virtue of this act, shall enure, one half to him or them who may sue for the same, and the other half to the said town of Wellfleet; and the same shall be recovered, with legal costs of suit in an action of debt, before any Justice of the Peace for the county of Barnstable not interested therein.

Sec. 3. Be it further enacted, That nothing in this act shall be so construed, as to prevent the inhabitants of the town of Eastham from taking any quantity of shell fish, May take fish for their at any time, in the same way and manner as though this own use. act had never been made.

[Approved by the Governor, February 10, 1814.]

# CHAP. XCIX.

An Act to establish The Second Pembroke Woollen and 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 Nathaniel Cushing, Charles Josselyn, Nathaniel Soper, Joseph Torrey, Charles Cushing, and Cornelius Cobb, with such persons as already have, or hereafter may associate with them, their successors and assigns, shall be, and hereby are made a corpo-

Persons incorporated.

ration, by the name of The Second Pembroke Woollen and Cotton Factory Company, for the purpose of manufacturing cotton and woollen yarn and cloth, in the town of Pembroke, with the business necessarily connected therewith; and for such purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Sec. 2. Be it further enacted, That said corporation may be lawfully seized and possessed of real estate, not exceed- May hold reing thirty thousand dollars, and personal estate, not ex- al and perceeding one hundred thousand dollars, as may be neces-sonal estate.

sary for the purposes aforesaid.

[Approved by the Governor, February 10, 1814.]

#### CHAP. C.

An Act empowering the Stockholders of Banks within this Commonwealth, to alter, amend, and annul their By-Laws.

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, it shall and may be lawful for the Stockholders of any Bank within this Commonwealth, and they are hereby Banks em authorised and empowered, at any meeting duly called for powered to the purpose, by a majority of votes, to alter, amend, and alter or aannul any article or articles of the by-laws of such Bank, by-laws, and to substitute, make and ordain such other article or articles, as shall by them be deemed reasonable and expedient; which article or articles so substituted, made and ordained, and entered upon the books of the Corporation, shall be binding on the stockholders, their successors and assigns, in as full and ample manner, as if the same had been originally established by such stockholders, at their first meeting: Provided, the same be not repugnant to the Provise. fundamental principles of the charter of such Bank, or to the laws of this Commonwealth.

[Approved by the Governor, February 10, 1814.]

# CHAP. CI.

An Act in addition to "An act providing for the safe keeping of the Records in the offices of the Register of Deeds and of the Register of Probate in the several counties in this Commonwealth."

DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the further time of two years, from the twenty-eighth day of February, eighteen hundred Earthertime and fourteen, be allowed the several Courts of Sessions in this Commonwealth to provide buildings for the safe keeping of Records in the several counties, any law to the contrary notwithstanding.

[Approved by the Governor, February 10, 1814.]

#### CHAP. CII.

An Act to incorporate the First Baptist Society in the towns of Steuben and Harrington, and Plantation number eleven, in the county of Washington.

SEC. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Elisha Small, Alexander Nickels, Joseph Wallace, Jun. James Campbell, William McKey, Ezekiel Fickett, Richard Collin, Jun. John Patten, Joseph Ray, Benjamin Alline, Richard Collier, William Ray, Jeremiah Strout, Ephraim Fickett, James Foster, Ezekiel F. Kellogg, Charles Wille, William Wille, Gowin Willson, John Lawrence, Ephraim Dorman, Zebulon Fickett, Benjamin Strout, John Dinsmore, Jun. John Jordan, John Archer, David Brown, William Campbell, Samuel Wakefield, Robert Moore, Joseph Hutchings, Lemuel Dyer, Joseph Sawyer, Nathaniel Jordan, Benjamin Wakefield, Jonathan Stevens, sen. Thomas Parrit, James Yeatton, Hatevil Leighton, Ebenezer Down, Daniel Lovett, Benjamin Sanborn, Job Gibbs, Ichabod God-

Persons incorporated.

allowed.

frey, Marshall Hill, Obed Hutchings, Edward Webb, Daniel Wakefield, Peter Dunbar, Obed Dunbar, Samuel Dorman, James Kingsley, Joseph Stevens, Samuel Parrett, John Yeaton, Asa Dyer, Jonathan Leighton, Levi Parrett, Alexander Pribble, Allen Smith, Israel Leighton, Samuel Stevens, Charles Corthell, Robert Tucker, Samuel Kingsley, Timothy Small, Isaac C. Noyse, John Small, Nathaniel Wilson, James Fickett, Ephraim Dorman, Nathan Godfrey, Benjamin Dorman, John Hanna, Josiah Wallace, John Ray, Josiah Sawyer, James Wallace, Francis S. Grace, Joseph Strout, Tobias Patten, Elisha Strout and Amaziah Ricker, with their families and estates, be, and they are hereby incorporated into a Religious Society, by the name of the First Baptist Society in the towns of Steuben and Harrington, and plantation number eleven, in the county of Washington, with all the powers, privileges and immunities, to which parishes are entitled by the constitution and laws of this Commonwealth.

Sec. 2. Be it further enacted, That any person in the towns of Steuben, or Harringtton, or Plantation number eleven, who may be desirous of becoming a member of the said First Baptist Society, and shall declare such inten-Method of tion in writing, given into the clerk of the said First Soci-member. ety, fifteen days previous to the annual parish meeting, and shall receive a certificate signed by the said clerk, or the minister of said First Society, that he or she has actually become a member of, and united in religious worship with the said First Society, such person shall, from the date of such certificate, with his or her polls and estate, be considered as a member of said society.

Sec. 3. Be it further enacted, That when any member of the said First Baptist Society shall see cause to leave Manner of leaving. the same, and to unite in religious worship with any other religious society in either of the said towns or plantation, and shall give notice of such intention to the clerk of said First Society, and shall also give in his or her name to the clerk of such other society, fifteen days previous to the annual meeting of said society, and shall have received a certificate of membership, signed by the minister or clerk of said society, such person shall, from the date of such certificate, with his or her polls and estates, be considered as a member of said society: Provided however, that eve-Provise. ry such person shall always be held to pay his or her pro-

portion of all such parish charges in the society to which such person belonged, assessed and not paid previous to

the leaving said society.

SEC. 4. Be it further enacted, That any Justice of the Peace for the county of Washington, upon application Justice to is- therefor, is hereby authorised to issue his warrant to some sue warrant member of the said First 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, to choose such officers as parishes are by law empowered and required to choose at their annual meetings.

[Approved by the Governor, February 10, 1814.]

#### CHAP. CIII.

An Act in further addition to the several acts for incorporating certain persons for the purpose of building a Bridge over Merrimack river, in the county of Essex, and for supporting the same.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That it shall be lawful for the proprietors of Essex Merrimack Bridge, and they are hereby empowered to make the leaves of the draw of said bridge not less than eighteen feet long, instead of thirty feet as

heretofore provided.

SEC. 2. Be it further enacted, That the toll of each waggon, cart, or other carriage of burthen, drawn by four Rates of toll, beasts, passing said bridge, shall be twenty-five cents, any thing in the act or acts to which this is in addition to the contrary notwithstanding: Provided however, that all carts, waggons, or other carriages of burthen, employed in transporting country produce going to or from the market, shall pay no more toll than they are now liable by law to pay.

[Approved by the Governor, February 10, 1814.]

Empowered to alter leaves.

Troviso.

# CHAP. CIV.

An Act to incorporate The Religious Charitable Society in the county of Worcester.

WHEREAS Samuel Austin and others have been associated, under the name of The Religious Charitable Society in the county of Worcester, for the pur-Preamble. pose of aiding indigent young men of piety and talents to procure an education for the gospel ministry, of contributing to the funds of the American Board of Commissioners for Foreign Missions, and of assisting feeble churches and societies to maintain among them the preaching and institutions of the gospel: Therefore,

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 Rev. Samuel Austin, D. D. of Worcester, the Rev. John Crane, D. D. of Northbridge, Col. Andrew Peters of Westborough, Nahum Fay, Esq. of Northborough, the Rev. Edmund Mills of Sutton, Rev. Joseph Goff of Milbury, Rev. David Holman of Douglas, the Rev. Samuel Judson of Uxbridge, Aaron Peirce, Esq. of Milbury, and James Easterbrooks, Esq. of Holden, and their associates, be, and they hereby are incorporated and made a body politic, by the name of The Religious Chariatable Society in the county of Worcester, for the purposes stated in the preamble of this act; and by that name the said corporation may sue and be sued, plead and be impleaded, and may appear, defend, and prosecute to Powers. , final judgment and execution; and in their said corporate capacity, they and their successors forever may take, purchase, receive, have and hold, in fee simple or otherwise, lands, tenements, and hereditaments, by gift, grant, devise, or otherwise, not exceeding the yearly value of four thousand dollars; and may also take and hold by donation, bequest, or otherwise, personal estate to an amount, the annual income of which shall not exceed six thousand dollars: Provided the income of said Corporation shall be Profise. faithfully appropriated to the purposes aforesaid. said corporation may have a common seal, which they may alter or renew at pleasure; and may sell, exchange, or

Persons incorporated.

lease their lands, tenements, or other property, for the benefit of their funds.

to elect officers.

Sec. 2. Be it further enacted. That said corporation may annually choose, from among themselves, by ballot, Empowered a President, Vice President, Secretary, Treasurer, Auditor, a Board of Directors, and such other officers, as experience may prove to be useful. The Board of Directors shall consist of nine members, to which board the President, Vice President, Secretary and Treasurer shall belong, by virtue of their office, and any five of said board shall constitute a quorum for doing business. The said treasurer shall give bond, with sufficient sureties, to be approved by said board, for the faithful discharge of the duties of his office. Sec. 3. Be it further enacted, That there shall be an

corporation.

annual meeting of said corporation, at which the officers shall be chosen, the accounts of the treasurer exhibited, Meetings of and such other business transacted, as may properly come before said meeting. The first annual meeting shall be on the third Wednesday of September next, at such place as the said Samuel Austin, John Crane, and Andrew Peters, or any two of them, shall appoint, by causing a notification thereof to be published in the Massachusetts Spy, printed at Worcester, at least ten days before said meeting.

By-laws. Rules, &c.

SEC. 4. Be it further enacted, That said Corporation shall have power to make such by-laws and regulations, for calling meetings of the corporation and of the Board of Directors, appointing the duties of officers, fixing the terms of the admission of members, and transacting the business of said corporation generally: Provided, That said by-laws shall not be repugnant to the laws and constitution of this Commonwealth.

Contracts and deeds.

Sec. 5. Be it further enacted, That all contracts and deeds, which the said corporation may lawfully make and execute, signed by the President, countersigned by the Secretary, and sealed with the common seal of said corporation, shall be valid in law to all intents and purposes.

Legislature may inspect doings.

Sec. 6. Be it further enacted, That the Legislature of this Commonwealth shall, at any time, have the right to inspect the doings and funds of said corporation, and may, at their pleasure, alter or annul any or all of the powers herein granted.

Approved by the Governor, February 10, 1814.

# CHAP. CV.

An Act in addition to an act, entitled "An act for incorporating the North Precinct of the town of Braintree, in the county of Suffolk, into a separate town, by the name of Quincy, and for annexing sundry inhabitants of the town of Dorchester, with their estates, to the said town of Quincy."

SEC. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Benjamin Wadsworth Glover, with his estate, lying on the southerly side of Neponset river, and within the limits of that part of the town of Dorchester called Squantum, and the Farms, be, and he is set off from the town of Dorchester and annexed to the town of Quincy.

SEC. 7. Be it further enacted, That all that tract of land, town of Dorlying on the southerly side of Neponset river, and within chester. the old line of the town of Dorchester, known by the name of Horse Hommock, containing about eight acres, and bounded northerly and westerly on land or marsh lately of Ebenezer Glover, deceased; southerly and easterly, partly on land late of Josiah Glover, deceased, and partly on land of Moses and Oliver Billings, and of Capt. Oliver Billings, together with all the inhabitants residing thereon, be, and they are hereby set off from the said town of Dorchester and annexed to the town of Quincy, and shall forever hereafter be considered as belonging to the said town of Quincy.

Sec. 3. Be it further enacted, That a tract of land called Bayfield, containing about seventeen acres, bounded westerly on the road leading to Squantum, northerly on Included in land of Benjamin Wadsworth Glover, easterly on the sea, town of Dorand southerly on land of John Billings: also a tract of land called the further pasture, containing about fourteen acres, bounded southerly on land of Ezra Glover, westerly on land of Caleb Faxon, northerly and easterly on land of Oliver Billings; also a tract of land containing about two acres, bounded westerly on a road leading to Billings' rocks, northerly, easterly and southerly on land of John Billings, lying on the southerly side of Neponset

river, and within the limits of that part of the town of Dorchester, called Squantum and the Farms, being that part of the estate of Thomas Glover, late of Dorchester, deceased, which was purchased by, and is now in the possession of Moses Billings and Oliver Billings, Jun. be, and the same are hereby considered as still annexed to the said town of Dorchester.

[Approved by the Governor, February 10, 1814.]

#### CHAP. CVI.

An Act to alter the south line of Hallowell, in the county of Kennebeck.

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, the south line of that part of the town of Hallowell, in the county of Kennebeck, which is situated on the west side of Kennebeck river, shall be established, fixed and known as follows, to wit: beginning at Kennebeck river, on the west side thereof, at a place where the old Bowman line, so called, which runs through great lot number twenty, strikes the said river; and thence running west northwest on said Bowman line, five miles; and thence from the termination of said five miles, northerly on the rear end of said lot numbered twenty, to the present south line of Hallowell.

[Approved by the Governor, February 10, 1814.]

#### CHAP. CVII.

An Act to incorporate The Lynn Wire Manufacturing Company.

Representatives, in General Court assembled, and by the authority of the same, That David Pratt, Ephraim Weston, John Hart, Jonathan Temple, Phineas Coburn,

Boundary line established.

Ephraim Weston, Jun. and such persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Lynn Wire Manufacturing Company, for the purpose of manufacturing wire and wire work, wood screws and cards, and also cotton and woollen cloth and yarn, in all their respective kinds and branches, in the town of Lynn, in the county of Essex; and for these purposes shall have all the powers and privileges, and shall be subject to all the duties and requirements contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred an nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Sec. 2. Be it further enacted, That said Corporation may take and hold real estate, not exceeding the value of May hold real estate, not exceeding the value of all and perthirty thousand dollars, and personal estate, not exceeding sonal estate. the value of sixty thousand dollars, for the purpose of establishing and carrying on the manufactures aforesaid.

[Approved by the Governor, February 10, 1814.]

# CHAP. CVIII.

An Act to incorporate The Lincoln Cotton and Woollen 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 John Gleason, Joseph Sprague, Persons in-Joshua Adams, Hezekiah Prince, Micajah Gleason, George corporated. Coombs, John Paine, and Aaron Gleason, together with such others as have or may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation by the name of The Lincoln Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn, in the town of Thomaston, in the county of Lincoln; and for the purpose aforesaid 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."

SEC. 2. Be it further enacted, That said Corporation May hold re- may be lawfully seized and possessed of such real estate, al and personal estate. not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, February 10, 1814.]

# Burns I'm Henry CHAP. CIX. ben stowed lands

An Act to establish The Adams North Village Cotton to be only animal at Factory. They had been also were

l'ersons incorporated.

May hold

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That George Whitman, Douglas W. Sloane, Daniel Noble, James Cumming, Anthony Edwards, Josiah Quincy Robinson, Jeremiah Colegroo, Moses Wolcott, Benjamin Lapham, George Lapham, Giles Tinker, Edward Richmond, Richard Knight, Luther Bartlett, Daniel Reed and Marshal Jones, and such as already have, or may hereafter associate with them, their successors and assigns, be, and hereby are made a corporation by the name of The Adams North Village Cotton Factory, for the purpose of manufacturing cotton varn and cloth, in the town of Adams, in the county of Berkshire; 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 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."

Sec. 2. Be it further enacted, That said Corporation may be lawfully seized and possessed of such real estate, real and per- not exceeding the value of sixty thousand dollars, and such sonal estate. personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on

the manufacture aforesaid.

[Approved by the Governor, February 10, 1814.]

#### CHAP. CX.

An Act to establish The Matfield Manufacturing Company.

SEC. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Jacob Dyer, Daniel Perry, Persons fire Jonathan Stetson, Oaks Tirrell, Isaac Tirrell, Jun. Wil-corporated liam Vinton, Abisha Stetson, Benjamin Bates, David F. Reynolds, Eleazer Keith, and Allen Whitman, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Matfield Manufacturing Company, for the purpose of manufacturing cotton and woollen goods in Bridgewater, in the county of Plymouth; and for this 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."

Sec. 2. Be it further enacted, That the said Corporation may lawfully be seized of such real estate, not ex- May hold receeding fifty thousand dollars, and such personal estate, al and pernot exceeding one hundred thousand dollars, as may be sonal estate. necessary and convenient for establishing and carrying on the said manufactory.

[Approved by the Governor, February 10, 1814.]

# CHAP. CXI.

An Act to incorporate The Pembroke Cotton and Woollen Manufactory.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Bailey Hall, Isaac Hatch, Persons in-William Loring, Jun. Samuel P. Barker, with such per-corporated sons as already have, or hereafter may associate with them. their successors and assigns, shall be, and hereby are made a corporation by the name of The Pembroke Cotton and Wool Manufactory, for the purpose of manufacturing cotton and woollen yarn and cloth, in the town of Pembroke, with the business necessarily connected therewith; and for such purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. Be it further enacted, That said Corporation may be lawfully seized and possessed of real estate, not al and per exceeding thirty thousand dollars, and such personal estate, sonal estate not exceeding one hundred thousand dollars, as may be necessary for the purposes aforesaid.

[Approved by the Governor, February 10, 1814.]

#### CHAP. CXII.

An Act to authorise the sale of certain lands belonging to the German Protestant Society in Waldoborough.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the German Protestant Soci-Authorised ety in Waldoborough, in the county of I incoln, be, and to sell lands, they hereby are authorised to sell and convey, by such committee as they may appoint for that purpose, all the land situate in said Waldoborough, now belonging to said society, which was granted by the original proprietors of said town for the use of said society for the support of the gospel; and the sale, and conveyance of said land, which shall be made pursuant to a vote of said society, by such committee, shall be valid and effectual to all intents and purposes.

applied.

Sec. 2. Be it further enacted, That the proceeds of Interest, how the sale, which shall be made as aforesaid, shall be appropriated to the purpose of finishing and completing the meeting-house lately erected by the said society, and the surplus, if any there be, shall be put out at interest, on

good and sufficient security, and preserved as a permanent fund for the use of said society; the income whereof shall be applied hereafter, as may be necessary for the repairs of said house, or rebuilding a meeting-house for said society, and for no other purpose whatever.

[Approved by the Governor, February 12, 1814.]

# CHAP. CXIII.

An Act to enlarge the power of the President and Fellows of Harvard College, of holding real estate.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the President and Fellows of Harvard College, and their successors in said offices, be, May hold reand they hereby are authorised to purchase, accept, take and hold lands, tenements, and hereditaments, within this Commonwealth, to the clear yearly value of twelve thousand dollars, in addition to what they now are by law authorised to hold, and in addition to the public buildings of the said University occupied by the students, and for ether public purposes.

Approved by the Governor, February 12, 1814.

### CHAP. CXIV.

An Act to incorporate the South Parish in the town of Berwick into a separate town, by the name of South Berwick.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all the lands comprised within the limits of the South Parish in the town of Berwick, in the county of York, as the same is now bounded, with all the inhabitants dwelling thereon, be, and they hereby are Town incorincorporated into a town, by the name of South Berwick; porated. and vested with all the powers, privileges, and immuni-

ties, and subject to all the duties and requirements of other incorporated towns, agreeably to the constitution and laws of this Commonwealth.

Molden to pay arrears of taxes.

SEC. 2. Be it further enacted, That the inhabitants of the town of South Berwick shall be holden to pay all the arrears of taxes, which have been assessed upon them by the town of Berwick; and shall also support and maintain all such persons as heretofore have been, now are, or hereafter may be inhabitants of that part of Berwick hereby incorporated. and are or may become chargeable, according to the laws of this Commonwealth, and who have not obtained a settlement elsewhere therein.

erty.

SEC. 3. Be it further enacted, That the inhabitants of said town of South Berwick shall be entitled to receive and Entitled to hold such proportion of all debts now due, and assessments proportion of real and per already voted to the said town of Berwick, and also such sonal property of the town of Berwick, of what kind soever it may be, now owned in common by the inhabitants of said town, as the property of the inhabitants of South Berwick bears to the property of all the inhabitants of the said town of Berwick, according to the last valuation thereof; and they shall also be holden to pay their proportion, to be ascertained as aforesaid, of all the debts now due and owing from the said town of Berwick.

SEC. 4. Be it further enacted, That in case the divid-Dividing line ing line between the said town of South Berwick and the said town of Berwick should happen to divide the farms of any of the inhabitants of either of said towns, the said inhabitants shall be taxed for the whole of their home farm in that town only, where they may respectively dwell.

sue warrant.

SEC. 5. Be it further enacted, That any Justice of the Peace for the county of York, upon application therefor, Justice to is- is hereby authorised to issue his warrant, directed to any freeholder in said town of South Berwick, requiring him to notify and warn the inhabitants thereof to meet at such time and place, as may be appointed in said warrant, for the choice of all such town officers, as towns are by law required to choose at their annual town meetings.

[Approved by the Governor, February 12, 1814.]

# this act, the Court of Er kind for the country' . Bout it is CHAP. CXV.

An Act in addition to an act, entitled "An act to prevent the destruction, and to regulate the catching of the fish called Alewives, in their passage up the rivers and streams in the town of Harwich, in the county of Barns. table," passed the fourth day of July, 1787; and also of another act, in addition thereto, passed the sixteenth day of June, 1813.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That an act, passed the fourth day of July, seventeen hundred and eighty-seven, entitled "An act to prevent the destruction of the fish called Alewives, in their passage up the rivers and streams in the town of Harwich, in the county of Barnstable,? and also of another act, in addition thereto, passed the sixteenth day of June, eighteen hundred and thirteen, held of person be, and both the said acts are extended to operate, ed to other and shall have effect over all the streams in the town of town. Brewster; and all the regulations, provisions, privileges, limitations, and restrictions, contained in the said act to which this is in addition, so far as they may be applicable to the intents and purposes of this act, shall be used and exercised, and the benefits thereof enjoyed, by the inhabitants of the said town of Brewster, as fully and completely, as if the said town of Brewster had not been separated from the said town of Harwich; and this act shall be deemed and taken to be supplementary to the said act before mentioned.

[Approved by the Governor, February 12, 1814.]

# CHAP. CXVI.

An Act, appointing the places for holding the Courts of Probate, in the county of Hampden.

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

Times and places of holding court.

this act, the Court of Probate for the county of Hampden shall be held in the following towns, to wit: in Springfield, six times in each year; in Westfield, three times in each year; in Blandford, twice in each year; and in Monson, twice in each year, at such times and places in said towns, as the Judge of Probate for said county shall, from time to come, appoint; any law, usage, or custom to the contrary notwithstanding.

[Approved by the Governor, February 12, 1814.]

#### CHAP. CXVII.

An Act to incorporate The Linum Spinner Company.

Persons incorporated.

SEC. I. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Sylvanus Baldwin, Elisha Town, Charles Bulkeley, Isaac P. Davis, Samuel Spear, Nathaniel Perry, and Ethan A. Greenwood, proprietors of the new improvement for spinning flax and hemp, and other articles, to which it may be adapted, called the Linum Spinner, invented by said Baldwin and Town, and secured to them, their heirs, executors, administrators, and assigns, by letters patent, together with such other persons who have already, or may hereafter associate with them, their successors and assigns, shall be, and hereby are created a corporation, by the name of The Linum Spinner Company, for the purpose of spinning and manufacturing flax, hemp, and other articles, to which it may be adapted; and for manufacturing and vending the machinery of said improvements; and for selling to others the right to make, use, and vend said machines, with the privileges of said patent, and any other patent which may be obtained for any further improvements that are, or may be made in said Linum Spinner, and the machinery connected therewith: and by that name, and for these purposes, shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended in any Courts of record, or any other place whatsoever; and shall have all the powers and privileges, and be subject to all the duties and requirements of an act, entitled "An act

defining the general powers and duties of Manufacturing Corporations," passed the third day of March, one thou-

sand eight hundred and nine.

Sec. 2. Be it further enacted, That said corporation. for the purposes aforesaid, may lawfully hold and possess May hold rereal estate, at any place or places within this Commonwealth, not exceeding three, to the value of fifty thousand dollars, and personal estate, to the amount of one hundred and fifty thousand dollars.

