

# 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.

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

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*BOSTON:*

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1812-15.

# LAWS

OF THE

## COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT,

AT THE SESSION, COMMENCING ON THE EIGHTEENTH DAY OF

JANUARY, AND ENDING ON THE FIRST DAY

OF MARCH, 1815.

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### CHAP. LXXX.

An Act to authorize the Suffolk Insurance Company  
to reduce its capital stock.

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 Suffolk Insurance Company be, and they hereby are authorized to re-* May reduce capital stock:  
*duce the capital stock of the said Corporation, to one hundred thousand dollars, and to divide the excess among the Stockholders, in proportion to their respective shares, in such way and manner as a major part of the Stockholders, at a meeting to be called for that purpose, shall decide; and that in estimating the value of the property to be retained by said Corporation, regard shall be had to its specie cost: Provided* Proviso:  
*however, That the said corporation shall never take any sum, upon any one risk, exceeding ten per centum on the amount of the capital so reduced.*

SEC. 2. *Be it further enacted, That Epes Sargent, Esq. President of said Corporation, be, and he is*

May call meeting.

hereby empowered to call a meeting of the Stockholders of said Corporation, for the purpose aforesaid, to be holden at the office of said Corporation, on the first Monday of February next, at eleven o'clock in the forenoon, by notification in one of the newspapers, printed in the town of Boston, seven days at least, before the said day of meeting.

[Approved by the Governor, January 28, 1815.]

## CHAP. LXXXI.

An Act to continue in force an act, entitled "An act to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company," and also the several acts in addition thereto.

**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 to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company," passed the twenty-fifth day of June, in the year of our Lord one thousand seven hundred and ninety-five, and also an act entitled "An act in addition to an act, entitled an act to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company," passed the thirteenth day of February, in the year of our Lord one thousand seven hundred and ninety-nine, and also an act entitled "An act in addition to an act, entitled an act in addition to an act to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company," passed on the third day of March, in the year of our Lord one thousand eight hundred and six, and the powers and privileges, granted by the said acts respectively, shall be, and remain in full force, for the space of twenty years, from the twenty-fifth day of June, one thousand eight hundred and fifteen, any thing in either of the acts aforesaid to the contrary, notwithstanding.

Acts to remain in force.

[Approved by the Governor, January 28, 1815.]



## CHAP. LXXXII.

An Act to incorporate the Stoughton Woollen and 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* Hezekiah Gay, Bethuel Drake, jun. Lemuel Gay and John Gay, with such other persons 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 Stoughton Woollen and Cotton Manufacturing Company, for the purpose of manufacturing woollen and cotton goods, at Stoughton, 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 on 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.

SEC. 2. *Be it further enacted, That* said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of seventy five thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of woollen and cotton goods, at Stoughton aforesaid.

May hold real and personal estate.

[Approved by the Governor, February 2, 1815.]

## CHAP. LXXXIII.

An Act further continuing in force an act providing for the appointment of a Reporter.

**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 farther  
continued in  
force.

act providing for the appointment of a Reporter of Decisions in the Supreme Judicial Court," passed on the eighth day of March, in the year of our Lord one thousand eight hundred and four, and continued in force, by two subsequent acts until the eighth day of March, one thousand eight hundred and fifteen, together with all the provisions therein contained, be, and the same are hereby further continued in force, until repealed by the Legislature.

[Approved by the Governor, February 2, 1815.]

## CHAP. LXXXIV.

An Act to establish a Cotton, Woollen and Linen Factory Company in the west precinct in Bridgewater.

Persons incor-  
porated.

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 Howard, Edwin Howard, Ephraim Edson, Benjamin B. Howard, George Howard, 2d, Asa Briggs, Nahum Leonard, Greenleaf Pratt, Jonathan Wentworth and Charles Howard, their successors and assigns, be, and they hereby are made a Corporation, by the name of West Factory Company, for the purpose of manufacturing cotton, woollen and linen yarn and cloth, in the west precinct in Bridgewater; and for that purpose 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 on the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold real  
and personal  
estate.

SEC. 2. *Be it further enacted*, That said Corporation, in their corporate capacity, shall, and may lawfully hold and possess such real estate, not exceeding fifty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on said manufacture, in their various branches as aforesaid.

[Approved by the Governor, February 2, 1815.]

## CHAP. LXXXV.

## An Act to establish The Stow 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 Silas Jewell, Abraham Randall, jun. William Trobridge, and Winslow Dunton, Persons in-  
corporated. 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 Stow Cotton Manufactory, for the purpose of manufacturing cotton yarn and cloth in the town of Stow, in the county of Middlesex; and for that 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 one thousand eight hundred and nine.

SEC. 2. *Be it further enacted,* That the said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton yarn and cloth in said town of Stow. May hold real and personal estate.

[Approved by the Governor, February 4, 1815.]

## CHAP. LXXXVI.

## An Act to establish The Watertown 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 Amos Bond, Jeduthun Fuller, Mason Hunting, Joseph Pierce, Edward Richards, Persons in-  
corporated.

and Enoch Wiswell, with such others, as may hereafter associate with them, and their successors and assigns, be, and they are hereby established and made a corporation, by the name of The Watertown Cotton Factory Company, for the purpose of manufacturing cotton goods in the town of Watertown; and for this purpose shall have all the powers and privileges, and shall 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.

May hold  
real and per-  
sonal estate.

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

[Approved by the Governor, February 4, 1815.]

## CHAP. LXXXVII.

An Act to fix the times and places for holding the Circuit Court of Common Pleas and Court of Probate in the County of Oxford, and for other purposes.

Times and  
place where  
held.

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 Circuit Court of Common Pleas, in and for the county of Oxford, shall be holden at Paris in said county, on the last Tuesday of February, on the second Tuesday of June and on the first Tuesday of October, annually.

SEC. 2. *Be it further enacted*, That all actions pending at, and all writs, recognisances and processes now made or which may be made returnable to any of the aforesaid Circuit Courts of Common Pleas, which before the operation of this act, should have been holden at any other time or place than those in this act affixed

for holding said courts, shall be returnable to, entered, made, and determined, at the Circuit Court of Common Pleas, next to be holden in the county of Oxford, after the first day of May next, agreeable to the true intent of such writ, process, recognisance, or appeal.

SEC. 3. *Be it further enacted*, 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 Fryburg on the last Monday of every month in the year ; at Waterford on the Saturday next preceding the sitting of the Circuit Court of Common Pleas in February, June and October ; at Buckfield on the Monday next preceding the sitting of said court in June and October ; at Paris, on the first day of the sitting of said court, in February, June and October ; and at Bethel, Dixfield and Livermore, once in each year, on such days and in such places, in said towns, as the conveniency 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 times and places in each of said towns, when and where he will hold the courts aforesaid.

Holding of court of Probate.

SEC. 4. *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 proceedings therein to such time and place as the said Judge may consider necessary or expedient.

Provision in case of absence.

SEC. 5. *Be it further enacted*, That the act passed on the ninth day of June, in the year of our Lord one thousand eight hundred and fourteen, entitled "An act to fix the times and places for holding the Circuit Court of Common Pleas in the County of Oxford," and also An act passed on the fourteenth day of January, in the year of our Lord one thousand eight hundred and fourteen, entitled "An act to fix the times and places for holding the Courts of Probate in the County of Oxford."

Acts repealed.

and for other purposes" be, and the same are hereby repealed.

Act, when in force.

SEC. 6. *Be it further enacted*, That this act shall be in force from and after the first day of May next.

[Approved by the Governor, February 4, 1815.]

## CHAP. LXXXVIII.

An Act to establish the town of Woodstock.

Town incorporated.

Boundaries.

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 half township granted to Dummer Academy, and the half township granted to Gorham Academy, said half townships lying within the county of Oxford, be, and hereby are established as a town, by the name of Woodstock, within the following described boundaries, viz. beginning at the north-west corner of the town of Paris; thence south, sixty-eight and an half degrees east, on the northwardly line of Paris, to the north-east corner of said town; thence north, fourteen degrees west, on the line of the town of Sumner, three hundred and sixty rods; thence north, on the line of said Sumner, four hundred and eighty rods to a beach tree, standing in the north-west corner of said Sumner; thence north, ten degrees west, three hundred and twenty rods to a tree marked; thence north, sixty-eight and an half degrees east, eighty rods, to a tree marked; thence north seven hundred and thirty-four rods, to a spruce tree, marked and standing in the north-east corner of a half township granted to Gorham Academy; thence south, sixty-eight and a half degrees west, sixteen hundred and sixty-four rods, to a beach tree standing in the north-west corner of said grant to Gorham Academy; thence on the same course on the north line of a half township granted to Dummer Academy three miles and eight rods to the north-west corner of said half township near the westwardly side of a pond; thence south, thirty degrees east, on the westwardly line of said last mentioned half township, six miles, to the first mentioned

bounds. And the inhabitants of the said town of Woodstock are hereby vested with all the powers and privileges, and subjected to the like duties and requisitions of other towns, according to the constitution and laws of this Commonwealth.

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 a freeholder and inhabitant of the said town of Woodstock, requiring him to notify and warn the inhabitants thereof to meet at such convenient time and place as shall be expressed in the said warrant, for the choice of such officers, as towns are by law required to choose, at their annual town meetings.

Justice to issue warrant.

[Approved by the Governor, February 7, 1815.]

## CHAP. LXXXIX.

### An Act to establish The Monson 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 Asa Gates, Luther Carter, Nathan Hoar, Hamilton Utley, and Samuel Whitney, 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 Monson Woollen Manufacturing Company, for the manufacture of woollen cloth in the town of Monson; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements, prescribed and contained in an act, passed on 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?

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess real estate to the amount of sixty thousand dollars, and personal estate

May hold real and personal estate.

to the amount of forty thousand dollars, as may be necessary and convenient for carrying on the manufacture of woollen cloths in the said town of Monson.

[Approved by the Governor, February 7, 1815.]

## CHAP. XC.

**An Act to incorporate the Foxborough Cotton Manufacturing Company.**

Persons in-  
corporated.

**SEC. 1.** **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That John Brayton, William Richmond, William Wood, and Hezekiah Anthony, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a body politick and corporate, by the name of **The Foxborough Cotton Manufacturing Company**, for the purpose of manufacturing cotton yarn and cloth in Foxborough, 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 prescribed and contained in an act, passed on 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-  
sonal estate.

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

[Approved by the Governor, February 7, 1815.]



## CHAP. XCI.

An Act granting to John L. Sullivan, a term of time for the use of his patent Steam Tow Boats on Connecticut River, within this Commonwealth.

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That there be, and hereby is granted to John L. Sullivan, his heirs, executors, administrators, and assigns, on the conditions herein contained, the exclusive right to Connecticut river within this Commonwealth, for the use of his patent steam tow boats, and the improvements he may make thereon, for the space of twenty-eight years; being double the time allowed by the patent laws of the United States, from and after the expiration of his said patent, bearing date the 2d day of April in the year 1814: *Provided how-* Rights and  
privileges.  
*ever,* that the said Sullivan or his heirs, associates or assigns, shall build, and put in operation on the said river, at least one steam boat within five years from the date of this act. Proviso.

[Approved by the Governor, February 7, 1815.]

## CHAP. XCII.

An Act to incorporate The Wellfleet 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 Josiah Whitman, Beriah Higgins, Thomas Higgins, William Cole, John Smith, George Ward, Reuben Arey, John G. Newcomb, 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 Wellfleet Manufacturing Company, for the pur- Persons in-  
corporated.

pose of manufacturing cotton and woollen cloth and yarn at Wellfleet, in the county of Barnstable; 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 on 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 of such real estate, not exceeding twenty thousand dollars, and such personal estate, not exceeding forty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton and woollen cloth and yarn, at Wellfleet aforesaid.

[Approved by the Governor, February 10, 1815.]

### CHAP. XCIII.

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

**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 capital stock of the President, Directors, and Company of the Beverly Bank, shall be one hundred thousand dollars, the number of shares to remain the same as at present established by law. And the said Corporation shall be holden to pay the tax, and to loan the Commonwealth only on the actual capital of the bank, after any dividend of the same shall have been made in pursuance of this act. And the said Commonwealth shall have a right to subscribe to the stock of said bank, only to the amount of fifty thousand dollars. *Provided however,* That no dividend of the capital stock shall be made, when the specie belonging to the corporation, actually existing in their vaults, shall be a less sum than the amount of bills in circulation, and all deposits, and other

Capital, &c.

Proviso.

demands existing against the same. *And provided also,* Proviso.  
That nothing herein contained shall be construed to affect the liability of the corporation or the individual stockholders, as established by the act incorporating the said bank.

[Approved by the Governor, February 10, 1815.]

CHAP. XCIV.

An Act in addition to an act, entitled “An act against Forgery and Counterfeiting.”

**BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That in all cases where any person has been or hereafter may be convicted before the Municipal Court of the town of Boston, of the crimes enumerated in the act, entitled “An act against Forgery and Counterfeiting,” the person or persons who may or shall have informed and prosecuted, shall severally be entitled to the same rewards, as in the ninth section of said act is provided; and his excellency the Governor, with the advice and consent of the Council, on the certificate of the Judge of the said Municipal Court, before whom such conviction may have been or shall hereafter be had, may issue his warrant therefor on the Treasurer of this Commonwealth in the same manner, as if such conviction had been had before the Supreme Judicial Court, and such certificate granted by the Justice or Justices thereof.

Jurisdiction enlarged.

[Approved by the Governor, February 10, 1815.]

CHAP. XCV.

An Act to incorporate The Easton 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 David Manly, Oliver Ames,

Feb. 10, 1815.

Persons in-  
corporated.

Elijah Smith, Nathaniel Howard, Elijah Lothrop, Thaddeus Howard, jun. Eliphalet Mitchell, and Asa Howard, 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 Easton Manufacturing Company, for the purpose of manufacturing cotton, woollen cloth and yarn, at Easton, 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 prescribed and contained in an act, passed on 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-  
sonal estate.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, 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 of cotton and woollen cloth and yarn, at Easton aforesaid.

[Approved by the Governor, February 10, 1815.]

## CHAP. XCVI.

An Act to extend the time for building a Bridge over the river Androscoggin, at Lewistown.

Further time  
allowed.

**BE** *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 six years, from the passing of this act, be, and hereby is granted to the proprietors of the bridge to be built at Lewistown, in the county of Lincoln, the limitation in the act granting seven years to build said bridge having expired notwithstanding.

[Approved by the Governor, February 10, 1815.]

## CHAP. XCVII.

An Act in addition to an act, entitled, “An act to incorporate Ezekiel Hersey Derby and others for the purpose of building a Bridge over South River in Salem.”

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the town of Salem shall be, and hereby is authorized and empowered to reduce the leaves of the draw of the South Salem bridge to the length of twenty feet, within the railing, and hereafter to maintain and keep the same of such length, between twenty feet and thirty feet, as by the said town shall be deemed most expedient, any thing in the act to which this is in addition to the contrary notwithstanding.

May reduce leaves.

[Approved by the Governor, February 10, 1815.]

## CHAP. XCVIII.

An Act for further regulating the Fishery in Mattempoissett River, in the town of Rochester.

**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 this act, the inhabitants of the town of Rochester, at any meeting legally warned for that purpose, may prohibit the taking any of the fish called alewives in Mattempoissett River in said town for the present year, excepting at one place therein, to be by them appointed in said meeting; and may also, by their vote, in such meeting, establish such mode of taking said fish, at such place as they shall think proper.

Town may prohibit the taking Fish.

**SEC. 2.** *Be it further enacted,* That the said inhabitants, at such meeting, may appoint some person or persons to take said fish in such place, for such year (not

exceeding three days in a week) for the use of said inhabitants, to be disposed of in such way and manner, as they in such meeting by vote shall agree upon.

Penalty for  
not conform-  
ing to rules.

SEC. 3. *Be it further enacted*, That if any person or persons who shall be so appointed, or any person who shall purchase the exclusive right, of taking said fish at any place in said river, according to the laws now in force for that purpose, shall not conform to the rules and regulations, for them respectively established by said inhabitants, such person or persons shall for each breach of such rules and regulations, forfeit and pay to said inhabitants twenty-five dollars, to be recovered in an action of debt in any Court proper to try the same.

[Approved by the Governor, February 10, 1815.]

### CHAP. XCIX.

An Act in further addition to an act, entitled, "An act for incorporating James Sullivan, Esq. and others, by the name and style of the Proprietors of Middlesex Canal."

May demand  
toll.

**BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the proprietors of the Middlesex Canal be, and hereby are, authorized and empowered to demand and receive toll on boats and rafts, that shall pass Wicasee lock and canal in the town of Tyngsborough in this Commonwealth, at the following rates, viz. For every cord of pine wood eight cents, for every other kind of wood ten cents per cord, for every ton of merchandize or other loading ten cents, for other articles going down the canal, one tenth of the toll now allowed on the same articles at the Middlesex Canal.

[Approved by the Governor, February 11, 1815.]

## CHAP. C.

## An Act to establish The Oakham Cotton and Woollen 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 Luke Robinson, Asa French, jun. and Eli Fairbanks, with such others as Persons in-  
corporated. may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Oakham Village Cotton and Woollen Factory Company, for the manufacture of cotton and woollen cloth and yarn, in the town of Oakham, in the county of Worcester; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act, passed on 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 hold and possess such real estate to the value of ten thousand dollars, and such personal estate, to the value of twenty thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton and woollen cloth and yarn in the said town of Oakham. May hold re-  
al and perso-  
nal estate.

[Approved by the Governor, February 16, 1815.]

## CHAP. CI.

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

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by

Act in part  
repealed.

*the authority of the same,* That so much of an act, entitled "An act to incorporate the President, Directors, and Company of the Waterville Bank," as regards the times at which the stockholders of said bank are required to pay in the third and fourth instalments of the capital stock thereof, be, and hereby is repealed; and that the stockholders of said bank be, and they hereby are required to pay in, the said third and fourth instalments of the capital stock of said bank at the following periods, to wit: the said third instalment on the first day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, and the said fourth instalment on the first day of June next after.

[Approved by the Governor, February 16, 1815.]

## CHAP. CII.

An Act in addition to an act, entitled "An act to incorporate certain persons into a Company, by the name of The South-Boston Association."

Act continu-  
ed.

**BE** *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 fourteenth day of June, in the year of our Lord one thousand eight hundred and five, entitled "An act to incorporate certain persons into a company, by the name of The South-Boston Association," be, and the same is hereby continued in force until the fourteenth day of June, which will be in the year of our Lord one thousand eight hundred and twenty, any thing in the act to which this is in addition to the contrary notwithstanding.

[Approved by the Governor, February 16, 1815.]



## CHAP. CIII.

An act in further addition to an act, entitled "An act authorising a Lottery, for completing the repairs of Plymouth Beach."

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the managers appointed under the act, authorising a Lottery for completing the repairs of Plymouth Beach, be, and they hereby are authorised to deduct, not only the charges of stationary, printing and other expenses of drawing each class, but also like reasonable compensation for their services and expenses, as was allowed by the President and Fellows of Harvard College, to the Managers of the Lottery under their act of March 14th, 1806, from the sum raised by each class; and that the remainder be considered the "whole proceeds" mentioned in said act, any thing in the acts, to which this is an addition, to the contrary notwithstanding.

Managers  
authorised to  
deduct ex-  
penses.

[Approved by the Governor, February 16, 1815.]

## CHAP. CIV.

An Act to set off Hezekiah Corey, jun. from the town of Gardner, and annex him to the town of Ashburnham.

**SEC. 1.** **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Hezekiah Corey, jun. of Gardner, in the county of Worcester, with his family and the lot of land containing about forty acres, lying in said town of Gardner, and on which said Corey now lives, be, and hereby are set off from said town of Gardner, and annexed to the town of Ashburnham, in said county; and the said lot of land shall hereafter

Person set  
off.

Proviso.

constitute a part of said town of Ashburnham; and said Corey be liable to all the duties, and entitled to all the rights and privileges of an inhabitant of said town of Ashburnham: *Provided nevertheless*, said Corey shall be holden to pay all taxes legally assessed upon him in said town of Gardner prior to passing this act, in the same manner as though this act had not been passed: *Provided also*, That said town of Ashburnham shall not discontinue a town road laid out through said lot of land for the accommodation of a farm now in the occupation of Jonathan Bancroft, jun. but the same shall be, and remain as it is now located: *And provided further*, That all and every person who may have gained a settlement in the town of Gardner, by residing on said lot of land, and who might hereafter become poor and chargeable to said town of Gardner, shall nevertheless be taken to be the proper poor of, and be supported by the said town of Ashburnham, any law, usage, or custom, to the contrary notwithstanding.

[Approved by the Governor, February 16, 1815.]

## CHAP. CV.

An Act to incorporate The Third Religious Society in  
Dorchester.

Persons in-  
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Samuel Withington, Benjamin Fuller, James Tolman, Mark Hollingsworth, Dexter Tiffany, Amasa Fuller, Edmund Baker, Thomas Crehore, Euclid Tileston, Charles Park, John Bussey, Stephen Pierce, John Bussey, jun. James Pierce, Samuel H. Spurr, Henry Cox, Thomas Bussey, Caleb Jarvis, Benjamin Parsons, Isaac Sanderson, James Kelton, Isaac Cox, John Lillie, Henry Crane, Darius Brewer, David Brewer, Seth Briggs, Walter Baker, Jesse Sumner, William H. Wood, William Mellus, Joshua Pierce, Reuben Swan, Elisha Lapham,

David Johnson, Comfort Foster, Ezekiel Holden, Ezra Badlam, Edward Haynes, Lemuel Shepard, Ebenezer Stedman, Nathaniel Ferrett, William Humphry, Stillman Lincoln, William Bumstead, Henry Smith, John Paul, Henry Clark, Zenas Eaton, Samuel Withington, jun. Ebenezer Davenport, Samuel B. Pierce, Thomas Munroe, Abner Stoddard, Samuel Williams, William Trescott, Peter Mayo, Sylvanus Crosby, Thomas Bell, Charles Prentiss, John Nightingale, Isaac Crane, Jesse Inglee, Oliver Warren, William E. Vincent, Luther Gay, Zachariah Cain, Ebenezer Trescott, Sewell Fessenden, Samuel Richards;—petitioners, with such other inhabitants of the towns of Dorchester and Milton, as shall desire to unite with them, be, and they hereby are incorporated into a parish, by the name of The Third Religious Society in Dorchester, with all the powers, privileges and immunities, to which the other parishes in this Commonwealth are by law entitled.

SEC. 2. *Be it further enacted,* That the polls and estates, property of the petitioners, and of all other persons who may become members of said Third Religious Society, and the property they shall respectively hold or occupy on the first day of May annually in said towns of Dorchester and Milton, shall be taxable in said Third Religious Society and in that only for parochial purposes.

Property  
liable to be  
taxed.

SEC. 3. *Be it further enacted,* That whenever any person being an inhabitant of said Dorchester or Milton, shall desire to become a member of said Religious Society, such membership shall be certified by a committee of said Society chosen for that purpose and filed with the clerk of the town or parish, to which he or she belongs, and the certificate of such committee may be as follows:

We certify that

of the town of

is a member of the third Reli-

gious Society in Dorchester; dated this  
day of

A. D. 18

Form of cer-  
tificate.

} Committee.

Said certificate to be filed as aforesaid, fourteen days previous to the annual meeting of said third parish in March or April; such person or persons, paying his or her proportion of all monies voted in the Religious Society to which he or she belonged previous to his joining said third parish, shall from and after giving such certificate with his or her polls and estates, be considered as a member of said Third Religious Society.

SEC. 4. *Be it further enacted*, That if any member of said Third Religious Society shall see cause or be inclined to leave said Society and join in worship with any other religious Society in said town of Dorchester, or in any other town of which he may be an inhabitant, shall give his or her name to the clerk of said Third Religious Society, signed by the minister or clerk of the parish, or other incorporated Society, with which he or she may unite, that he or she has actually become a member of and united in religious worship in such other parish or other incorporated religious Society, fourteen days previous to their annual meeting in March or April, and shall pay his or her proportion of all monies voted in said Society to be raised previous thereto, shall from and after giving such certificate, with his or her polls and estate, be considered as a member of the Society to which he or she may so unite.

Income to  
be annually  
divided.

SEC. 5. *Be it further enacted*, That the income of the ministerial land so called, which was given and set off for the use and maintenance of the ministry, and the income of all other ministerial land and property, which shall be used for the support and payment of the ministers of the gospel in the town of Dorchester, shall be annually divided between the first, second, and third religious Societies, in the same proportion that the members of each parish shall collectively bear to each other, in the state tax, which shall be assessed from time to time in the town of Dorchester, to be annually compared and ascertained by the assessors of the three parishes, and to be drawn from the town treasury accordingly.

Ministerial  
taxes to be  
divided.

SEC. 6. *Be it further enacted*, That all the ministerial taxes assessed and collected within the town of Dorchester on estates belonging to non-residents, shall

be divided between the first, second, and said Third Religious Society in the ratio established for the division of the income of the ministerial land and property.

SEC. 7. *Be it further enacted*, That the qualified voters as herein after specified, in said Third Religious Society be, and they hereby are authorised and empowered to grant and vote, from time to time, such sums of money as they shall judge necessary for the settlement and support of the ministry in said Society, and for all other necessary parish charges, which sums may be assessed on the pews in the meeting-house belonging to said Society, in the proportion specified in the deeds of conveyance from Edmund Baker to the original proprietors; and if any proprietor or proprietors of a pew or pews, shall neglect or refuse to pay any assessment made as aforesaid, within sixty days next after the time appointed for the payment of the same, the treasurer of said Society shall have power to sell the pew or pews of such delinquent proprietors, together with his right and interest in said house at public auction, first giving notice to the delinquent proprietors of the time and place of sale, by posting up notifications thereof at the meeting-house of said Society, fourteen days at least before the day of sale; and the said treasurer is hereby authorised to make, execute, acknowledge and deliver to the highest bidder good and sufficient deed or deeds of any pew or pews sold in manner as aforesaid; and the surplus money, (if any there shall be,) arising from such sale beyond satisfying the assessment aforesaid and intervening charges, he shall return to the delinquent proprietor or proprietors.

Empowered to raise money.

Power to sell pews of delinquent proprietors.

SEC. 8. *Be it further enacted*, That the proprietors or occupiers only of the pews, in the meeting-house, built by the said Third Religious Society, shall be entitled to vote in parish affairs, so that one vote may be given for each pew, any thing in this act to the contrary notwithstanding.

Proprietors entitled to vote.

SEC. 9. *Be it further enacted*, That any Justice of the Peace in the county of Norfolk be, and he is hereby authorised and empowered, to issue his warrant, directed to some suitable member of said Society, to notify and warn the legal voters of the said Third Religious

Justice to issue his warrant.

Society to meet at such time and place as shall be appointed in said warrant, to choose such officers and transact such business as parishes are by law entitled to choose and transact in the month of March or April annually.

[Approved by the Governor, February 16, 1815.]

## CHAP. CVI.

An Act to regulate the Fishery in Duck trap stream, in the town of Lincolnvillle.

Selectmen  
may lease  
the fishery.

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 selectmen in behalf of the town of Lincolnvillle, shall have power annually, at the town meeting holden in March or April, to lease the fishery in the said town, for the fishing season, to the highest bidder therefor, under such conditions, limitations, and reservations as are provided in this act. And when the said lease shall be completed and settled between the selectmen and lessee, that no person may plead ignorance thereof, the said lease shall be declared and published at the town meeting then next following, and a fair copy of the said lease shall be signed, and delivered by the town clerk to the lessee, and the same shall also be recorded in the records of the town, and the profits which may from year to year accrue from the sale or lease of the said fishery shall be appropriated by the said town, to such uses as the inhabitants, in legal town meeting, may from time to time order and direct. And the fish committee, which shall be annually appointed by the town, shall appropriate such proportions of the fish caught within the limits of the said town, as shall be annually allotted and determined by the selectmen, for the use of the poor of the said town, gratis; and this reservation and privilege of the poor, shall be inviolably preserved to them, when the said selectmen do annually sell, or lease the fishery for the season, and which shall always be a condition in the said lease.*

SEC. 2. *Be it further enacted*, That it shall be the duty of the selectmen, annually, to make, or cause to be made out a list of all such poor persons, being inhabitants resident in said town, as, in their best judgment and discretion, are entitled to receive fish *gratis*, according to the privileges and benefits intended to be provided for and secured by this act, which list shall be seasonably prepared, so as to be read, and if approved and adopted, at the same annual town meeting, shall be and remain in force for the current year.

Duty of selectmen.

SEC. 3. *Be it further enacted*, That for the permanent and orderly regulation of the fishery, in the said town of Lincolnville, it shall be lawful for the inhabitants of said town, and they are hereby required, at their annual meeting in March or April, to appoint a committee of the freehold inhabitants thereof, not exceeding seven, nor less than three, who shall be sworn (or affirmed as the case may be) to the faithful discharge of the duties enjoined upon them by this act; and it shall be the duty of the said committee to see that the natural course of the rivers or streams, through which the fish pass up, shall be kept open and free from all obstructions, during the whole season of the passing of the fish up and down the rivers and streams in the said town; and the powers and jurisdiction of the said committee shall extend to, and over all the streams and ponds or other waters within the limits of the said town, running into, or in any way connected with, the said duck trap stream; and the said committee shall have power to remove all such obstructions as they may find therein; and the said committee or a majority of them, in the discharge of their duties, shall have power at all times to go upon, and pass over the lands of any person, through or by which the said rivers or streams run, without being considered as trespassers; and if any person hinder or molest the said committee, or either of them, in executing the duties of his or their office, or who doth obstruct any passage way in either of the rivers, or streams, or ponds, as aforesaid, contrary to the consent and directions of the said committee, or a majority of them, he or they, so offending, shall for every such offence, forfeit and pay a sum, not exceeding twenty dollars, nor less than one dollar, in the

Town to appoint committee.

Their duty.

Penalty.

Proviso.

discretion of the Justice before whom the action may be tried. *Provided nevertheless*, that nothing in this act shall be considered as giving the said committee any power to injure the proprietor of any lands, mills, or other waterworks, further than is necessary for a good and sufficient passage way for the fish up and down the rivers or streams as aforesaid.

shall keep  
open pas-  
sage.

SEC. 4. *Be it further enacted*, That all mill owners shall be holden and required to provide, and keep open, sufficient passage or sluice ways for the fish to pass up and down said streams or ponds; and if any mill owner, or any other person, after the passing of this act, do make or cause to be made, or placed in either of the streams or ponds, within the said town of Lincolnvillle, any mill dam, weare, or other incumbrance, or obstruction to the passage of the said fish, or in, or across, or upon any stream, pond, or other water, running into or connected with the said duck trap stream, such mill owner or other person shall forfeit and pay a sum not exceeding two hundred dollars, nor less than twenty dollars.

Penalty for  
taking fish  
contrary to  
law.

SEC. 5. *Be it further enacted*, That if the purchaser, lessee, or manager of the said fishery, or those employed by him, or them, shall presume to take any fish, from any of the waters aforesaid, at any other time or places, within the limits of said town, than may be appointed by the said selectmen, and if any other persons do presume to take any fish, in any of the streams or ponds, within the limits aforesaid, without permission from the selectmen, every such person, so offending, shall for each and every offence herein, forfeit and pay a sum not exceeding twenty dollars, nor less than one dollar, according to the discretion of the Justice before whom the cause may be tried. And it shall be the duty of the fish committee, appointed by said town, to sue and prosecute all breaches of this act, and for any one of the said committee to seize and detain in their custody any net, or other instrument used in taking fish, which may be found in the hands or possession of any person using the same, contrary to the true intent and meaning of this act, until the person so offending doth make satisfaction for his offence, or is legally acquitted thereof; and also to seize, for the use of the poor of the said town, all such fish as may have been illegally taken contrary to this act.



SEC. 6. *Be it further enacted*, That all fines, forfeitures, or penalties which may be incurred by any breach of this act, shall be recoverable by action on the case, or by an action of debt, in the name of the inhabitants of the town of Lincolnville, and appropriated to the use of said town. Fines, &c.  
recoverable.

SEC. 7. *Be it further enacted*, That an act passed the first day of March, in the year of our Lord one thousand seven hundred and ninety-eight, entitled "An act for the preservation of the fish called salmon, shad, and alewives, in the rivers, streams, and waters within the counties of Lincoln and Cumberland, and for repealing all other laws heretofore made for that purpose," so far as respects their operation in the said counties, be, and the said act is hereby extended to operate and have effect in the streams and waters within the said town of Lincolnville, and all the provisions and restrictions in the said act, so far as they are applicable to the uses and intent of this act, shall be used and exercised, and the benefits thereof enjoyed by the said town of Lincolnville, as fully and completely, as if the said town of Lincolnville had been originally within the purview of the aforesaid act. Act to have  
effect.

[Approved by the Governor, February 16, 1815.]

## CHAP. CVII.

An Act to incorporate the second parish in the town of Lynn into a separate town by the name of Saugus.

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 Lynn, in the county of Essex, lying and being situate within the boundaries of the second parish in Lynn aforesaid, together with the inhabitants thereon, be, and the same is hereby incorporated into a separate town, by the name of Saugus, viz. beginning at Bride's brook, so called, and running as the said brook runs till it meets the river that runs between Chelsea and Lynn, and then Town incor-  
porated.

Boundaries.

by the said river until it meets Pines river, and then by said Pines river until it meets Saugus river, and then along Saugus river, by the middle of the said river to the great bridge, so called, then running from the said bridge a straight line to the easterly end of the farm now owned by William Sweetser and Ephraim Sweetser, formerly belonging to John Hawk's successors, and then turning and running to the line of Lynnfield to the northern side of land now belonging to John Reading, formerly of Isaac Larrabee, thence running by the line of Lynnfield until it meets the line of the town of South Reading, thence running by the line between South Reading and Lynn until it comes to the three county mark, so called, thence running on the line between Chelsea and Lynn, until it comes to Bride's brook, the place first set out from.

Possession  
of property  
allowed.

SEC. 2. *Be it further enacted*, That the said town of Saugus 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 town of Lynn as the property of the inhabitants of the said town of Saugus now bears to the property of all the inhabitants of the present town of Lynn, according to the latest valuation thereof, excepting always all rights of common landing places, uses and privileges heretofore possessed by the inhabitants of the said town of Lynn, all which shall be held and enjoyed by the towns respectively within whose limits the same may be, except the privileges on pine beach, which shall hereafter be enjoyed by the inhabitants of the said town of Lynn and the said town of Saugus in common.

Shall pay  
debts, &c.

SEC. 3. *Be it further enacted*, That the said town of Saugus 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 Lynn, 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; and shall be entitled to receive their proportion, to be ascertained as aforesaid, of all the debts, taxes and monies now due to the said town of Lynn.

SEC. 4. *Be it further enacted*, That the said town of Saugus shall be holden to support their proportion of the present poor of the said town of Lynn, 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 may have gained a legal settlement, and shall be supported by that town only. To support poor.

SEC. 5. *Be it further enacted*, That nothing in this act shall be so construed as to alter or affect in any way parish privileges, or the right or manner of assessing and collecting parish taxes within or for either the said town of Lynn or the said town of Saugus, which said rights and privileges shall hereafter be held and enjoyed in the same manner, as if this act had not been made.

SEC. 6. *Be it further enacted*, That there shall be and hereby is reserved to the town of Lynn the right to tax those inhabitants of the said town who now own salt marsh on the southerly and easterly side of the Salem turnpike road, but within the limits of the said town of Saugus, so long as the same shall continue to be owned by the inhabitants of the said town of Lynn, or the heirs of the said inhabitants who now own the same. Right to tax inhabitants.

SEC. 7. *Be it further enacted*, That the rights and privileges of the alewife fishery shall be held and enjoyed hereafter by the towns respectively within whose limits the streams may run, in the same manner as is now provided by law for the town of Lynn. Privileges of fishery held.