Sec. 3. Be it further enacted, That Ethan A. Greenwood, herein before mentioned, is hereby authorised to May call a call the first meeting of said corporation, at such time and meeting. place, within the town of Boston, as he may deem most convenient, by giving each proprietor personal notice thereof in writing.

Approved by the Governor, February 12, 1814.7

#### CHAP. CXVIII.

An Act to incorporate the President, Directors, and Company of the Waterville Bank.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Asa Redington, Thomas Rice, Jeremiah Fairfield, Nathaniel Gilman, James Stackpole, Persons in-Jun. James Hasty, Judah Mc. Lellan, and Bryce Mc. Lel- corporated. lan, and their associates, successors, and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors and Company of the Waterville Bank, and shall so continue until the first day of October, Time incorwhich will be in the year of our Lord eighteen hun-porated fors dred and thirty-one: and by that name shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or in any other place whatever; and also to make, have, and use a common seal; and to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as to them may appear necessary and convenient, for the government of the said corporation, and the prudent management of their affairs: Provided such by-laws, Provisor

ordinances, and regulations shall, in no wise, be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

and of each share.

Sec. 2. Be it further enacted, That the capital stock Amount of of the said corporation shall consist of the sum of one huncapital stock dred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments: the first, on the first day of September next; the second, on the first day of December next; the third, on the first day of March, which will be in the year of our Lord eighteen hundred and fifteen; and the fourth, on the first day of June next after, and as much sooner as the stockholders shall direct. And the stockholders at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which, being entered in the books of said corporation, shall be binding on the stockholders, their successors, and assigns. And the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of ten thousand dollars, and no more at any one time; with power to bargain, sell, and dispose of the same, and to loan and negociate their monies and effects, by discounting on banking principles, on such security as they shall think advisable: Provided however, that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to the said corporation: And provided further, That no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

Proviso.

SEC. 3. Be it further enacted, That the rules, reservations, restrictions, limitations, and provisions, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established: Provided only, That the bond required to be given by the Cashier, shall be in the penalty of

Proviso.

ten thousand dollars; and that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for transaction of business: And provided Debts not to also, That the amount of bills, at any one time issued by exceed fifty said bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

SEC. 4. Be it further enacted, That the said bank shall be established and kept in the town of Waterville.

Sec. 5. Be it further enacted, That any committee, specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said cor-Legislative poration, and shall have free access to all their books and committee vaults; and if upon such an examination it shall be found, may examine books, &c. and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

SEC. 6. Be it further enacted, That the persons herein May call a before named, or any three of them, are authorised to call meeting. a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place as they may see fit, (by advertising the same for three weeks successively in the Herald of Liberty, printed at Augusta,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting of the affairs of the said corporation, as the said stockholders shall deem necessary; and for the choice of the first Board of Directors, and such other officers as they shall see fit to choose.

Sec. 7. Be it further enacted, That it shall be the duty of the Directors of said bank, to transmit to the Governor and Council of this Commonwealth for the time being, Shall transonce in six months at least, and as much oftener as they mitstatement may require, accurate and just statements of the amounts of accounts. of the capital stock of said corporation, and of the debts due the same; of the monies deposited therein; of the notes in circulation; and of the gold, and silver, and copper coin, and the bills of other banks on hand: which statement shall be signed by the Directors and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall pay counterfeited notes.

Sec. 8. Be it further enacted, That the said corporation shall be liable to pay, to any bona fide holder, the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

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Proviso.

SEC. 9. Be it further enacted, That the said corporation, from and after the first day of September next, shall Shall pay tax pay by way of tax to the treasurer of this Commonwealth. to the Treas- for the use of the same, within ten days after each semiannual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been actually paid in: Provided however, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth: And provided further, That nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any bank, already incorporated under the authority of this Common-

wealth, whenever they may see fit so to do.

Amount to be appropri-

SEC. 10. Be it further enacted, That one tenth part of the funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein be appropriated to loans the Directors shall wholly and exclusively regard the agard to loans ricultural and manufacturing interest; which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law prescribed in other cases.

Shall loan to wealth.

Sec. 11. Be it further enacted, That whenever the Lethe Common gislature shall require it, the said corporation shall loan to the Commonwealth any sum of money, not exceeding ten per centum of the amount of the capital stock actually paid in at any one time—reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: Provided however, That the Commonwealth shall never, at any one time, stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Proviso.

SEC. 12. Be it further enacted, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Common. Commonwealth, a sum not exceeding thirty thousand dol- wealth may subscribe. lars, to be added to the capital stock of said company, subject to such rules, regulations, and provisions, as shall be by the Legislature made and established, as to the management thereof.

[Approved by the Governor, February 12, 1814.]

#### CHAP. CXIX.

An Act to incorporate the town of Stroudwater.

SEC. 1. BE it enacted by the Senate and House of Rpreesentatives, in General Court assembled, and by the authority of the same, That all that part of the town of Falmouth, in the county of Cumberland, which lies south westerly of the following described line, viz. beginning at a small white oak tree standing on a point of land in the field of Crispus Graves, and on the bank of Presumpscott river, and on a course northwest from a tree standing at high water mark, on the most westerly end of Machay's island; thence from said white oak tree, northwest five hundred and sixty rods and nineteen links, to a stake standing three rods and four links in front of Charles Frost's dwelling-house; thence continuing the same course nine hundred and nineteen rods, to a stake standing on the bank of the outlet of the Duck pond; thence continuing the same course to the dividing line between said Falmouth and the town of Windham, with the inhabitants thereon, be, and the same is hereby incorporated into a separate town, by the name of Stroudwater, and vested Town incorwith all the powers, privileges and immunities, with which porated. other towns are by the constitution and laws of this Commonwealth.

SEC. 2. Be it further enacted, That all the poor, who now are, or may hereafter be supported by the town of support of Falmouth, for which the town of Portland by its act of poor. incorporation is or may be chargeable in part, shall still continue to be supported by the town of Falmouth; and the town of Stroudwater, shall be chargeable to Falmouth

for its proportion of the expense in proportion to its present valuation; and all other poor of the town of Falmouth, who are now supported by said town of Falmouth. either in whole or in part, shall, after a division of said town, be divided and supported by the two towns, in proportion to their present valuation; and that all persons, who are now absent from said town of Falmouth, and shall hereafter become chargeable as paupers, shall be returned to, and maintained by that town in which they obtained their inhabitancy before their removal.

Dividing line

SEC. 3. Be it further enacted, That any person or persons, living in either of the towns of Falmouth or Stroudwater, whose farms lie upon both sides of the dividing line aforesaid, may have liberty at any time within one year from the passing of this act, to unite themselves to either of the towns aforesaid, and upon such person or persons, leaving their names within the time aforesaid, with the clerks of both of said towns, to be there recorded, certifying that such was their intention, shall thereafter be considered an inhabitant of that town where he or they so unites himself.

Taxes.

Sec. 4. Be it further enacted, That the several collectors of the town of Falmouth, are hereby authorised and empowered to collect and pay all the taxes to them already committed, agreeable to their several warrants, any thing in this act to the contrary notwithstanding.

duty.

Sec. 5. Be it further enacted, That the treasurer of the town of Falmouth, shall make a fair adjustment and settlement of his accounts, as they stood at the passing of Treasurer's this act, and if a balance shall be found in his hands, the town of Stroudwater shall receive their just and due proportion thereof; and if upon such settlement, the town of Falmouth shall be found in debt, the inhabitants of the town of Stroudwater shall be holden to pay their just proportion thereof, according to the present State valuation.

Sec. 6. Be it further enacted, That the town of Stroudwater shall be entitled to receive its just proportion of all the public property which belonged to the town of Falmouth before the passing of this act, (according to the present State valuation) and shall be holden to pay its just Taxes here proportion of all the taxes heretofore assessed upon the town of Falmouth; and the assessors of said towns of Falmouth and Stroudwater, respectively are hereby empowered to assess all taxes, which were due from said

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town of Falmouth, before the passing of this act to the county of Cumberland, or to this Commonwealth, agreeable to the proportion aforesaid; and the towns aforesaid shall be charged in all future taxes in the same proportion which they stand in the present State valuation.

SEC. 7. Be it further enacted, That any Justice of the Justice to is-Peace for the county of Cumberland, is hereby authorised sue warrant. to issue his warrant to some principal inhabitant of said town of Stroudwater, requiring him to notify and warn the inhabitants of said town, who are qualified by law to vote in town affairs, to meet at the time and place expressed in said warrant, for the purpose of choosing all such town officers, as by law may be chosen in the months of March or April annually.

Approved by the Governor, February 14, 1814.7

#### CHAP. CXX.

An Act to fix the times and places for holding the Courts of Probate in the county of Oxford, 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 the Courts of Probate, within and for the county of Oxford, shall hereafter be holden at the several times and places hereafter mentioned, viz.: at Fryburgh on the last Wednesday of every month in the places for year; at Waterford and Paris in the months of February, holding June and November, annually; and at Bethel, Dixfield courts and Livermore, in the month of June annually, on such days, and such places in said towns as the convenience of the people shall require: and it shall be the duty of the Judge of Probate, for the time being, of the said county, to give public notice of the particular days of said months, and the places in said towns, when and where he will hold the Courts aforesaid.

SEC. 2. Be it further enacted, That whenever the Judge of Probate for the time being of said county, shall be prevented by sickness or other inevitable casualty, from holding any of said Courts, at the several times by this

act provided, he is hereby authorised to appoint such other times for holding said Court, as shall be most for the interest of all concerned, by giving public notice thereof, and to adjourn said Court from time to time, and to continue any process or proceeding therein, to such time and place, as the said Judge may consider necessary or expe-

Approved by the Governor, February 14, 1814.7

#### CHAP. CXXI.

An Act in addition to an act, entitled "An act to incorporate the President, Directors and Company of the Marblehead Bank."

Preamble.

WHEREAS by the act to incorporate the President, Directors and Company of the Marblehead Bank, passed June twenty-third, in the year of our Lord eighteen hundred and twelve, it is enacted and provided that the capital stock of said Bank shall consist of one hundred and twenty thousand dollars, being an addition of twenty thousand dollars to the capital of said Bank, granted to the same stockholders according to their former incorporation; and such addition is found to be unnecessary and inconvenient: Therefore, 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 capital stock of the bank last incorporated by the name of the President, Directors and Company of the Marblehead Bank, may consist of the CapitalStock sum of one hundred thousand dollars, and no more, any thing in the said act of incorporation notwithstanding: and the reduction so permitted of their present capital stock, shall and may be effected in such manner as shall be voted and agreed upon at a meeting of the said corporation, which shall be legally notified and holden for that purpose: Provided, that no stockholder shall be compelled to reduce any part of his subscription or shares in the said bank, but the reduction of the said stock shall be

> by the voluntary act of any corporation or individual, now holding shares in the said bank, who may consent to with-

Provise.

draw the amount of their subscription or subscriptions, or any part thereof by them respectively made and deposited in the said bank.

And whereas by the said act of incorporation it is further enacted and provided, that the said bank may take, receive and hold by assignment, all such mortgages as were then holden by the then existing bank in the said town of Marblehead, and which might be assigned and taken by agreement, between the two corporations, and the effect of such agreement, as a transfer of real estate may be considered doubtful—Therefore,

Sec. 2. Be it further enacted, That the mortgages of re-Mortgages al estate holden by the said bank under the said former of realestate incorporation, and which by the consent of the stockholders therein have been delivered over and made payable by their votes or other agreements to the said existing Corporations, shall be considered as vested in them to all intents and purposes, as if the said former incorporation had been renewed and continued by an extention of the term of years for which the same was originally granted.

SEC. 3. Be it further enacted, That the Messuage now Messuage. and heretofore owned and occupied by the said former incorporation and by the said President, Directors and Company of the Marblehead Bank since their last incorporation, be, and the same is hereby vested in them to all intents and purposes, by virtue of their said incorporation, and pursuant to the votes and consent of the said former incorporation to that purpose.

Approved by the Governor, February 14, 1814.7

# CHAP. CXXII.

An Act to repeal an act, entitled "An act to prevent damage to the bridges and mill dams, erected across Miller's river, and for the preservation of pine timber in that neighbourhood," passed on the fourteenth day of June, in the year of our Lord one thousand eight hundred and thirteen.

DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That an act entitled "An act to Act repealed 20

prevent damage to the bridges and mill dams, erected across Miller's river, and for the preservation of pine timber in that neighbourhood," be, and the same hereby is repealed.

[Approved by the Governor, February 16, 1814.]

# CHAP. CXXIII.

An Act to incorporate The Mansfield Cotton Manufacturing Company.

Persons incorporated. SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Laban Wheaton, Daniel Wheaton, David Gilbert, Roland Green, Samuel Druce, Solomon Pratt, Asa Day, and Abisha Fisher, with such others as have associated, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Mansfield Cotton Manufacturing Company, for the purpose of manufacturing cotton, at Mansfield, in the county of Bristol; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord eighteen hundred and nine.

May hold real and personal estate, not exceeding the value of forty thousand dollars, and such personal estate, not exceeding the value of sixty thousand dollars, as may be necessary and convenient for carrying

on the same manufacture as aforesaid.

[Approved by the Governor, February 16, 1814.]

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An Act establishing The Bellingham Woollen and Cotton 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 Samuel Penniman, Samuel L. Persons incorporated. Scammell, Luther Warfield, Abel Albee, Eli Warren, Seth Hastings, Benjamin Davenport, Amasa Holbrook, Simeon Holbrook, Tyler Daniels, and Amos Hill, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation by the name of The Bellingham Woollen and Cotton Manufactory, for the purpose of manufacturing woollen and cotton yarn and cloth, within the town of Bellingham; and for such purposes, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Sec. 2. Be it further enacted, That the said corporation may be lawfully seized and possessed of such real May hold reestate, not exceeding fifty thousand dollars, and such personal estate. sonal estate, not exceeding one hundred and fifty thousand dollars, as may be necessary for the purposes aforesaid.

Approved by the Governor, February 16, 1814.

# CHAP. CXXV.

An Act in addition to an act, entitled "An act in addition to an act, entitled an act to incorporate The Trustees of Phillips' Academy in Andover."

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 Trustees of Phillips' Academy be, and they are hereby empowered to receive, pur-to hold per-chase and hold, by gift, grant, devise, or otherwise, for sonal estate. Proviso.

Proviso.

the further endowment of a theological institution, or department, and in furtherance of the design of the pious founders and benefactors of said Academy, personal estate, the annual income whereof shall not exceed, twenty. thousand dollars, in addition to what they are now allowed by law to hold: Provided, the income of said estate to be always applied to the objects agreeably to the will of the donors: Provided also, that this act shall not entitle said trustees to recover or receive any bequests or donations heretofore made, unless they were authorised to receive and hold the same before the passing of this act: Provided, that no student belonging to the said institution, sustaining a fair moral character, shall be deprived of any privileges of said institution, or be subjected to the forfeiture of any aid, which has been granted by said institution, for the purpose of enabling him to prosecute his studies, or be denied the usual testimonial on closing his

the duties and requirements, contained in an actioituitishi [Approved by the Governor, February 16, 1814.]

studies, on the ground that his interpretations of the scriptures differ from those which are contained, or may here. after be contained in the articles of faith adopted by said

# CHAP. CXXVI.

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An Act to incorporate The Plympton Wool Manufacturing Company, add vd bayongd

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Sturtevant, Zabdiel Sampson, Benjamin Ellis, Joseph Cooper, John Sampson, Alvan Sampson, Nathaniel Ripley, and William P. Ripley, with such other persons as have already associated, or hereafter may associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Plympton Wool Manufacturing Company, for the purpose of manufacturing woollen cloths, in the town of Plympton: and for that purpose shall have all the powers and privileges, and be subject to all the duties, and requirements contained in an act, made and passed on

P "sons ingo porated. 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."

SEC. 2. Be it further enacted, That the said corporation may be lawfully seized and possessed of such real estate, May hold reas may be necessary and convenient for establishing and al and percarrying on the said manufactory; and also of as large a personal estate, as shall be actually employed therein: Provided such real estate shall not exceed the value of Provise. thirty thousand dollars, and the personal estate one hundred thousand dollars.

[Approved by the Governor, February 17, 1814.]

#### CHAP. CXXVII.

An Act to incorporate The Walomopogge Manufacturing Company.

SEC. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the Persons in. authority of the same, That Lewis Whiting, Hervey Whi-corporated. ting, Amos Cobb, and William Dupee, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Walomopogge Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Wrentham, in the county of Norfolk: and for the purposes aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, one thousand eight hundred and nine."

Sec. 2. Be it further enacted, That said corporation May hold remay be lawfully seized and possessed of such real estate, at and pernot exceeding the value of thirty thousand dollars, and sonal estate, such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient

for carrying on the manufacture aforesaid.

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Approved by the Governor, February 17, 1814.

# CHAP. CXXVIII.

An Act to incorporate The Swanzey Union Manufacturing Company.

DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Mason, John Mason, William Bowers, William Major, John Winslow, William Slade, Stephen Slade, Richard Chase, Caleb Easterbrooks, Artemas Stebens, Benanuel Marvel, Anthony Kingsley, Anthony Gardner, Rufus C. Smith, Robert Gibbs, Jun. Obadiah Peirce, James L. Hodges, Caleb Millar, and Darius Chase, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Swanzey Union Manufacturing Company, for the purpose of manufacturing cotton yarns and cloth at Swanzey, in the county of Bristol: and for this 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.

May hold

Sec. 2. Be it further enacted, That said Corporation may be lawfully seized of such real estate, not exceeding real and personal estate, the value of thirty thousand dollars, and such personal estate, not exceeding the value of fifty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton aforesaid.

[Approved by the Governor, February 17, 1814.]

# CHAP. CXXIX.

An Act to set off the northeastwardly part of Hadley, and annex the same to Amherst.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all the lands, and the inhabit-

ants thereon, lying and being in Hadley, described with- Lands set off in the following limits and bounds, not already annexed from town of to Amherst, be, and the same are hereby set off from Had-Hadley. ley, and annexed to Amherst: that is to say, beginning at the southwest corner of David Smith's land, being the northwest corner of Noah Smith's land, lying in the town of Amherst, on the east line of Hadley; thence running west, to the west end of the first division of lands in Hadley, to a town-way; thence northwardly, on the west line of said division; as far as the same extends; and thence, Boundaries described. on the same course, to the south line of Sunderland; thence east, on the south line of Sunderland, to the original northeast corner of Amherst; thence southwardly, on the original line between Amherst and Hadley, to the first mentioned corner.

Sec. 2. Be it further enacted, That the respective valuations of the towns of Hadley and Amherst be so altered, Valuation at in consideration of the above, that the sum of one cent, tered. in the proportion of one thousand dollars, be taken from Hadley and put to Amherst; and that all taxes already granted or assessed by the town of Hadley, on the polls and estates hereby set off, be collected in the same manner as though this act had not been passed.

[Approved by the Governor, February 17, 1814.]

### CHAP. CXXX.

An Act to dissolve the Third Congregational Society in Portland, and to annex the members thereof to the Chapel Congregational Society in said town.

WHEREAS the Third Congregational Society and the Chapel Congregational Society, in Portland, have joined in a request to this Legislature that said Third Congregational Society may be dissolved, and certain members thereof annexed and united to said Chapel Congrega. Preamble. tional Society, on the terms and conditions mentioned in the following act: and whereas the said Chapel Congregational Society have purchased the pews of all the members of said Third Congregational Society, who are not desirous of being united to said Chapel Society, and have agreed

to assume and pay all the debts of said Third Congregational Society, on the debts and property of said Third Congregational Society being transferred to them: and whereas the said societies have respectively petitioned this Legislature to sanction their agreement, by passing a law for that property. Therefore

for that purpose: Therefore,

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 following members of the Third Congregational Society in Portland, viz.: Daniel How, Thomas Bailey, James Barnes, William Evans, John W. Smith, Friend Loring, Moses Davis, Phineas Varnum, Daniel Gilbert, Levi Bradish, Isaac Prince, John Collins, Jun. Joseph Prince, John Deane, and Stephen Little, with their polls and estates, be, and they hereby are annexed to, and made members of the Chapel Congregational Society in said Portland.

Sec. 2. Be it further enacted, That from and after the passing of this act, the said Third Congregational Society in Portland shall be dissolved; and their act of incorporation shall be, and hereby is so far repealed, that there shall be larger be any such resists or appropriate

shall no longer be any such society or corporation.

Sec. 3. Be it further enacted, That all the acts and do-Former acts ings of the said Third Congregational Society and of the Trendered va- said Chapel Society, which have heretofore been done and transacted, shall be and hereby are confirmed and rendered valid, any informality in the records of the same to the

contrary notwithstanding.

Sec. 4. Be it further enacted, That the records, papers and documents of the said Third Congregational Society shall be delivered over to, and deposited with the clerk of the said Chapel Congregational Society, who is hereby authorised to receive the same, and to make authentic copies thereof, to avail to every intent and purpose, as if made by the Clerk of said Third Congregational Society, before the dissolution thereof.

Sec. 5. Be it further enacted, That the property of Management said Third Congregational Society, whether real or perof Property sonal, shall hereafter vest in, and be under the sole controul of said Chapel Congregational Society, their successors and assigns, forever.

SEC. 6. Be it further enacted, That all the legal claims and demands, heretofore outstanding and existing against

Society dis-

solved.

Persons annexed.

Records, Papers, &c.

the said Third Congregational Society, shall hereafter be claimed and received of and from the said Chapel Congregational Society; and the same remedy and process for the recovery thereof shall be had and used, to recover the same against the said Chapel Congregational Society, as might have been had and used against the said Third Congregational Society before the passing of this act.

SEC. 7. Be it further enacted, That the demands, taxes Claims and and other claims which the said Third Congregational So-demands. ciety might, but for the passing of this act, have had, prosecuted and recovered, shall hereafter, in the same manner, be had, prosecuted, and recovered by the said Chapel

Congregational Society.

Sec. 8. Be it further enacted, That the valuation of pews, heretofore made in the meeting-house of said Third Congregational Society, for the purpose of taxation, shall of taxes. hereafter continue and govern the said Chapel Congregational Society in the assessment of their taxes, until a new valuation thereof shall be made by the said Chapel Congregational Society.

SEC 9. Be it further enacted, That the collector or collectors of said Third Congregational Society be, and they hereby are empowered, and it shall be their duty, under Duty of the the direction of the treasurer of the said Chapel Congre-Collectors: gational Society, to collect the sums which remain due on the tax-bills in their hands, and to pay over the same-to the treasurer of said Chapel Congregational Society; and the treasurer of said Chapel Congregational Society shall have the same power to enforce the collection and payment of said taxes, as he would have, if said collector or collectors had been appointed by said Chapel Society; and in case such collector or collectors of said Third Congregational Society shall refuse or neglect to collect the said taxes so due, on the bills in his or their hands, or shall die Penalty for or resign before completing such collections, then the col-neglect. lector of the Chapel Congregational Society shall have a right to demand and recover said tax-bills, and complete the collection of said taxes, under the direction of the treasurer of said Chapel Congregational Society.

[Approved by the Governor, February 17, 1814.]

#### CHAP. CXXXI.

An Act establishing the Salaries of the Attorney General and Solicitor General of this Commonwealth.

Representatives, in General Court assembled, and by the authority of the same, That there shall be allowed and paid out of the treasury of this Commonwealth, annually, the solicitor Ge. sum of two thousand dollars to the Attorney General, and neral's salathe like sum to the Solicitor General, in full compensation for their services in the criminal and civil business of this Commonwealth, to be paid in quarterly payments, as the same shall become due.

Held to ac-

Sec. 2. Be it further enasted, That the said Attorney General and Solicitor General shall be held to account with the treasurer of this Commonwealth, annually, for all fees, bills of costs, and monies received by them, by virtue of their said offices, or for any business done by them for this Commonwealth.

Sec. 3. Be it further enacted, That the first section of an act, passed the twentieth day of February, A. D. 1790, entitled "An act making compensation to the Attorney General of this Commonwealth for his services," and also Acts repeal the first section of an act, passed the seventeenth day of June, A. D. 1800, entitled "An act making compensation to the Solicitor General of this Commonwealth for his services," be, and the same hereby are repealed.

[Approved by the Governor, February 18, 1814.]

# CHAP. CXXXII.

An Act to incorporate The Protestant Episcopal Society of Christ's Church, in Quincy.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court asssembled, and by the authority of the same, That the wardens and other proprietors of Christ's Church, in Quincy, whether residing in

said Quincy, or in towns adjacent, and their successors, together with their polls and estates, be, and are hereby incorporated into a society or body politic, under the name Society inof The Protestant Episcopal Society of Christ's Church in corporated. Quincy; and that the building called Christ's Church, together with the yard thereof, and the house and land heretofore purchased by said society as a Glebe, and situated in Quincy aforesaid, are hereby vested in said corporation, together with the power of holding other real estate, to the annual value of five hundred dollars.