SEC. 8. *Be it further enacted*, That either of the Justices of the Peace for the county of Essex is hereby authorised to issue a warrant, directed to some inhabitant of the said town of Saugus, 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. Justice to issue warrant.

[Approved by the Governor, February 17, 1845.]

## CHAP. CVIII.

## An Act incorporating The Stockbridge Cotton and Woollen 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 Elijah Brown, jun. John Hunt, Erastus Williams, and Luther Plumb, 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 Stockbridge Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen yarn and cloth in the town of Stockbridge, 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 defining the general powers and duties of manufacturing corporations, passed on the third day of March in the year of our Lord one thousand eight hundred and nine.

May hold real and personal estate.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess such real estate, not exceeding the value of fifty thousand dollars, and personal estate, not exceeding the value of eighty thousand dollars, as may be necessary and convenient for the purposes aforesaid.

[Approved by the Governor, February 18, 1815.]

## CHAP. CIX.

## An Act to incorporate The Rock-bottom Cotton and Wool Factory.

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 Joel Cranston and Silas Jewell, with such other persons as already have or hereafter

may associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Rock-bottom Cotton and Wool Factory, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Stow, in the county of Middlesex; and for such purposes shall have all the powers and privileges, and 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 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, not exceeding twenty thousand dollars, and such personal estate, not exceeding thirty thousand dollars, as may be necessary for the purposes aforesaid.

May hold  
real and per-  
sonal estate.

[Approved by the Governor, February 18, 1815.]

## CHAP. CX.

An Act to incorporate The Farmers Manufacturing Company, in Lenox.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Isaac Ellis, Levi Belden, and Charles Mattoon, 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 Farmers Manufacturing Company, for the purpose of manufacturing woollen cloth in the town of Lenox, in the county of Berkshire; and for that purpose, shall have all the powers and privileges, and shall also be subject to all the duties and restrictions prescribed and 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 one thousand eight hundred and nine.

Persons in-  
corporated.

SEC. 2. *Be it further enacted*, That the said Corporation, in their corporate capacity, may lawfully hold

and possess real estate, not exceeding the value of ten thousand dollars, and personal estate, not exceeding twenty thousand dollars, for the purposes aforesaid.

[Approved by the Governor, February 18, 1815.]

## CHAP. CXI.

An Act in addition to an act, entitled "An act to divide the Commonwealth into districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of election."

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the town of South-Reading, in the county of Middlesex, belonging to the North Essex District, be, and hereby is set off from the said North Essex District, and annexed to the Middlesex District; and that the town of Dracut, in the county of Middlesex, belonging to the Middlesex District, be, and hereby is set off from the said Middlesex District, and annexed to the North Essex District, any thing in the act, entitled "An act to divide the Commonwealth into Districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of election," to the contrary notwithstanding.

[Approved by the Governor, February 18, 1815.]

## CHAP. CXII.

An Act to annex John Gilbreath and others, to the town of Vienna.

**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 Gilbreath, Samuel Webber, James Webber, John Allen, Thomas Dolloff, Moses Gilman, Samuel Gilman, Clark Whittier, Peter

Towns set  
off.

Persons an-  
nexed.

Beede, James Wells, jun. Nathaniel Healy, Matthias Lane, and Moses Allen, together with their families and estates, including the following lots of land in the town of Rome, viz. number one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, and eighteen, agreeably to Downing's survey of the same, be, and they hereby are set off from the town of Rome, and annexed to the town of Vienna: *Provided nevertheless*, That the above named persons shall be holden to pay their proportionable part of all taxes which are assessed or agreed upon to be assessed on the said town of Rome, and also their proportionable part of all the expenses of the said town of Rome, which have occurred by reason of their troops being called into the service of the state, by division orders of the eleventh day of September last, except such part thereof as shall be reimbursed by this Commonwealth, in like manner as though this act had not been passed. Proviso.

SEC. 2. *Be it further enacted*, That in all state taxes, which shall hereafter be granted, until a new valuation shall be settled, three cents shall be taken from the sum, which the said town of Rome now pays on one thousand dollars, in the present valuation, and added to the town of Vienna. Deduction to be made.

[Approved by the Governor, February 18, 1815.]

### CHAP. CXIII.

An Act in addition to an act, entitled "An act for regulating, governing and training the militia of 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 in all cases where any officer of the militia of this Commonwealth has accepted or shall hereafter accept an appointment in the army of the United States, such acceptance shall be considered as having vacated his office in the militia, and the same Vacation of office.

shall be filled as soon as may be, in the mode prescribed by law for filling vacancies.

**SEC. 2.** *Be it further enacted,* That if any person, who has vacated or shall hereafter vacate his office in the militia, by accepting an appointment in the army of the United States, shall exercise any of the powers or authorities of the office so by him vacated, he shall forfeit and pay a sum not exceeding three hundred dollars, to the use of the Commonwealth, to be recovered by indictment in any court proper to try the same.

[Approved by the Governor, February 18, 1815.]

## CHAP. CXIV.

An Act to incorporate The Steep Brook 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 Elijah Crane, Isaac Thayer, David Wild, and Bethuel Drake, 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 Steep Brook Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen yarn and cloth, in the town of Canton, in the county of Norfolk; and for that purpose shall have all the powers and privileges, and be subject to all the duties, requirements, and liabilities, 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 one thousand eight hundred and nine.

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

[Approved by the Governor, February 18, 1815.]



## CHAP. CXV.

**An Act to incorporate The Berkshire Medical Botanical 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 Simeon Brown, Joshua Whitney, Jonathan Allen 2d, John Dickinson, Stephen Mead, Amasa Foard, Jesse Torrey, jun. Lyman Peabody, Charles Foard, James Brown, and Eli Maynard, together with such other persons as may hereafter associate with them, and their successors and assigns, be, and they are hereby incorporated into a society, by the name of The Berkshire Medical Botanical Society; and by that name may sue and be sued to final judgment and execution; may have a common seal, which they may alter at pleasure; and may do and suffer all such matters, acts and things, which bodies politic may and ought to do and suffer.*

Persons in  
incorporated.

SEC. 2. *Be it further enacted, That the said society shall be, and are hereby empowered, to purchase and hold any real estate, to the value of five thousand dollars, and personal estate to the like amount, both of which to be appropriated exclusively for the promotion of medical and botanical sciences.*

May hold  
real and per-  
sonal estate.

SEC. 3. *Be it further enacted, That the said society may choose a President, Treasurer, and Secretary, and such other officers as they shall see fit; and may make and establish such rules and regulations as to them shall appear necessary; provided the same be not repugnant to the laws or constitution of this Commonwealth.*

Choice of  
officers.

SEC. 4. *Be it further enacted, That any three of the above named persons may appoint the time and place of the first meeting of said society, by inserting an advertisement in one of the newspapers printed in the county of Berkshire, three weeks successively previous to the time of meeting; at which meeting the said society may choose the officers aforesaid, appoint the time and place of their annual and other meetings, and adopt such rules and regulations, as are provided for in this act.*

May call a  
meeting.

[Approved by the Governor, February 18, 1815.]

## CHAP. CXVI.

## An Act to annex Benjamin Corson and others to the town of Waterville.

Persons set  
off.

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Benjamin Corson, Robert Hussey, Jonathan Nelson, Samuel Wade, Henry Richardson, 3d. Ebenezer Holmes, Thomas Gleason, Thomas Magrath, Spenser Thayer, Alvin Thayer, Abner Young, and Asa Young, with their families and estates, as contained within the following described lines, be, and they are hereby set off from the town of Dearborn, and annexed to the town of Waterville: Beginning at the southwest corner of said Waterville, from thence to run a west northwest course, in the southerly line of said Dearborn, till it meets the pond formerly called Richardson's mill pond, which is connected with Magrath's pond by a streight, called the narrows, from thence northerly by the easterly shore of said ponds, till it meets a bog near the head of said Magrath's pond, thence northeasterly, by the easterly edge of said bog, till it meets the southerly line of land now owned and occupied by John Magrath, from thence east southeast, in the south line of the said Magrath's lot, to the west line of said Waterville, from thence southerly, in the said west line of Waterville, to the bounds first mentioned. And the said lands with the inhabitants thereon, shall hereafter be held and considered a part of the said town of Waterville as fully and completely as though it had been originally incorporated therewith: *Provided however*, that the several persons herein named with their estates shall be holden to pay their respective taxes due, and payable to the said town of Dearborn, legally assessed, and not paid prior to the passing of this act.

Proviso.

[Approved by the Governor, February 20, 1815.]

## CHAP. CXVII.

An Act to annex George Williams and Apollos Padelford, to the Taunton and Middleborough Precinct Parish.

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That George Williams, his family, polls and estate, lying in the town of Taunton, in the first parish in said town, and Apollos Padelford, his poll and estate, lying also in said Taunton, and in said first parish in said town, be, and they hereby are set off from the said first parish, incorporated and known by the name of the first congregational society in the town of Taunton, and annexed to the Taunton and Middleborough precinct parish, lying partly in said town of Taunton, and partly in the town of Middleborough, and shall forever hereafter be considered as belonging thereto, enjoying all parish privileges, and to pay parish charges which may arise within the same: *Provided nevertheless*, that they be holden to pay all such taxes as may be now due from them or their estates, to the said first parish, in the same manner as though this act had not passed.

Persons set off.

Proviso.

[Approved by the Governor, February 20, 1815.]

## CHAP. CXVIII.

An Act to incorporate The Lisbon 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 Mayall, and Samuel Mayall, 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 Lisbon Manufacturing Company, for

Persons incorporated.

the purpose of manufacturing cotton and woollen yarn and cloth, at Lisbon, in the county of Lincoln; 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 on 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-  
sonal estate.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, 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 of cotton and woollen yarn and cloth, at Lisbon aforesaid.

[Approved by the Governor, February 20, 1815.]

## CHAP. CXIX.

An Act incorporating The Brimfield Cotton and Woollen Manufacturing Company.

Persons in-  
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Israel Elliot Trask, Elias Carter, Peleg C. Janes, Augustus Janes, and Elijah Abbot, with such others as have associated, or may hereafter associate with them, and their successors, be, and they are hereby made a corporation, by the name of The Brimfield Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in said town; and for that 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 on 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 lawfully hold and possess such real estate, not ex-

ceeding the value of fifty thousand dollars, and personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactory aforesaid in said town of Brimfield.

May hold  
real and per-  
sonal estate.

[Approved by the Governor, February 20, 1815.]

## CHAP. CXX.

An Act for repealing in part an act, entitled, "An act for erecting that tract of land in the county of Berkshire, called New Ashford, into a District, by the name of New Ashford."

**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 an act passed the twenty-sixth day of February, in the year of our Lord one thousand seven hundred and eighty-one, entitled, "An act for erecting that tract of land lying in the county of Berkshire, called New Ashford, into a district, by the name of New Ashford," as grants to said district liberty to join with Lanesborough for the purpose of sending a representative to the General Assembly, be, and the same is hereby repealed.

Act in part  
repealed.

[Approved by the Governor, February 20, 1815.]

## CHAP. CXXI.

An Act to incorporate The Sacarappa Grammar School Association, in the town of Westbrook.

**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 Reverend Caleb Bradley, Archelaus Lewis, Esq. Joshua Webb, Nathaniel Patridge, and William Valentine and their successors in office, be, and they are hereby constituted a Board of

Persons in-  
corporated.

Power,

Trustees, by the name and style of The Sacarappa Grammar School Association; and the said Board of Trustees and their successors in office, shall have power from time to time, to manage and superintend the bequest of two thousand dollars, made by Peter Thatcher, Esq. late of Gorham, in the county of Cumberland, by his last will and testament, for the purpose of promoting the instruction of youth at Sacarappa, in the town of Falmouth, (now Westbrook) in the county of Cumberland, agreeably to the provisions of the said will; to fill up all vacancies that may happen in the said Board of Trustees, by death, resignation, or otherwise, which Board shall never consist of more than five persons, any three of whom shall constitute a quorum for doing business.

Instruction  
of scholars.

SEC. 2. *Be it further enacted*, That in conformity to the provisions of the said will, the scholars to be instructed in the said school, shall exclusively consist of children of the age, of from twelve to sixteen years; and who shall live within one mile of Sacarappa bridge, so called, within said town of Westbrook, excepting the children of the Trustees for the time being, who shall be at all times entitled to the privilege of the same, although they may live at a greater distance.

Justice may  
call the first  
meeting.

SEC. 3. *Be it further enacted*, That any Justice of the Peace within the county of Cumberland, upon application made to him by any three of the said Trustees, is hereby authorized, to fix the time and place, for holding the first meeting of the said Trustees, and notify them thereof accordingly; at which meeting, the said Trustees may determine the manner of calling future meetings, and make and establish such rules, orders and regulations, from time to time, as they may find necessary and proper, to carry into full and complete effect the provisions of said will.

[Approved by the Governor, February 20, 1815.]

## CHAP. CXXII.

An Act in addition to an act, for regulating the proprietors of certain meadows and flat ground in Hingham.

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 proprietors of certain flats in the town of Cohasset, formerly called Hingham, at a place called Little Harbour in said town, shall have and enjoy all the powers and privileges granted to the proprietors of the meadows and flat ground within the cove called the little harbour in the township of Hingham, in the county of Suffolk, by an act passed in the year of our Lord one thousand seven hundred and fifty-eight, and by an act passed in addition to said act, on the eighteenth day of February, in the year of our Lord one thousand eight hundred and five. Rights and privileges.

SEC. 2. *Be it further enacted,* That all such contracts as have been already entered into by the proprietors of said meadows with the proprietors of said flats, are hereby established and rendered valid to all intents and purposes. Contracts made valid.

SEC. 3. *Be it further enacted,* That the proprietors of said flats may cause to be sold at public vendue, the share of any proprietor, who shall neglect to pay any assessment duly voted and agreed upon by said proprietors, to their Treasurer, within sixty days after the time set for the payment thereof, they giving thirty days notice of the time, place, and cause of the sale, by posting up a notification, in some public place, in the several towns of Cohasset, Hingham, and Scituate; and it shall be the duty of said proprietors to pay over to said delinquent on demand, the surplus, if any, after satisfying said assessment and incidental expenses attending said sale. Power to sell shares of delinquent proprietors.

SEC. 4. *Be it further enacted,* That the proprietors of said flats shall have the power to use, regulate and control the beach below the dam, through which the water runs into the sea. Proprietors' power.

[Approved by the Governor, February 25, 1815.]

## CHAP. CXXIII.

An Act to empower the Union Marine and Fire Insurance Company in Newburyport to sell their real estate, 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 Union Marine and Fire Insurance Company in Newburyport be, and they hereby are authorized and empowered, at such time as may be deemed most expedient, to sell and dispose of their estate both real and personal.

May sell real  
and personal  
estate.

SEC. 2. *Be it further enacted*, That John Balch, Nicholas Johnson, jun. and Jacob Gerrish, or any two of them, be, and they are hereby authorized, to make and execute to the purchaser or purchasers of the real estate aforesaid, or any part thereof, good and sufficient deed or deeds of conveyance, which being acknowledged before a Justice of the Peace, and recorded in the Registry of deeds for the county of Essex, shall be good and sufficient to pass, to the purchaser or purchasers and their heirs and assigns forever, all the right, title, interest, and estate, which said Company have in and to the same.

Authorized  
to make  
deeds.

SEC. 3. *Be it further enacted*, That said Union Marine and Fire Insurance Company, at any meeting duly called therefor, may appoint a committee to collect the debts due to, and settle all demands against said Corporation, with the same powers therefor, as the president, and directors of said Company now have; and it shall be the duty of the committee so chosen, to determine on the time and place of sale of their real estate, and to apportion the residue of their funds among the stockholders of the capital stock of said Company, according to the number of shares by them respectively holden; and to adopt all proper measures for bringing the concerns of said company to a close.

May appoint  
Committee.



And whereas said Company have divers claims and demands, which cannot be immediately settled: Therefore,

SEC. 4. *Be it further enacted*, That nothing in this act contained, shall preclude said Company from having and maintaining, at any time hereafter, in their corporate name, any suit or suits at law for the recovery of all debts or demands due or belonging to them, or from prosecuting to final judgment and execution, any suit or suits now pending: *Provided*, the stockholders be jointly and severally, as well as in their corporate capacity, liable for all outstanding debts and claims existing against said Company, at the time said stockholders shall make such apportionment and distribution of their funds as authorized by this act.

Debts and demands.

Proviso.

[Approved by the Governor, February 25, 1815.]

#### CHAP. CXXIV.

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

**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 an act, entitled "An act to incorporate the President, Directors, and Company of the Hampshire Bank," as regards the time at which the stockholders of said Bank are required to pay in their fourth instalment of the capital stock thereof, be, and hereby is repealed: and that the stockholders of said bank be, and they hereby are required to pay in their said fourth instalment of the capital stock of said bank, on the first day of March, in the year of our Lord one thousand eight hundred and sixteen.

Further time given.

[Approved by the Governor, February 25, 1815.]

## CHAP. CXXV.

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

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the third and fourth instalments of the capital stock of the Kennebunk Bank, which by the act, entitled "An act to incorporate the President, Directors, and Company of the Kennebunk Bank," are required to be paid in on the first day of April next, and on the first day of October next, shall be paid in at the following times, viz: the third instalment, on the first day of April, in the year of our Lord one thousand eight hundred and sixteen, and the fourth on the first day of the October then next following, or at such earlier time as the stockholders, at any meeting thereof may order, any thing in the act, to which this is in addition, to the contrary notwithstanding.

[Approved by the Governor, February 25, 1815.]

## CHAP. CXXVI.

An Act to incorporate the proprietors of the Meguntekook Meeting-House, in the town of Camden.

**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 persons who now are, or may hereafter be the proprietors of pews in the Congregational Meeting-House, in that part of the town of Camden, known by the name of Meguntekook, be, and they are hereby declared and confirmed to be a body politic and corporate, by the name of The Proprietors of the Meguntekook Meeting-House; and by that name may sue and be sued, defend and be de-

Further  
time given

Proprietors  
declared.

fended, and plead the general issue, in all causes in which, as a corporation, they may be interested.

SEC. 2. *Be it further enacted,* That the proprietors of the said Meguntekook Meeting-House shall have power to choose and appoint, from their own number, three discreet persons for a committee, to manage the prudential affairs of said corporation, as also a clerk, collector and treasurer, and such other officers as they may judge necessary and expedient, and to vacate their places, and fill up such vacancies as occasion may require; and also to raise money to fulfil existing contracts on account of said Meeting-House, and for finishing, maintaining, and keeping in repair the said Meeting-House and other incidental expenses as may be determined by a vote of the said corporation; and all monies which may be voted to be raised as aforesaid, shall be assessed by said committee on the pews of proprietors in the said Meeting-House, according to the relative value of each of said pews; and if any proprietor in said Meeting House do refuse or neglect, for the space of ninety days, to pay the sum which may be assessed on him to pay, on the pew or pews he may own in the said Meeting House, the said pew or pews may be sold by the collector at public vendue, and the money arising by the said sale, shall be applied to the payment of the sum or sums assessed as aforesaid, and the remainder (if any there be) shall be returned to the said delinquent proprietor: *Provided always,* That the said collector shall give previous notice of such sale, twenty days at least, by posting up advertisements thereof at said Meeting-House, and at two other places of public resort in the said town of Camden, expressing the time and place and cause of said sale.

SEC. 3. *Be it further enacted,* That the said corporation shall have power to assess as aforesaid upon the owners of pews in said Meguntekook Meeting-House, such sum or sums of money, as they owe in their corporate capacity for the building or repairing said Meeting House, and for all other incidental expenses, with such additional sum or sums on any individual owner, or owners of any pew or pews, as he or she may be delinquent in the payment of any instalment or assess-

May appoint  
a committee.

Power to  
raise money.

Pews of delinquent proprietors to be sold.

Proviso.

Power to  
tax pews.

ment of money, assessed upon his or her pew or pews; and in default of payment, the collector of the said corporation shall proceed as is directed in the second section of this act, to sell the pew or pews of such delinquent owner or owners, first giving the same notice as therein directed, and restoring the balance, if any remain, to the said delinquent owner.

Justice to is-  
sue warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Lincoln is hereby empowered, upon application therefor, to issue a warrant, directed to a freeholder and member of the said parish or society, requiring him to notify and warn the qualified voters thereof, to meet at such convenient time and place, as shall be appointed in the said warrant, for the first meeting, and to organize the said corporation, by the election of its officers.

[Approved by the Governor, February 25, 1815.]

## CHAP. CXXVII.

An Act in addition to an act, entitled "An act empowering the town of Pembroke to regulate and order the taking and disposing of the fish called Alewives, within the limits of the said town."

Time ap-  
pointed to  
catch fish.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That no person or persons shall set, draw, or cast any seine, drag or set net, of any dimensions whatever, in the North River so called, in the county of Plymouth, except from the sun's rising to the sun's setting of the Mondays, Wednesdays, and Fridays of each week; and that no person or persons shall, on said days, by boats, seines, drag nets, or by any other mode, in the North River, drive any fish into any seine, set net, or other receptacle, by which fish may be taken; and all seines, drag or set nets, cast into said river on the days mentioned in this act, shall be restricted from sweeping in said river, further than can be done by confining one end of said seine to the bank

of the river aforesaid; and no seine, drag or set net shall be set, drawn, or cast into said river, above what is commonly called and known by the name of the Third Herring Brook, or Smelt Brook; and no seine used in said river shall exceed the width of the river where it is used, on the penalty of fifty dollars for each and every offence, to be recovered and appropriated in the manner provided for in the act, to which this is in addition.

SEC. 2. *Be it further enacted*, That the act supplementary to an act, regulating the taking and disposing of the fish called alewives in the town of Pembroke, passed June the twenty-fifth, one thousand eight hundred and eleven, and the ninth section of an act, entitled "An act empowering the town of Pembroke to regulate and order the taking and disposing of the fish called alewives within the limits of the said town," be, and the same are hereby repealed. Acts repealed.

[Approved by the Governor, February 25, 1815.]

## CHAP. CXXVIII.

### An Act for regulating the Fishery in the towns of Salem and Danvers.

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 provisions for the preservation of the fish called shad, and for regulating the taking the same, contained in an act, entitled "An act for the preservation of the fish called alewives, in their passage up the rivers and streams leading through the towns of Salem and Danvers, in the county of Essex, and for regulating the taking said fish in said streams, and for repealing all laws heretofore passed for regulating the fishery in said streams and rivers," shall be, and hereby are extended to the fish called shad; and the fish committees of the said towns of Danvers and Salem shall hereafter have the same powers, authority and privileges, and be subject to the same duties for Law extended.

the preservation and taking shad, as they now have, and are subject to for the preservation and taking of alewives.

Empowered  
to make a  
sluice way.

SEC. 2. *Be it further enacted*, That the said fish committees or either of them shall be, and they hereby are authorized and empowered to make and open a sluice-way in the brook running from spring pond, so called, and to keep and maintain the same open, and without obstruction, and to shut and close the same up, as they may think expedient, and also to open and clear the passage ways and streams, leading from the said pond, for the purpose of enabling young fish to pass down from the said pond, from the tenth day of April to the last day of November, in every year; and for this purpose the said committees or either of them, or any member thereof, shall have authority to go on the land of any person, through which the said streams run, or on which such land may be bounded, without being considered as trespassers; and any person who shall molest or hinder the said committees or either of the members thereof, in the execution of this part of their office, or shall obstruct the said sluice-way or passages, otherwise than may be allowed by said committee or committees, he or she shall forfeit and pay a sum, not exceeding fifty dollars, nor less than five dollars, to be recovered and appropriated in the same manner as forfeitures and penalties for the breach of the act, entitled "An act for the preservation of the fish called alewives, in their passage up the rivers and streams leading through the towns of Salem and Danvers, in the county of Essex, and for regulating the taking said fish in said streams, and for repealing all laws heretofore passed for regulating the fishery in said streams and rivers," are recovered and appropriated: *Provided*, That this act shall not give the said committees, or either of them, any new powers and privileges concerning the mills, or the sluice or passage ways at the mills on said streams, after the first day of June in each year.

Forfeiture.

Proviso.

[Approved by the Governor, February 27, 1815.]

## CHAP. CXXIX.

An Act for the preservation of Fish, in Union river and bay, and in the waters 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 Union river, in the county of Hancock, or any stream or pond emptying into the same, or into any part of Union river bay, northerly of the southern extremes of Newbury neck and Oak point, through or into which salmon, shad, or alewives, have ever been accustomed to pass, for the purpose of casting their spawn, without providing and keeping constantly open and clear, a sufficient passage or sluice way, for such salmon, shad or alewives to pass and repass, from the tenth day of May to the last 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 take any of the said fish within forty feet of any such dam, or other obstruction, passage or sluice way, shall forfeit and pay a fine of five dollars, for each and every such offence.

Shall keep open passage.

SEC. 2. *Be it further enacted*, That any person who shall take any salmon, shad, or alewives, in any of the waters aforesaid, between the twentieth day of May and the first day of July annually, at any other time or times than between sun rise on Monday and sun rise on Thursday, in each week, shall forfeit and pay for each salmon two dollars, for each shad one dollar, and for each alewife twenty cents, so taken; and any person who shall use any net, seine, or other machine, for the purpose of taking any of said fish, by drifting in any of said waters, shall for every such offence forfeit and pay a fine not exceeding thirty dollars, nor less than fifteen dollars; and any person who shall at any time, during three years next succeeding the time when this act shall go into operation, take any salmon, shad or alewives in any of the waters aforesaid, such person shall forfeit and pay, for each

Penalty for taking fish contrary to law.

salmon, shad, or alewife so taken, the same fines as are above specified.

Provisions of  
act extended

SEC. 3. *Be it further enacted*, That all the provisions of an act, entitled "An act for the preservation of fish in Penobscot river, and the several streams emptying into the same," passed on the twenty-second day of February, in the year of our Lord one thousand eight hundred and fourteen, so far as the same be not inconsistent with, and repugnant to the provisions of this act, be, and they are hereby extended to Union river and bay, and the streams and ponds emptying into the same, and to all the towns and plantations adjoining thereto, and to all persons having concern herewith, as fully and extensively as they are intended to operate for the preservation of fish in Penobscot river, and the streams and ponds emptying into the same.

Act, when in  
force.

SEC. 4. *Be it further enacted*, That this act shall be in force from and after the first day of April next, and that all laws heretofore made for the purposes aforesaid be, and the same are hereby repealed: *Provided nevertheless*, that all offences committed against any law which may be hereby repealed, and all prosecutions and processes now pending thereon, shall be prosecuted and proceeded in, to final judgment and execution, as if this act had never been made.

[Approved by the Governor, February 27, 1815.]

## CHAP. CXXX.

An Act respecting the Court of Sessions in the county of Berkshire.

Duty of ses-  
sion justices.

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 the duty of the Session Justices of the Circuit Court of Common Pleas in the county of Berkshire, to attend at the next term of the Circuit Court of Common Pleas, to be holden in said county, on the second Monday of April next; and the Justices of said Circuit Court of Common Pleas, when



said session Justices are associated with them, shall have cognizance and jurisdiction of the same matters and things as they now have by the fourth section of an act, entitled "An act to transfer the powers and duties of the Court of Sessions to the Circuit Court of Common Pleas, and for other purposes."

SEC. 2. *Be it further enacted*, That all petitions, recognizances, warrants, orders, certificates, and processes made to, pending in, taken for, or continued in, or returnable to the next term of said court in said county, of which said Circuit Court of Common Pleas, when said session Justices are associated with them, have cognizance and jurisdiction, shall be continued to, have day, proceeded in, and determined at the next term of said court to be holden in said county, on the second Monday of April next.

Petitions &c.

[Approved by the Governor, February 27, 1845.]

## CHAP. CXXXI.

An Act to establish The Westport 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 Daniel Hale, Joseph Gray, John Mason, and Hanan Wilbour, together with such others as may hereafter associate with them, and their successors or assigns, be, and they are hereby made a corporation, by the name of The Westport Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth, in the town of Westport; and for this purpose, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act, passed on 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.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess such real estate, not

May hold  
real and per-  
sonal estate.

exceeding the value of fifty thousand dollars, 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 of cotton aforesaid.

[Approved by the Governor, February 27, 1815.]

## CHAP. CXXXII.

An Act to alter the time of holding the Circuit Court of Common Pleas, within and for the county of Somerset.

Holding of  
court.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Circuit Court of Common Pleas, now appointed by law to be holden at Norridgewock, within and for the county of Somerset, on the fourth Tuesday of June annually, shall, from and after the passing of this act, be holden at Norridgewock, within and for the said county of Somerset, on the Tuesday next preceding the second Monday of August annually.*

SEC. 2. *Be it further enacted, That all recognizances, warrants, complaints, and every process, precept, matter and thing, returnable to said court on the fourth Tuesday of June next, and all parties and persons that have been, or may be required or directed to appear and attend, at the time and place first above mentioned, shall be returned to, entered, appear, and attend, have day, be heard, tried, and determined at the term thereof appointed by this act, to be holden on the Tuesday next preceding the second Monday of August next.*

Former acts  
repealed.

SEC. 3. *Be it further enacted, That the day on which said court is to be holden as aforesaid may, in all judicial proceedings, be expressed and designated by such Tuesday of the month, as will be the day on which such court is to be holden, pursuant to this act. And all acts and parts of acts, so far as the same are inconsistent with the provisions of this act, shall be, and the same are hereby repealed.*

[Approved by the Governor, February 27, 1815.]

## CHAP. CXXXIII.

## An Act to regulate the Fisheries in the town of Yarmouth.

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, the town of Yarmouth shall be, and hereby are empowered and directed at their meeting for the choice of town officers in March or April annually, to choose three or more persons, being freeholders in the said town, to see that this act be duly observed; and each person, so chosen, shall be sworn faithfully to discharge the duties required of him by this act; and the said committee shall meet together annually, on or before the twentieth day of April, and such time and place as they, or a majority of them, shall appoint; and the major part of the committee present at such meeting, are hereby authorized and empowered to order the times, places and manner, in which it may be lawful to take any of the fish called herring, alewives, perch, and eels, in said town; and the said committee, or a majority of them, are hereby fully authorized and empowered to cause the natural course of the streams through which the said fish pass, to be kept open and without obstruction, to remove such as may be found therein, and to make the said passage-ways wider or deeper, if they shall judge it necessary; and said committee or either of them, paying a reasonable consideration therefor, if demanded, shall have authority, for those purposes, to go on the land or meadow of any person, through which said streams run, without being considered as trespassers; and any person who shall molest or hinder the said committee, or either of them, in the execution of the business of his or their office, or shall obstruct any passage-way in the rivers, streams, coves, or ponds in said town, otherwise than may be allowed by the said committee, he or they shall forfeit and pay a fine for every such offence, not exceeding ten dollars, nor less than three dollars.

Empowered  
to choose  
officers.

Streams to  
be kept open

Forfeiture.

May open  
dams.

Proviso.

Penalty.

Penalty for  
taking fish  
contrary to  
law.

Fish unlaw-  
fully taken.

SEC. 2. *Be it further enacted*, That the said committee, or the major part of them present at any meeting duly notified, being not less than three in number, shall be, and hereby are authorized and empowered to open, or cause to be opened any dam, or sluice of any mill, or other dam now erected, or that may be hereafter erected on, or over any of the said rivers or streams, between the place where such rivers or streams empty themselves into the sea, at low water, and the ponds in which the said fish usually cast their spawns, at the expense of the owner or owners of such dam or sluice, *provided* such owner or owners shall neglect to open the same when thereto required by the said committee, or the major part of them, immediately after being thus required so to do; and the dam or sluice so opened shall continue open every year, to such depth and width and for such term of time between the first day of April and thirtieth day of June, as the major part of said committee shall judge necessary; and if any person or persons shall obstruct the said passage-ways allowed or ordered by the said committee, or a major part of them, in any dam or sluice, such person so offending shall, on conviction before any Justice of the Peace for the county of Barnstable, pay a fine for every such offence not exceeding ten dollars, nor less than three dollars; and the said committee shall cause every such obstruction to be forthwith removed.

SEC. 3. *Be it further enacted*, That if any person or persons shall take any of the said fish in the rivers, streams, ponds, or coves aforesaid, at any time, in any place, or in manner other than shall be allowed by the said committee as aforesaid, each person so offending, for each and every such offence shall, on conviction as aforesaid, pay a fine not exceeding four dollars, nor less than one dollar, if the quantity of fish so taken is less than one barrel: but if the quantity of fish so taken shall be one barrel or more, such person or persons so offending shall forfeit and pay for each and every barrel of fish so taken, the sum of four dollars.

SEC. 4. *Be it further enacted*, That if the committee aforesaid, or either of them, shall detect any person or persons in attempting to take any of the said fish at any

time or in any place, or in any manner, otherwise than is allowed by the committee, or shall find such fish with such person or persons, such person or persons shall be deemed to have taken the said fish unlawfully, and shall be subject to the penalties of this act accordingly, unless such person or persons can make it appear on trial, that they came by the said fish in some other way.

SEC. 5. *Be it further enacted*, That if any vessel, boat, or craft, shall be found within the limits of any of the rivers, streams, ponds or coves, with any more of said fish than shall be permitted by the committee aforesaid, it shall be the duty of said committee, and they are hereby authorized to seize such vessel, boat or craft, and detain the same not exceeding forty-eight hours, in order that the same may be attached or arrested by due process of law, and made answerable for said fines and forfeitures, with cost of suit: *Provided however*, That as soon as the owner or master of said vessel, boat, or craft, shall pay such fines and forfeitures to the treasurer of said town, if he shall pay the same before being sued, such vessel, boat, or craft, shall be discharged with the effects therein.

SEC. 6. *Be it further enacted*, That all the forfeitures incurred by virtue of this act, shall be to the use of the said town of Yarmouth, to be recovered by an action on the case, in any court proper to try the same, to be brought by the treasurer thereof.

[Approved by the Governor, February 27, 1815.]

#### CHAP. CXXXIV.

An Act for altering the name of The Village Cotton Wool and Linen Manufacturing Company.

**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 Village Cotton Wool and Linen Manufacturing Company, in Dudley, in the county of Worcester, shall be allowed to take the name of The

Village Factory; and by that name shall hereafter be called and known, shall sue and be sued, any thing in their act of incorporation, to the contrary notwithstanding. [Approved by the Governor, February 27, 1815.]

## CHAP. CXXXV.

An Act to protect Minors, and to secure the rights of Parents, Guardians, and Masters.

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 within this Commonwealth shall hereafter enlist or cause to be enlisted, into the army of the United States, any minor under the age of twenty-one years, knowing him to be such minor, without the consent in writing of his parent, guardian and master, and such minor shall within six months after his enlistment be removed out of this Commonwealth, so that he cannot be had before the Judicial Tribunals of this Commonwealth, by virtue of a writ of Habeas Corpus, the person so enlisting such minor, or so causing him to be enlisted, on conviction thereof, before the Supreme Judicial Court, shall forfeit and pay a fine not exceeding five hundred dollars, or be imprisoned for a term not exceeding one year.

Penalty for  
enlisting mi-  
nors.

SEC. 2. *Be it further enacted,* That if any person, knowing any one to be a minor, under the age of twenty-one years, shall persuade him to depart from this Commonwealth, with intent to enlist in the army of the United States, without the consent of his parent, guardian and master, on the conviction thereof, before the Supreme Judicial Court, shall forfeit and pay a fine not exceeding five hundred dollars, or be imprisoned for a term not exceeding one year.

SEC. 3. *Be it further enacted,* That if any minor, under the age of twenty-one years, shall be hereafter enlisted within this Commonwealth, into the army of the United States, without the consent in writing of his parent, guardian and master, either of the Justices of the

Supreme Judicial Court, or of the Court of Common Pleas, or the Judge of the Boston Court of Common Pleas are hereby respectively authorized and required, on application therefor, to award a writ of Habeas Corpus returnable forthwith, directed to the officer or person restraining such minor; and such Justice or Judge is hereby authorized and required, after a full hearing of the parties who shall appear before him, to discharge such minor so enlisted. Justice may award a writ.