Sec. 2. Be it further enacted, That the said society are hereby empowered to assess and collect of the members belonging to the same, for the purpose of maintaining the worship of God, for repairing their church, and Taxes. for the preservation of their glebe and estate, from time to time, such monies as may be necessary for those purposes: and they are hereby vested with all such powers, privileges, and immunities, as Congregational Societies do or

may enjoy by the laws of this Commonwealth.

incline to join said society, by signifying such his desire, becoming a in writing, to the clerk of the town, to which he may be member. long, and by notifying thereof the clerk of said society, he, together with his polls and estate, shall be considered to belong to said Episcopal Society, in the same manner as if incorporated by name in this act. And whenever any person belonging to said society shall incline to withdraw therefrom, by signifying such his desire, in writing, leaving. to the clerk of said Episcopal Society, and by notifying thereof the clerk of the town in which he resides, he, with his polls and estate, shall be discharged from said Episcopal Society: Provided however, That in either case, such Provise. person shall be liable to pay his proportion of all assessments previously made upon the inhabitants of the town

Sec. 3. Be it further enacted, That if any person may

SEC. 4. Be it further enacted, That the members of said corporation may meet annually, on Easter Monday, Meetings of and at any adjournment of that meeting, and shall appoint two or more church-wardens, a treasurer, and a clerk, and such other officers as they may think necessary for the

in which he resides, or upon the members of said Episco-

pal Society, as the case may be.

management of their concerns, to continue until others shall be chosen in their place: and at such meetings may By-laws, Rules, &c. establish suitable by-laws, snd determine in what manner their annual and other meetings may be notified, and convened; and the wardens so chosen may appoint special meetings for transacting the affairs of the church, in such manner as may be directed by the by-laws so to be made: And the first meeting of said Episcopal Society shall be on Easter Monday, the eleventh day of April next.

[Approved by the Governor, February 18, 1814.]

#### CHAP. CXXXIII.

An Act to incorporate The Northborough Manufacturing Company.

Persons incorporated.

Sec. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That George Slocum, Jun. Isaac Davis, Silas Gates, Phineas Davis, Asaph Rice, Benjamin Rice, Caleb Witherbee, Joseph Davis, Joseph Howe, and their associates, together with all those who have already, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Northborough Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Northborough, in the county of Worcester; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

Sec. 2. Be it further enacted, That the said corpora-May hold re- tion may lawfully hold and possess real estate, not to exal and per- ceed the value of one hundred thousand dollars, and personal estate. sonal estate, not exceeding two hundred thousand dollars, as may become necessary and convenient for establishing and carrying the manufactory aforesaid.

[Approved by the Governor, February 18, 1814.]

# CHAP. CXXXIV.

An Act to incorporate The Manufacturers and Mechanics Bank.

SEC. 1. BE it enacted by the Senate and House of Rep. resentatives in General Court assembled, and by the authority of the same, That George Sullivan, John Bellows, William Persons in Appleton, Winslow Lewis, William Cochran, Thomas B. corporated. Wales, Seth Knowles, Ezra A. Bourne, their associates, and those who they may hereafter associate with them, their successors and assigns, shall be, and hereby are created a corporation, by the name of The Manufacturers and Mechanics Bank; and shall so continue from the fifth day of April next, until the first Monday in October, which shall Time incorbe in the year of our Lord one thousand eight hundred and porated for thirty-one, and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record, or any other place whatever; and also to make, have and use a common seal, and the same to break again at pleasure, alter and renew, and also to ordain, establish and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of said corporation, and the prudent management of their affairs: Provided such by-laws, or- Provise. dinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, rertrictions, limitations and provisions herein prescribed.

Sec. 2. Be it further enacted, That the capital stock of said corporation shall consist of a sum not exceeding fifteen hundred thousand dollars, in gold and silver, be-Amount of sides such part as this Commonwealth shall subscribe, in capital stock manner herein after mentioned; divided into shares of shares. one hundred dollars each, which shall be paid in manner following, that is to say, one fourth part thereof on or before the fifteenth day of April next; one other fourth part on or before the fifteenth day of July next, and the residue at such time within two years from the passing of this act, as the stockholders at any meeting called for that pur-

meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits

And the stockholders at their first

amount.

thereof; which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns, until they otherwise determine; and the said corporation are hereby made capable in law, to have, al estate and hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of one hundred thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking

pose shall direct.

Proviso.

Provided however, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on executions, to any amount, as security for or in payment of any debts due to the said corporation: And provided further, That no monies shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to three hundred and seventy-five thousand dollars, nor until the said capital stock actually in said vaults shall have been inspected and examined by three commissioners, to be appointed by the appoint Com- Governor for that purpose, whose duty it shall be, at the missioners, expense of said corporation, to examine and count the monies paid and actually existing in said vaults, and to ascertain by the oath of the directors of said bank, or some of them, that said capital hath been bona fide paid in by the stockholders of said bank, and towards payment of

principles, on such security as they shall think advisable:

SEC. 3. Be it further enacted, That the said bank shall Bank, where be established and kept in the town of Boston; and this corporation shall always be subject to the rules, restrictions, limitations, taxes and provisions, and be entitled to the same rights, privileges and immunities, which are contained in an act, entitled "An act to incorporate the President, Directors and Company of the State Bank;" except in so far as the same are modified or altered by this act,

their respective shares, and not for any other purpose, and that it is intended therein to remain as part of said capital,

and to return a certificate thereof to the Governor.

established.

as fully and effectually as if the several sections of said act

were herein specially recited and enacted.

SEC. 4. Be it further enacted, That one third part of Amount apthe capital stock of said bank shall be reserved for the propriated for Mechansubscription of Mechanics and Manufacturers, and proof ics and Manthereof shall be made to the commissioners to be appointed ufacturers. in pursuance of the second section of this act, who shall certify the same to the Governor.

Sec. 5. Be it further enacted, That whenever the Legislature shall require it, the said corporation shall loan to Shall loan to the Commonwealth, any sum of money which may be required, not exceeding ten per centum of the capital stock, then actually paid in at any one time; reimbursable by five annal instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: Provided however, That the Commonwealth shall Provise. never stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock then paid in.

Sec. 6. Be it further enacted, That any committee especially appointed by the Legislature for the purpose, shall Legislative have a right to examine into the doings of said corpora- may examine tion, and shall have free access to all their books and books, &c. vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded their powers, or failed to comply with any of the

rules, restrictions and conditions by law provided, their incorporation shall thereupon be declared forfeited and

void.

Sec. 7. Be it further enacted, That the persons herein before named, or any three of them, are authorised to May call a call a meeting of the members and stockholders of said meeting. corporation, as soon as may be, at such time and place as they may see fit to appoint, by advertising the same in any two newspapers printed in the town of Boston, for the purpose of making, ordaining and establishing such bylaws and regulations for the orderly conducting the affairs

such other officers as they may see fit to choose. Sec. 8. Be it further enacted, That the Commonwealth

of said corporation, as the stockholders shall deem necessary, and for the choice of the first Board of Directors, and Common. wealth may subscribe.

shall have a right whenever the Legislature shall make provision therefor by law, to subscribe on account of the Commonwealth, a sum not exceeding five hundred thousand dollars, to be added to the capital stock of said corporation, subject to such rules, regulations and provisions as to the management thereof, as shall be by the Legislature made and established.

Shall pay counterfeited notes.

SEC. 9. Be it further enacted, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay tax wer.

Sec. 10. Be it further enacted, That the said corporato the Treas- tion shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in: Provided however, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks incorporated within this Commonwealth.

Proviso.

Sec. 11. Be it further enacted, That whenever the Commonwealth shall subscribe to the capital stock of said corporation in manner herein before provided for, in addition to the Directors by law to be chosen by the stockholders, the Legislature shall have a right, from time to time, to appoint a number of Directors of said bank, in proportion as the sums paid from the treasury of the Commonwealth shall bear to the whole amount of stock actually paid into the said bank, if at any time hereafter they shall judge fit to exercise that right.

Legislature may appoint Directors.

[Approved by the Governor, February 18, 1814.]

#### CHAP. CXXXV.

An Act to incorporate The Neponset Cotton Factory Company.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the Persons in authority of the same, That Virgil Maxey, David Hoffman, corporated. Dennis A. Smith, Thomas Stanley, and John Stanley, and

others who have already associated, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation by the name of The Neponset Cotton Factory Company, for the purpose of manufacturing cotton goods at Walpole, in the county of Norfolk; and for this 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."

SEC. 2. Be it further enacted, That the said corpora- May hold retion may be lawfully seized and possessed of such real al and perestate, not exceeding the value of fifty thousand dollars, sonal estate. and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture aforesaid, in the town of Walpole aforesaid.

Approved by the Governor, February 18, 1814.

# CHAP. CXXXVI.

An Act making further provisions concerning the Ministry Lands in the town of Livermore.

**B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the agent and trustees of the Ministry lands in the town of Livermore, be, and they are Empowered hereby authorised and empowered to loan on interest, the ev. monies arising from the sale of the Ministry lands, or any part thereof, on the personal security of the borrower, by bond with good and sufficient sureties in the penal sum of double the value at least of the monies loaned, any thing in the act made and passed the twenty-ninth day of February, eighteen hundred and eight, concerning the said Ministry lands, to the contrary notwithstanding.

[Approved by the Governor, February 18, 1814.]

# CHAP. CXXXVII.

An Act to establish the Plymouth Woollen and Cotton Factory Company.

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 Barnabas Hedge, Jun. Joseph Bartlett, 3d. Zaccheus Bartlett, Samuel Torry, William Osborn, and Jesse Inglee, together with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Plymouth Woollen and Cotton Factory, for the purpose of manufacturing wool, cotton and linen yarn and cloth, in Plymouth; and shall have all the powers and privileges, and shall be subject to all the duties and requirements, prescribed 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.
- Sec. 2. Be it further enacted, That said Corporation, in their corporate capacity, shall and may lawfully hold May hold real and per- and possess such real estate, not exceeding fifty thousand sonal estate. dollars, and personal estate, not exceeding one hundred and fifty thousand dollars, as may be necessary and convenient for carrying on said manufacture, in their various branches, as aforesaid.

[Approved by the Governor, February 18, 1814.]

# CHAP. CXXXVIII.

An Act to incorporate The Pittsfield Woollen and Cotton Factory.

SEC. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Lemuel Pomeroy, Joseph Merrick, Ébenezer Center, Samuel D. Colt, David Campbell, David Campbell, Jun. Thomas B. Strong, James Buel, and Arthur Scholfield, with such others as already

Fersons incorporated.

have, or hereafter may associate with them, their successors or assigns, be, and hereby are made a corporation by the name of The Pittsfield Woollen and Cotton Factory, for the purpose of manufacturing woollen and cotton in the town of Pittsfield; 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."

SEC. 2. Be it further enacted, That said corporation may be lawfully seized and possessed of such real May hold reestate, not exceeding the value of thirty thousand dollars, al and perand such personal estate, not exceeding the value of one sonal estate hundred thousand dollars, as may be necessary and convenient for carrying on the manufactory of woollen and cotton in the said town of Pittsfield.

Approved by the Governor, February 18, 1814.

#### CHAP. CXXXIX.

An Act to provide for the safe keeping of Gunpowder, in the town of Charlestown.

Sec. 1. DE 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, no person or persons, (not on military duty,) shall keep, have, or possess in any store, barn, house or other building, or in or upon any place or thing whatever within Powder, the town of Charlestown, except in a public powder house where kept. in said town, gunpowder in any quantity exceeding five pounds, in any way or manner otherwise than as by this act is permitted: Provided nevertheless, That nothing in this act shall be construed to operate as a prohibition to Provisor the transporting of gunpowder through the town of Charlestown aforesaid, or to or from the public magazines in said town, from or into any part of this Commonwealth.

Sec. 2. Be it further enacted, That no merchant or private armed vessel, on board of which gunpowder shall be laden in quantity exceeding twenty-five pounds, shall lay within two hundred yards of any wharf within said town.

Wards.

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Sec. 3. Be it further enacted, That all gunpowder found within the said town of Charlestown, contrary to the provisions of this act, shall be forfeited and may be seized by one or more of the fire-wards of said town; and Duty of Fire- it shall be the duty of such fire-ward or fire-wards, within twenty days after such seizure, to file a libel in the Clerk's office of the Circuit Court of Common Pleas, for the Middle Circuit, in the county of Middlesex, stating the cause of such seizure, and praying for a decree of forfeiture; and the Judges of said Court shall have power to hear and determine the cause by a jury where there is a claimant; but without a jury, if upon proclamation made no claimant appear, and to decree the forfeiture and disposition of such property according to law, and may decree a sale and distribution of the proceeds, deducting charges; and if such libel be not supported, restitution of the property shall be decreed without cost; but if a claimant appear, and disputes the forfeiture, and said gunpowder shall be finally decreed forfeited, such claimant shall pay all costs of prosecution which may have legally arisen thereon.

Sec. 4. Be it further enacted, That all such gunpowder so forfeited, shall be forfeited, one moiety thereof to the use of the Commonwealth, and the other moiety thereof to the use of the fire-wards of said town of Charlestown: Quantity al. Provided always, That it shall and may be lawful for any person or persons, to keep in his or their house, ware house, or shop, for sale, by retail, any quantity of gunpowder, not exceeding twenty-five pounds in the whole: Provided, the same be constantly kept in copper, brass or tin cannisters, closely covered with copper, brass, or tin,

and not otherwise.

Sec. 5. Be it further enacted, That if any gunpowder shall be found in the town of Charlestown aforesaid, contrary to the provisions of this act, the owner or owners of the same, or other person or persons in whose possession it shall be found, besides the forfeiture aforesaid, shall forfeit and pay forty cents for every pound of such gunpowder, one moiety thereof to the use of the poor of said town of Charlestown, and the other moiety to the use of him or them, who shall sue for the same; which forfeiture of forty cents may be recovered by action of the case, in any court proper to try the same.

lowed to be kept.

Proviso.

Penalty for reach of act

Sec. 6. Be it further enacted, That it shall and may be lawful for any one or more of the firewards of said town of Charlestown, to enter any building or other place in Firewards said town of Charlestown, in the day time, to search for may enter buildings. gunpowder which they may have reason to suppose to be concealed, or kept contrary to the provisions of this act. having first obtained a search warrant therefor according

Approved by the Governor, February 18, 1814.

# CHAP. CXL. Contact of Mathematical

An Act authorising the sale of Ministerial Lands, in the Congregational Society in Buxton, and for other purposes.

WHEREAS the Congregational Society in Buxton, in the county of York, have petitioned this court Preamble. to sell their parsonage or ministerial lands, for the purpose

of raising a fund for the support of the ministry:

Sec. 1. Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Ebenezer Wentworth, Joseph Trustees ap-Dunnell, Royal Brewster, Isaac Libby, James Emery, Jr. pointed. Thomas Bradbury, and Charles Coffin, be, and hereby are appointed trustees to sell the same, and to put out at interest the monies arising from such sale, in manner herein after mentioned, and for that purpose.

Sec. 2. Be it further enacted, That the said trustees be, and they hereby are incorporated into a body politic, by the name of The Trustees of the Ministerial Fund in Trustees inthe Congregational Society in Buxton, in the county of corporated. York; and they and their successors shall be, and continue a body politic and corporate, by that name, forever; and they shall have a common seal, subject to be altered at their pleasure; and they may sue and be sued, in all actions, real, personal, and mixed; and prosecute and defend the same to final judgment and execution, by the name aforesaid.

Sec. 3. Be it further enacted, That the said trustees, and their successors, shall and may annually elect a Pres- Empowered ident and Clerk, and a treasurer to receive and apply the cors.

monies hereinafter mentioned, as hereinafter directed, and ony other needful officers.

Number of Trustees limited.

Sec. 4. Be it further enacted, That the number of trustees shall not at any one time be more than seven, nor less than five, any four of whom may constitute a quorum for transacting business, any three of their number shall have power to adjourn their meetings from time to time; and they shall and may fill up vacancies in their number, which may happen by death, resignation, or otherwise, from the members of said society; and they may remove any of their numbers who may become unfit and incapable, from age, infirmity, misconduct, or any other cause, of performing their duty, and supply a vacancy so made by a new Annual mee- choice from the society aforesaid. And the said trustees shall annually hold a meeting, in March or April, and as much oftener as may be found necessary, which meetings, after the first, shall be called in such way and manner as the trustees shall direct.

tees.

First Meeting.

SEC. 5. Be it further enacted, That Zenas Payne, Esq. be, and he hereby is authorised to fix the time and place for calling the first meeting of the trustees, and to notify each trustee thereof.

to sell lands.

Sec. 6. Be it further enacted, That the said trustees be, and they are hereby authorised to sell and convey, in Authorised fee simple, all the parsonage or ministerial lands belonging to said society, and to make, execute, and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds, subscribed by their treasurer, by direction of said trustees, with their seal affixed, shall be good and sufficient in law to pass and convey the fee simple from said society to the purchaser, to all intents and purposes whatever.

Monies to be at interest.

Sec. 7. Be it further enacted, That the monies arising from the sale of said lands shall be put at interest as soon as may be, and secured by mortgage of real estate, to the full value of the estate sold, or by two or more sufficient sureties with the principal, unless the trustees shall think it best to invest the same in public funded securities, or bank stock, which they may do.

Sec. 8. Be it further enacted, That the interest arising Interest, how from time to time, on such monies, shall be annually, or applied. oftener if practicable, put out at interest and secured in manner aforesaid, unless invested in the funds or bank

stock as aforesaid, and also the interest accruing from the interest, until a fund shall be accumulated, which shall yield yearly the sum of three hundred dollars interest: Provided the said society shall annually vote, assess, and Proviso pay the Rev. Dr. Coffin, their present teacher, his usual salary during his life.

Sec. 9. Be it further enacted, That as soon as an interest to that amount shall accrue, the trustees shall forthwith apply the same for the annual support of the congregational minister, which may then be settled in said society. or which may hereafter be settled there; and so long as the said society shall remain without a settled minister, the annual interest aforesaid shall be put out at interest, and secured as aforesaid, until there be a resettlement of a minister.

Sec. 10. Be it further enacted, That the treasurer of the trustees shall give bond faithfully to perform his duty, Duty of the and to be at all times responsible for the faithful applica. Treasurer. tion and appropriation of the monies which may come into his hands, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his office.

Sec. 11. Be it further enacted, That the trustees or Compensatheir officers, for the services they may perform, shall be tion of Trusentitled to no compensation out of any monies arising tees. from the fund aforesaid; but if entitled to any, shall have and receive the same of said society, as may be mutually agreed on.

Sec. 12. Be it further enacted, That the said trustees Shall transand their successors shall exhibit to the society, at their mitstatement annual meeting in March or April, a regular and fair of accounts: statement of their doings.

Sec. 13. Be it further enacted, That the said trustees and each of them shall be responsible to the society for their personal negligence or misconduct, whether they be sponsible: officers or not, and liable to a suit for any loss or damage arising thereby; the debt or damage recovered in such suit, to be for the use aforesaid.

[Approved by the Governor, February 18, 1814.]

# CHAP. CXLI.

An Act regulating the Toll allowed to the Proprietors of Connecticut River Bridge.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the fifth section of an act, entitled "An an act for incorporating certain persons for the purpose of building a bridge over Connecticut river, in the county of Hampshire, and for supporting the same," passed June eighteenth, in the year one thousand seven hundred and ninety-six, be, and the same is hereby re-

SEC. 2. Be it further enacted, That a toll be, and here-

pealed.

by is granted to the proprietors of Connecticut river bridge, to reimburse them for their expenses in building said bridge, and for supporting the same, according to the following rates, viz.: for each foot passenger, three cents; for each horse and rider, eight cents; for each horse and chaise, chair, sulkey, or waggon, drawn by one horse, sixteen cents; for each coach, chariot, phaeton, or other four wheel carriage for passengers, thirty-three cents; for each curricle, twenty-five cents; for each sleigh for passengers, drawn by one horse, twelve and a half cents; if drawn by more than one horse, sixteen cents; for each cart, waggon, sleigh, or other carriage of burthen, drawn by one beast, twelve and a half cents; and for every additional beast, four cents; for horses or neat cattle, exclusive of those rode on, or in carriages, three cents; for sheep and swine, one cent each; and one person only shall be allowed as a driver to each team, to pass free of toll;—and all persons who shall have occasion to pass said bridge to perform military duty, shall pass free of toll.

[Approved by the Governor, February 18, 1814.]

Section renealed.

#### CHAP. CXLII.

An Act to incorporate The Protestant Episcopal Society in the town of Sheffield.

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 Adams, Elijah Arnold, Morris Austin, Seth Austin, Jonathan Bartlett, Roger Barton, Asa F. Bigelow, David Burrell, Jedediah Burrell, Persons in-Warren Burrell, Samuel C. Clay, Archer Callender, Ira corporated. Chamberlain, John Chapman, Samuel Curtis, James Curtis, Giles Curtis. Harmi Davis, Caleb Dresser, William Dunwell, Ebenezer Ferry, Isaac Ferry, Oramel Ferry, Samuel Fosket, Whitney Fosket, Zacheus Goodrich, Moses Hubbard, Harvey H. Hubbard, Timothy Hubbard, Jun. William Huggins, Jared Johnson, Joseph Johnson, William Johnson, Austin Kenney, Walter Landon, Rowland Langford, Timothy Lovejoy, Asa Mason, Nathaniel Noble, Jun. Allen Pease, Nathaniel Pixley, Carmi Ransford, Solomon Ransford, Gideon Schelinger, Gilbert Schelinger, Hector Schelinger, Amos Shears, Edwin Shears, Harry Shears, Jeremiah Shears, Samuel Shears, Zachariah Shears, Nathaniel Spaulding, Derrick Spoor, Derrick Spoor, Jr. Jacob Spoor, Nicholas Spoor, Stephen Stephens, Thomas Stevens, William Stephens, Wm. Stephens, Jun. Eliakim Vosburgh, Gomery Vosburgh, Russell Vosburgh, Salmon Way, Joel Way, Calvin Westover, Elisha Westover, Levi Westover, Job Westover, Jacob Warn, Benoni Warn, Joseph Wilcox, and Ebenezer Wilcox, together with their families and estates, and such other persons as may hereafter associate with them, and their sucsors, in the manner provided in this act, be, and they are hereby incorporated as a Religious Society, by the name of The Protestant Episcopal Society in Sheffield, with all the powers and privileges, which are exercised and enjoyed Rights and by, and subject to all the duties, obligations, and restric-privileges. tions, incident to other religious societies, according to the constitution and laws of this Commonwealth.

Sec. 2. Be it further enacted, That any person living in the said town of Sheffield, being a member of any other

Manner of becoming a member.

religious society in the said town, who may desire to join the said Episcopal society, shall, previous thereto, declare such desire in writing, and deliver it to the minister or clerk of the said Episcopal society, and shall also give a copy of the said written desire to the clerk of said town; and if such person doth receive, and can produce a certificate, signed by the wardens of said Episcopal society, that such person has been received as a member thereof, such person, with his or her polls and estate, shall be considered and held a member of the said Episcopal society: Provided always, that such person shall be holden to pay his or her proportion of all legal assessments, or other parish, or society charges and expenses, due and unpaid, at the time of leaving one society and joining another.

Proviso.

Manner of leaving.

SEC. 3. Be it further enacted, That when any member of the said Episcopal society may see cause to leave the same, and to join in a parish or society relation, with any other religious society in the said town of Sheffield, shall declare such desire and intention in writing, and deliver it to the minister or deacons thereof, and shall also give a copy of the same to the wardens of the said Episcopal society; and if such person do receive, and can produce a certificate of admission to membership, with such other society, such person with his or her polls and estate, from the date of such certificate, shall be considered and held as a member of the society to which he or she has so become united: Provided however, That in every case of secession from one society, and joining another in the said town of Sheffield, every such person shall always be holden to pay his or her proportion of all legal assessments, and all other parish or society charges and expenses due and unpaid, at the time he or she may so secede.

Proviso.

Sec. 4. Be it further enacted, That any Justice of the Justice to is. Peace for the county of Berkshire, is hereby empowered sue warrant to issue a warrant directed to one of the members of said Episcopal 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, to organize the said society, by the election and appointment of its officers.

[Approved by the Governor, February 22, 1814.]

#### CHAP, CXLIII.

An Act in further addition to "An act in addition to acts regulating the storage, safe keeping and transportation of gunpowder within the town of Boston."