SEC. 4. *Be it further enacted*, That the Justice or Judge aforesaid is hereby authorized and empowered to inquire into the causes of the imprisonment or restraint of any person brought before him, on such writ of Habeas Corpus, the return of the officer or person on said writ to the contrary notwithstanding. Justice authorized.

SEC. 5. *Be it further enacted*, That all fines and forfeitures, incurred by virtue of this act, shall be recovered by indictment, or information, in the Supreme Judicial Court, to the use of the Commonwealth: *Provided*, that the Justice of said Court, who shall preside at the trial in which any such fine or forfeiture shall be recovered, may award to the parent, guardian or master of such minor, such part of such fine or forfeiture, so recovered, not exceeding the one moiety thereof, as he in his discretion shall think proper: *Provided also*, that all persons concerned shall be entitled to all the privileges, and subject to all the penalties and requisitions, given and incurred in an act, entitled "An act directing the process in Habeas Corpus," where the same do not contravene the provisions of this act. Fines and forfeitures.

[Approved by the Governor, February 27, 1815.] Proviso.

## CHAP. CXXXVI.

An Act to regulate the Shad and Alewife Fishery within the town of Billerica.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That it shall and may be lawful

May appoint  
a committee.

for the inhabitants of the town of Billerica, at a legal town meeting in the month of March or April, annually, to choose a committee of three or more discreet persons, to sell or otherwise dispose of the exclusive right or privilege of taking shad and alewives in Concord river, within the limits of said town, at such times and places, and under such regulations and restrictions, not repugnant to the laws of this Commonwealth, as said committee shall, from year to year, establish and determine; a copy of which shall be posted up, at three public places at least, in the said town; and the emoluments arising from said right or privilege shall be appropriated to such uses and purposes as said inhabitants shall, in legal town meeting, from time to time determine.

Penalty for  
not conform-  
ing to rules.

SEC. 2. *Be it further enacted*, That if the purchaser or purchasers of said right, or any person by them employed, shall take any of said fish, in any other manner, or at any other time and place, than said committee shall authorize and allow, or if any other person, except the said purchaser or purchasers, or those by them employed, shall take any of said fish in said river, within the limits of said town, every person so offending, or who shall be aiding or abetting therein, shall for every offence forfeit and pay a sum not exceeding thirteen dollars, nor less than seven dollars, to be recovered by action of debt before any Justice of the Peace within the county of Middlesex; one moiety to him who shall sue for the same, and the other moiety to the use of the said town of Billerica.

Power.

SEC. 3. *Be it further enacted*, That said committee shall have power to determine and establish the price, which said purchaser or purchasers shall have a right to demand and receive for said fish; and if any such purchaser, or any person acting under their authority, shall refuse to sell said fish, when in their power so to do, at the price which shall be determined as aforesaid, of which notice shall have been given them by said committee, every person so offending shall, for each offence, forfeit and pay a sum not exceeding ten dollars, nor less than five dollars to the person injured, to be recovered as aforesaid: *Provided nevertheless*, that nothing in this act contained shall be construed to take away or impair

Proviso.



the authority of any fish wardens, or any other persons, derived from any existing laws for regulating the taking of fish in said river, except so far as it relates to the appropriation of forfeitures, for offences mentioned in the second section of this act.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXXXVII.

### An Act to establish The Dean 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 Robert Dean, William Strobbridge, Jesse Hartshorn, Joseph Dean, jun. William Reed, and Cyrus Caswell, with such others as have associated, or may associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Dean Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth in Taunton, in the county of Bristol; and for that 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 one thousand eight hundred and nine.

Persons incorporated.

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

May hold real and personal estate.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXXXVIII.

## An Act to incorporate The Stockbridge 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 Frederick Perry and Augustus Sherrill, together with such as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Stockbridge Cotton Manufacturing Company, for the purpose of manufacturing cotton cloth and yarn in the town of Stockbridge, in the county of Berkshire; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold real and personal estate.

SEC. 2. *Be it further enacted,* That said corporation may lawfully hold and possess real estate, not exceeding the value of thirty thousand dollars, and personal estate, not exceeding sixty thousand dollars, for the purposes aforesaid.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXXXIX.

An Act to incorporate The Farmers' Cotton and Wool-  
len Factory in Union.

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 Spencer Wolcott, Abner Dunton, Jesse Metcalf, John Lermond, and others, who have associated with them, together with such other persons as may hereafter associate with them, their succes-

sors and assigns, be, and they are hereby made a corporation, by the name of **The Farmers Cotton and Woollen Factory in Union**, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Union, in the county of Lincoln; 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 on 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, 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.

May hold  
real and per-  
sonal estate.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXL.

An Act to repeal an act, entitled "An act to establish a Military Corps, for the defence of the Commonwealth of Massachusetts.

**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 twentieth day of October, in the year of our Lord one thousand eight hundred and fourteen, entitled "An act to establish a military corps for the defence of the Commonwealth of Massachusetts," be, and the same is hereby repealed.

Act repeal.  
ed.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLI.

An Act in addition to the several acts, regulating the building and repairing of School-houses.

Repairing of  
School houses.

**BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whenever a meeting of the inhabitants of any School district within this Commonwealth, shall be called conformable to the act to which this is in addition, for the purpose of building or repairing any School-house in the said district, and a majority of the voters present are opposed to the building or repairing necessary to be made, as stated in the warrant by which the said meeting was called, it shall be lawful for any five or more of the freeholders, who are inhabitants of said school district, to make application in writing to the Selectmen of the town in which such School district is situated, requesting them to insert in their warrant for calling the next town meeting an article, requiring the opinion of the town relative to the building or repairing, or the procurement of any utensils for the School-house, as proposed in the meeting of said school district; and if a majority of the voters present in said town meeting shall think the building or repairing necessary and expedient, they shall then grant such a sum of money as they shall think necessary for defraying the expense of such building or repairing, and the same shall be assessed on the polls and estates of the inhabitants of said district, and collected in manner and form as is provided in the act, entitled "An Act in addition to an act, entitled An act to provide for the instruction of youth, and for the promotion of good education."*

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLII.

An Act to annex a gore of land to the town of Industry.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That a certain tract of land, called the New Vineyard Gore, being all such part of the town of New Vineyard, as lies south of a line, running from the northwest corner of the town of Industry due west, until it strikes the west boundary line of the town of New Vineyard, be, and the same hereby is, together with the inhabitants thereon, set off from the town of New Vineyard, and annexed to the town of Industry: *Provided*, that the inhabitants of said tract of land shall be holden to pay their proportion of all legal taxes which have been assessed, ordered, or voted to be laid on said town of New Vineyard, by the inhabitants of said New Vineyard, or by the General Court, previous to the passing of this act, in the same manner as though this act had never been passed.

SEC. 2. *Be it further enacted*, That in all State taxes which shall hereafter be granted, until a new valuation shall be settled, three cents be taken from the sum which the said town of New Vineyard now pays on one thousand dollars, in the present valuation, and added to the said town of Industry.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLIII.

An Act to establish a Ministerial Fund, in the town of East Sudbury.

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 Selectmen of the town

Trustees in-  
corporated.

of East Sudbury for the time being, and the Deacons of the church for the time being, in the said town of East Sudbury, be, and they are hereby appointed and incorporated as Trustees, by the name of The Trustees of the East Sudbury Ministerial Fund ; and by that name they and their successors in office shall be, and continue a body politic and corporate forever. And they shall have a common seal, subject to alteration ; 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 ; and shall have all other powers which are incident to, and necessarily belonging to the like corporations ; and the said trustees and their successors may annually elect one of their number as President, and a Clerk to record the doings of said trustees, and a Treasurer to receive and pay the money belonging to the said Fund, according to the provisions of this act, who shall give bond to the said trustees for the faithful performance of his duty, and shall be at all times responsible for the faithful application of the monies which may come into his hands conformably to the true intent and meaning of this act, and for all neglect or misconduct in his office.

Authority  
and power.

SEC. 2. *Be it further enacted,* That the said Trustees be, and they are hereby authorized and empowered to sell and convey the several lots of land, belonging to the town of East Sudbury, which have been and are appropriated to the support of the ministry in said town, and the monies arising from the sale of the said land shall be put on interest, and shall form a fund for the support of the ministry in said town, which shall be under the care and management of the said trustees, in the manner provided for and directed in this act ; and all gifts, grants, donations, bequests or legacies, which have been, or may be hereafter made to and for the same use and purpose, shall be added to the said accumulating fund, and shall be under the same care and improvement of the Trustees aforesaid : and when the said Trustees shall loan the said monies, or any part thereof, the same shall be secured by mortgage on real estate, to twice the value of the money loaned, or secured, by two or more sufficient sureties, with the principal ; and the interest, and that only,

shall ever be appropriated for the uses aforesaid; and it shall never be in the power of the said trustees to alter or alienate the appropriation of the fund aforesaid. And the said trustees are hereby authorized to make and execute a good and sufficient deed or deeds of the said several lots of land, which shall be subscribed by the Treasurer, with their seal hereto affixed, and by him duly acknowledged; and when so executed and delivered, shall be good and effectual in law, to pass and to convey all the rights of said town in and to said real estate to the purchaser thereof.

Authorized  
to make  
deeds.

SEC 3. *Be it further enacted*, That the said Trustees, Treasurer, Clerk, or other officers, or persons employed by them, shall be entitled to receive no compensation for the services they may perform, out of any monies belonging to the said fund, but a reasonable compensation shall be paid them by the town; and the said Trustees, and each of them, 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 resulting thereby to the fund; and the debt or damage recovered in such suit, shall be to the use and addition of the said fund. And the said Trustees and Treasurer, and their successors in office, shall exhibit to the town a report of their doings, and the state of the funds, at the annual meeting in March or April.

Compensation of officers,

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Middlesex is hereby authorized, upon application therefor, to issue his warrant, directed to one of the trustees named in this act, requiring him to notify and call a meeting of the said trustees, to be holden at such convenient time and place, as may be appointed in said warrant, to organize the said corporation, by the appointment of its officers.

Justice to issue warrant.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLIV.

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

Further time  
allowed.

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the last instalment of fifty dollars on each share of the capital stock of the Lynn Mechanics' Bank, in lieu of being paid in at the time as by law now prescribed, may be paid in at the discretion of the stockholders of said bank, at any time within one year from the passing of this act, any thing in the act to which this act is in addition to the contrary notwithstanding.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLV.

An Act to establish The Union Cotton Factory Company.

Persons in-  
corporated.

**SEC. 1. BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Roswell Merrick, Enoch Wiswall, George A. Pearce, and Artemas Wiswall, 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 Union Cotton Factory Company, for the purpose of manufacturing cotton cloth and yarn, in the town of Monson; and for this purpose, shall have all the powers and privileges, and shall 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 corporation, in their corporate capacity, may lawfully hold and possess such real estate, not exceeding the value of* May hold real and personal estate. *seventy-five thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton goods, in the said town of Monson.*

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLVI.

An Act in addition to an act, entitled “An act to incorporate the President, Directors, and Company of the Dedham Bank.”

**BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the third and fourth instalments of twenty-five dollars on each share of the Capital Stock of the Dedham Bank, in lieu of being paid in at the several times, as by law now prescribed, may respectively be paid in at the discretion of the stockholders of said Bank, at any time within one year from the passing of this act, any thing in the act to which this act is in addition to the contrary notwithstanding.*

Instalments to be paid within one year.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLVII.

An Act to incorporate The Cheshire Crown Glass 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 Darius Brown, John Brown,* Persons incorporated. *John Leland, jun. Ambrose Kasson, and John Hunt, together with such others as may associate with them, their successors and assigns, be, and they hereby are made a*

corporation by the name of The Cheshire Crown Glass Company, for the purpose of manufacturing glass of every description in the town of Cheshire, 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, 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 one thousand eight hundred and nine.

May hold  
real and per-  
sonal estate.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess such real estate, not exceeding the value of seventy thousand dollars, and such personal estate, not exceeding thirty thousand dollars, as may be convenient and necessary for the manufacture of glass as aforesaid.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLVIII.

An Act relating to Loans made to defray expenses incurred by the Commonwealth during the late war, and for other purposes.

Shall receive  
interest.

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 bank within this Commonwealth, which before the first day of April next may have loaned any sum or sums of money for the special purpose of paying the expenses, or any part thereof, incurred in defence of the Commonwealth, during the late war, in pursuance of the provisions of its act of incorporation, may, on or before the first day of April next, surrender the note or notes of the Treasurer of the Commonwealth, given therefor, and shall receive the interest thereon from the time or times of making such loan or loans to the Commonwealth, up to the said first day of April, at and after the rate of six per centum per annum, and shall receive, in lieu of such note or notes, so surrendered, a certificate or certificates of the principal sum or sums loaned, bearing interest at and after the

rate of six per centum per annum, from the said first day of April, payable semi annually on the first day of October and of April; said certificates to be issued in such form as the Governor and Council may direct, and in such sums, not under five hundred dollars, as the bank, having so loaned, may request, to be redeemable at the pleasure of the Commonwealth, and transferable at the office of the Treasurer; which certificates shall be deemed and taken as evidence of money loaned to the Commonwealth, in pursuance of the provisions of the act of incorporation aforesaid, until the same is repaid or transferred by the bank.

SEC. 2. *Be it further enacted*, That any bank, which may after the said first day of April next, and before the first day of July next, loan to the Commonwealth, any sum or sums of money for the purposes aforesaid, shall receive from the Treasurer of the Commonwealth a certificate or certificates therefor, bearing interest at and after the rate of six per centum per annum, payable semi annually on the first day of October and of April, which said certificates shall be granted, transferred and paid in the manner herein before provided.

Certificate to  
be given.

[Approved by the Governor, February 28, 1815.]

## CHAP. CXLIX.

An Act to prevent damage to Bridges and Dams across Connecticut River in this Commonwealth.

**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 not be lawful for any person to drive or float down, or cause to be driven or floated down Connecticut river, within this Commonwealth, any masts, spars, logs, or other timber, unless the same shall be formed and bound into rafts, and placed under the care of a sufficient number of persons to govern and manage the same, so as to prevent damage being done thereby; and if any person shall drive or float down, or cause to be

Shall not  
float timber,  
&c. down the  
river.

Penalty.

driven or floated down said river, within this Commonwealth, any masts, spars, logs, or other timber, without the same being formed and bound together, and under the care of a sufficient number of persons as aforesaid, every such person and every other person, having any right or interest in any timber, bound together as aforesaid, or otherwise in any manner floating or passing down said river, shall be liable for any damage which may be done to any bridges or dams, over or across said river, or any part thereof within this Commonwealth, by means of any timber so driven, floated or in any manner passing down said river as aforesaid; and all persons or corporations, owning or interested in any such bridges, or dams, may have and maintain a special action of the case for the recovery thereof, in any court proper to try the same, any law, usage, or custom to the contrary notwithstanding.

[Approved by the Governor, March 1, 1815.]

## CHAP. CL.

An Act to incorporate The Duxbury South-River 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 Ahira Wadsworth, Thomas Winsor, Freeman Loring, Luther Phillips, Whittemore Peterson, Thomas Cushman, Dura Wadsworth, Isaiah Alden, Luther Peirce, Wadsworth Chandler, Daniel Chandler, David Delano, Peleg Weston, Bailey Hall, and Peleg Weston, jun. 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 Duxbury South-River Manufacturing Company, for the purpose of manufacturing cotton and woollen goods (and machinery for the same) at Duxbury, in the county of Plymouth; 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 on 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 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 establishing and carrying on the manufactory of cotton and woollen goods at Duxbury aforesaid.

May hold  
real and per-  
sonal estate.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLI.

An Act for establishing the westerly line of the town of Kingville, and for altering the name thereof.

**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 Kingville, in the county of Kennebeck be, and the same is hereby altered to the name of Joy, and that said town shall hereafter be known and called by the said last mentioned name, any thing in the act whereby the said town was incorporated notwithstanding; and that the westerly line of the tract of land formerly known and called township number four, in the first range, north of the Waldo patent, shall hereafter be the westerly line of said town.

Name of  
town altered

[Approved by the Governor, March 1, 1815.]

## CHAP. CLII.

An Act to incorporate The Stratton 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 George Stratton, Melatiah

Everett, William Sumner, Jacob Leonard, Beriah Mann, and Elias Nason, 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 Stratton Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth, in the town of Foxborough, in the county of Norfolk; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties, requirements and liabilities, 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 one thousand eight hundred and nine.

May hold  
real and per-  
sonal estate.

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

[Approved by the Governor, March 1, 1815.]

### CHAP. CLIII.

An Act to incorporate The Phillipston Cotton and Woollen Manufacturing Company.

Persons in-  
corporated.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Ignatius Goulding, Joseph Goulding, and Simon Bancroft, 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 Phillipston Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen yarn and cloth in the town of Phillipston; and for this purpose said corporation 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 on 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 such real estate, not exceeding the value of twenty thousand dollars, and such personal estate, not exceeding twenty thousand dollars, as may be necessary and convenient for carrying on the manufactures aforesaid. May hold real and personal estate.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLIV.

An Act to establish The South Congregational Parish, in the town of Prospect.

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 dwelling in that part of the town of Prospect, in the county of Hancock, as contained within the following described lines, be, and they are hereby incorporated and established as a distinct parish, by the name of The South Congregational Parish in the town of Prospect, viz: Southward and westward of a line beginning on Penobscot river, in the line forming the northeastern angle of land of Alexander Black, thence continuing westwardly in said line to the northwestern angle of the land of said Alexander Black, thence running and continuing such course as shall intersect the line of Frankfort, due north from the north end of half moon pond; and the said South Congregational Parish is hereby vested with all the powers and privileges, and subjected to all the duties which are required of parishes and religious societies, according to the constitution and laws of this Commonwealth. Parish incorporated.

SEC. 2. *Be it further enacted,* That any Justice of the Peace for the county of Hancock is hereby empowered, upon application therefor, to issue a warrant, directed to a freehold inhabitant of the said South Con- May call a meeting.

gregational Parish, requiring him to notify and warn a meeting of the inhabitants thereof, at such convenient time and place, as shall be appointed in the said warrant, to organize the said parish, by the election of its officers.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLV.

An Act in further addition to an act, entitled "An act providing for the government and regulation of the State Prison."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That His Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized to appoint and commission, during pleasure, a chaplain for the State Prison, whose duty it shall be to perform divine service therein on the sabbath, and on other days appointed for public worship, and also to visit the sick, and instruct the convicts in their moral and religious duties.*

May appoint  
a chaplain.

SEC. 2. *Be it further enacted, That His Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized to appoint and commission, during pleasure, a physician for said prison, whose duty it shall be to prescribe for the sick convicts, as occasion may require, and also to attend to the regimen, clothing and cleanliness of the prisoners; and whose order for supplies in the medical department shall authorize the warden to procure the same.*

Physician to  
be appointed

SEC. 3. *Be it further enacted, That the chaplain shall receive one hundred and fifty dollars, the physician shall receive two hundred and fifty dollars, and the directors shall receive one hundred dollars each, annually, payable in quarterly payments, in full compensation for their services.*

Compensa-  
tion estab-  
lished



SEC. 4. *Be it further enacted*, That all acts and parts of acts, heretofore passed, which are inconsistent with the provisions of this act, be, and the same are hereby repealed. Acts repealed.

[Approved by the Governor, March 1, 1815.]

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## CHAP. CLVI.

An Act repealing an act regulating Stables.

**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 on the nineteenth day of October last, entitled "An act for regulating public stables throughout the Commonwealth," be, and the same is hereby repealed. Act repealed

[Approved by the Governor, March 1, 1815.]

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## CHAP. CLVII.

An Act in addition to an act, entitled "An act to establish The Bluehill Turnpike Corporation."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Bluehill Turnpike Corporation shall and may lawfully hold and possess real estate, not exceeding in value ten thousand dollars. May hold real estate.

SEC. 2. *Be it further enacted*, That if any person shall travel on the road of said corporation, and turn off the same when coming near the toll gate thereon, with a design to avoid paying toll, and then come on to said road again, notwithstanding it may have been where the turnpike was made on the old road, shall be liable to all the penalties provided in the act establishing said corporation, for refusing or avoiding the payment of tolls: *Provided*, any part of said travelling be on that part of the turnpike not made on the old road. Penalties. Proviso.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLVIII.

An Act to repeal an act, entitled "An act limiting the period, during which any person shall be eligible to the office of County Treasurer."

Act repealed **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 twenty-second day of June, in the year of our Lord one thousand eight hundred and eleven, entitled "An act limiting the period during which any person shall be eligible to the office of County Treasurer," be, and the same is hereby repealed.

[Approved by the Governor, March 1, 1815.]

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## CHAP. CLIX.

An Act in addition to an act, entitled "An act to incorporate William Bartlet and others into a company, by the name of The Merrimack Insurance Company."

Act revived. **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 to incorporate William Bartlet and others into a company, by the name of The Merrimack Insurance Company," be, and the same is hereby revived, and the provisions thereof established and confirmed, unto the said William Bartlet and others, who are or shall become stockholders in said company, notwithstanding the failure of a compliance on the part of said company, with the terms of said act: *Provided*, that nothing herein contained shall be construed to affect the liability or rights of said company, or the rights of any person or persons who may have been injured, by the failure of said company to comply with the terms of said act.

SEC. 2. *Be it further enacted*, That the capital stock of said company, amounting to one hundred thousand dollars, shall all be paid in within one year from the passing of this act, viz. twenty-five per cent thereof on or before the tenth day of April next, and the residue at such times within the year aforesaid, and in such instalments as said company shall direct. Payment of capital.

SEC. 3. *Be it further enacted*, That William Bartlet, Nicholas Pike and Jeremiah Nelson, or any two of them, are hereby authorized to call a meeting of the members of said corporation as soon as may be, in Newburyport, for the purpose of electing a Board of Directors, to continue in office until the next annual meeting, by giving such notice as is required by the third section of the act to which this is in addition. Authorized to call meet. ing.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLX.

An Act in addition to an act, entitled "An act to divide the town of Poland, and to incorporate the northerly part thereof into a separate town, by the name of Minot."

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 second section of the act, entitled "An act to divide the town of Poland, and to incorporate the northerly part thereof into a separate town, by the name of Minot," as defines the manner in which the towns of Poland and Minot shall support their paupers, be, and the same is hereby repealed. Act in part repealed.

SEC. 2. *Be it further enacted*, That, from and after the passing of this act, every person who had a legal settlement in, but was removed from the town of Poland aforesaid, at the time of the division of said Poland and incorporating Minot, and who had not gained a legal settlement elsewhere, shall have his legal settlement in, To support poor.

and, if of public charge, be supported by that town, wherein his former dwelling or home was, at the time of the aforesaid division of Poland.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLXI.

An Act to regulate the Shad and Alewife Fishery in the town of Brighton.

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 this act, it shall be lawful for the inhabitants of the town of Brighton, by their agents, to sell the right and regulate the places and manner of taking the fish called shad and alewives, within the limits of said town, subject in all things to an act passed on the twenty-eighth day of February, one thousand eight hundred, entitled "An act to prevent the destruction of the fish called alewives and shad, in Charles River." And the inhabitants of said town, at their annual meetings in March or April, are hereby authorized and empowered to appoint agents, whose duty it shall be to carry into execution the purposes of this act.*

May sell the fishery.

SEC. 2. *Be it further enacted, That the agents aforesaid may, for and in behalf of said town, and to their use and benefit, sell the right, regulate the places and manner of taking said fish within the limits of said town, for one or more years at a time, as the town may direct; and the proceeds arising by such sale, said Agents shall be held to pay over to the Treasurer of said town.*

Duty of fish agents.

SEC. 3. *Be it further enacted, That the said agents shall, after establishing such rules and regulations as they may think necessary, and by determining by whom said fish may be taken, cause an attested copy thereof to be posted up in some public place in said town; and if any person or persons, other than those to whom said right is sold, or persons employed by them, shall take any of the fish called shad or alewives, within the*

limits aforesaid, or if any person or persons to whom said right is sold, or those employed by them, shall take any of said fish in any other place or in any other manner than shall be expressed in the conditions of sale, every person so offending shall severally forfeit and pay a sum not exceeding ten dollars, nor less than four dollars, for each and every offence, to be recovered in an action on the case, to the use of any person who may sue for the same, or the town may sue by their fish agents.

Penalty for taking fish contrary to law.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLXII.

### An Act to incorporate The Protestant Methodist Society in Alna and New Castle.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ezekiel Averell, Samuel Averell, jun. Barnabas Bruce, Samuel Cargill, Thomas Chase, William Cochran, David Cook, — Copeland, Thomas Cunningham, jun. Joseph Dunton, Jotham Dunnell, Thomas Fairservice, Matthew Harley, Ezekiel Hearsey, Joseph Hilton, James Hodge, David Hunt, Samuel Johnson, Samuel Kennedy, jun. Joseph Laiten, Robert Lenox, Timothy S. Morrell, David Murray, Robert Murray, David Otis, Timothy Page, Andrew Peters, Robert Robinson, John Rundlet, Oaks Rundlet, William Simpson, James Stevens, Mark Stevens, Joseph Tarr, Lewis Tobey, Gideon Turner, Cornelius Turner, Benjamin Woodbridge, jun. Hodge Woodbridge, and Robert Robinson, together with their families and estates, and such others as may hereafter associate with them, and their successors, be, and they are hereby incorporated as a religious society, for religious purposes only, by the name of The Protestant Methodist Society in Alna and New Castle; and as such shall have all the powers and privileges, and shall also be subject to the same duties, as other Religious Societies, according to the constitution and laws of this Commonwealth.*

Persons incorporated.

Manner of  
becoming a  
member.

SEC. 2. *Be it further enacted*, That any person, belonging to any other religious society, in either of the said towns of Alna or New Castle, who may desire to become a member of the said Protestant Methodist Society, shall declare his or her intention in writing to the minister or clerk thereof, and shall also deliver a copy of the same declaration to the town clerk, fifteen days before the annual town meeting; and if such person doth receive and can produce a certificate of admission to membership, signed by the minister or clerk of said Methodist society, such person, with his or her polls and estate, from the date of such certificate, shall be considered as members of the said Methodist society; and the said certificate shall operate and have effect to exonerate such person from taxation for the support of the minister of any other religious denomination, in the town where such person may dwell or reside.

May leave  
this Society.

Proviso.

SEC. 3. *Be it further enacted*, That when any member of the said Protestant Methodist Society, living in either of the said towns of Alna or New Castle, may see cause to secede therefrom, and to unite with any other religious society in the town where he or she may dwell or have their home, the same form and process shall be had and done, *mutatis mutandis*, as is prescribed in the second section of this act: *Provided however*, that in every case of secession from any one religious society and joining another, every such person shall be holden in law to pay his or her proportion or assessment of parish or society taxes and expenses legally assessed and due and unpaid at the time of such secession.

Justice to is-  
sue warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Lincoln, upon application therefor, is hereby empowered to issue a warrant, directed to a freeholder and member of the said Protestant Methodist Society, requiring him to notify and warn the members thereof to meet at such convenient time and place as may be appointed in the said warrant, to organize the said society by the election of its officers.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLXIII.

## An Act altering the boundary line between Hadley and Amherst.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the west boundary line of lot number fifteen, in the fifth division, originally laid out to John Smith, running from the north line of the town of South Hadley, to the bay road, and continued across said road, so as to intersect the north side thereof, together with all that part of the north side of said road, which lies between the point of said intersection and the original south west corner of the town of Amherst, shall forever hereafter constitute the boundary line between the town of Amherst and that part of the town of Hadley which lies south of the north side of the said road.

Boundary  
line fixed.

SEC. 2. *Be it further enacted,* That all the land lying south and west of the boundary, by this act established, and heretofore comprised within the limits of Amherst, be, and hereby is annexed to Hadley, and that all the land lying east of said boundary, and heretofore included within the limits of Hadley, be, and hereby is annexed to Amherst: *Provided,* that nothing herein contained shall prevent the collection of any taxes now due from the owners of said lands, to either of said towns.

Land annex.  
ed.

Proviso.

[Approved by the Governor, March 1, 1815.]

## CHAP. CLXIV.

## An Act for regulating the proceedings in suits upon Constables' Bonds in 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 when the condition of any

March 1, 1815.

Bond broken.

Proviso.

bond which now is, or may hereafter be given to the Treasurer of the town of Boston by any constable of said town, for the faithful performance of the duties of his office, shall be broken, to the injury of any person, such person may cause a suit to be instituted upon such bond, at his own costs, but in the name of the Treasurer of the town of Boston, and the like endorsements shall be made on the writ, and the like proceedings be had thereon to final judgment and execution, and the like writs of scire facias on such judgment as may be made, and had by a creditor on administration bonds given to any Judge of Probate: *Provided however*, that no such suit shall be instituted by any person for his own use, until such person shall have recovered judgment against the constable, his executors or administrators, in an action brought for the malfeasance or misfeasance of the constable, or for non-payment of any monies collected by the said constable in that capacity, or a decree of a Judge of Probate, allowing a claim for any of the causes aforesaid, and such judgment or decree, or so much thereof as shall be unsatisfied, with the interest due thereon, shall be the proportion of the penalty for which execution shall be awarded: *Provided however*, that this act shall not be construed to make any surety in any bond given by the constable as aforesaid, before the passing of this act, liable to any suit which could not heretofore be legally prosecuted against him.

Duty of the Treasurer.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Treasurer aforesaid to deliver an attested copy of any constable's bond to any persons applying and paying for the same; and such attested copy shall be received as evidence in any case: *Provided nevertheless*, that if in any suit the execution of the bond shall be disputed, the court may order the Treasurer to bring the original bond into court.

[Approved by the Governor, March 1, 1815.]



## CHAP. CLXV.

An Act to incorporate The First Calvinistic Baptist Society in Parsonsfield.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Simon Marston, Richard Lord, Hardy Merrill, Archelaus Pray, Joseph White, Ammi R. Lord, James Remick, John Merrill, Pelatiah Ricker, Tobias Ricker, Francis S. Grace, John Lord, John Lord, jun. Nathaniel Lord, and Jacob Witham, with their polls and estates, together with such others as may hereafter associate with them, and their successors and assigns, be, and they are hereby incorporated as a religious society, by the name of The First Calvinistic Baptist Society in Parsonsfield, with all the powers and privileges, and subject to all the duties of other religious societies, according to the constitution and laws of this Commonwealth. Persons incorporated.

SEC. 2. *Be it further enacted,* That any person in the said town of Parsonsfield, who may at any time hereafter, desire to become a member of the said Calvinistic Baptist Society, shall declare such desire and intention in writing, and deliver the same to the minister or clerk of said society, and a copy of the same to the town clerk of said Parsonsfield; and if such person doth receive, and can produce a certificate of admission to membership, signed by the said minister or clerk, such person, with his or her family and estate, shall be considered, from the date of such certificate, members of the said First Calvinistic Baptist Society; and such certificate shall operate and have effect to exonerate such person from any tax or other charge, for the support of the minister of any other religious denomination, in the said town of Parsonsfield. Method of becoming a member.

SEC. 3. *Be it further enacted,* That when any member of the said First Calvinistic Baptist Society, may see cause to leave the same, and to unite with any other religious society in the said town of Parsonsfield. the Manner of leaving this society.

Proviso.

same course and process, *mutatis mutandis*, shall be had and done, as is prescribed in the second section of this act: *Provided however*, that in every case of secession, from one society and joining to another, every such person shall be holden to pay his or her proportion or assessment of parish, or society taxes and expenses, assessed and not paid, prior to such secession.

Justice to issue warrant.

SEC. 4. *Be it further enacted* That any Justice of the Peace, in the county of York, is hereby empowered, upon application therefor, to issue a warrant, directed to a freeholder and member of the said First Calvinistic Baptist Society, requiring him to notify and warn the members thereof, to meet at such convenient time and place, as shall be appointed in the said warrant, to organize the said society, by the appointment of its officers.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXVI.

An Act in further addition to an act, entitled "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."

Act in part repealed.

**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 that part of the first section of an act, entitled "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," which relates to the price and also to the number of the tickets to be issued in each class of said lottery, be, and the same is hereby repealed.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXVII.

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 passing this act, William Andrews, son of Ebenezer T. Andrews, Esq. of Boston, in the county of Suffolk, shall be allowed to take the name of William Turell Andrews; that Theodore Baker of the same Boston, shall be allowed to take the name of George T. Baker; that James Drew, of Boston aforesaid, mariner, shall be allowed to take the name of James Clement Drew; that Shirley Erving, eldest son of Dr. Shirley Erving, late of said Boston, deceased, shall be allowed to take the name of William Shirley Erving; that James Moncrieff, of Boston aforesaid, late an indentured apprentice to William H. H. Chealy, of the same Boston, trader, shall be allowed to take the name of James Chealy Moncrieff; that Jonathan Low, of Gloucester, in the county of Essex, shall be allowed to take the name of James Willis Low; that Stephen Marston, of Newburyport, in the county of Essex aforesaid, shall be allowed to take the name of Stephen Webster Marston; that John Ropes, jun. a minor, and son of John Ropes, Esq. of Salem, in the same county of Essex, shall be allowed to take the name of John Haradan Ropes; that John Adams, of Roxbury, in the county of Norfolk, son of Nathan Adams, of Medford, in the county of Middlesex, shall be allowed to take the name of Edward Holyoke Adams; that Howard Davis, of Westport, in the county of Bristol, shall be allowed to take the name of John Howard Davis; that Lot Bumpus, jun. of Wareham, in the county of Plymouth, shall be allowed to take the name of Lot Bumpus Sullivan; that Major Goodale Ware, of Northampton, in the county of Hampshire, shall be allowed to take the name of Goodale Sylvester Ware; that Elizabeth Hyde, of Sandisfield, in the county of Berkshire, daughter of Dr. Jabez Holden,

Names altered.

Names  
altered.

of the same Sandisfield, and formerly the wife of Agur Hyde, of the same town, shall be allowed to take the name of Elizabeth Smith; that Edwards Morse, of Charlestown, in the county of Middlesex, gentleman, son of the Rev. Jedidiah Morse, D. D. of the same Charlestown, shall be allowed to take the name of Sydney Edwards Morse; that Mary Emerson Baker, of Newburyport, in the county of Essex, aforesaid, single woman, shall be allowed to take the name of Mary Jane Brown.

And the several persons before named, from the time of passing 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, March 2, 1815.]

## CHAP. CLXVIII.

An Act to incorporate The Trustees of the Fund for the support of religious worship in the Episcopal Society of St. Andrews in Hanover.

Preamble.

**W**HEREAS the sum of twelve hundred dollars has been subscribed, for the purpose of establishing a fund, for the support of religious worship in the Episcopal Society of St. Andrews in Hanover: Therefore,

Trustees appointed.

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 wardens and vestrymen of said society, for the time being, and their successors in office, be, and hereby are appointed Trustees of the said fund, by the name of The Trustees of the Fund for the support of religious worship in the Episcopal Society of St. Andrews in Hanover; and they shall be a body politic and corporate by that name forever, shall have a common seal, may sue and be sued in their corporate capacity, and may prosecute and defend to*

final judgment and execution by their said corporate name.

SEC. 2. *Be it further enacted,* That the senior warden of said society shall call a meeting of said Trustees on the third Tuesday of April next, by giving personal notice to each of them, seven days at least before the time of such meeting. After which said first meeting, all subsequent meetings shall be held at such times and places, and called in such manner, as the said Trustees shall direct. May call a meeting.

SEC. 3. *Be it further enacted,* That the said Trustees, at their said first meeting, and ever after annually, shall elect a president, clerk, and treasurer by written ballot. The clerk shall be sworn by the president to the faithful discharge of the duties of his office, and the treasurer shall give bonds to the acceptance of the wardens of said society. Shall elect officers.