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 April next, no commissary or any other officer or officers, or any person or persons, in the service of the United States, or acting in the department of commissary or quarter master general of this Commonwealth, shall be permitted to have, keep, or possess within the town of Boston, a greater quantity of gunpowder than four hundred pounds; and that the powder so had and possessed within the said town, shall be kept in a place approved of by Powder, the fire-wards of the said town, either under ground in a vault, or in a stone or brick building secured against ex-

plosion by fire.

Sec. 2. Be it further enacted, That any gunpowder which shall be found in the possession of, or which may be had or kept within the town of Boston, by any officer or officers, or any person or persons whatsoever, acting in behalf or under the authority of the United States, or by any agent or servant of such officers or persons; and all gunpowder, possessed, had, or kept, by any officer of the commissary or quarter master generals departments of the state of Massachusetts, or persons acting under the authority of these departments, contrary to the provisions of this Duty of Fireact, may be seized by any two or more of the firewards of the town of Boston, and the same may be libelled and condemned, and sold, and the proceeds thereof distributed as is by law provided for the forfeiture of gunpowder in other cases within said town.

Approved by the Governor, February 22, 1814.7

## CHAP. CXLIV.

An Act for the preservation of Fish in Penobscot River and Bay, and the several streams emptying into the same.

Sec. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That if any person shall make or continue any dam or other obstruction, in or across Penobscot river, or any stream or pond emptying into the same, or into any part of Penobscot bay, northerly of the southerly lines of Lincolnville and Castine, through or into which salmon, shad or alewives have been accustomed, at any time within the last twenty years, to pass up for the purpose of casting their spawn, without providing and constantly keeping open and clear a sufficient and convenient passage or sluice way, for such salmon, shad or alewives to pass and repass, from the tenth day of May, to the tenth day of June annually, in all the waters below the town of Orono, and in all the waters in and above the said town of Orono, from the said tenth day of May, to the twentieth day of June annually; every such person shall forfeit and pay a fine not exceeding two hundred dollars, nor less than fifty dollars. And any person who shall, at any time, catch any of the said fish, within forty feet of any such passage or sluice way, shall forfeit and pay a fine of five dollars for every such offence: Provided however, That the foregoing clause shall not be construed to prevent the taking of fish in the sluice way, round the mill dam owned by James Brackett, Jun. on Nichol's stream, in plantation number four, on the east side of Penobscot river, from sunrise on Monday to sunrise on Thursday in each week, from the tenth day of May to the fifteenth day of June in each year. Sec. 2. Be it further enacted, That any person who

shall catch any shad or alewives in any of the waters aforesaid, between the tenth day of May and the fifteenth day of June annually, or any salmon between the said tenth day of May and the first day of July annually, at any other

time or times than between sunrise on Monday and sun-

rise on Saturday in each week, shall forfeit and pay, for

Penalty for taki g fish contrary to law.

Penalty for obstructing

passage.

Proviso.

each salmon, two dollars; for each shad, one dollar; and for each alewive, twenty cents, so taken, except such shad as may unavoidably be taken in nets or machines set or used for the express purpose of catching salmon between the fifteenth day of June and the first day of July annually. And any person who shall set or allow to continue, in any of the waters aforesaid, any net, seine or other machine for Shall not set catching any of the said fish, at any time or times other seine at any than is herein allowed for taking said fish, shall forfeit and than herein pay a fine not exceeding ten dollars, nor less than five dol- provided lars; and any person who shall use any net, seine or other machine for catching said fish, in any of said waters, or who shall, by joining two or more nets or seines, that together shall extend more than one third the way across the streams or waters where the same may be used, or whose nets or seines for drifting shall be more than twelve feet deep, shall forfeit and pay a fine not exceeding twenty, nor less than five dollars.

SEC. 3. Be it further enacted, That any person who shall erect any circular or other weare, for the purpose of Erection of taking any of the said fish in any of the waters aforesaid, weare, &c. and shall neglect to keep open one clear passage way in each pound, enclosure, or apartment of such weare, for the fish to pass out, at least ten feet high from the bottom of such weare, and four feet wide, from sun-rise on Friday in each week to sun-rise on Monday the succeeding week, as aforesaid, shall forfeit and pay a fine not exceeding one hundred dollars, nor less than twenty dollars, for each offence. And no such weare shall be erected or continued in any of the waters aforesaid, until application shall be made to the selectmen of the town in which such weare is contemplated to be erected or continued, nor until such selectmen have given a licence therefor; and every applicant for leave to erect or continue such weare shall, before Applicant to such licence is granted, give bond, with sufficient sureties, give bond. in a sum not exceeding five hundred dollars nor less than three hundred dollars, to the treasurer of, and for the use of such town, conditioned to pay any fine that may be incurred under this act, by reason of such weare being used for the purpose of catching any of said fish contrary to the provisions of this act. And any person who shall set any net or seine within four rods of any passage-way from such weare, shall forfeit and pay a fine of ten dollars.

Penalty for salting fish.

Sec. 4. Be it further enacted, That if any person shall purchase or salt any fresh shad or alewives after the sixteenth day of June annually, or fresh salmon after the second day of July annually, such person shall forfeit and pay, for each fish so purchased or salted, the same fines as are provided by the second section of this act; and any person who shall catch any of said fish in any manner whatever between the first day of July and the first day of December annually, shall forfeit and pay the same fines for each fish so taken. And any person who shall, at any time, catch any of the said fish in any of the waters of said river, or in any stream or pond emptying into said river, above the river Piscataquis, shall forfeit and pay the like fine for every fish so taken.

May seize and boats.

Sec. 5. Be it further enacted, That all nets, seines and boats, used for catching any of the said fish, and all fish taken contrary to the provisions of this act, shall be fornets, seines, feited, and may be seized, while so used, by any fishwarden or other person authorised to carry the provisions of this act into effect, and libelled before any Justice of the Peace for the county of Hancock, who, thereupon, shall post a notification in some public place, describing the articles libelled, and naming a time and place when a hearing shall be had theron, which shall not be more than forty-eight, nor less than twenty-four hours from the time of receiving such libel; and if no person shall appear to claim said articles, or if any person shall appear and claim, and shall not show sufficient cause why the same should not be forfeited, the said Justice shall adjudge the said articles to be forfeited, and shall order the same to be sold at public vendue, and the money arising from such sale, after deducting legal costs, paid over as is herein provided for other fines and forfeitures.

Selectmen

Sec. 6. Be it further enacted, That the selectmen of every town, and the assessors of every plantation adjoining the waters aforesaid, shall, on or before the tenth day of shall appoint April annually, appoint three or more discreet inhabitants fish-wardens of such town or plantation, who shall not be concerned in catching any of the said fish, and who shall not be interested in any dam or other obstructions in said waters, as fish-wardens; and it shall be the duty of said selectmen or assessors to assign to each warden so appointed, his ward or district therein, and the persons so appointed shall

be sworn faithfully and impartially to discharge the duties required of them by this act: and any person appointed fish-warden as aforesaid, who shall not, within seven days Penalty for atter having been notified thereof, qualify himself accord- fish-warden not qualifyingly, shall forfeit and pay a fine of twenty dollars; and ing himself. the said selectmen or assessors, as often as such neglect shall happen, shall continue to appoint as aforesaid, until the office is filled; and every selectman or assessor who shall neglect to perform the duties aforesaid, shall forfeit and pay a fine of ten dollars for each week they shall so neglect, after the tenth day of April annually: Provided always. That no person shall be obliged to serve as fishwarden more than one year in three.

SEC. 7. Be it further enacted, That it shall be the duty of every such fish-warden, to examine and inspect his ward Duty of fishor district, and he shall have authority to examine and in wardens. spect any other ward, district, or place, in any of the waters aforesaid, and to cause the provisions of this act to be carried into full effect, to give information and prosecute all breaches of this act, and it shall likewise be the duty of grand-jurors, coroners, and constables, to do the same; and all fines and forfeitures incurred under this act, may be recovered by complaint, action of debt, or indictment, before any Justice of the Peace or other court having competent jurisdiction, one moiety to the use of the town or plantation where the offence shall be committed, and the other moiety to the use of the plaintiff or informer; and no person shall be precluded from being a competent witness in the trial of any libel, complaint, or indictment, by reason of his being entitled to any part of said fine or forfeiture; and every such fish-warden, appointed and sworn Penalty for as aforesaid, who shall neglect or refuse faithfully to per-neglect. form the duties required of him by this act, shall forfeit and pay a fine not exceeding one hundred dollars nor less than twenty dollars; and every fish-warden, appointed and sworn agreeable to this act, shall be entitled to receive from the town or plantation in which he resides, one dollar for each and every day he shall be actually employed in carrying into effect the provisions of this act.

SEC. 8. Be it further enacted, That no fine which may be incurred under this act shall be recovered, unless pro-Recovery of secution therefor shall be commenced within six months Fines, &c. after the offence shall have been committed.

repealed.

Proviso.

Sec. 9. Be it further enacted, That this act shall be in force from and after the first day of April next, and that Former acts after said day all laws heretofore made for the purposes aforesaid, be, and the same are hereby repealed, excepting "An act to prevent the destruction of the fish called shad and alewives, in their passage up and down the river and other streams in the town of Orington, in the county of Hancock, and for regulating the taking and disposing of said fish," passed February ninth, one thousand eight hundred and seven: Provided however, That the fourth section of the last mentioned act be so far repealed, as that the committee, named in said section, shall appoint five days in each week, from the first day of May to the first day of July annually, (instead of the days and times therein mentioned,) when said fish shall be taken: Provided nevertheless, That all prosecutions and processes now pending shall proceed to final judgment and execution as if this act had never been made.

[Approved by the Governor, February 22, 1814.]

## CHAP. CXLV.

An Act to incorporate The Troy Cotton and Woollen Manufactory.

Sec. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the

ed 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 Man-

authority of the same, That Sheffel Weaver, James Max-Persons inwell, James Driscol, Daniel Buffinton and Nathaniel Wheeler, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Troy Cotton and Woollen Manufactory, for the purpose of manufacturing cotton and woollen varn and cloth, in the town of Troy, in the county of Bristol; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements contain-

ufacturing Corporations."

corporated.

Sec. 2. Be it further enacted, That said Corporation may be lawfully seized and possessed of such real estate. not exceeding the value of one hundred thousand dollars, May hold reand such personal estate, not exceeding the value of one al and personal estate. hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, February 22, 1814.]

#### CHAP. CXLVI.

An Act to incorporate The Adams South Village 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 Jonathan Richardson, Russell Persons in-Brown, Humphry Anthony, Eli Green, Jesse Whipple, corporated. Arthur Field, David Anthony, jun. and Isaac Brown, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Adams South Village Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and varn, in the town of Adams, in the county of Berkshire; and for the purpose aforesaid shall have all the powers and privileges, and shall also be subject to all the duties and requirements, 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.

Sec. 2. Be it further enacted, That said Corporation, in their corporate capacity, shall and may lawfully hold and May hold real and perpossess such real estate, not exceeding in value thirty thou-sonal estate. sand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactories aforesaid.

Approved by the Governor, February 22, 1814.7

# CHAP. CXLVII.

An Act to regulate the Fishery in Aggawaum or Westfield River.

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 passing of shall not set this act, any person or persons who shall draw a seine, or drag-net within thirty rods of the lower side of the dam, or race-way at White's mills, on Aggawaum River, in the town of West Springfield, for the purpose of catching shad, alewives or other fish, shall, for each and every offence, forfeit and pay the sum of five dollars for each time he or they shall so draw said seine, together with the forfeiture of the boat and seine.

Shall not set pot, &c.

seine, &c.

Sec. 2. Be it further enacted, That if any person or persons shall set any pot, net, weare or hurdell, within thirty rods of said dam, or race-way, for the purpose of catching fish of any kind, he or they shall, for each and every offence, severally forfeit and pay the sum of five dollars, for every twelve hours, said pot, net, weare or hurdell, shall be placed in the said river, and so in proportion for a greater or less time.

Shall not scoop-net.

Sec. 3. Be it further enacted, That any person who shall attempt to catch fish with a scoop-net, within the catch with a aforesaid distance of the lower side of said dam, or in or near the sluice-way made for the passage of fish through said dam, shall, for each and every offence, forfeit and pay the sum of one dollar.

Fines and forfeitures.

Sec. 4. Be it further enacted, That all the fines and forfeitures, incurred by a breach of this act, may be recovered, in an action on the case, before any Justice of the Peace for the county of Hampden.

[Approved by the Governor, February 22, 1814.]

# CHAP. CXLVIII.

An Act to establish a Corporation for building a Bridge at Hall's Gurnet, between the towns of Brunswick and Harpswell.

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 inhabitants of that part of the town of Harpswell, living on the island of Sebascodegan, east of the Long-reach mountain, as now have, or to rebuild shall hereafter associate, shall be, and hereby are empow- Bridge. ered to rebuild and keep in repair a bridge, which was built in the year of our Lord one thousand seven hundred and ninety, over the waters between the towns of Brunswick and Harpswell, at a place called Hall's Gurnet; and for this purpose shall have all the powers and privileges incident, and usually given to Bridge Corporations, (as far as they are applicable and necessary for the purposes of this act,) by the name of The Harpswell Gurnet Bridge Corporation: Provided that the said bridge shall always Provisor be free, and no toll shall ever be demanded of any passenger for passing the same. And the said corporation in choosing their officers, in making and collecting their assessments, in recovering assessments of delinquents, in obtaining judgment for damage wantonly or maliciously done to the said bridge by any person, in fixing the time and mode of calling future meetings, and in all other cases where a rule or precedent may be necessary for their conduct, the said corporation shall govern themselves by the same rules, and use the same provisions, as are made in the "Act for incorporating certain persons for building a bridge over Amerescoggen river, between Brunswick and Topsham, and for supporting the same."

Sec. 2. Be it further enacted, That the said corporation shall have the right to recover against any inhabitant living on the east side of said mountain, not a member of Recovery of said corporation, who, or whose family, or labourers, shall Toll. pass said bridge, ten dollars annually, until they become members of said corporation, which they may do at any time hereafter, by leaving their names with the clerk of

said corporation, signifying their intention to become members thereof.

Sec. 3. Be it further enacted, That any Justice of the Justice to is-Peace for the county of Cumberland, upon application sue warrant. therefor, is hereby empowered to issue a warrant, directed to one of the inhabitants of the said island of Sebascodegan, requiring him to notify and warn a meeting of the said Harpswell Gurnet Bridge Corporation, at such convenient time and place as shall be appointed in the said warrant, to organize the said corporation.

[Approved by the Governor, February 22, 1814.]

#### CHAP. CXLIX.

An Act establishing The Nobscusset Point Pier Company.

Persons incorporated.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Daniel Howes, Henry Hall, Zenas Howes, John Howes, Jun. and Oran Howes, and all such persons as are, or shall be associated with them, and their successors, shall be a corporation, by the name of The Nobscusset Point Pier Company, and shall by that name sue and be sued, implead and be impleaded, and shall and may appear, prosecute, and defend in all actions or suits, for or against them, till final judgment, execution and satisfaction; and they shall have a common seal, and shall be capable in law, to take by purchase or otherwise, and to hold, and convey real estate: Provided, That the whole real estate which the company may at any one time hold, or possess, in their corporate capacity, shall not exceed twenty thousand dollars in value.

Proviso.

SEC. 2. Be it further enacted, That the said Pier shall be erected upon the easterly side of Nobscusset Point, (so called) in the town of Dennis, in the county of Barnstable, to be built of stone and timber; and to commence at a sufficient distance from high water mark, at said point, and to run easterly six hundred feet, more or less.

Sec. 3. Be it further enacted, That the said Daniel Howes, Henry Hall, and Zenas Howes, or any two of them, may call a meeting of said corporation, by giving notice

tere to

in posting up an advertisement at Dennis north meeting-May call a house in said town, at least ten days before the time of meeting. meeting; and at that or any other legal meeting, the said corporation may agree on the mode of calling and warning future meetings, and may elect a President, Trustees, Clerk, or such other officers as they may judge fit for the orderly conducting of their affairs, and the prudent management of their estate; and such officers, at their pleasure may change or remove, and at all their meetings, the proprietors present may vote according to their interest in said property, allowing one vote to each share: Provided Proviso. however, that no person shall have more than five votes, and absent proprietors may vote by proxy, authorised in writing; and the proprietors of said corporation may, at any legal meeting, adopt such by-laws, rules and regulations, as shall be necessary and convenient for the management of their affairs: Provided, the same are not re- Proviso. pugnant to the laws or constitution of this Commonwealth.

Sec. 4. Be it further enacted, That the shares of any person in said Pier Company, may be attached on mesne process, or taken and sold on exceution, in the manner Attachment pointed out by an act, entitled "An act directing the of property. mode of attaching on mesne process, and selling by execution, shares of debtors in incorporated companies."

Sec. 5. Be it further enacted, That the shares of each Personal esproprietor in said corporate property shall be, and be contate. sidered in all respects personal estate, and shall be transferred in such manner, as the proprietors by their laws shall provide and direct.

[Approved by the Governor, February 22, 1814.]

# CHAP. CL.

An Act for the encouragement of Literature, Piety and Morality, and the useful Arts and Sciences.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the tax which the President, Directors and Company of the Massachusetts Bank, are, and shall be liable to pay to the Commonwealth, shall be,

propriated.

and hereby is granted and appropriated, for ten years next to come, as follows, viz.: ten sixteenth parts thereof to Tax, how ap- the President and Fellows of Harvard College: three sixteenth parts thereof to the President and Trustees of William's College; and three sixteenth parts thereof to the President and Trustees of Bowdoin College.

> Sec. 2. Be it further enacted, That the President, Directors and Company of the Massachusetts Bank be, and they are hereby authorised and required to pay the said tax to the said Colleges, in the proportion aforesaid, in lieu of paying the same into the treasury of this Commonwealth.

> SEC. 3. Be it further enacted, That at least one fourth part of the sums to be received by the said Colleges, shall be appropriated for, and towards the partial or total reduction of the tuition fees of such students, not exceeding one half the number of any class, who may apply therefor, according to the judgment of the respective corporations of said colleges.

Approved by the Governor, February 24, 1814.

#### CHAP. CLL

An Act to incorporate the Linum and Duck Manufacturing Company.

Persons incorporated.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Joseph R. Newhall and Amos Binney, together with their associates, successors and assigns, be, and hereby are incorporated by the name of The Linum and Duck Manufacturing Company, for the purpose of spinning and manufacturing flax, hemp, (or whatever else can be manufactured with a certain machine called the Linum Spinner) in the town of Lynn, in the county of Essex, and one other town within this Commonwealth; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements of an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

Sec. 2. Be it further enacted, That the said corporation may lawfully hold and possess real estate, to the value of real and perfifty thousand dollars, and personal estate, to the value of sonal estate.

one hundred and fifty thousand dollars.

SEC. 3. Be it further enacted, That Joseph R. Newhall, is hereby authorised to call the first meeting of the corpoing. ration, at such time and place, as he may deem proper, within the town of Boston, by giving to each proprietor due notice in writing of the time, place, and purposes of such meeting.

Approved by the Governor, February 24, 1814.

#### CHAP. CLII.

An Act for dividing the Commonwealth in Districts, for the choice of Counsellors and Senators.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court asssembled, and by the authority of the same, That from and after the passing of this act, the Commonwealth be, and hereby is divided in-wealth disto sixteen districts, for the choice of Counsellors and Sen-tricted. ators; and that each district be, and is hereby authorised and directed to choose the number of Counsellors and Senators thereto respectively affixed, in the manner prescribed by the constitution and laws of this Commonwealth.

The county of Suffolk shall form one district, and choose Counties six Senators.

The county of Essex shall form one district, and choose five Senators.

The county of Middlesex shall form one district, and choose three Senators.

The counties of Hampshire, Hampden and Franklin, shall form one district, and choose three Senators.

The county of Bristol shall form one district, and choose two Senators.

The county of Plymouth shall form one district, and choose two Senators.

The county of Barnstable shall form one district, and choose one Senator.

The counties of Dukes' county and Nantucket shall form one district, and choose one Senator.

The county of Worcester shall form one district, and

choose four Senators.

The county of Berkshire shall form one district, and choose two Senators.

The county of Norfolk shall form one district, and choose two Senators.

The county of York shall form one district, and choose two Senators.

The county of Cumberland shall form one district, and choose two Senators.

The counties of Lincoln, Hancock and Washington, shall form one district, and choose three Senators.

The county of Kennebeck shall form one district, and

choose one Senator.

The counties of Somerset and Oxford shall form one district, and choose one Senator.

[Approved by the Governor, February 24, 1814.]

#### CHAP. CLIII.

An Act to incorporate The Boston Asylum for Indigent Boys.

Preamble.

WHEREAS William Phillips, James Lloyd, William Sullivan, Benjamin Green, and Samuel H. Walley, and a number of other persons, have associated for the charitable purpose of relieving, instructing, and employing indigent boys belonging to the town of Boston, and to carry their association into effect, have petitioned to be incorporated:

Sec. I. Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Persons in-authority of the same, That the said William Phillips and his associates, together with such others as may become subscribers to the same institution, in the manner herein after provided, be, and they are hereby incorporated into a society, by the name of The Boston Asylum for Indigent Boys, and by that name, shall be a corporation forever, with power to have a common seal, to make con-

tracts relative to the objects of their institution, to sue and be sued, to establish by-laws and orders for the regulation of the said society, and the preservation and application of the funds thereof: Provided, the same be not repugnant Proviso. to the constitution or laws of this Commonwealth. To take, hold and possess any estate, real or personal, by subscription, gift, grant, purchase, devise, or otherwise, free from taxes, and the same to improve, lease, exchange, or sell and convey, for the sole benefit of said institution: Provided, That the value of the real estate of said society, Proviso. shall never at any one time, exceed fifty thousand dollars, and the annual income of the whole estate of said society, shall not exceed twenty thousand dollars.

Sec. 2. Be it further enacted, That every person who Annual Subshall subscribe, and pay to the funds of said society a sum scription. not less than three dollars annually, shall, by such subscription and payment, become a member of said society, liable, however, to be removed therefrom, on neglect or refusal to pay the annual subscription aforesaid.

SEC. 3. Be it further enacted, That the said society Time and shall meet in Boston, on the first Monday in May annual and place of meeting. ly; for the purpose of electing by ballot from their members, a President, Vice-President, Treasurer, Secretary, and a board of not less than six, nor more than nine managers, in addition to the President, Vice-President, and Treasurer of the society, who shall always be ex officiis members of the board of managers; all which officers shall hold their respective offices for one year, and until others shall be elected to succeed them; except in case of vacancy by death, or resignation; in which case the board of managers shall have power to fill such vacancy, until May call a the ensuing annual election; and the said Board of Man-meeting. agers shall have power to call a meeting of the said society whenever they may deem it expedient; and it shall be their duty to call such meeting whenever requested thereto by fifty of the subscribers, and to give notice of the annual meetings, by advertisement, in at least two of the newspapers printed in Boston, at least seven days before such meeting: Not less than three managers shall form a quorum for the transaction of business, and all questions shall be decided by the votes of a majority of the managers present. And at all meetings of the society or the managers, the President shall preside, or if absent, the Vice-

President; and in case of the absence of both of the said officers, such person shall preside as the society, or the board of managers, at their respective meetings may elect.

Sec. 4. Be it further enacted, That the treasurer of the society shall give bonds for the faithful performance of Treasurer to the duties of his office, and to render accounts of his transactions therein, as often as may be required by the board of managers, in such sum, and with such sureties, as to the said board of managers may be acceptable; and any officer or member of the said society, may be removed therefrom, on the vote of a majority of the whole number of members of which the society may at the time consist.

> SEC. 5. Be it further enacted, That the board of managers, for the time being, shall have the entire direction

of Property.

and controul of the concerns, business, and interest of the society, and shall have the management and application of Management all the subscriptions, donations, funds and estate of the society, to be appropriated solely for the uses of the society; and no sale or transfer of any real or personal estate of said society shall be valid, unless approved by them; and no money shall be paid out of the treasury of said society, except by their order; they shall likewise have authority, at their discretion, to take into their Asylum, such indigent boys belonging to the town of Boston, as they may judge to be suitable objects of charity, to enjoy the benefit of the institution; and also to accept a surrender in writing by the father, or where there is no father, by the mother or guardian of any indigent boy as aforesaid. to the care and direction of said society, and to bind out in virtuous families, or to reputable trades or occupations, or to educate in such manner as they may deem beneficial, until the age of twenty-one years, any such indigent boy or boys, thus surrendered, or any such boy, who being destitute of parents within this Commonwealth, shall have been relieved and supported by the society: Provided, that any parent whose child or children shall have received relief, or have been bound out as aforesaid, during the absence of such parent from this state, shall have liberty on his or her return to the state, to receive and withdraw such child or children on paying to the treasurer of the society the expense incurred in his or their relief and support as aforesaid. And the managers shall have authority to establish any rules and regulations for

Proviso.

the proceedings of the board and the concerns of said society, not repugnant to the laws of this Commonwealth, or

the by-laws of said society.

Sec. 6. Be it further enacted, That any writ or pro- Manner of cess against said corporation, may be served by the offi- serving & cer's leaving an attested copy thereof with the treasurer of writ. said society, or at his last or usual place of residence, thirty days before the return day thereof; and the said treasurer, or any person appointed for that purpose by the society, or by the managers, may appear by attorney and defend or prosecute any suit in behalf of said society; and all instruments of conveyance or contract which may lawfully be made by said society, shall be approved by the managers, and signed by the President or Vices President, as the board may direct, and countersigned by the Secretary, and if necessary, sealed with the common seal of said society, and when so executed, shall be binding thereon and valid in law.

Sec. 7. Be it further enacted, That Benjamin Green be, and he hereby is authorised to call the first meeting of First meetthe said society, by giving public notice of the time and ing. place of meeting, by advertisement in one or more of the newspapers printed in the town of Boston, at least three days prior to such meeting, and at which meeting the officers before mentioned of the society shall be elected, and shall hold their offices until the first annual election of officers shall be holden agreeably to the provisions of this act.

Approved by the Governor, February 24, 1814.

## CHAP. CLIV.

An Act to establish The Walpole Manufacturing Company.

Sec. 1. DE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Samuel Dexter, James Richardson, Eli Persons in-Bonney, Timothy P. Whitney, Samuel Whitney, Lovett corporated Kingsbury, William Bacon, David Ruggles, James Clark, and Sewall Sanford, together with such others as have, or may hereafter associate with them, their successors and

assigns, be, and they are hereby made a corporation, by the name of The Walpole Manufacturing Company, for the purpose of manufacturing cotton and woollen goods in the town of Walpole, in the county of Norfolk; 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."

SEC. 2. Be it further enacted, That said corporation may be lawfully seized and possessed of such real estate, at and per not exceeding the value of fifty thousand dollars, and such sonal estate, personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on

the manufacture aforesaid.

[Approved by the Governor, February 24, 1814.]

#### CHAP. CLV.

An Act to establish The Stony Brook Manufacturing Company.

Persons incorporated.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That David Gilbert, Josiah J. Fiske, Richard Briggs, Daniel Cook, Richard Sayles, and Willard Sayles, together with such persons as have, or may be hereafter associated with them, their successors and assigns, be, and hereby are made a corporation, by the name of The Stony Brook Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Wrentham, and county of Norfolk; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing corporations."

SEC. 2. Be it further enacted, That the said corporation May hold remay be lawfully seized of such real estate, not exceeding al and personal estate, the value of thirty thousand dollars, and such personal estate.

tate, not exceeding seventy thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactory as aforesaid.

Approved by the Governor, February 24, 1814.7

### CHAP, CLVI.

An Act to incorporate The Second Oxford Agricultural Society.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Robert Carr, Thomas Clark, Shubael Tripp, Reuel Burrows, Gideon Cushman, Jun. Persons incorporated their associates and successors, be, and they hereby are made a corporation, by the name of The Second Oxford Agricultural Society; and for this purpose shall have the same powers and privileges, and be subject to the like duties and restrictions, as the other incorporated Agricultural Societies in this Commonwealth. And the said corporation may lawfully hold and possess real estate, not exceeding twenty thousand dollars, and the annual income of its personal estate shall not exceed two thousand dollars.

SEC. 2. Be it further enacted, That any Justice of the Peace for the county of Oxford is hereby authorised to issue a warrant, directed to one of the members before Justice to isnamed, requiring him to notify and warn the first meeting sue warrant. of the said society, to be holden at such convenient time and place, as may be appointed in said warrant, to organize the said society, by the election of the necessary officers. Approved by the Governor, February 24, 1814.7

#### CHAP. CLVII.

An Act respecting the times and places for holding the Courts of Probate in the county of Hampshire.

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 passing of this act, there shall be holden in the town of Belchertown,

Times and places of holding court.

in the county of Hampshire, two Courts of Probate in each year, at such places therein, and at such times in the year, as the Judge of Probate for the said county shall appoint.

SEC. 2. Be it further enacted, That from and after the passing of this act, the Judge of Probate for said county of Hampshire shall not be obliged to hold in the town of Amherst, in said county, more than two Courts of Probate in each year, to be holden therein at such times and places as the said Judge of Probate shall appoint, any law to the contrary notwithstanding.

[Approved by the Governor, February 24, 1814.]

### CHAP. CLVIII.

An Act in addition to an act, entitled "An act to incorporate the Massachusetts General Hospital."

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 Massachusetts General Hospital be, and the said corporation hereby is authorised to grant annuities on the life or lives of one or more persons, or for shorter terms of time, on such conditions, and with such security, as the said corporation and the annuitant or annuitants, may agree upon.

May grant annuities.

Trustees.

Sec. 2. Be it further enacted, That if at any time hereafter it shall appear to the Legislature, that the privilege of granting annuities, hereby given to the said corporation, shall be injurious to the public welfare, the power of the Legislature to repeal this act, authorising such annuities, shall not be denied or impaired; but such repeal shall not effect any engagement to which said corporation may have become a party previous thereto. And it shall be the duty of the Trustees of the said Massachusetts General Daties of the Hospital to transmit to the Governor and Council of this Commonwealth for the time being, annually, on the first Monday in January of each year, an accurate account of all annuities by them sold or granted, by virtue of this act, signed by the said trustees or a major part of them, and attested by the Treasurer of the corporation.

[Approved by the Governor, February 24, 1814,]

# CHAP. CLIX.

An Act to incorporate The Watertown Woollen Manufactory 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 Stephen Cook, Daniel Boyden, Persons in-James Cook, Thaddeus Cole, Isaac Patten, Aaron Clap, corporated. and Tyler Bigelow, with such as already have, or hereafter may associate with them, their successors or assigns, be, and hereby are made a corporation, by the name of The Watertown Woollen Manufactory Company, for the purpose of manufacturing woollen cloths in the town of Watertown; 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."

SEC. 2. Be it further enacted, That said corporation may be lawfully seized and possessed of such real estate, May hold renot exceeding twenty thousand dollars, and such personal al and personal sonal estate. estate, not exceeding one hundred thousand dollars in value, as may be necessary and convenient for the carrying on the manufactory aforesaid.

Approved by the Governor, February 24, 1814.7

### CHAP. CLX.

An Act in further addition to an act, entitled "An act defining the general power and duty of Turnpike Corporations."

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That every traveller, being about to pass any turnpike gate or toll bridge, within this Commonwealth, and claiming to be exempted by law from the payment of toll, shall, if required by a toll gatherer, first

deliver to him his name and place of abode; and whoever shall, for the purpose of avoiding the payment of toll at Duty of tra- any such gate or bridge, wilfully give a false account to a toll gatherer of his name or place of abode, and thereby pass the gate, toll free, shall forfeit and pay to the use of such Corporation, for every such offence, the sum of ten dollars, to be recovered by the Treasurer of said Corporation by action of debt.

Roads and passways.

Sec. 2. Be it further enacted, That if any person or persons shall open or make any road or passway leading from any turnpike road within this Commonwealth, and reunite said road or passway with the same turnpike road or any other road connected therewith, with an intent and for the purpose of avoiding, or aiding others to avoid, any gate on such turnpike road, he or they shall forfeit and pay to the use of such turnpike Corporation, so intended to be injured, a sum not less than two hundred dollars. nor more than one thousand dollars, to be recovered by the Treasurer of such turnpike Corporation, in an action of trespass on the case: Provided however, that nothing in this section contained shall be construed to extend to the opening or making of any county road.

Sec. 3. Be it further enacted, That all loaded carts or waggons, passing on any turnpike road within this Com-

Width of felloes.

Duty of the Drivers.

monwealth, carrying more than forty-five hundred gross weight, shall, from and after the first day of July next, be drawn on wheels having each a felloe not less than three and an half inches wide; and if any person or persons shall, after the said first day of July next, pass on any turnpike road in this Commonwealth with a cart or waggon loaded as aforesaid, with narrower felloes than is above provided, he or they shall pay to such Turnpike Corporation three times the legal toll for such loaded cart or waggon. And it shall be the duty of any person or persons driving or having the care of a loaded cart or waggon, passing on any turnpike road as aforesaid, upon the request of the toll gatherer, to give a true account of the weight of his load, and also his name and place of abode; and if he shall refuse to give, or wilfully misrepresent the weight of his load, or shall give a false account of his name or place of abode, with intent to defraud any Turnpike Corporation, he shall forfeit and pay to the use of such Turnpike Corporation the sum of ten dollars for every such offence, to

be recovered by the treasurer of such Turnpike Corporation by action of debt.

Sec. 4. Be it further enacted, That if any owner or person, having the care of any drove of neat cattle or horses, and driving the same over any turnpike bridge, or over any toll bridge within this Commonwealth, shall permit more than twenty neat cattle or horses to be on any such Regulations bridge, which shall be more than fifty feet in length from of Tollgathe one abutment, pier, or trussel part to another, at one and erers. the same time, without the consent of the toll gatherer or agent of said corporation; or if any owner or person shall drive or transport over any such bridge, without the consent of the toll gatherer or agent thereof, any loaded cart or waggon, or other carriage, the weight whereof shall exceed forty-five hundred gross weight, exclusive of the team and carriage, and shall thereby break down or injure such bridge, such person or persons, owner or owners, shall not recover any damages of the corporation owning said bridge.

Sec. 5. Be it further enacted, That if any person driving or having the care of any loaded cart or waggon passing on any turnpike road within this Commonwealth, from Loaded carand after the first day of July next, shall lock, chain, or fasten any of the wheels of such loaded cart or waggon, without putting under such locked, chained, or fastened wheel, an iron shoe, not less than six inches wide and twelve inches long, such person driving or having the care of such loaded cart or waggon, shall for every offence forfeit and pay to such Turnpike Corporation a sum not less than two dollars, nor more than twenty dollars, to be recovered by the treasurer of such Turnpike Corporation in an action of trespass on the case.

Sec. 6. Be it further enacted, That if any turnpike or bridge corporation, or any agent thereof, shall unreasonably delay or hinder any person, driving any cart or wag-Penalty for delay. gon, sleigh or carriage, from passing any turnpike gate or toll bridge, such turnpike or bridge corporation shall forfeit and pay to such person so delayed or hindered, a sum not less than two dollars nor more than twenty dollars, to be recovered by such person by a special action of the case.

Approved by the Governor, February 24, 1814.7

### CHAP, CLXI.

An Act in addition to an act, entitled "An act to incorporate certain persons, for the purpose of building a Bridge over Sebasticook river, in the town of Winslow."

SEC. 1. DE 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, the proprietors of the Sebasticook Bridge, in the to erect sign town of Winslow, shall be obliged to erect and constantly keep exposed to public view, but one sign or board, upon which shall be written the rates of toll, and all tollable articles, in large and capital letters, any thing in the act incorporating the said proprietors to the contrary notwithstanding.

Sec. 2. Be it further enacted, That the location of the Sebasticook Bridge, in the town of Winslow, shall be deemed, held, and taken to be as valid and legal a location, as though the same had been signed, certified, and returned into the office of the Register of Deeds, in the county of Kennebeck, by the Selectmen of the town of Winslow, in three months from said location, as is provided in and by the act incorporating the said proprietors.

SEC. 3. Be it further enacted, That the proprietors of Rates of toll. the Sebasticook Bridge, in the town of Winslow, from and after the passing this act, shall be entitled to take and receive, for all sheep and swine passing said bridge, the sum of six cents for each dozen, and at that rate for a greater or less number.

Approved by the Governor, February 24, 1814.7

### CHAP. CLXII.

An Act to incorporate The Maine Charity School, in the county of Hancock.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That there be, and hereby is estab-

Location of Bridge.

Proprietors

board.

lished in the county of Hancock, a literary seminary, by the name of The Maine Charity School, for the purpose School established. of promoting religion and morality, and for the education of youth in such languages, and in such of the liberal arts and sciences, as the trustees thereof shall, from time to time, judge the most useful and expedient for the purposes of said seminary, and as they may accordingly order

Sec. 2. Be it further enacted, That the number of the Number of said trustees shall never be more than fifteen nor less than Trustees nine, seven of whom shall be a quorum for doing busi-limited ness; and the said trustees who are by this act, with their associates and successors, created a corporation and body politic, shall be, and hereby are declared to have perpetual succession, with all the powers and privileges actually given to, and exercised and enjoyed by other institutions of the like nature and purpose. And the said corporation shall have and use a common seal, subject to alteration and change, when they see cause; and all deeds or other instruments, given by said trustees, shall be sealed with said seal, and when signed, sealed, executed, acknowledged, and delivered, by the treasurer of said corporation, shall be binding on the said corporation, and shall be good and valid in law.

Sec. 3. Be it further enacted, That the said trustees shall have power to elect by ballot a President, Vice Pre- Empowered sident, Secretary, and Treasurer, and to appoint such other to elect offiofficers and instructors in said seminary, as they may, from cers. time to time, judge necessary; to fix the tenure of their respective officers, and to define their several powers and duties; to vacate the place of any trustee, officer, or instructor, when, in their opinion, by reason of age, misconduct, or other cause, he has become incapable of discharging the duties of his office; to fill all vacancies which may so happen; to fix the times and places for holding the meetings of said corporation, and the mode of notifying the members; and to prescribe and establish such reasonable ordinances, statutes, and by-laws, as will best pro-By-laws, mote and cultivate a temper of subordination, and a just and mild government in said seminary; and to annex reasonable penalties for neglect of duty or a breach of the laws: Provided however, That such ordinances, statutes, Provison and by-laws shall never be repugnant to the constitution

and laws of this Commonwealth. And the said trustees shall be the visitors, overseers, and governors of said seminary; but no one shall ever be a trustee, or hold any office in said seminary, who is not a native born citizen.

sonal estate.

SEC. 4. Be it further enacted, That said trustees, in be-May hold re- half of said seminary, may receive and hold in fee simple, or al and per otherwise, by gift, grant, demise, devise, bequest or otherwise, any lands, or other estate, real or personal: Provided the annual income thereof shall not exceed the sum of fifteen thousand dollars; and the said trustees may sell. demise, grant, or otherwise dispose of the same, and apply the proceeds, rents, and profits thereof in such way, as they may judge will be most conducive to the general interest of said seminary, and the promotion of piety and literature. And said corporation are hereby made capable in law to sue and be sued, in all actions, real, personal and mixed, and to prosecute and defend the same to final judgment and execution, by the name of The Maine Charity School, and said trustees may at any time appoint an agent to prosecute or defend such suit.

Trustees appointed.

Sec. 5. Be it further enacted, That Rev. John Sawyer, Kiah Bayley, Eliphalet Gillet, William Jenks, Mighill Blood, Asa Lyman, David Thurston, Harvey Loomis, Hon. Ammi R. Mitchell, and Samuel E. Dutton, Esq. be, and they hereby are appointed and constituted the first board of trustees for said seminary, by the name of The Trustees of the Maine Charity School.

First Meeting.

Sec. 6. Be it further enacted, That Samuel E. Dutton, Esq. is hereby authorised to appoint the time and place of holding the first meeting of said trustees under this act, by giving written notice thereof to each and every one of said trustees.

Approved by the Governor, February 25, 1814.

#### CHAP. CLXIII.

An Act to establish a Cotton and Wool Factory Company in the town of Frankfort.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Philo H. Washburn, Simeon

Kenney, Tisdale Dean, William M'Glathry, and Seth Persons in-Kempton, together with such others as may hereafter associate with them, and their successors and assigns, be, and they are hereby made a corporation, by the name of The Frankfort Cotton and Wool Factory Company, for the purpose of manufacturing cotton and woollen cloth and varn in the said town of Frankfort, in the county of Hancock; 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, in the year of our Lord one thousand eight hundred and nine.

SEC. 2. Be it further enacted, That said corporation, May hold rein their corporate capacity, may lawfully hold and possess at and perreal estate, not exceeding twenty thousand dollars, and personal estate, not exceeding forty thousand dollars, for carrying on the manufactory aforesaid.

[Approved by the Governor, February 25, 1814.]

### CHAP. CLXIV.

An Act making further provision for regulating Pilotage in the Port of Salem.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That whenever any person shall obtain from the Salem Marine Society, or the Salem East-India Marine Society, a certificate, that in the opinion of either of said societies, he is capable and suitable to undertake the business of pilotage, into or out of the port of Salem, and that the appointment of such person, as an inward, or outward pilot, or both, would conduce to the public service, the Governor with advice of Council be, Governor to and he is hereby empowered to grant to such person a issue comcommission, or branch, for him to exercise such pilotage as aforesaid, with power of substitution in certain cases to be therein prescribed, and the same to demand, and recall whenever either of said societies shall certify that the said

person is rendered incapable or improper to be continued in said business, or that in the opinion of said society, such pilot is no longer required by the public interest.

Power and duty of Pi-Lots. SEC. 2. Be it further enacted, That the pilots and their deputies, appointed by virtue of this act, shall have all the authorities, perform all the duties, and be subject to all the requirements, provided in an act, entitled "An act for regulating pilotage in several ports in this Commonwealth," made and passed on the eleventh day of July, in the year of our Lord one thousand seven hundred and eighty three, so far as the same shall apply to the particular pilotage, to which they may respectively be apppointed, and the fees of the said pilots shall be determined and fixed by the Governor and Council, in manner as is provided in the fifth section of the said act; all the provisions of which act shall apply to them, except so far as may be inconsistent with the provisions of this act.

Part of act repealed.

SEC. 3. Be it further enacted, That so much of the said act for regulating pilotage in several ports in this Commonwealth, as empowers the Governor with advice of Council, to appoint two pilots for the port of Salem, be, and the same hereby is repealed.

Sec. 4. Be it further enacted, That the societies before named may determine what shall be considered the "chops of the harbours of Salem," for the purposes stated in the seventh section of the "Act for regulating pilotage in several ports in this Commonwealth;" and report their determination to the Governor and Council, who shall publish the same for the information of all persons concerned.

[Approved by the Governor, February 25, 1814.]

# CHAP. CLXV.

An Act to establish the place of keeping the Records of the Probate Court, in the county of Barnstable.

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 May next, the Records of the Court of Probate in the county of Barnstable, and all books and papers, belong-

ing to said court, shall be deposited and kept in the fire Place of proof buildings erected in the town of Barnstable, within Records, &c. the said county; and the Register of Probate for said county, shall at all times hereafter, there give his attendance, for a due and faithful discharge of the duties of his office.

Approved by the Governor, February 25, 1814.

### CHAP. CLXVI.

An Act to incorporate The Universalist Religious Society in Warwick.

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 Atwood, Ebenezer Persons in-Williams, Thomas Atwood, Nathan Atwood, Jonathan corporated. Patch, Jonathan Smith, Jonas Watts, Abner Goodell, Obadiah Bass, George Stockwell, Joseph Smith, Levi Stearns, John Stearns, Ephraim Robbins, John Gale, James Stockwell, Jacob Rich, Reuben Rich, Amory Gale, Ebenezer Bancroft, William Bancroft, Thomas Bancroft, John Smith, Eliot Rawson, Philip Atwood, and Eleazer W. Wilber, with their families and estates, be, and they are hereby incorporated into a religious society, by the name of The Universalist Religious Society in Warwick, with all the powers and privileges, and subject to all the duties Rights and and requirements, to which parishes are entitled and subjected by the constitution and laws of this Commonwealth: Provided, That all such persons shall be holden to pay Provise. their proportion of all monies granted and assessed in said town of Warwick, for parochial purposes, prior to the passing of this act.

SEC. 2. Be it further enacted, That any person belonging to said town of Warwick, being of the Universalist denomination, who may hereafter actually become a member of, and unite in religious worship with the said soci-Manner of ety, and give in his or her name to the clerk of said town, hecoming a member. with a certificate of the minister, or clerk of said society, that he or she has actually become a member of and united in religious worship with said Universalist society,

fourteen days at least before the town meeting therein held in the month of March or April, shall from and after the giving in such certificate, be considered a member of said society.

Manner of leaving.

Sec. 3. Be it further enacted, That if any member of said Universalist society, shall at any time hereafter, see cause to leave the same, and unite in religious worship with the parish in which he or she may reside, and shall lodge a certificate of such his or her intention, with the clerk or minister of said Universalist society, and also with the clerk of the town, fourteen days at least before the annual town meeting to be held therein, in the month of March or April; such person shall be considered from and after giving in such certificate, 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 said Universalist society: Provided, That every person leaving one of said religious societies, and attaching himself to the other, according to the provisions of this act, shall be holden to pay his proportion of all monies previously granted and assessed upon him for parochial purposes.

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Proviso.

Sec. 4. Be it further enacted, That any Justice of the Peace for the county of Franklin, is hereby authorised to Justice to is- issue his warrant directed to some suitable member of said Universalist society, requiring him to notify and warn the members thereof to meet at such time and place, as may be appointed in said warrant, to choose such officers as parishes are by law authorised to choose in the month of March or April annually.

[Approved by the Governor, February 25, 1814.]

### CHAP. CLXVII.

An Act in further addition to an act, entitled "An act establishing a Corporation by the name of The Social Insurance 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 the Social Insurance Company in Salem, at their annual meeting, on the third Monday

of April next ensuing, may elect in the manner prescribed in the third section of "An act establishing a corporation by the name of the Social Insurance Company," a number Election of of Directors not exceeding seven, who may from their officers. number elect a President, if they see fit; and who shall hold their offices until the business of the said company shall be settled, and the stock divided among the stockholders; and who shall manage and conduct the stock, property, affairs and concerns of the said company, until Management of Property. the same shall be wholly settled; and any vacancy arising in the number of Directors so chosen, may be filled in the

manner prescribed by the said act.

Sec. 2. Be it further enacted, That the Directors of the said Social Insurance Company, in pursuance of a vote of the stockholders, be, and they hereby are authorised to close the concerns of the said company, and divide the cap- Division of ital stock, and the property and effects belonging to the property. said company, among the stockholders; and as soon as the affairs of the said company can be adjusted and settled, to dissolve the said corporation. And neither the said Maydissolve company, nor the directors on their behalf, shall have pow-corporation. er and authority to make insurance hereafter upon vessels, money, freight, or any property, or against any risks whatever: Provided always, That the said company shall make Proviso. no dividend of their capital stock, until all the debts of the said company shall be paid, and all out-standing risks shall be adjusted and finally settled.

Sec. 3. Be it further enacted, That the sixth and twelfth sections of an act, establishing a corporation by the name of The Social Insurance Company, and also such other parts of that act, and of the act in addition to the same, as Part of act are inconsistent with the provisions of this act, be, and the repealed. same are hereby repealed.

[Approved by the Governor, February 26, 1814.]

#### CHAP. CLXVIII.

An Act in addition to an act, entitled " An act for the encouragement of Literature, Piety and Morality, and the useful Arts and Sciences."

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 act, entitled "An act for the encouragement of Literature, Piety and Morality, and the useful Arts and Sciences," be, and the same is hereby so far amended, that a sum equal to the sum now paid by the President and Directors of the Massachusetts Bank, as a tax to this Commonwealth, shall be paid by the treasurer of this Commonwealth, out of the sums which may be hereafter paid into the treasury of this Commonwealth, by the several banks now incorporated, or which may hereafter be incorporated by the authority of this Commonwealth, to the several corporations, in the proportions, for the uses, and during the period specified in the first section of the act hereby amended, instead of being paid by the President and Directors of said Massachusetts Bank.

Sec. 2. Be it further enacted, That the President and Directors of the Massachusetts Bank aforesaid, shall pay Shall pay in the sum reserved to be paid to this Commonwealth, into to the treasury of this Commonwealth, in the same manner as if the aforesaid act had never been passed, instead of paying the same to the several corporations, as in the said act

is provided.

[Approved by the Governor, February 26, 1814.]