SEC. 4. *Be it further enacted,* That said Trustees shall have the sole superintendence, management, and controul of the said fund, and of such other sums of money or other property as may hereafter be subscribed or appropriated towards the increase of said fund, under the following restrictions: first, that the principal of said fund shall at no time be expended, but shall be put to interest on good security, or invested in bank or other stock, as the said Trustees may judge proper and prudent: secondly, that the interest or net income of said fund shall be paid into the treasury of said society, for the support of religious worship therein, unless by vote of the said society the same shall have been converted into principal: thirdly, that the said Trustees shall, at all reasonable times, submit their books and papers to the inspection of the treasurer of said society, or of any committee appointed by said society to inspect the same, and shall render their account, and pay any balances of interest or net income of said fund in their hands, whenever thereunto requested by said society, unless the same had been previously converted into principal by vote of said society. Management of the fund.

SEC. 5. *Be it further enacted,* That the said Trustees may hold personal estate, to the value of ten thousand dollars, and real estate, to the value of ten thousand dollars, for the purposes aforesaid. May hold real and personal estate.

Negligence  
of Trustees.

SEC. 6. *Be it further enacted*, That should any loss in said fund happen or accrue, in consequence of gross negligence or malfeasance of said Trustees, or of either of them, the said society may have and support a special action on the case against said Trustess, or either of them, who may be thus negligent, or guilty, and recover against them or him, in any court proper to try the same, such sum in damages, as may be an indemnity for such loss.

May make  
by-laws, &c.

SEC. 7. *Be it further enacted*, That the said Trustees, at any of their meetings, duly notified, may make any by-laws, rules, and regulations, not repugnant to the laws of this Commonwealth: *Provided*, the substance of such by-laws, rules, and regulations shall have been inserted in the warrant for calling such meeting.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXIX.

An Act to regulate the custody of shipwrecked goods, and to preserve them for their owners.

Charge to be  
taken of  
shipwrecked  
property.

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 commissioner, hereafter to be appointed, in pursuance of this act, immediately on receiving information of any shipwreck, finding of any goods or shipwrecked property of any kind, to the amount of one hundred dollars or upwards, on any of the shores or waters within this Commonwealth, shall immediately repair to said property, and in case the same is unattended by any owner or agent, shall take charge of the same for the lawful owner, and in the best way and manner in his power, preserve and secure the same; and said commissioner shall have all the power and authority of a fireward to preserve and secure the same and compel assistance for that purpose; and it shall be the duty of said commissioner to take an inventory of the same, and when required by the owner or agent of said property, or any insurance company or

To take an  
inventory.

underwriter, or other person interested in said property, shall make oath that the same is the whole property which has come to his custody, and shall immediately deliver the same to the lawful owner, agent, or other person legally authorized to receive it; *provided* he is paid or secured to be paid such reasonable compensation for his services and expenses, and such custom house duties, as may be due from said property, or which may have been previously paid by said commissioner; and said commissioner, owner, or agent, shall have power to agree on the proper compensation to be allowed for said services and expenses; but in case they shall not agree, said commissioner shall receive such sum, as shall be awarded by referees mutually chosen by the parties; said commissioner to choose one referee, the owner, agent, or other person interested, another; and the two, thus chosen, shall choose a third; and the referees thus appointed, and the parties thus appointing them, shall proceed in all respect as is required by an act for rendering the decision of civil causes as speedy and as little expensive as possible; and if either of the party shall be dissatisfied with the award of the referees aforesaid, notice shall be given to the opposite party and an appeal shall lie to the Supreme Judicial Court next to be holden in and for the county in which such property shall be found; and the Supreme Judicial Court shall have power to hear and determine the case in the same manner as if the cause came before them on an appeal from the Circuit Court of Common Pleas; and no owner or agent, or other person interested in said property, shall be holden to pay any charge to any other person for services or expenses, in taking or securing said property, than the commissioners aforesaid, unless it be that property taken and secured before the arrival of said commissioner; in which case said commissioner shall, upon due hearing of all parties interested, determine the compensation to be received as aforesaid, and from his award in writing there shall be no appeal, unless the sum demanded and allowed by said commissioner shall exceed the sum of fifty dollars; in which case an appeal shall lie to the Supreme Judicial Court, to either party aggrieved by the doings of said commissioner,

Proviso.

Referees to be chosen.

Compensation.

Forfeiture  
incurred.

and similar process shall be had by said Court as is had in cases carried by appeal from the Circuit Court of Common Pleas: and in case any person or persons shall, after the arrival of the commissioner aforesaid, intermeddle with, take, secrete, or detain any property, shipwrecked or found as aforesaid, but as he or they are authorized and directed by the commissioner, owner, or agent, or other person interested, he or they shall forfeit and pay the sum of one thousand dollars for each and every offence, to be recovered by an action of debt in any court proper to try the same; and the said commissioner, owner, agent, or other person interested, or either of them, are hereby authorized to bring said action and receive said penalty to their own use.

To advertise  
shipwrecked  
property.

SEC. 2. *Be it further enacted*, That it shall be the duty of the commissioners aforesaid, immediately on their arrival at any wreck or goods found as aforesaid, to publish in the most expeditious manner the facts they shall ascertain, that the knowledge of the event may come to the owner, agent, or person interested as soon as may be; and in all cases they shall publish the particulars of said shipwreck, or goods found, in the nearest newspaper to said shipwreck, or goods found, on penalty of fifty dollars, to be recovered by an action of debt in any court proper to try the same, at the suit of the owner, agent, or other person interested, who are hereby authorized to bring said action and receive the penalty recovered to their own use; and it shall and may be lawful for said commissioners to dispose of so much of said property at public auction, within thirty days from taking the same into custody as shall be sufficient to pay all duties due for the same to the custom house, and shall forthwith pay or give security to the custom officer for the discharge of the same; and in case the nature of the property so taken as aforesaid is perishable and cannot be retained in possession for one year, without essentially lessening its value, and no owner, agent, or other person interested in the same shall appear to claim it for the space of sixty days, it shall be the duty of said commissioners to advertise said property in the public newspapers and sell the same at auction to the most advantage in their power; and if no owner, agent, or other

May dispose  
of property.



person interested in said property shall appear in one year to claim said property, it shall be the duty of said commissioners to present an inventory of said property received by him as aforesaid, or, if sold, an account of sales to the Treasurer of the Commonwealth, and shall make oath that the same is the whole property which has come to his possession, duties paid to the custom-house excepted, if said duties are paid; and shall pay over to the Treasurer aforesaid the whole balance remaining in his hands, for the use of the Commonwealth; and the Treasurer aforesaid is hereby authorized to make said commissioner such reasonable compensation for his services and expenses as shall be just and equitable, to be ascertained in case of disagreement by said commissioners and Treasurer, in the same way and manner as is provided for in this act when said commissioners and owners or agents shall not agree respecting such services and expenses: and when any commissioner, appointed in pursuance of this act, shall neglect to inform the Treasurer of this Commonwealth, of property taken by him as aforesaid, for sixty days after the expiration of the year he may have held the same, or if so informing said Treasurer, he or they shall neglect to pay over the property aforesaid to the Treasurer aforesaid, the attorney or solicitor-general of this Commonwealth are hereby authorized and directed to commence a proper legal process for the same, at the next term of the Supreme Judicial Court in the county where said commissioner dwells, and shall pursue the same to final judgment and execution to pay the sums recovered as aforesaid to the Treasurer of said Commonwealth.

To make an inventory.

Compensation for service.

SEC. 3. *Be it further enacted*, That the Governor, with the advice of council, be, and he is hereby authorized to appoint, in the several counties of this Commonwealth, a sufficient number of commissioners, removeable at the pleasure of the executive, of wrecks and lost goods, all of whom shall be commissioned and sworn to the faithful observance of this act, and shall give bonds to the Judges of Probate for the counties in which they reside, with sufficient sureties to the acceptance of said Judges for the faithful discharge of their trust; and the same remedy may be had on said bonds to any owner,

Authorized to appoint commissioners.

agent, or other person interested in said property, as is had on bonds given to Judges of Probate for the faithful administration on estates.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXX.

An Act establishing a law term of the Supreme Judicial Court to be holden within and for the counties of Plymouth and Bristol.

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, the Supreme Judicial Court, to be holden by three or more Justices of said court, pursuant to the second section of an act passed on the fifteenth day of March, in the year of our Lord one thousand eight hundred and five, entitled an act making further provision in the Judicial department, shall be holden annually, alternately at Plymouth, in the county of Plymouth, and at Taunton, in the county of Bristol, on the second Tuesday in July, the first term of said court to be holden at Plymouth.

Place of  
holding  
court altered

SEC. 2. *Be it further enacted,* That said court, to be holden as aforesaid, shall have cognizance of all matters and things arising or depending in either of the said two counties respectively, for which the said court is to be holden, and which, by force of the act aforesaid, are to be heard, tried and determined before three or more of the Justices of said court, in like manner as if the said court were holden pursuant to the provision in the said second section of said act in the county, in which such suit may arise, or be depending, excepting only that no issue of fact, to be tried by a Jury, shall be tried by said court to be holden as aforesaid.

To have  
cognizance.

SEC. 3. *Be it further enacted,* That all writs of error, in which error in law is assigned, all writs of certiorari, and all other writs and processes in suits, which are to be heard and tried before three or more of the Justices

Clerk to sue  
writ.

of said court, shall be sued out of the office of the clerk of said court for the county from which it would have issued if this act had never been passed, but shall be made returnable to, and be heard and determined in the court to be holden as aforesaid.

SEC. 4. *Be it further enacted*, That all motions in arrest of Judgment, all demurrers in law, all cases submitted to the court on a statement of facts, and all other matters which may arise in the Supreme Judicial Court holden in either of said counties, which requires three or more of the Justices of said court to determine, shall be heard and determined by the said court by this act established.

SEC. 5. *Be it further enacted*, That it shall be the duty of each of the clerks of said courts in the said counties seasonably to transmit to the clerk for the county in which the said court shall be holden, a docket containing a list of all the actions originally entered in his office, which are to be heard and tried in the court, by this act established, with the files and other papers belonging to said causes; and all the new entries made at said court, shall be made in the docket of the clerk of the county, from whose office the writ issued; and such docket, together with the files and papers aforesaid, not belonging to the office of the clerk of the county, in which such court shall be holden, after the rising of said court, shall be forthwith transmitted to the clerk for the county to which they may appertain, who shall record all the judgments and proceedings of the court relating to suits or other matters depending in his county or belonging thereto; and shall issue executions and other processes thereon, in like manner as if the same had been transacted in the county for which he is clerk.

Shall transmit a docket

SEC. 6. *Be it further enacted*, That if any person shall be indicted for any capital offence by the Grand Jury of either of said counties, and being arraigned therefor, before the Supreme Judicial Court, when but one of the Justices thereof is present, and shall plead not guilty to such indictment, the Justice before whom such court shall be holden, after assigning counsel for the prisoner and doing all things necessary and proper preparatory for the trial, shall give notice to one or more

Shall give notice to the Justices.

of the Justices of said court, that he or they may attend the trial; and such indictment shall not be tried unless before two or more of said Justices: and two or more of said Justices shall attend for that purpose at the same term on the day assigned for the trial.

Justice es-  
tablished.

SEC. 7. *Be it further enacted*, That it shall not be necessary for more than one of the Justices of the said court, to attend at any term of said court, to be holden in either of said counties, excepting the one by this act established, or for the purpose of trying a person, who is indicted for a capital offence as aforesaid.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXI.

An Act to incorporate Ebenezer Francis and others, by the name of The Central Wharf and Wet Dock Corporation.

Persons in-  
corporated.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Ebenezer Francis, Uriah Cotting, Francis C. Lowell, and David Hinckley, with their associates, successors and assigns, shall be, and hereby are constituted a body politic and corporate, by the name of The Central Wharf and Wet Dock Corporation; and the said corporation, by the said name, are hereby declared and made capable in law to sue and be sued, to implead and be impleaded, to have a common seal, and alter and renew the same at pleasure, to make rules and by-laws for the regulation and management of their estate, consistent with the laws of this Commonwealth, and, generally, do and execute whatever by law shall appertain to bodies politic.

May hold  
and possess  
wharf, &c.

SEC. 2. *Be it further enacted*, That the said corporation shall be, and hereby is declared capable to have, hold, and possess all the wharf, lands, and flats, situated in the town of Boston, and bounded southerly by India-Wharf, westerly by the range of stores on India-

street, so called, and northerly by the Long-Wharf; *provided* the lawful owners or proprietors thereof legally convey the same to the said corporation; and the said corporation shall have power and liberty to grant, sell, and alien in fee simple or otherwise their corporate property, or any part thereof, being situated within the aforesaid limits and boundaries, and to have, manage, and improve the same, according to the will and pleasure of the said corporation, to be expressed at any legal meeting.

SEC. 3. *Be it further enacted*, That all the said corporate property shall be divided into four hundred shares, and the said corporation may, at any legal meeting, agree upon the form of deeds to be given by said corporation to the original proprietors, of the number of shares by them respectively held; which deeds shall be under the seal of said corporation, shall be signed by the president thereof, and duly acknowledged and recorded in the registry of deeds, for the county of Suffolk. And said corporation shall have power, from time to time, upon each share to assess such sums of money as may be deemed necessary, for erecting and making wet docks, wharves, and buildings, within the aforesaid limits, and generally for the improvement and good management of said estate, agreeably to the true intent of this act; and to sell and dispose of the shares of delinquent proprietors for the payment of such assessments, at such time and manner as the said corporation may determine; and in case of such sale, a deed or deeds duly executed and acknowledged by the president of the said corporation, or by any other person for that purpose, especially authorized by the said corporation, and recorded in the registry of deeds, for the county of Suffolk, shall be as effectual to convey such delinquent proprietor's estate and interest in such shares, as if the same had been made and executed by such proprietor himself: *Provided however*, that no assessment shall be made at any meeting, unless agreed to by two thirds at least, both in number and value of those present and represented, nor unless notice shall have been given at least ten days previous to such meeting of the purpose of such

Property divided into shares.

Power to assess money.

Proviso.

meeting, by publishing the same in some one or more of the newspapers printed in Boston.

Transfer of  
shares.

Proviso.

SEC. 4. *Be it further enacted*, That the shares of each proprietor, in said corporate property shall be considered in all respects real estate; shall be transferred and conveyed in the usual manner by deed duly acknowledged and recorded, and shall be subject and liable to attachment and execution, to dower and descent to heirs and to all other incidents of real estate; *Provided however*, that in case of levying an execution on any of said shares, the same shall not be appraised and set off to the creditor on such execution, but such share or shares shall be sold by the officer having the execution, in like manner, in all respects as is by law prescribed for the sale of rights in equity of redeeming real estates mortgaged; and the debtor shall have the liberty of redeeming the shares so sold, within one year after the conveyance thereof by the officer, by paying the sum that may have been given therefor at such sales, with the interest thereon, and also all assessments which may have been in the meantime paid by the purchaser, his heirs or assigns, with the interest thereon, deducting the dividends, rents, and profits, which the purchaser, his heirs or assigns may have received; and no part of the land, wharf, or estate of said corporation shall ever be divided, or set off by metes and bounds on any such execution against any individual proprietor, nor on any assignment of dower, nor on any partition or division among the heirs of any proprietor, nor on any suit or petition of any such proprietor.

Shall not di-  
vide wharf.

May call a  
meeting.

SEC. 5. *Be it further enacted* That the said Francis and Cotting, or either of them, may call a meeting of said corporation, by advertising the same in any of the public newspapers printed in Boston, at least ten days before the time of 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 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 act according to their interest in said property, allowing one vote to each share, and absent proprietors may vote by proxy authorized in writing.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXII.

An Act in further addition to an act, entitled "An act for the support and regulation of Mills."

**BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whenever a jury shall be ordered by the court for the purposes expressed in an act, entitled "An act for the support and regulation of Mills," the same shall be selected in manner following, viz. The sheriff or coroner, to whom the warrant shall be directed, shall in writing require of the selectmen of the three towns nearest to that in which the land injured is situated, if so many there be within the same county, to return a number of jurors (not less than two, nor more than six from any one town) to serve on the panel; which jurors shall be drawn from the jury box, notified and returned as in other cases, excepting that the town need not be assembled; and that notice to the persons drawn, one day previous to the time appointed for their attendance shall be sufficient; and if any person so returned shall unnecessarily fail to attend, he shall forfeit and pay a sum not exceeding ten dollars, at the discretion of the court to whom the verdict shall be returned, to be divided among the jurors who do attend; and if, from accident or challenge, there shall not be a full jury, the officer shall return some suitable person or persons to supply the deficiency. And every person serving on such jury shall receive one dollar and twenty-five cents for each day's attendance, and four cents a mile for his travel going and returning.

Calling of a jury.

Penalty for not attending

Fees.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXIII.

An Act to repeal an act, entitled "An act to provide for the settlement of accounts for military services and supplies," and to provide for the appointment, and to define the powers of a Board of War.

*Act repealed* SEC. 1. **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 provide for the settlement of accounts for military services and supplies," passed on the fifteenth day of October last, be, and the same is hereby repealed.

*Board of war appointed.* SEC. 2. *Duty of.* **Be** it further enacted, That His Excellency the Governor, with advice of Council, shall appoint three suitable persons, who shall constitute and be denominated The Board of War, whose duty it shall be, from and after the present session of the General Court, to receive, adjust, and finally to settle all accounts against the Commonwealth, for military services or supplies, and for expenses, connected with any military operations, rendered by, or under the authority of the state, in consequence of the late war; and the said Board of War may prescribe the forms of accounts, and direct what vouchers shall be necessary to passing all such accounts; and said Board shall also perform and execute all such other duties, as shall from time to time be enjoined on, or entrusted to them by the Governor of the Commonwealth, agreeable to the constitution, relative to military commissions, and to the land and naval forces, ships or warlike stores of this Commonwealth, or to such other matters respecting military or naval affairs, as the Governor shall assign to the said Board; and also to do and perform all such duties as by any act or resolve of the legislature have been or may be enjoined on or confided to the Board of War, and to finish and perfect any act of duty that has been commenced by the existing Board of War, under their legal authority, and which at the termination of the present session of the General Court shall remain incomplete or unexecuted.