#### CHAP. CLXIX.

An Act to incorporate The President, Directors and Company of the Bangor Bank.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Rice, Joseph Leav-

ury.

itt, Samuel E. Dutton, Amos Patten, Joseph Carr, Wil-Fersons ins liam Emerson, Abner Taylor, James B. Fisk, James Bartlett, John Emerson, and Moses Patten, their associates, successors and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors and Company of the Bangor Bank, and shall so continue until the first day of October, which will be in the year of our Time incor-Lord one thousand eight hundred and thirty-one; and by porated for. that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record, or any place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such bylaws, ordinances and regulations, as to them shall appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs: Provided, such by-laws, ordinances and regulations, shall Proviso. in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Sec. 2. Be it further enacted, That the capital stock Amount of of said corporation shall consist of the sum of one hun-capital stock dred thousand dollars, in gold and silver, divided into and of each shares of one hundred dollars and silver. shares of one hundred dollars each, which shall be paid in four equal instalments; the first, on the first day of January next; and the residue at such times as the President and Directors may order, giving such notice as may be provided in the by-laws of said corporation. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits thereof; which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain, to them, their successors and assigns, lands, rents, tenements and alestate and hereditaments, to the amount of thirty thousand dollars, amount. and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think proper: Provided how- Proviso. ever, That nothing herein contained shall restrain or pre-

vent the said corporation from taking and holding real estate in mortgage, or on execution, to any amount, as security for, or in payment for any debt due to the said corporation: And provided further, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver, in their vaults, shall amount to twenty-five thousand dollars.

Proviso.

Sec. 3. Be it further enacted, That the rules, limitations and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established: Provided, That the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars; and the number of Directors to be annually chosen, shall be five, and three may constitute a quorum for the trans-Debts not to action of business: And provided also, that the amount of debts at any time due from said bank, shall not exceed double the amount of their capital stock actually paid in.

exceed 100 per cent.

Sec. 4. Be it further enacted, That said bank shall be

Bank, where established established and kept in the town of Bangor.

Shall loan to wealth.

Sec. 5. Be it further enacted, That whenever the Comthe Common monwealth may require it, the said corporation shall loan to the Commonwealth, any sum of money which may be required, not exceeding twenty thousand dollars, at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per cent per annum: Provided however, That the Commonwealth shall never, at any one time, stand indebted to the said corporation without their consent, for a larger sum than thirty thousand dollars.

Proviso.

Legislative committee books, &c.

Sec. 6. Be it further enacted, That any committee, specially appointed by the Legislature for that purpose, may examine shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults; and if upon such examination it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions or conditions in this act provided, the incorporation shall thereupon be declared forfeited and void.

SEC. 7. Be it further enacted, That the persons herein before named, or a majority of them, are authorised to May call a call a meeting of the members and stockholders of said meeting. corporation, as soon as may be, at such time and place, as they may see fit, by advertising the same three weeks successively in the Columbian Centinel printed in Boston. and by posting notifications in one or more public place in the town of Bangor, for the purpose of making, ordaining, and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of said Corporation, as the stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

SEC. 8. Be it further enacted, That it shall be the duty Shall transof the Directors of said Bank, to transmit to the Governor mitstatement and Council of this Commonwealth for the time being, of accounts. once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of the debts due the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath, before some person competent to administer the same.

SEC. 9. Be it further enacted, That the Commonwealth Common. shall have a right, whenever the Legislature shall make wealth may subscribe. provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Sec. 10. Be it further enacted, That the said corpo- Shall pay ration shall be liable to pay, to any bona fide holder, the counterfeitoriginal amount on any note of said bank, altered in the ed notes. course of its circulation to a larger amount, notwithstanding such alteration.

Sec. 11. Be it further enacted, That the said corpora-Shall pay tax tion, from and after the first day of January next, shall pay to the Treasby way of tax to the treasurer of this Commonwealth, for urer.

Proviso.

the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been actually paid in: Provided however, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks hereafter incorporated within this Commonwealth: And provided further, That nothing herein contained shall be construed to impair the right of the Legislature to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

propriated to loans.

Sec. 12. Be it further enacted, That one tenth part of Amount ap- the whole fund of said bank shall always be appropriated to loans, to be made to the citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to the forfeitures and right of redemption, as is by law provided in other cases.

Approved by the Governor, February 26, 1814.

#### CHAP. CLXX.

An Act to alter and change the Names of certain 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 date of the passing of this act, Thomas Kendall, of Boston, in the coun-Names alter- ty of Suffolk, sail-maker, shall be allowed to take the name ed & chang of Thomas Boyd Kendall; that Silas Cheney, of the same Boston, shall be allowed to take the name of Samuel S. Cheney; that John Torrey, son of Samuel Torrey, of Boston aforesaid, shall be allowed to take the name of John Gore Torrey; that Asa Dennet, a citizen of the

United States of America, and resident at said Boston. shall be allowed to take the name of Charles A. Dennet; that John Reed, of Boston aforesaid, son of Benjamin Reed. of Milton, in the county of Norfolk, shall be allowed to take the name of John Walter Reed; that Ebenezer Upton, Jun. of Danvers, in the county of Essex, shall be allowed to take the name of Eben Sprague Upton; that Mercy Smith, an infant daughter of James Smith, of Marblehead, in said county of Essex, merchant, shall be allowed to take the name of Mercy Abigail King Smith; that Moses Moody the 3d, of Newburyport, in the county of Essex aforesaid, merchant, shall be allowed to take the name of Moses Frederick Moody; that Lorenty Spitzenfield Colby, an infant son of John Colby, of Salisbury, in said county of Essex, shall be allowed to take the name of Edwin John Colby; that George Bartlett 2d, of Charlestown, in the county of Middlesex, son of the Hon. Josiah Bartlett, of the same place, shall be allowed to take the name of George Frederick Bartlett; that William Porter. of Charlestown aforesaid, shall be allowed to take the name of Frederick William Porter; that Timothy Burbank, of Sherburne, in said county of Middlesex, shall be allowed to take the name of Timothy Kendall: that Lysander Bascom Loveland, an orphan boy, and son of the late Epaphroditus Loveland, of Greenfield, in the county of Franklin, deceased, shall be allowed to take the name of Lysander Loveland Bascom; that Mary Gifford, of Westport, in the county of Bristol, shall be allowed to take the name of Mary Ann Wilbour Gifford; that Adam Briggs, a minor, and son of the late Susanna Harrington, of Orange, in the county of Franklin, shall be allowed to take the name of Adams Harrington; that John Rice, of Boston, in the county of Suffolk, son of the late Major John Rice, of the same Boston, shall be allowed to take the name of John H. Rice.

And the several persons before named, from the time of the passing of this Act, shall be called and known by the names which, by this act, they are respectively allowed to take and assume as aforesaid; and the said names shall forever hereafter be considered as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, February 26, 1814.]

### CHAP. CLXXI.

An Act in addition to an act, entitled "An act to incorporate Oliver Wendell and others, together with the Overseers of the Poor of the town of Boston, for the time being, by the name and title of The Trustees of John Boylston's Charitable Donations, for the benefit and support of aged poor persons, and of orphans and deserted children."

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the corporation constituted by an act, entitled "An act to incorporate Oliver Wendell and others, together with the Overseers of the Poor of the town of Boston, for the time being, by the name and title of The Trustees of John Boylston's Charitable Donations, Corporation for the benefit and support of aged poor persons, and of authorisedto orphans and deserted children," be, and hereby are authorpersons, &c. ised and empowered to bind out in virtuous families, or to reputable trades, or useful arts or occupations, such poor persons, orphans, or deserted children, as receive, or may hereafter receive the benefit of the said Boylston's charitable donations, until they arrive to the age of twenty-one years, in such manner as to the said corporation may seem expedient; and for this purpose shall have authority to establish any rules and regulations, and enter into any indenture or covenant relative to such objects, not repugnant to the laws of this Commonwealth, as the said corporation may deem necessary or expedient.

Approved by the Governor, February 26, 1814.

# CHAP. CLXXII.

An Act in addition to an act, entitled "An act exempting certain goods and chattels of Debtors from attachment and execution."

DE 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, every citizen of this Commonwealth shall have a right to hold the following goods and chattels, altogether Goods and chattels exempted from attachment on mesne process and execution, viz. six sheep, and two tons of hay for the use of attachment. said sheep and for the use of a cow, which is exempted from attachment by the act to which this is in addition:

Provided, That from the first day of October to the first day of April in each year, no more than six sheep shall be exempted from attachment: And provided also, That the Proviso. value of said sheep shall, in no case, exceed the sum of thirty dollars.

[Approved by the Governor, February 26, 1814.]

### CHAP. CLXXIII.

An Act establishing a Court of Common Pleas within and for the county of Suffolk, to be styled The Boston Court of Common Pleas.

WHEREAS, from the peculiar situation and circumstances of the town of Boston, great delays now Preamble. exist in the administration of justice therein, to the great injury of the citizens thereof:

Sec. 1. Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the 28th day of Court estab-March next, there shall be a Court of Common Pleas hold-lished. en at Boston, within and for the county of Suffolk, on the first Tuesdays of the months of January, March, May, July, September, and November in every year, to be styled "The Boston Court of Common Pleas;" which Name. Court shall be holden by one substantial and discreet person, learned in the law, who shall be appointed by the Governor and Council, and qualified according to the constitution, and hold his office during good behaviour; which Court, so constituted, shall have jurisdiction of all Jurisdiction. causes of a civil nature, now cognizable by the Circuit Court of Common Pleas, whether original or appellate; and the Judge of the said Court shall receive the same fees and compensation for his services, as Judge of the Compensation of Justisaid Court, as the three Justices of the Circuit Court of ices.

Previso.

Appeal may be made.

Common Pleas for the Middle Circuit now receive for their services within the county of Suffolk, and in the same manner: *Provided* nothing in this act shall be so construed as to affect the original or appellate jurisdiction given by law to the Supreme Judicial Court, to the Municipal Court for the town of Boston, and to the Court of Sessions holder within the county of Suffolk

Sessions holden within the county of Suffolk.

Sec. 2. Be it further enacted, That the person to be appointed as aforesaid, shall also have original and concurrent jurisdiction of all civil actions arising in the county of Suffolk, under the sum of twenty dollars, in the same manner and with like powers as Justices of the Peace within said county of Suffolk now have jurisdiction, and shall hold a Court, to be styled the Town Court, for the summary trial, without jury, of all such last mentioned actions, on the Wednesday of every week in the And any party aggrieved at the judgment of said Town Court, may appeal therefrom to the next regular term of the said Boston Court of Common Pleas; and shall, before his appeal is allowed, recognize with a surety or sureties, to be approved by the Court, in such reasonable sum as the Court shall order, to pay all intervening damages, and to prosecute his appeal with effect; in which case such actions shall be tried in the same manner as if originally commenced there; and no further or other appeal or review shall be had on such actions, except such as by law is now allowed, in similar cases, in the Circuit Court of Common Pleas, in the several counties within this Commonwealth.—But questions of law may be reserved by the said Judge, and the party supposing himself aggrieved by any opinion, decision or judgment, may file his exceptions thereto, and the same proceedings shall be had thereon at the Supreme Judicial Court, which shall be holden next after in the same county, as are provided by law, when the Supreme Judicial Court is holden by one of the Justices thereof.—And the fees in all actions originally commenced in said Town Court, shall be the same as by law are now taken and received by Justices of the Peace in the trial of civil actions; and the original papers in such actions shall be used on the appeal, in the same manner as if such actions had been originally brought to the Boston Court of Common Pleas. - And the said Judge shall have power, from time to time, to appoint a

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clerk to attend him and record all his proceedings as Judge of the Boston Court of Common Pleas, which clerk shall be under oath to the faithful performance of the duties of his office, and shall hold his office during the pleasure of the Supreme Judicial Court: Provided however, Proviso. That the present clerks of the Supreme Judicial Court and the Circuit Court of Common Pleas, within the county of Suffolk, shall be the joint clerks of the said Boston Court of Common Pleas, during the pleasure of the Judge thereof. And the said Judge of the said Boston Court of Common Pleas shall have power, from time to time, to appoint a clerk being commissioned as a Justice of the Peace for said county, to attend him in the said Town Court, who shall be styled the the Recorder of the Town Court, and whose duty it shall be to record all proceedings of said Duty of the Court; and in case of the death or absence of the said Recorder. Judge of the said Town Court, it shall be the duty of said Recorder, and he is hereby fully empowered, to hold the said Court, and to transact the business thereof in the same manner as the said Judge of the said Town Court might, could, and ought to do, if he were personally present to hold the same; which Recorder of said Town Court shall be under oath to the faithful performance of the duties of his office, and shall hold his office during the pleasure of said Judge; and for a compensation for his services as clerk, as aforesaid, shall receive one third part of the compensafees now by law taxed by Justices of the Peace in civil tion of. actions, and the residue thereof shall be received by the Judge of said Town Court, for his compensation therein. And the said Judge of the said Court, and the Recorder in the absence of said Judge, shall have power by proclamation of the Sheriff of the said county of Suffolk, or of his deputy, or of any officer attending on said Court, to adjourn the same from time to time, as necessity may require.

Sec. 3. Be it further enacted, That the Judge of the said Boston Court of Common Pleas shall have power to Power of the make any orders for the regular administration of justice Judge. in the same, and likewise in the said Town Court, as shall not be inconsistent with the constitution and the laws of the Commonwealth; and likewise to adjourn the said Court from time to time, as may be necessary for the public good: and when it shall so happen that the Judge of the

case of absence or death.

said Boston Court of Common Pleas shall be deceased, or Provision in shall be providentially detained from attending at the time and place at which said Court by law, or by any previous adjournment, was to have been held, the said Court may be adjourned by the Sheriff of the county of Suffolk, or his deputy, unto a further day, and so from time to time, until a new Judge shall be appointed, or the said Court be convened, and shall cause publication thereof to be made in writing in two or more of the most public places in the county of Suffolk, and in one of the public newspapers of writs and printed in the town of Boston. And all writs and processes issuing from the said Boston Court of Common Pleas, and the said Town Court, shall be in the name of the Commonwealth of Massachusetts, and bear test of the Judge of said Courts, unless he be a party, (in which case the same shall be sued out from the Clerk's office of the Supreme Judicial Court, and be made returnable to said Court,) and be under the seals of said Courts, and signed by the clerks of said Courts respectively; and all writs and processes from said Boston Court of Common Pleas shall have force, be obeyed and executed in every county within the Commonwealth, and all writs and processes from the said Town Court shall have force, be obeyed and executed,

Actions. suits, &c.

Sec. 4. Be it further enacted, That all actions, suits, matters and things whatsoever, which may be pending in the Circuit Court of Common Pleas, within the county of Suffolk, on the twenty-eighth day of March, in the year of our Lord one thousand eight hundred and fourteen, and all writs and processes of every kind whatsoever, returnable to said Circuit Court, and which would have had day therein if this act had not been passed, shall be sustained, returnable to, and have day in, and be fully acted upon by the said Boston Court of Common Pleas, at the first term thereof; and all parties, jurors, witnesses and other persons, in any manner held or bound to appear in the Circuit Court of Common Pleas, which would have been holden in and for the said county of Suffolk, on the last Tuesday of March, in the year of our Lord eighteen hundred and fourteen, if this said act had not been passed, shall be held and bound under the same penalties, to appear in the said Boston Court of Common Pleas, at the first term thereof. And the said Boston Court of

throughout the county of Suffolk.

Parties, jurors, &c.

Common Pleas, shall grant execution to carry into effect any judgment heretofore rendered in the Circuit Court of Common Pleas within and for the county of Suffolk, in the same manner as the said Circuit Court of Common Pleas might and ought to have done, if this act had not been passed.

SEC. 5. Be it further enacted, That so much of the act, entitled an act establishing Circuit Courts of Common Pleas within this Commonwealth, as relates to their jurisdiction within the county of Suffolk; and all other Act repealed acts and parts of acts, which come within the purview of this act, be repealed from and after the twenty-eighth day of March, in the year of our Lord eighteen hundred and fourteen: Provided however, That nothing herein con- Proviso. tained shall prevent the Governor as aforesaid, from appointing a person to be the Judge of the said Boston Court of Common Pleas, as soon after the passage of this act as he shall see fit.

Approved by the Governor, February 26, 1814.7

### CHAP. CLXXIV.

An Act further regulating Appeals and Reviews.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That any party aggrieved at the judgment of any Circuit Court of Common Pleas, or Court of Common Pleas, hereafter to be rendered in any action, originally commenced in said court, wherein any issue in law or in fact has been or may be joined, may appeal therefrom to the next Supreme Judicial Court, to be May appeal. holden for the county where such judgment may be rendered; and the party so appealing, before such appeal be allowed, shall recognize with sufficient surety or sureties to the adverse party in a reasonable sum to prosecute his said appeal, and to pay all such costs as may arise in said suit after said appeal, and no execution shall issue upon the judgment appealed from; and in case the party appealing shall neglect to enter his appeal, the Court appealed to may, upon complaint, proceed to affirm the judgment of the Circuit Court of Common Pleas, or Court of Common

Costs

Pleas, with additional damages and costs, and in all cases the party prevailing on said appeal shall be entitled to sin-

gle costs only.

Sec. 2. Be it further enacted, That in all cases of review which may hereafter be prosecuted, the party in whose favour judgment may be rendered on said review shall be entitled to either single or double costs, as the court before which such review may be had shall adjudge.

SEC. 3. Be it further enacted, That all acts and parts of acts, inconsistent with the provisions of this act, be, and

Act repealed the same are hereby repealed.

[Approved by the Governor, February 26, 1814.]

### CHAP. CLXXV.

An Act to incorporate The President, Directors and Company of the Dedham Bank.

Persons incorporated.

Time incor-

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Elijah Crane, Willard Gay, George Ellis, Jeremiah Baker, Horatio Townsend, Samuel Richards, Samuel Haven, John Guild, Jabez Chickering, Martin Marsh, George Dixon, Ebenezer Fisher, the second, and James Talbot, their associates, successors and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors and Company of the Dedham Bank, and shall so continue until the first Monday of October, which will be in the year of our Lord one porated for, thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record, or any place whatever; and also to make, have, and use a common seal, and to ordain. establish, and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary for the government of the said corporation, and the prudent management of their affairs: Provided, such by-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the

Proviso.

said corporation shall always be subject to the rules. restrictions, limitations and provisions herein prescribed.

SEC. 2. Be it further enacted, That the capital stock Amount of of said corporation shall consist of one hundred thou capital stock sand dollars, in gold and silver, divided into shares of share. one hundred dollars each, which shall be paid in four equal instalments; the first, on the first day of May next; the second on the first day of November next; the third, on the first day of May next after; and the fourth, on the first day of November next after. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits thereof; which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain, to them, their successors and assigns, lands, rents, tenements and May hold rehereditaments, to the amount of thirty thousand dollars, alestate and and no more at any one time; with power to bargain, sell amount. and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think proper: Provided how. Proviso. ever. That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution, to any amount, as security for, or in payment of any debt due to the said corporation: And provided further, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver, in their vaults, shall amount to twenty-five thousand dollars.

Sec. 3. Be it further enacted, That the rules, limitations and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established: Provid- Proviso. ed, That the bond required to be given by the Cashier, shall be given in the sum of twenty thousand dollars; that the number of Directors, to be annually chosen, shall be five, and three may constitute a quorum to transact business: And provided also, that the amount of debts at any

time due from said bank, shall not be more than double their capital stock actually paid in.

Bank, where established.

Sec. 4. Be it further enacted, That the said bank shall be established and kept in the town of Dedham.

Sec. 5. Be it further enacted, That whenever the Le-Shall loan to gislature shall require it, the said corporation shall loan to the Commonthe Commonwealth, any sum of money which may be rewealth. quired, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or any shorter period, at the election of the Commonwealth, with the annual payment of interest, at the rate of five per centum per annum: Provided however, that the Commonwealth shall never, at Proviso. any one time, stand indebted to the said corporation, without their consent, for a larger sum than twenty per

centum of the capital stock actually paid in.

Legislative committee mayexamine books, &c.

Sec. 6. Be it further enacted, That any committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults; and if upon such examination it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions or conditions in this act provided, the incorporation may thereupon be declared forfeited and void.

Shall transof accounts.

Sec. 7. Be it further enacted, That it shall be the duty of the Directors of said Bank, to transmit to the Governor mitstatement and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they shall require, accurate and just statements of the amount of the capital stock of said corporation, and of the debts due to the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath, before some person competent to administer the same.

Common. wealth may subscribe.

Sec. 8. Be it further enacted, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to

be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

SEC. 9. Be it further enacted, That the said corpora- Shall pay tax tion, from and after the first day of May next, shall pay to the Treasby way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days of each semi-annual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been paid in: Provided however, That the same Proviso. tax, payable in manner aforesaid, shall be required by the Legislature of all banks hereafter incorporated within this Commonwealth: And provided further, That nothing herein contained shall be construed to impair the right of the Legislature to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

SEC. 10. Be it further enacted, That one tenth part of Amount apthe whole funds of said bank shall always be appropriated to loans. to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of the said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is by law provided in other cases.

Sec. 11. Be it further enacted, That said corpora- Shall pay tion shall be liable to pay, to any bona fide holder, the counterfeit, original amount on any note of said bank, altered in the ed notes. course of its circulation to a larger amount, notwithstanding such alteration.

Sec. 12. Be it further enacted, That the persons here in before named, or a majority of them, are authorised to meeting.

call a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place, as they may see fit, by advertising the same three weeks successively in the Dedham Gazette, printed at Dedham, for the purpose of making, ordaining, and establishing

such by-laws, ordinances and regulations for the proper conducting the affairs of said Corporation, as the stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall think proper to choose.

[Approved by the Governor, February 26, 1814.]

### CHAP, CLXXVI.

An Act in addition to an act, entitled "An act in addition to an act granting a Lottery for the purpose of completing the Locks and Canals at Amoskeag Falls, in the State of New-Hampshire.

Preamble.

WHEREAS by the provisions of an act, entitled "An act in addition to an act, entitled an act granting a Lottery for completing the Locks and Canals at Amoskeag Falls in the State of New-Hampshire," the time for which it was granted has expired, and the sum provided to be raised thereby has not been obtained: Sec. 1. Be it enacted by the Senate and House of

Furthertime allowed.

Proviso.

Representatives, in General Court assembled, and by the authority of the same, That further time be granted sufficient to sell and draw six classes of said lottery, of ten thousand tickets in each class, at five dollars per ticket: Provided however, That no ticket shall be issued by the managers of said lottery, until the expiration of six months

from and after the passing of this act.

Money, how appropriat-

Sec. 2. Be it further enacted. That the managers of said lottery, to be appointed by virtue of this act, be, and they are hereby authorised and directed to pay unto Samuel Swan, Esq. from the first monies that shall be raised as aforesaid, the sum due to him from said lottery, as settled and reported by a board of commissioners for that purpose appointed, by an act of the Legislature, passed on the sixth day of March, in the year of our Lord eighteen hundred and ten, and the interest thereon from the time of said settlement; and that they pay the remainder of the sum they shall raise as aforesaid, exclusive of the incidental expenses thereof, to the agent for completing the locks and canal aforesaid, to be applied to said object.

SEC. 3. Be it further enacted, That his Excellency the Governor to Governor be, and he is hereby authorised to appoint three appoint Managers. managers of the future classes in said lottery hereby granted, according to the mode prescribed in the act aforesaid, passed March fourteenth, in the year of our Lord eighteen hundred and six; and he is also authorised to call them to a settlement of their accounts, whenever he shall deem proper, and to proceed with them in the way appointed in the act passed for such purposes, on the first day of March, in the year of our Lord eighteen hundred and ten.

Approved by the Governor, February 26, 1814.7

#### CHAP. CLXXVII.

An Act incorporating The Calvinistic Congregational Society in Sandwich, in the county of Barnstable.

Sec. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Fessenden, Daniel Perry, Silvanus Gibbs, Bethuel Bourne, Allen Nye, John Persons in-Dillingham, Jun. Heman Adams, Lot Adams, William corporated. Atkins, Nathan Bourne, Jun. Ezra L. Bourne, John Bourne, Job Bourne, Charles Bourne, Benjamin Burgess, Jacob Burgess, Anson Burgess, Samuel Blossom, Joseph Blossom, Benjamin Blossom, Uriah Butler, William Bassett, William Bassett, Jun. Charles Bassett, Joshua Backus, Heman Backus, Ellis Blackwell, Joseph Blackwell. Samuel Blackwell, Benjamin Blackwell, Samuel Chadwick, James Chadwick, James Coleman, James Coleman, Jun. Kenelm Crocker, George Cyprus, Nathaniel Covel, Ebenezer Covel, Bartholomew Cushman, Charles De Launey, Ezra Dillingham, Barnabas Ewer, Bartlett Ellis, Bethiah Ellis, widow, Seth Ellis, Nathan Ellis, Gideon Ellis, Gershom Ellis, James Ellis, Jerusha Ellis, widow, Benjamin Ellis, Jesse Ellis, Hepzibah Ellis, widow, Ephraim Eldridge, Josiah Eldridge, Joseph Fuller, Silvanus Fish, Chipman Fish, Anselm Fish, Braddock Fish, Simeon Fish, Theodore Fish, Isaiah Fish, Josiah Fish, Asa Fish, Ephraim Fish, Jesse Fish, David Fish, James Fish, James Fish, Jun. Prince Fish, Silas Fish, John Fish, 3d.

Warren Fish, Thomas Fessenden, Nathaniel Freeman, Russell Freeman, George W. Freeman, Charles Gibbs, Rufus Gibbs, Caleb Gibbs, Edward B. Gibbs, Rebecca Gibbs, widow, David Gibbs, Luther Goodspeed. Timothy Goodspeed, Jun. Alden Gifford, Levi Gifford, Thomas Hamlin, Seth Hamlin, Nathaniel Hamlin, Lemuel Hamlin, John Hamlin, Benjamin Hamlin, Ellis Howland, William Halway, Stephen Hoxie, James Insley, Silvanus Jones, Abraham Keen, John Keen, Abraham Landers, David Landers, Anselm Lumbert, Thomas Lumbert, Josiah Meiggs, Seth Meiggs, Asa Meiggs, Jonathan Meiggs, Matthew Meiggs, John Moriarty, William Marstin, Joseph Nye, Moses Nye, Ebenezer Nye, Lemuel Nye, Heman Nye, Peter Nye, Prince Nye, Prince Nye, Jun. Josiah Nye, John Nye, Peleg Nye, Joshua Nye, Jun. Paul Nye, Samuel T. Nye, Bethuel Nye, George B. Nye, Edward Nye, Gilbert Nye, James Percival, Freeman Percival. Sarah Percival, widow, Timothy Percival, Othniel Omans, Kimball Perry, Elisha Perry, Elisha Perry, Jun. John Perry, Jun. John Perry, 3d. Elijah Perry, Mary Perry, widow, James Perry, William Perry, Bathsheba Perry, widow, John Pope, Lewin Pope, Thomas Phinney, Clark Swift, Ellis Swift, James Stewart, Thomas Smith, Bethiah Smith, Warren Smith, Deborah Smith, widow, Thomas H. Tobey, James Tobey, Timothy Tobey, Rebecca Tobey, Prince Tupper, and Amariah Wilcox, inhabitants of the town of Sandwich, in the county of Barnstable, with their families and estates, together with such others as may hereafter join them, in manner hereafter prescribed, and their successors, be, and they are hereby incorporated into a society, by the name of The Calvinistic Congregational Society in Sandwich, with all the powers and privileges, rights and immunities which other parishes and religious societies are by law and constitution entitled to, and subject to the same duties: *Provided*, That the persons incorporated as aforesaid, shall be holden to pay to the first precinct in said town, to which they belonged, all taxes voted and assessed, and not paid before the passing of this act, excepting such of them as may have received and filed certificates from a committee of said society, that they had become members thereof, shall not be holden to pay any taxes voted or assessed since they have so received and filed such certificates.

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Sec. 2. Be it further enacted, That any person belonging to the said first precinct, who may be desirous of Manner of becoming a becoming a member of the said Calvinistic Congregational member. Society, and shall give in to the clerk of said first precinct, a certificate signed by the clerk of the said Calvinistic Congregational Society, that he or she has actually become a member of said society, any time within two years from the passing of this act, shall from and after giving in such certificate, with his and her polls and estates, be considered a member of said society; and if any member of said Manner of society shall wish to leave the same, and join the said first leaving. precinct, and shall leave with the clerk of said society, a certificate signed by the clerk of said first precinct, that he or she has become a member of said precinct, at any time within two years from the passing of this act, such persons shall, from the time of leaving such certificate, be considered as a member of said precinct, and all young persons living in said precinct, arriving to the age of twenty-one years, and all persons coming to reside and dwell in said precinct, shall have and be allowed the term of one year from the time of their so arriving to the age of twentyone years, or coming to dwell in said precinct, to join said Calvinistic Congregational Society: Provided however, Proviso. That all such persons shall signify their determination of the same, and proceed therein in the manner above pointed out in this section: And provided also, That in all cases, the person or persons changing their relation to said society or precinct, shall be held to pay all taxes assessed upon them by the precinct or society where they belonged previous to such removal.

Sec. 3. Be it further enacted, That Nathaniel Free-First Meetman. Esq. be, and he hereby is authorised to call the first ingmeeting of said Calvinistic Congregational Society in Sand-

wich.

Approved by the Governor, February 26, 1814.7

### CHAP. CLXXVIII.

An Act to increase the number of terms of the Municipal Court of the town of Boston, and to compensate the Judge thereof.

**B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That in future the said Municipal Court shall be holden the first Monday of every month, with power to adjourn as originally provided for in the act of March the fourth, in the year of our Lord one thousand eight hundred, which established said court; and that in addition to the salary allowed the Judge of said court by the town of Boston, there shall be paid to him, out of the treasury of this Commonwealth, every quarter of a year, salary allow- the sum of one hundred and eighty-seven dollars and ed to Judge fifty cents—the first quarter to be considered as having commenced the first day of January last; and said additional allowance to be continued so long as the act of the twenty-seventh of February, in the year of our Lord one thousand eight hundred and thirteen, enlarging the juris-

Approved by the Governor, February 26, 1814.7

diction of said court, shall remain unrepealed; and the said Judge shall be obliged by law to perform the duties therein

#### CHAP. CLXXIX.

An Act making further allowance to the Judge and Register of Probate, for the county of Oxford.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That an act to make further allowance to the Judge of Probate for the county of Oxford, for his services, passed on the fifth day of March, in the year of our Lord one thousand eight hundred and ten, be, and the same is hereby repealed.

Terms increased.

Additional

required.

Act repeal-

Sec. 2. Be it further enacted, That the treasurer of the county of Oxford be, and he is hereby authorised and di-Judge. rected to pay the said Judge of Probate, for the time being, such sum as, together with the legal fees which the said Judge has received or may have been entitled to receive. shall amount to the sum of two hundred dollars annually: Provided, that the said Judge shall keep an exact account Proviso. of all the fees which he has received, or shall have been entitled by law to receive, in said office; and shall present such account, attested by the Register of Probate, to the treasurer of said county, for his information, at the end of each year, and previous to the payment of the sum aforesaid.

Sec. 3. Be it further enacted, That the treasurer of said county of Oxford be, and he is hereby authorised and di- Salary of the rected to pay to the Register of Probate, for the time being, Register of Probate. of said county of Oxford, such sum as, together with the legal fees which the said Register may have received or been entitled to receive, shall amount to the sum of three hundred dollars annually: Provided also, that the said Re-Provise. gister shall keep an exact account of all the fees which he may have received, or have been entitled to receive, for his services in said office; and shall present such account, attested by said Judge of Probate, to the treasurer of said county, for his information, at the end of each year, and previous to the payment of the sum aforesaid.

Approved by the Governor, February 26, 1814.

### CHAP. CLXXX.

An Act in addition to an act to incorporate The Wiscasset Marine Insurance Company.

 ${f B}_{
m E}$  it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the ninth section of the act, entitled "An act to incorporate The Wiscasset Marine Insurance Company," be, and the same is hereby so far Section in repealed, as that the first sum of fifty dollars on each share part repealed in said company may be paid at any time before said company actually take any risk, or open and subscribe a

Proviso.

policy of insurance; and that the remaining sum due on each share shall be paid within twelve months from the time of the first payment aforesaid: *Provided*, that said first payment shall be made within five years from and after the passing of this act.

[Approved by the Governor, February 26, 1814.]

#### CHAP. CLXXXI.

An Act to establish a Free School in Township number six, in the eighth range, north of the Waldo Patent, in the county of Hancock, by the name of The Hancock Free School.

Seminary established.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That there be, and hereby is established in the township number six, in the eighth range, north of the Waldo Patent, in the county of Hancock, a Literary Seminary, by the name of The Hancock Free School, for the purpose of promoting piety and virtue, and for the education of youth, in such languages, and in such of the liberal arts and sciences, as the trustees thereof shall from time to time judge most useful and expedient.

Trustees appointed.

Sec. 2. Be it further enacted, That the Rev. Hezekiah May of Brownville, Rev. John Sawyer of Garland, Rev. Hervey Loomis of Bangor, Moses Greenleaf, Esq. of Williamsburgh, Charles Hammond, Esq. of Bangor, Jacob Mc Gaw, Esq. of Bangor, and Ebenezer Greenleaf, Esq. of Williamsburgh, be, and hereby are nominated and appointed trustees of said Free School; and they are hereby incorporated into a body politic, by the name of The Trustees of Hancock Free School, and they and their successors shall be and continue a body politic and corporate by the same name forever.

Powers.

Sec. 3. Be it further enacted, That the said trustees may have a common seal, which they may break, alter and renew from time to time, as they see fit; and they may sue and be sued in all actions, and prosecute and defend such actions to final judgment and execution, and may appoint any agent or agents to prosecute or defend such

suits; they may also elect and appoint all such officers and Empowered instructors as they may from time to time judge necessary, to elect offimay fix the tenure of their respective offices, define their repsective powers and duties, may vacate the place of any trustee, officer or instructor, when, in their opinion, by reason of age, incompetency or any other cause, he shall have become incapable of discharging the duties of his office, and may fill all vacancies which may happen; they may also, from time to time, fix the times and places for the meetings of said corporation, the mode of notifying the members thereof, and may prescribe, establish, and alter from time to of, and may prescribe, establish, and after from time to time, such reasonable statutes and by laws, as they shall By-laws, Rules, &c. judge will best promote the objects of their incorporation. and may annex such reasonable penalties to the neglect of duty, and breach of statutes and by-laws, as they shall judge proper: Provided, that such statutes, by-laws, and Provise. penalties, shall not be repugnant to the constitution and laws of this Commonwealth.

Sec. 4. 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 said Free School, shall be received and held by them in trust for that use; and said trustees, in behalf of said Free School, may also receive and hold in fee simple, by gift, grant, bequest or otherwise, any May hold reother land or estate, real or personal: Provided, that the al and personal estate. annual income of such lands or real estate shall not exceed the sum of seven thousand dollars, and that the annual income of such personal estate shall not exceed the sum of five thousand dollars; and the said trustees may sell and dispose of the same, and apply the proceeds, rents and profits thereof in such way, as they may deem most conducive to the diffusion of piety, virtue, and literature, and best promote the general interest of their institution.

Sec. 5. Be it further enacted, That the number of said trustees shall never be more than fifteen nor less than seven, Number of five of whom shall be a quorum for the transacting of such Trustees business as may regularly come before them: and any Jus-limited. tice of the Peace for the county of Hancock is hereby authorised, upon application of any of said trustees, to issue his warrant, fixing the time and place of the first meeting of said trustees, for such purposes as shall be expressed in said application, which warrant shall be directed to some

one of said trustees, who shall give personal notice thereof, either verbally or in writing, to each of the trustees, at least

four days before such meeting.

Sec. 6. Be it further enacted, That it shall be the duty of said trustees, within two years from the passing of this Duties of the act, to give satisfactory evidence to the treasurer of this Trustees. Commonwealth, that the sum of three thousand five hundred dollars has been duly paid and secured to the said corporation, and that the same is placed at the disposal of the said trustees, for the benefit of this institution, otherwise this act shall be declared to be null and void.

> Sec. 7. Be it further enacted, That nothing in this act shall be considered as holding out encouragement to the trustees of this Free School, of the future bounty of the

Legislature.

[Approved by the Governor, February 26, 1814.]

## CHAP. CLXXXII.

An Act concerning Suits in behalf of the Commonwealth.

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 civil actions, in which the Commonwealth shall be party, whether by scire facias or other suit or process, the costs which may be taxed in favor of the Commonwealth, and which may be paid before paid to clerk any execution shall issue, shall be paid to the clerk of the Court in which said suit shall be pending, and by him immediately paid over without any deduction to the treasurer of the county, who shall account for and settle the same with the State Treasurer, in the same manner as is provided by law for the settlement and adjustment of accounts by County Treasurers of fines, penalties and forfeitures, and costs in criminal prosecutions.

Sec. 2. Be it further enacted, That no fees for travel shall be allowed and taxed in any bill of costs in any such suit as is described in the foregoing section, in which the Commonwealth shall be party.

[Approved by the Governor, February 28, 1814.]

Fees.

# CHAP. CLXXXIII.

An Act to prevent the destruction of the Fish called Alewives and Shad, in Charles River.

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 passing of this act, if any person or persons shall place or set any seine or net, or set up, erect, or make any weares, or place any other incumbrance whatsoever (mill dams excepted) in or across Charles River, for the straitning, obstructing, or stopping the free passing of the fish called shad and alewives, up and down said river, they shall severally for- Penalty for feit and pay the sum of fifty dollars for each and every of- obstructing fence; one half of which shall be to the use of the town or towns, within whose limits the offence is committed, and the other half to the use of him or them that shall complain or prosecute therefor—or any town may prosecute by their fish committee.

Sec. 2. Be it further enacted, That if any person or persons shall draw any seine or net, to take any of the fish Shall not set aforesaid within said river, or in any other way take any seine, &c. of said fish, on any other days than Monday, Wednesday and Friday in each week, every person so offending shall forfeit and pay the sum of twenty dollars for each and every offence, to the use as aforesaid; and all forfeitures incurred by any breach of this act may be recovered by information, or by action on the case, before any court proper to try the same.

Sec. 3. Be it further enacted, That all parts of any acts Former acts relating to the fishery in said river, inconsistent with this repealed. act, be, and the same are hereby repealed.

[Approved by the Governor, February 28, 1814.]

### CHAP. CLXXXIV.

An Act in addition to an act, entitled "An act declaring and confirming the incorporation of the Proprietors of the New South Meeting-house in Boston."

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all or any part, so that it be not less than one half, of all monies raised by the Proprietors of the New South Meeting-house in Boston, for the purpose mentioned in the fourth section of an act, entitled "An act declaring and confirming the incorporation of the Proprietors of the New South Meeting-house in Boston," may be assessed by the committee and assessors of the said proprietors jointly, or by the major part of them, upon the several proprietors of pews in said meeting-house, according to the relative value of the said pews, regard being had to their situation and convenience, if the said proprietors vote so to do, any thing in the act aforesaid to the contrary notwithstanding.

of taxes.

May pur-

Assessment

SEC. 2. Be it further enacted, That the said proprietors be, and they are hereby empowered to purchase, take chase estate and hold certain land, adjoining that on which their meeting-house now stands, for the more commodious scite of a new meeting-house, as to them shall seem best, any thing in the act aforesaid to the contrary notwithstanding.

[Approved by the Governor, February 28, 1814.]

# CHAP. CLXXXV.

An Act to incorporate The Evangelical Missionary Society in Massachusetts.

Sec. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Rev. Ezra Ripley of Concord, Joseph Allen, Esq. of Worcester, and Thomas W. Ward, Esq. of Shrewsbury, with those who have or may hereafter associate with them, and their successors, be, and hereby are incorporated and made a body politic, for the purposes of furnishing the means of christian knowledge and moral improvement, by the distribution of pious and religious books and tracts, by aiding and supporting schoolmasters, and by sending missionaries among the inhabitants of our own country, who are destitute of religious knowledge, or where such means are poorly provided, by the name of The Evangelical Missionary Society in Massachusetts; and the society aforesaid shall have perpetual succession, and may have a common seal, which it may be lawful for them to change, break, alter, and make new at pleasure; and may purchase and receive, by gift or devise, lands, tenements, and real estate of any kind, and the all and persame hold in fee simple, or less estate; and also subscrip-sonal estates tions, donations, and bequests of money, or any other personal estate, the annual income of which shall not exceed the sum of ten thousand dollars; and all grants, donations, subscriptions, devises and bequests, made to said society, shall be improved in such manner, as the trustees of said society shall judge most conducive to answer the designs of the institution.

Sec. 2. Be it further enacted. That the said society may annually elect by ballot, by a majority of the members present, a President, Vice-President, a Treasurer, a Election of Recording and Corresponding Secretary, and such num-officers. ber of Trustees, as they may think proper, (not less than seven) and such other officers as they may determine to be necessary; and may at their first meeting, under this corporation, by vote of a majority of the members present at said meeting, adopt such constitution or system of rules and by-laws, as they shall think necessary for the conducting and executing the business of said society, and for the most effectually securing the objects of their institution; which constitution, or system of by-laws, shall be for the government of said society, and shall not be altered at any subsequent meeting, but in the manner therein pointed out: Provided, such rules and by-laws be not repug-Provise. nant to the constitution and laws of this Commonwealth.

SEC. 3. Be it further enacted, That the society aforesaid, shall at all times have power to sue, and may be sued, Powers. and may defend, and shall be held to answer by the name, stile, and title aforesaid; and if it should so happen, that

Proviso.

Duty of the

Treasurer.

said society shall become seized of lands and tenements, it shall be lawful, by deed, under the hand and seal of their President, for the time being, to sell and convey the same: *Provided*, such sale shall be made and concluded on by the trustees of said society.

Sec. 4. Be it further enacted, That particular accounts of such funds, and the disposition thereof, shall be exhibited by the treasurer at the stated annual meeting of said society, a committee of said society having first examined and certified the same to be true; and fair entries shall be made in proper books provided for that purpose, of all donations made to said society, and of all the estate, both real and personal, belonging to the same; and said books shall be brought to the annual meetings, and be there open for the inspection of the members.

Eirst meeting. SEC. 5. Be it further enacted, That Joseph Allen, Esq. be, and he is hereby authorised to call the first meeting of said society, in their corporate capacity, by publishing a notification in one newspaper printed in Worcester, and in one newspaper printed in Boston, thirty days before the time therein appointed.

[Approved by the Governor, February 28, 1814.]

## CHAP. CLXXXVI.

An Act continuing The Massachusetts Charitable Mechanic Association.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Massachusetts Charitable Mechanic Association, incorporated by an act, entitled "An act to incorporate Jonathan Hunnewell and others, into a society, by the name of The Massachusetts Charitable Mechanic Association," shall and may remain and continue a corporation, with all the legal powers and privileges, the same now enjoys, for and during the term of ten years from and after the time limited for the duration of said corporation by the act aforesaid.

[Approved by the Governor, February 28, 1814.]

Act continued.

## CHAP. CLXXXVII.

An Act incorporating certain persons for the purpose of building a Bridge over Saco river, in the town of Frveburg, near the dwelling-houses of Oliver Knight and Henry Gordon, Jun.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Robert Page, John Stephens, Persons in-Jun. and Henry Y. B. Osgood, with all those who have corporated. associated for the purpose, together with all those who shall hereafter become proprietors in said bridge, shall be a corporation and body politic, under the name of The Proprietors of Fryeburg Bridge; and by that name may sue and prosecute, and may be sued and prosecuted to final judgment and execution, and do and suffer all other acts and things, which bodies politic may and ought to do and suffer; and that said corporation shall have full power and authority to make, have, and use a common seal, and the same to break, alter and renew at pleasure.

SEC. 2. Be it further enacted, That the said Robert Method of Page, John Stephens, Jun. and Henry Y. B. Osgood, or calling a meeting. any two of them, may, by putting up advertisements at the South and Central Meeting-houses, in said Fryeburg, warn and call a meeting of said proprietors, to be holden at any suitable time and place in said Fryeburg, after the expiration of fifteen days from the time of posting up said advertisements; and the said proprietors, by a vote of the majority of those present, or represented at said meeting, (accounting and allowing one vote to each single share, in all cases; Proviso. provided however, that no one proprietor shall be allowed more than ten votes,) shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office; and the said proprietors, by a vote of a majority of those present, or represented at said meeting, shall have power to transact any business, for the benefit of said corporation: Provided, it be not repugnant to the constitution or Provise laws of this Commonwealth; and this act, and all rules, regulations and votes of said corporation, shall be fairly and truly recorded by the clerk, in a book or books for

that purpose; and no person shall appear and vote at such meetings, as the representative of another, without producing a writing for that purpose, signed by the person represented, which writing shall be filed by the clerk of said corporation.

Empowered to build a Bridge.

SEC. 3. Be it further enacted, That the said proprietors be, and they hereby are permitted and authorised to erect a bridge over the Saco river, in said Fryeburg, from the western bank of said river, near the dwelling-house of Oliver Knight, to the eastern bank thereof, near the dwelling-house of Henry Gordon, Jun.

How to be built.

SEC. 4. Be it further enacted, That the said bridge shall be well built, of good and suitable materials, and be well covered with plank, or timber, suitable for such bridge, with sufficient railing on each side, for the safety of passengers, and the same shall be kept in good, safe

Sec. 5. Be it further enacted, That for the purpose of

and passable repair.

reimbursing said proprietors, the monies by them expended, or that may hereafter be expended in building and repairing said bridge, a toll be, and is hereby granted and established on said bridge, for the benefit of said proprietors, according to the rules following, that is to say: for Rates of toll. each foot passenger, one cent; for each horse and rider. four cents; for each horse and chaise, chair, or sulkey, drawn by one horse, ten cents; for each sleigh drawn by one horse, four cents; for each sleigh drawn by two horses, six cents; for each coach, phaeton, or curricle, twenty cents; for each cart or waggon, sled, or carriage of burthen, drawn by one or two beasts, six cents; for neat cattle and horses, other than those ridden or in carriages, or teams, one cent each; for sheep and swine, at the rate of six cents the dozen; and to each team, one person and no more shall be allowed as a driver to pass said bridge free of toll: Provided, That the rates of toll hereby established, shall at all times be subject to the future regulations of government.

Proviso.

SEC. 6. Be it further enacted, That said proprietors, at the place or places where the said toll may be received, shall erect, and keep constantly exposed to view, a sign board, with the rates of toll of all the tollable articles hereby established, fairly and legibly written thereon; and at all times when the person employed to receive said

Sign board.

toll, shall not attend his duty, the gate or gates of said

bridge shall be left open.

Sec. 7. Be it further enacted, That if said proprietors shall neglect for the space of two years, from the passing neglect. of this act, to build and erect said bridge, then this act shall be void and of no effect.

[Approved by the Governor, February 28, 1814.]

## CHAP. CLXXXVIII.

An Act for altering the times and places of holding the Circuit Courts of Common Pleas and Courts of Sessions, and for establishing a new district for the Registry of Deeds in the county of Hancock, and 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 from and after the first day of March next, the times and places for holding the several terms of the Circuit Courts of Common Pleas and Courts of Sessions, in and for the county of Hancock, shall be, and places for hereby are established as follows, viz.: -At Castine, on holding the second Tuesday of April, and first Tuesday of No-court. vember; and at Bangor, on the first Tuesday of January, and second Tuesday of July, in each and every year.

SEC. 2. Be it further enacted, That from and after the said first day of March next, all laws heretofore made for establishing the times and places of holding the terms of the Part of act Circuit Court of Common Pleas and Courts of Sessions, repealed. within and for the county of Hancock, shall be, and the same are hereby repealed, so far as the same are repugnant to this act.

Sec. 3. Be it further enacted, That all actions, appeals, Actions, aprecognizances, and other processes that now are, or may peals, &c. hereafter be, prior to the said first day of March next, commenced or sued out, returnable to, continued in, or pending in the said courts, as heretofore by law established, shall be returnable, entered and continued to, pending in, prosecuted, tried, determined and adjudged, at the

said courts, respectively to be held by virtue of this act.

on the second Tuesday of April next. Sec. 4. Be it further enacted, That all the towns, dis-

Boundaries.

tricts, plantations, and other territory, within the said county of Hancock, lying north and west of the following described line, viz.: -Beginning at the south west corner of the town of Dixmont, and in the north-line of the Waldo patent; thence easterly by the said line of the Waldo patent to Penobscot river; thence by said river to the south line of the town of Orrington; thence by said south line of Orrington, and the southerly line of the town of Brewer, and of the Gore east of Brewer, to the west line of township number twenty in the lottery townships; thence north by the west line of townships numbered twenty, twenty-six, thirty-two, thirty-eight, and one, to the north west corner of number one; thence east by the line of the townships numbered one, two, three and four, to the west line of the county of Washington, shall be, District con- and the same are hereby constituted a district for the Registry of Deeds; and the inhabitants of the said district, are hereby authorised to choose a Register of Deeds in the manner provided by law; and the Register so chosen, shall keep his office in the town of Bangor, and Allen Gil-Justice to is- man, Esq. one of the Justices of the Peace in and for said sue warrant, county, is hereby authorised and empowered to issue his warrant to the selectmen of the several towns, and the assessors of the several plantations, authorised by law to within said district, ordering them to convene the inhabi-

stituted.