SEC. 3. *Be it further enacted*, That the said Board of War shall prepare and arrange the claim of this state against the United States, with the vouchers to support the same, and file all such papers and accounts in the office of the Secretary of the Commonwealth, in such manner and under such directions, as they may from time to time receive from the Governor and Council, or the Legislature; and they shall also make monthly reports to the Governor and Council, when in session, of all accounts allowed by them.

To prepare  
claim against  
the U. States.

SEC. 4. *Be it further enacted*, That the said Board of War be authorized and directed to sell, in such manner as in their judgment will produce to the Commonwealth the greatest avail, the hulks that have been prepared to be sunk in the harbour of Boston, and such redundant munitions of war, camp equipage, barracks, and other articles, as have been prepared for the public defence, as His Excellency the Governor, with advice of the Council, shall direct; and pay over the proceeds to the Treasurer of the Commonwealth.

To sell the  
hulks, &c.

SEC. 5. *Be it further enacted*, That the said Board may appoint a secretary, and such number of clerks, not exceeding three, as they may find necessary; and shall make them a reasonable compensation for their services.

May appoint  
officers.

SEC. 6. *Be it further enacted*, That the authority and duties of said Board of War shall cease at the end of the first session of the next General Court, and that they shall be entitled to receive the sum of five hundred dollars each, as a compensation for their services; for which the Governor with the advice of Council is hereby authorized to draw a warrant on the Treasury.

Compensa-  
tion.

SEC. 7. *Be it further enacted*, That the Treasurer of the Commonwealth be, and he hereby is authorized and directed to pay, on any warrant which the Governor, with the advice of Council, may draw in favour of the Board of War, to discharge the duties of their appointment, such sums of money as said Board of War, or any two of them, from time to time may draw orders for upon him, to the person therein named, expressing in each order the nature of the claim; and the amount of said orders shall be from time to time discharged upon said warrants by the Board of War, or any two of them.

Treasurer  
authorized.

Governor  
may draw  
warrants.

SEC. 8. *Be it further enacted, That the Governor, with the advice of Council, may draw his warrants on the treasurer in favour of the said Board of War, for such sums as may from time to time be required, for paying said accounts; which sums shall remain in the hands of the Treasurer, subject to the orders of the Board of War, or any two of them, in the manner above provided.*

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXIV.

An Act to protect the Sepulchres of the Dead.

Penalty for  
taking dead  
bodies.

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, not being authorized by the Board of Health, or the selectmen of any town in this Commonwealth, shall knowingly and wilfully dig up, remove or carry away, or aid or assist in digging up, removing or carrying away any human body, or the remains thereof, such person or persons, so offending, shall, on conviction of such offence, in the Supreme Judicial Court of this Commonwealth, be imprisoned, not more than one year, or fined, not more than one thousand dollars, according to the nature and aggravation of the offence.*

Proviso.

SEC. 2. *Be it further enacted, That if any person or persons knowingly and wilfully receive, conceal, or dispose of any human body, or the remains thereof, which shall have been dug up, removed, or carried away in the manner described in the first section of this act, he or they shall be subject to the same forfeitures and penalties, as in said section is provided, on conviction thereof in the court aforesaid: Provided however, that nothing in this act shall be so construed as to affect the power or authority in the courts of the United States, or of this Commonwealth, or of any person acting under the authority of the same, in removing or disposing of the bodies of persons executed pursuant to any sentence of such court.*

SEC. 3. *Be it further enacted*, That all fines, accruing under this act, shall enure, one half to the informer, and <sup>Fines.</sup> one half to the town in which the offence is committed.

[Approved by the Governor, March 2, 1815.]

### CHAP. CLXXV.

An Act in addition to the several acts defining the general powers and duties of Turnpike Corporations.

**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 all Turnpike Corporations, that are, or may be established by law, to demand and receive, in addition to the present rates of toll, for every cart or waggon drawn by more than four oxen or horses, two cents for each additional ox or horse. <sup>Additional Toll.</sup>

[Approved by the Governor, March 2, 1815.]

### CHAP. CLXXVI.

An Act in addition to an act, entitled "An act to incorporate William Bartlet 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 any creditor or creditors of the Newburyport Marine Insurance Company, or of the Merrimack Marine and Fire Insurance Company, may sustain and prosecute to final judgment, actions at law against the said companies respectively, any thing in the fifteenth section of the act, entitled "An act to incorporate William Bartlet and others into a Company, by the name of The Merrimack Insurance Company," to the contrary notwithstanding. <sup>Creditors may prosecute companies.</sup>

Duty of  
Committee.

SEC. 2. *Be it further enacted*, That it shall be the duty of any Committee appointed, or to be appointed by either of said companies, pursuant to the provisions of the said fifteenth section of the act aforesaid, to pay and satisfy any judgment, which may be recovered against the company appointing such committee, out of any property or effects belonging to the same, which may be in the hands of such committee, at the time of their receiving notice of the action in which such judgment may be rendered; and for this purpose to retain in their hands such property and effects, or so much thereof as may be necessary therefor, from and after the time of receiving such notice.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXVII.

An Act authorizing the establishment of Law Libraries.

Justice to is-  
sue warrant.

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 every county within this Commonwealth, wherein there shall reside five or more attorneys at law regularly admitted and sworn to practice before the Circuit Court of Common Pleas, it shall be lawful for any five or more of them to make application in writing to any Justice of the Peace within and for said county, requesting him to issue his warrant for calling a meeting of the practitioners at law within the same county to meet at some certain time and place for the purpose of organizing the establishment of a Law Library; and such Justice shall thereupon issue a warrant under his hand and seal directed to some practitioner at law residing within the shire town of said county, requiring him to notify the other members of the bar residing therein, either personally or by written notification posted up at some conspicuous place in the Court-House in said county, at least seven days before the time of meeting as mentioned in said warrant, which meeting shall be holden, at the next succeeding term of

the Circuit Court of Common Pleas in said county on some day subsequent to the second day from the commencement of its session ; and the person to whom such warrant is directed shall serve the same in manner as aforesaid, and make return thereof under his hand to the Justice who issued the same, or to some other Justice of the Peace within and for said county, whose duty it shall be to preside at said meeting in the choice of a clerk, a treasurer and librarian, each of whom shall thereupon be sworn by the presiding officer, to the faithful discharge of their respective duties, and to hold their offices during the pleasure of the association ; and the said members of the bar so notified and met, to the number of five or more, shall at their first meeting prescribe the mode of calling future meetings of said association, and establish such rules and regulations as may be found necessary from time to time, to carry the purposes of this act into effect, not repugnant to the constitution and laws of this Commonwealth ; and at all future meetings the oldest member of the bar residing within said county, who is present, shall preside.

Duty of person to whom warrant is directed.

SEC. 2. *Be it further enacted,* That the sum of twenty dollars, which by law is now paid into the county treasury, on the admission of all practitioners at the bar of the Circuit Court of Common Pleas, shall hereafter be paid to the treasurer of every law library association in any county in this Commonwealth that shall be formed in pursuance of this act, which treasurer shall give his receipt therefor to the person paying the same, which sum so paid, as duty or excise as aforesaid, together with all bequests and donations made thereto, shall be applied, under the direction of said association, to form a law library, for the use of said county, under such reasonable regulations as the said association may appoint. And the clerk of said association shall keep an exact record of all the proceedings thereof, and the said treasurer shall keep an exact account of all monies, donations, and bequests belonging to said association, which account he shall be holden annually to settle under oath with the association, in such manner as they shall prescribe ; and the librarian, as well as the treasurer and clerk, shall be answerable in an action of the

Payment of admission money.

March 2, 1815.

Proviso.

case for all malfeasance or misfeasance in their respective offices to the association aforesaid, by the name of "The Law Library Association," for the county within which it is formed: *Provided however*, that the Law Library aforesaid shall be kept in a shire town within the county.

Act in part repealed.

SEC. 3. *Be it further enacted*, That the act passed on the twenty-seventh day of February, in the year of our Lord one thousand seven hundred and ninety-six, so far as it relates to the payment of twenty dollars into the county treasury by persons admitted to practice law before the Circuit Courts of Common Pleas, as it relates to the counties in this Commonwealth, in which law library associations are, or shall be formed, in pursuance of this act, and as to the receipt to be given by the county treasurer therefor, be, and the same is hereby repealed.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXVIII.

An Act to authorize The proprietors of a Marsh, in Rowley, to repair and maintain a Dike.

Preamble.

WHEREAS Thomas Mighill and others, proprietors of a marsh and rough meadow, lying in Rowley, known by the name of The Cowbridge Marsh and Rough Meadow, did (agreeably to a law passed for that purpose) erect a dike, thereby excluding the sea from said marsh and meadow; and whereas it is found by experience, that said marsh and meadow require management so very different that the interest of said proprietors cannot be promoted by their longer continuing one entire body corporate: Therefore,

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 Enoch Tenney and others, proprietors of all that part of the aforesaid Cowbridge marsh, which is situated below the new dike, erected across the marsh of Daniel Todd, jun. and Caleb

Todd, be, and they, with their heirs and assigns, are hereby incorporated for the purpose of repairing and maintaining the old dike forever; and for this purpose shall have all the powers and privileges (except that of assessing taxes upon the proprietors of the aforesaid rough meadow) and be subject to all the duties and requirements prescribed and contained in an act, entitled “An act to enable the proprietors of a marsh and rough meadow lying in the town of Rowley, to make and maintain a dike for the better improving said marsh and meadow,” passed on the twenty-fourth day of June, in the year of our Lord one thousand seven hundred and eighty-nine.

Powers and  
privileges.

SEC. 2. *Be it further enacted*, That the proprietors of said Cowbridge dike marsh may, at any legal meeting thereof, called for that purpose, abate so much of any individual proprietor's tax or taxes, or may altogether omit taxing any such proprietor or proprietors, who, in the opinion of said meeting, are not, nor will be benefited by the repairing and maintaining the said dike: *Provided*, two thirds of all those interested therein present at any such meeting be in favour thereof, and not otherwise; the votes to be collected according to the interest of the said proprietors.

May abate  
taxes.

Proviso.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXIX.

An Act to extend the time for making the Woburn Turnpike Road, and Dracut Bridge.

**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 further time of two years be, and hereby is granted to the corporation, for building the Dracut Bridge and Woburn Turnpike Road, the time limited in the act granting the said bridge and road having expired notwithstanding.

Further time  
allowed.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXX.

An Act providing Compensation to Militia Officers, in certain cases.

Pay of the  
officers serving.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That militia officers, excepting Judge Advocates, while serving on courts martial, courts of inquiry, and military boards, including supernumeraries and marshals, shall be entitled to the same pay and allowance for the same number of rations per day, as militia officers of infantry of the same grade are entitled to while in actual service.

Rations and  
Forage

SEC. 2. *Be it further enacted,* That each officer aforesaid shall be entitled to pay and allowance for rations to and from the place of the courts, or boards sitting, at the rate of thirty miles per day, and allowance for forage, when the same shall be necessary; but in no instance to be allowed forage for more than one horse.

Pay of Judge  
Advocate.

SEC. 3. *Be it further enacted,* That Judge Advocates, while employed on courts martial, or courts of inquiry, or military boards, shall be entitled to double the pay and allowance for rations, to which officers of infantry of the same grade are entitled, while in actual service; which allowance shall include their compensation for the time necessarily employed in preparing papers, made requisite previous to, and making the necessary copies after any trial, inquiry, or investigation, and single pay and allowance for rations to and from the place of the courts or boards sitting, at the rate of thirty miles per day; and the Judge Advocates shall be allowed for forage for one horse, and shall also be compensated for the stationary necessary for them and the courts or boards on or with which they may be ordered to act.

Fees for  
subpoenas.

SEC. 4. *Be it further enacted,* That the fees for subpoenas for witnesses on the part of the Commonwealth, and for making service shall be the same as are allowed in civil causes, and the witness shall be allowed for travel



four cents per mile, to and from the place of the courts or boards sitting, and fifty cents for each days attendance.

SEC. 5. *Be it further enacted*, That no allowance for pay or rations shall hereafter be made for any military guard attending a court martial, unless the officer appointing the court shall order such guard. Ordering of guards.

SEC. 6. *Be it further enacted*, That no officer appointing a court martial, court of inquiry, or board of officers, shall order out a guard, unless in his judgment such guard be necessary to protect said court martial, court of inquiry, or Board of officers.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXXI.

An Act to incorporate The Proprietors of the Fryeburgh Canal.

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 Chandler, John Stevens, jun. Charles Walker, Henry D. Hutchings, Samuel Walker, Samuel Walker, jun. John Charles, jun. Isaac Charles, Samuel Charles, James Charles, Simeon Charles, Joseph Charles, John Charles, Ebenezer Stevens, Samuel Stevens, Joseph Colby, Nathaniel Frye, Benjamin Wilie, jun. George Wilie, John Wilie, William Eaton, Putnam Farrington, Thomas Farrington, Jacob Farrington, Ebenezer Day, Benjamin Day, John Knight, Jeremiah Bradley, Daniel Day, Thaddens Bemis, Oliver Whiting, Samuel McKeen, Samuel M. K. Whiting, Oliver Whiting, jun. Moses Day, jun. and Joseph Knight, with their associates, successors and assigns, be, and they are hereby incorporated, by the name of The Proprietors of the Fryeburgh Canal; and by that name may sue and be sued, plead and be impleaded, to final judgment and execution; and are hereby vested with all the powers and privileges, which are by law incident to corporations of the like nature, for the purpose of opening a new channel for Saco river, within the town Persons incorporated.  
To open new channel.

Boundaries

of Fryeburgh, in the following direction ; beginning on the northerly bank of said river, on land formerly owned by Joseph Frye, about fifty rods southwesterly of the dwelling house of William Russell, and running through the lands of Ebenezer Fessenden, jun. Peter Walker, Isaac Abbot, and Stephen Abbot, to bean pond, and from said pond, through the canal to bog pond, and thence eastwardly to said Saco river, near the dwelling house of Simon Frye.

Shall make  
good all  
damages.

SEC. 2. *Be it further enacted*, That the said Joseph Chandler, and others before named, shall be liable in their individual as well as in their corporate capacity, to make good all damages sustained by any person or persons, in consequence of opening said new channel, and the real estate now holden by the said Joseph Chandler and others, whether in common or severally, shall be subject to be taken and set off on execution, to respond any damages which may be recovered by any individual by reason of opening said new channel.

May choose  
committee.

SEC. 3. *Be it further enacted*, That in all cases where any person shall be damaged in his property, by reason of opening or managing said new channel or canal, and the said proprietors do not within thirty days, after being requested thereto in writing, make or tender reasonable satisfaction to the acceptance of the person so damaged, such person, damaged as aforesaid, may apply in writing to the Circuit Court of Common Pleas, or to the Supreme Judicial Court, holden within the county where the damage is sustained within two years thereafter for redress ; whereupon the said court shall order reasonable notice to the adverse party to appear before said court to agree, if the parties can, upon the choice of three disinterested freeholders, who shall be authorized, if both parties consent thereto, to hear and finally determine the question of damages accruing to the party complaining up to the time of hearing before said committee, without the intervention of a jury, the said committee first being sworn faithfully and impartially to perform the duties required of them by their appointment, and they shall give seasonable notice to all persons concerned, of the time and place, by them appointed for hearing the parties ; and they, or the major part of them, shall make report of

their doings under their hands, to the first term of the said court, in the said county, after said service is performed; which report being accepted by the said court, judgment shall be rendered, and execution shall issue accordingly, which shall be final and conclusive on the parties, as to the subject of such demand: *Provided how-* Proviso.  
*ever,* that if the proprietors of the said Fryeburgh canal shall have tendered to the party claiming damages, any sum of money, prior to any application being made to said court therefor, and the said committee by their report do find that the party complaining is not entitled to recover a larger sum in damages than was tendered to him or them by the proprietors as aforesaid, the said court shall render judgment against the said proprietors for the damages, but no cost. And in all cases where the parties, after having been notified by the court aforesaid, do not appear and agree upon a committee, in the manner prescribed by this act, that it shall be the duty of the court, Duty of the court. to whom application is made, by any person suffering damage as aforesaid, forthwith to hear and determine the same by a Jury, to be empaneled and sworn for that purpose; the verdict of such jury being confirmed by the court, judgment shall be rendered, and execution shall issue accordingly, but no cost shall be allowed the party recovering damages, unless the sum given by the verdict of the jury be greater than the sum which may have been tendered in damages to the party complaining, before application was made to the court.

SEC. 4. *Be it further enacted,* That any Justice of the Peace in the town of Fryeburgh is hereby authorized, upon application by any three of the members of said proprietors in writing, to grant a warrant, directed to one Justice to issue warrant. of the said proprietors, to call a meeting of his associates, to meet at such time and place within said town of Fryeburgh as shall be therein appointed, to organize the said corporation, by the appointment of its officers; and the said corporation, being thus organized, may then and there establish the mode of calling future meetings of the proprietors, and adopt such rules and regulations for their government, as they may think proper.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXXII.

An act establishing a Salary for the Adjutant General.

Salary esta-  
blished.

**BE** it enacted by the Senate and House of 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, the sum of one thousand dollars, for six months from the date of this act, to the Adjutant General, in full compensation for his services during that time, to be paid in equal quarterly payments.

[Approved by the Governor, March 2, 1815.]

## CHAP. CLXXXIII.

Tax act.

An Act to apportion and assess a Tax of one hundred and thirty-three thousand three hundred and thirty-four dollars, and ninety-two cents, and providing for the reimbursement of fifty-two thousand six hundred and forty dollars, paid out of the public treasury to the members of the House of Representatives, for their attendance at the three last sessions of the General Court.

[Approved by the Governor, March 2, 1815.]

END OF JANUARY SESSION.

*Commonwealth of Massachusetts.*

SECRETARY'S OFFICE, May 10th, 1815.

By this, I certify that the laws contained in this Pamphlet, passed at the session of the General Court in October 1814, and at that begun the 18th of January and ending on the 2d of March 1815, have been examined and compared with the originals in this office, and that they appear to be correct.

ALDEN BRADFORD, *Secretary  
of the Commonwealth.*