Register of Deeds to be chosen.

vote for Governor, Lieutenant-Governor and Senators. tants of said towns and plantations, qualified to vote for Representatives in the General Court, on the first Monday of April next, that they may proceed to the choice of some person qualified by law for the office of Register of Deeds, and ordering the said selectmen of said towns, and assessors of said plantations, to seal up and transmit a copy of the record of votes and persons voted for in their respective towns and plantations, together with the warrant, to the Circuit Court of Common Pleas, next to be held at Castine, on the second Tuesday of April next; and the person having the majority of votes, after being sworn and giving bond, as by law directed, shall be the Register of Deeds for the district aforesaid, and shall continue in office until the last day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, and until another shall be chosen and sworn in his stead; and if it shall appear that no person has a majority of votes in the said district, upon the examination of the returns aforesaid, the same proceedings shall be had as are directed by law, in other cases of vacancy in the office of Register of Deeds.

SEC. 5. Be it further enacted, That the person chosen as aforesaid, shall be subject to the same rules and disqualifications, to which Registers of Deeds for the seve- Register aural counties are subject; and from and after the first day thorised, of May next, shall be fully authorised and empowered to register and record all deeds of conveyance of lands and other real estate lying within the said district; and the record of deeds as aforesaid shall be valid to all intents and purposes whatever; and the record of any deed of conveyance of land or other real estate lying within the said district, which after the said first day of May next, by any other than the person chosen as aforesaid, shall be void and of no effect; and the Register to be chosen as aforesaid, shall be entitled to the same fees, in the execution of Fees. his office, as the Registers of Deeds in the several counties are entitled to receive.

SEC. 6. Be it further enacted, That if there shall not be provided in said town of Bangor, a suitable house for House to be provided. the accommodation of said courts, during their sittings, for the term of five years from the passing of this act, free of any expense to the county of Hancock, notice that said house is provided to be given to the Circuit Court of Common Pleas, to be holden at Castine, at their next session, at which term the said court shall cause proclamation thereof to be made, then this act shall be void and of no effect, so far as the same relates to the holding of the terms thereof in said town of Bangor, and said court shall in that case be holden at Castine, as heretofore provided.

Approved by the Governor, February 28, 1814.]

### CHAP. CLXXXIX.

An Act in addition to an act, entitled "An act in addition to an act, defining the general powers and duties, and regulating the office of Sheriff," and for extending the provisions thereof to Coroners.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the authority and powers given to, and duties required of the Justices of the several Courts of Common Pleas, with regard to Sheriffs, contained in an act, entitled "An act in addition to an act defining the general powers and duties, and regulating the office of Sheriff," passed the twenty-seventh day of February, in the year of our Lord one thousand seven hundred and ninety-five, shall be, and hereby are extended to the Justices of the several Circuit and other Courts of Common Pleas in this Commonwealth, with regard to Coroners; and the same proceedings in all respects shall be had respecting Coroners' bonds and sureties; and Coroners shall be liable to the same forfeitures for like causes, to be recovered in like manner, and subject to removal from office in the same way, and to be proceeded against in the same manner, in all respects, as are provided in the act to which this is an addition, with regard to Sheriffs.

[Approved by the Governor, February 28, 1814.]

## CHAP. CXC.

An Act in addition to an act, entitled "An act imposing a Tax on the Banks within this Commonwealth."

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 corporation of each and every Bank within this Commonwealth, which now is in operation, or which shall hereafter come into operation, shall, within ten days after the first Mondays of October and April

Authority, powers, and duties extended.

annually, pay to the Treasurer of this Commonwealth, for Shall pay tax the use of the same, a tax of one half of one per cent on to the Treasthe amount of such part of their original stock as shall urer. have been actually paid in by the stockholders in the respective Banks, according to the provisions contained in the first section of the act, entitled "An act imposing a Tax on the Banks within this Commonwealth."

Sec. 2. Be it further enacted, That it shall be the duty of the Corporation of the several Banks aforesaid, on or before the first Monday of April next, to furnish the Corporation Treasurer of the Commonwealth with an abstract of the amount of stock actually paid by stockholders in the respective Corporations, into their respective Banks, together with the time when the several instalments were paid; and it shall be the duty of all such Banking Incorporations, who have not yet completed the payment of their several instalments, and of all such as shall hereafter be incorporated, to furnish a like abstract of the amount of stock which shall be actually paid by the stockholders thereof into their respective Banks within ten days after such instalment shall have been paid in.

Sec. 3. Be it further enacted, That the first section of the act, entitled "An act imposing a Tax on the Banks Section in within this Commonwealth" be, and it hereby is repealed: Section in part repealed: Provided however, The same shall be and remain in force so far as to compel all such Corporations to fulfil and perform the duties therein required of them, and to pay the tax therein imposed on them, as shall have neglected to comply with the same.

Approved by the Governor, February 28, 1814.

# CHAP. CXCI.

An Act to erect the District of Lynnfield, in the county of Essex, into a town, by the name of Lynnfield.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the district of Lynnfield, in the county of Essex, as the same is bounded and defined in an act, entitled "An act for erecting a district, in the

porated.

Town incor. county of Essex, by the name of Lynnfield," be, and the same hereby is incorporated into a town, by the name of Lynnfield, with all the powers, privileges, and immunities, and liable to all the duties and requisitions of other towns in this Commonwealth.

[Approved by the Governor, February 28, 1814.]

### CHAP. CXCII.

An Act in addition to an act, entitled "An act to provide for the proof of Fire Arms, manufactured within this Commonwealth."

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 passing of this act, all musket barrels and pistol barrels, manufactured within this Commonwealth, shall, before the same shall be sold, and before the same shall be stocked, be proved by the person appointed according to the provisions of an act, entitled "An act to provide for the proof of Fire Arms, manufactured within this Commonwealth," to which this is an addition, in manner following, viz: with a charge of powder equal in weight to the ball which fits the bore of the barrel to be proved; and the powder used in such proof one ounce thereof in a howitzer of four and a half inch caliber, at an elevation of forty-five degrees, shall be of sufficient power to carry a twelve pound shot one hundred and thirty yards; or one ounce thereof in a howitzer of five and a half inch caliber, at an elevation of forty-five degrees, shall be sufficient to carry a twenty-four pound shot eighty yards, and the ball used in such proof shall be suited to the bore of the barrel to be proved as aforesaid. Sec. 2. Be it further enacted. That if any person or

persons, from and after the passing of this act, shall manufacture, within this Commonwealth, any musket or pis-Restrictions, tol, or shall sell and deliver, or shall knowingly purchase any musket or pistol, without having the barrels first proved according to the provisions of the first section of this act, marked and stamped according the provisions of the first section of the act to which this is an addition; or if

Manner of proving.

any person or persons shall sell, stock or finish, or shall knowingly purchase any musket barrel or pistol barrel manufactured within this Commonwealth, which shall not have been first proved, marked and stamped according to the provisions aforesaid, the person or persons who shall so manufacture, sell and deliver, or knowingly purchase any musket or pistol without causing the same to be first proved, marked and stamped as aforesaid, and the person or persons who shall sell, stock or finish, or shall knowingly purchase any musket barrel or pistol barrel, which shall not have been proved, marked and stamped as afore. Forfeitures. said, shall severally forfeit the sum of ten dollars, to be recovered by an action of debt before any court proper to try the same, by any person who shall sue for and recover the same, to his own use: Provided however, That the Proviso. foregoing provisions and penalties shall not extend to any muskets or pistols, or musket or pistol barrels, manufactured in any armoury of the United States, for their use, or in execution of any contract made or to be made with the United States, for the manufacture of fire arms.

Sec. 3. Be it further enacted, That the second and third sections of the act to which this is in addition, and Sections realso so much of the first section thereof as prescribes the mode of proving musket barrels and pistol barrels, and the power of the powder to be used in such proof, be, and the same are hereby repealed.

[Approved by the Governor, February 28, 1814.7

## CHAP. CXCIII.

An Act to incorporate The President, Directors and Company of the Lynn Mechanicks Bank.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Daniel Silsbe, Joseph Fuller the third, John D. Atwell, Thomas Rich, Samuel Brimble-Persons in cum, Micajah Burrill, Parker Mudge, Oliver Fuller, Jon-corporated. athan Conner, John Alley, jr. Stephen Oliver, John Mudge, and Jonathan Bachellor, their associates, successors, and assigns shall be, and hereby are created a Cor-

poration by the name of the President, Directors, and Company of the Lynn Mechanicks Bank, and shall so continue from the first day of September next, until the first Monday of October, which will be in the year of our porated for. Lord one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances and regulations as to them may appear necessary and convenient for the government of the said Corporation and the prudent management of their affairs: *Provided*, such by-laws, ordinances and regulations, shall, in no wise, be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

Proviso.

Amount of

Sec. 2. Be it further enacted, That the capital sock capital stock of the said Corporation shall consist of the sum of one and of each hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at two equal instalments; the first, on the first day of September next; and the second, on the first day of June, which will be in the year of our Lord one thousand eight hundred and fifteen, or at such earlier times as the said stockholders, at any meeting thereof, may order. the stockholders, at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which, being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said Corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of ten thousand dollars, and no more at any one time; with power to bargain, sell and

May hold real estate and amount.

Proviso.

dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles, on such security as they shall think advisable: Provided however, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate, in mortgage or on execution, to any amount, as security

for or in payment of any debts due to the said corporation: And provided further, That no money shall be loan- Proviso. ed or discounts made, nor shall any bills or promissory notes be issued from said bank, until the first instalment shall have been actually paid in as aforesaid. And at any time, after the payment of the last instalment aforesaid, it shall be lawful, and power is hereby granted to the stock- day add to capital. holders of said corporation, to add to their capital stock aforesaid the sum of fifty thousand dollars, if they shall think proper, to be paid in at one instalment.

Sec. 3. Be it further enacted, That the rules, restric-Rules, &c. tions, limitations, reservations and provisions, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established: Provided only, that the bond required Proviso, to be given by the Cashier, shall be in the penalty of ten thousand dollars; that the number of Directors, to be chosen annually, shall be nine, five of whom shall constitute a quorum for the transaction of business: And provided also, that the amount of bills, at any one time issued belts not to exceed 50 from said bank, shall not exceed fifty per cent beyond their per cent capital stock actually paid in.

Sec. 4. Be it further enacted, That the said bank shall be established and kept in the town of Lynn.

Sec. 5. Be it further enacted, That any committee, Legislative specially appointed by the Legislature for the purpose, committee shall have a right to examine into the doings of the said may examine books, &c. corporation, and shall have free access to all their books and vaults; and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Sec. 6. Be it further enacted, That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said Method of calling a corporation, as soon as may be, at such time and place, as meeting. they may see fit, by advertising the same for three weeks successively in the Essex Register and Salem Gazette. for the purpose of making, ordaining and establishing

such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Sec. 7. Be it further enacted. That it shall be the duty Shall trans- of the Directors of said bank, to transmit to the Governor mit statement and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation, before some person competent to administer the same.

Shall pay counterfeited notes.

Sec. 8. Be it further enacted, That the said corporation shall be liable to pay, to any bona fide holder, the original amount of any note of said bank, fraudulently altered in the course of its circulation to a larger amount, notwithstand-

Sec. 9. Be it further enacted, That the said corporation,

ing such alteration.

to the Treas. urer.

Proviso.

Shall pay tax from and after the first day of September next, shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been actually paid in: Provided however, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth: And provided further, That nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

propriated to loans.

SEC. 10. Be it further enacted, That one tenth part of Amount ap the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans. subject to such forfeitures and rights of redemption, as is

by law provided in other cases.

SEC. 11. Be it further enacted, That whenever the Le- Shall loan to gislature shall require it, the said corporation shall loan to the Commonthe Commonwealth any sum of money which may be re-wealth. quired, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: Provided however, that the Common-Proviso. wealth shall never, at any one time, stand indebted to said corporation, without their consent, for a larger sum than

twenty per centum of the capital stock actually paid in. SEC. 12. Be it further enacted, That the Commonwealth shall have a right, whenever the Legislature shall make Common. provision by law, to subscribe, on account of said Com-wealth may subscribe. monwealth, a sum not exceeding sixty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the

thereof.

[Approved by the Governor, February 28, 1814.]

Legislature made and established as to the management

CHAP. CXCIV.

An Act to restore the Board of Overseers of Harvard College, and to make an addition thereto.

Sec. 1. DE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That an act made and passed on the twenty-eighth day of February, in the year of our Lord one thousand eight hundred and twelve, entitled "An act to repeal an act, entitled an act to alter and amend Actrepealed the Constitution of the Board of Overseers of Harvard College, and to regulate certain meetings of that Board," be, and the same is hereby repealed.

Senate added to the Board.

SEC. 2. Be it further enacted, That the Senate of this Commonwealth shall be, and they hereby are added to the Board of Overseers, constituted by an act made and passed on the fifth day of March, in the year of our Lord one thousand eight hundred and ten, entitled "An act to alter and amend the Constitution of the Board of Overseers of Harvard College," and shall, together with the persons mentioned in the said last mentioned act, hereafter constitute the Board of Overseers of Harvard College, they, or the major part of them present at any legal meeting, to exercise and enjoy all the rights, powers and privileges, and to be subject to all the duties of the Board of Overseers. constituted under the said last mentioned act.

force.

Sec. 3. Be it further enacted, That this act shall be in Act, when in force, when the Överseers of Harvard College, constituted by the last mentioned act, and the President and Fellows of Harvard College, shall agree to accept the provisions of this act.

[Approved by the Governor, February 28, 1814.]

## CHAP. CXCV.

An Act to prevent Frauds in Elections.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That if any person, who is by law authorised to preside at any meeting, or to receive votes at any meeting, which may be holden for the choosing of Governor, Lieutenant-Governor, Senators and Counsellors, Representatives to Congress or to the General Court, or any town officers, shall knowingly receive the vote of any person, who is in the military service of the United States, and who is not qualified to vote agreeably to the constitution and laws of this Commonwealth in choosing as aforesaid; such person, so presiding or receiving any Forfeiture. vote as aforesaid, shall forfeit and pay one hundred dollars, to be recovered by information to be filed and prosecuted by the Attorney-General or the Solicitor-General in the Supreme Judicial Court, or by indictment in said Court.

[Approved by the Governor, February 28, 1814.]

#### CHAP. CXCVI.

An Act to apportion and assess a tax of one hundred and thirty-three thousand, three hundred and thirty-four dollars, ninety-two cents, for the service of the State. [Approved by the Governor, February 28, 1814.]

### CHAP. CXCVII.

An Act to transfer the Powers and Duties of the Courts of Sessions to the Circuit Court of Common Pleas, 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 from and after the first day of June next, the act, entitled "An act to establish the Court of Sessions," passed the twenty-fifth day of June, in the year of our Lord one thousand eight hundred and eleven, be, and the same is hereby repealed; except so far as it Act, in part relates to the counties of Suffolk, Nantucket and Dukes, repealed. county.

SEC. 2. Be it further enacted, That from and after the first day of April next, all petitions, recognizances, war- Petitions, rants, orders, certificates, reports and processes, made to, Recognipending in, taken for, or continued, or returnable to the zances, &c. Courts of Sessions in the several counties of this Commonwealth, except as aforesaid, shall be returnable to, entered, have day, be proceeded in, and determined by the respective Circuit Courts of Common Pleas, within and for the same counties at the term thereof, which shall be holden next after the first day of July next, and that all petitions, recognizances, warrants, orders, reports, and processes, which shall after the said first day of April next be made or taken, shall be made and taken to the Circuit Courts of Common Pleas within the respective counties, except as aforesaid, at the term thereof which shall be next holden after the said first day of July next, in the same manner as they would have been made or taken to the said Court of Sessions, if this act had not been passed.

Time of holding Courts.

Powers, &c.

SEC. 3. Be it further enacted, That from and after the first day of June next, the Circuit Courts of Common Pleas, within this Commonwealth, at the first term thereof, which shall be holden in each county, next after the first day of January, and at the first term thereof which shall be holden in each county next after the first day of July in each year, shall have, exercise and perform all the powers, authorities and duties, which the respective Courts of Sessions, within the several counties in this Commonwealth have, before and until the passing of this act, by law had, exercised and performed, except in the counties of Suffolk, Nantucket and Dukes' county as aforesaid.

SEC. 4. Be it further enacted, That his excellency the Governor to Governor, by and with the advice and consent of the appoint Ses- Council, be, and he hereby is authorised immediately after the passing of this act, to appoint and commission two discreet persons, being free-holders, within each county of this Commonwealth, except as aforesaid, who shall be Session Justices of the Circuit Court of Common Pleas in their respective counties; and the persons so appointed and commissioned, shall be associated with the Justices of the Circuit Court of Common Pleas at the first term of the said court, which shall be holden in their respective counties, next after the first day of January, and at the first term thereof which shall be holden next after the first day of July, in each year, for the purpose of hearing, adjudging and determining all matters and things of which the Courts of Sessions in the several counties in this Commonwealth, before and until the passing of this act, had cognizance and jurisdiction, and of which, cognizance and jurisdiction are by this act transferred to the Circuit Court of Common Pleas; and any three of the said Justices (of whom one at least shall be one of the Session Justices for the county) shall constitute a court for all the purposes expressed in this act.

Sec. 5. Be it further enacted, That the several Session Justices of the Circuit Court of Common Pleas shall be entitled to receive out of the treasury of their respective counties, three dollars for each day's necessary attendance at the Circuit Court of Common Pleas, and ten cents for each mile of necessary travel from their respective places of abode to attend said courts for the purpose expressed in this act: Provided, That the said Justices shall be al-

Compensation.

lowed pay for no more than one travel at any one term of the said courts.

Approved by the Governor, February 28, 1814.7

#### CHAP, CXCVIII.

An Act to establish a Fund for the support of Schools, in the town of Phillips.

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 Wilbur, Benjamin Persons in Tufts, Thomas C. Jordan, Jacob Whitney, Jonathan Pratt, corporated. Joseph Whitney, and Isaac Davenport, all of the town of Phillips, in the county of Somerset, be, and they hereby are constituted and made a body politic and corporate, by the name of The Trustees of the School Fund in the town of Phillips; and the said trustees in that capacity, shall have power according to their best discretion, to sell the public lot of land, in the said town, which in the original grant was reserved for the support of schools in the said town; and the monies arising from said sale to put at interest, in the manner provided by this act, which monies shall be a fund for the support of schools in the said town; and the number of the said trustees shall never exceed Trustees seven, nor be less than five, any three of whom may be a limited. quorum for doing business; and the said trustees and their successors, shall annually elect by written votes, a Election of chairman, and also a clerk to record and certify their do-officers. ings, and a treasurer to receive, keep, and apply the monies belonging to the said school fund as is herein directed; and the said treasurer shall give bond, with two suf- Treasurer ficient bondsmen, for the faithful discharge of his trust; to give bond and the said trustees may keep and use a common seal, subject to alteration at their pleasure; and by their corporate name aforesaid, may sue and be sued, in any action, real, personal or mixed, and may prosecute and defend the same, to final judgment and execution.

Sec. 2. Be it further enacted, That one of the said trustees shall annually retire, beginning and proceeding accordingly by seniority of age, and such vacancy shall be

Vacancy, how filled. supplied by election of the freeholders, at their annual town meeting for the choice of town officers; and in like manner any vacancy may be supplied, which may happen by death, resignation, removal, inability, infirmity, misconduct, or any other cause, which in the judgment of the said freeholders shall be sufficient for such removal, and to fill the vacancy so occasioned thereby; and they may also remove any officer or agent by them employed, when they may see sufficient cause.

Trustees empowered.

at interest.

SEC. 3. Be it further enacted, That the said trustees be, and they are hereby empowered to sell and convey the public lot in the said town, which in the original grant thereof was reserved for the support of schools in the said town of Phillips; and to make, execute, acknowledge, and deliver a good and sufficient deed or deeds thereof, which being signed by the treasurer, and countersigned by the clerk of the said corporation, with their seal affixed, shall be good and effectual in law, to pass and convey the fee simple from the said town to the purchaser; and the monies arising from the sale of the said school lands, shall Monies to be be put at interest as soon as may be, and secured by mortgage on real estate, to the full value of the property sold, or money loaned, or by two or more sureties with the principal, unless the said trustees shall think it more expedient to invest the same in public funded securities or bank stock, at their discretion; and all donations, grants, bequests, or legacies, which may be hereafter made and given for the use of schools in the said town of Phillips, shall be added to the said fund, and appropriated to the same purpose, in the manner, and within the restrictions and provisions made in this act. And the interest and profits only arising from the said funds, shall be used and applied for the benefit of the schools in the said town; and it shall never be in the power of the said town to alienate, alter, or vary the appropriation of the said funds. And the said trustees, and the officers of the said corporation, for the services they may perform, shall receive no compensation out of the said funds, interests or profits aforesaid, but a reasonable compensation for such services may be paid to them by the said town, as they may see cause.

Trustees responsible.

Sec. 4. Be it further enacted, That the said trustees and each of them severally, shall be responsible to the town for their personal neglect, or misconduct, whether they be officers or not, and liable to prosecution for any loss or damage to the said funds arising thereby; and the debt or damage, recovered in such suit, shall be considered as belonging to the said funds, and applied accordingly; and at every annual meeting of the said town, the trustees Duties of the shall exhibit a true and fair statement of their doings, and Trustees. of the condition of the said funds; and the said trustees and the officers of the said corporation, for the services they may perform, shall receive no compensation out of the funds, interests or profits aforesaid, but a reasonable compensation for such services may be allowed to them by the said town.

Sec. 5. Be it further enacted, That any Justice of the Peace for the county of Somerset, is hereby empowered, Justice to isupon application therefor, to issue a warrant directed to one sue warrant. of the trustees named in this act, requiring him to notify and warn a meeting of said trustees, to meet at such convenient time and place, as shall be appointed in the said warrant, to organize the said corporation, by the election and appointment of its officers; and the said corporation, when duly organized, may adopt and settle the way and means

of calling and notifying future meetings. Approved by the Governor, February 28, 1814.7

## CHAP. CXCIX.

An Act in addition to, and declaratory of the true intent and meaning of "An act to repeal in part an act, entitled an act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes."

WHEREAS in pursuance of "An act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Preamble. Records and Files, and for other purposes," some clerks of the courts had rendered to the treasurers of their respective counties their accounts of the sums by them received, and had paid over to their respective county treasurers, for the use of the county, one half of the residue,

after deducting twelve hundred dollars; and whereas the General Court had directed the sums that were to be so paid by the clerks, within the second and the third Eastern Circuits, to be paid over by the county treasurers within the said Circuits, to the Judges of the Circuit Courts of Common Pleas, for their further compensation:

Explanation of act.

Sec. 1. Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That nothing contained in "An act to repeal in part an act, entitled an act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes," shall be so construed, as to exempt the clerks of the several counties from rendering their accounts to the respective county treasurers, of monies received by them until the twenty-seventh day of January, in the year of our Lord one thousand eight hundred and fourteen, or from paying over one half of the residue of the sums received by them, after deducting twelve hundred dollars annually, until the said twentyseventh day of January, in the same manner they were required to do, by the second section of "An act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes."

Judges may appoint clerks. SEC. 2. By it further enacted, That the Judges of the Supreme Judicial Court are hereby authorised and empowered to appoint Clerks of the Supreme Judicial Court, and of all the Circuit Courts of Common Pleas within the Commonwealth.

[Approved by the Governor, February 28, 1814.]

## CHAP. CC.

An Act to repeal in part an act, entitled "An act to incorporate Samuel H. Flagg, and others, by the name of The Proprietors of Prison Point Dam 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 so much of the act, entitled

"An act to incorporate Samuel H. Flagg, and others, by the name of The Proprietors of the Prison Point Dam Corporation, as provides that five cents a ton shall be al- Act in part lowed and paid by the said corporation for detention of all repealed. sea vessels of more than forty tons burthen, which shall pass with freight through the locks thereof, be, and the same is hereby repealed.

Sec. 2. Be it further enacted, That the said corporation shall be allowed to occupy and possess for the objects of property. and purposes of said corporation, a parcel of flats between Prison Point and Lechmere's Point, not exceeding three hundred feet in width, if in their judgment, the same shall be found necessary, and that the travelling path on said dam shall not be less than thirty feet in width.

Sec 3. Be it further enacted, That the proprietors of said dam, shall have a right, if at any time hereafter they Rights and shall see fit to make a road from the said dam to the privileges. Main-Street in Charlestown; and any person whose land shall be taken for said road, shall be entitled to compensation in damages therefor, and shall have a like remedy and process therefor in all repects as is given in the several acts for laying out highways within this Commonwealth.

Approved by the Governor, February 28, 1814.7

END OF JANUARY SESSION, 1814:

#### COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, May 4, 1814.

By this I certify, that the acts and laws contained in this Pamphlet, which were passed by the Legislature at their January Session the present year, have been examined and compared in this Office with the originals, and appear to be correct.

Secretary of the Commonwealth. ALDEN BRADFORD,