

MAINE STATE LEGISLATURE

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LAWS

OF THE

Commonwealth of Massachusetts,

PASSED BY THE GENERAL COURT,

AT THEIR SESSION, WHICH COMMENCED ON WEDNESDAY, THE TWELFTH
DAY OF JANUARY, AND ENDED ON THE TWENTY FIFTH DAY OF
FEBRUARY, EIGHTEEN HUNDRED AND TWENTY.

Published agreeably to a Resolve of 16th January, 1821.

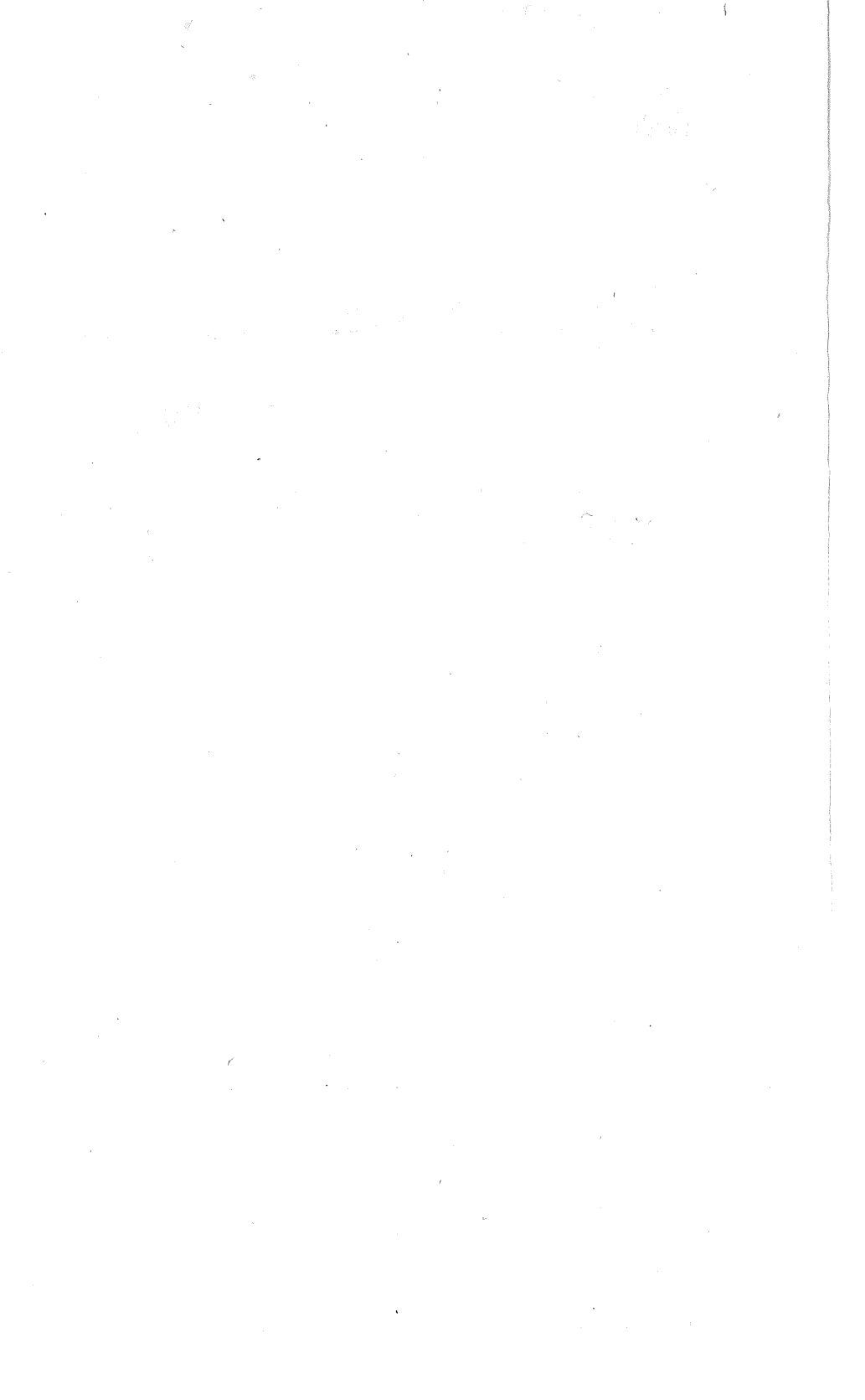


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1820.



LAWS

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT,

AT THEIR SESSION, WHICH COMMENCED ON WEDNESDAY, THE TWELFTH
DAY OF JANUARY, AND ENDED THE TWENTY FIFTH DAY OF
FEBRUARY, EIGHTEEN HUNDRED AND TWENTY.

CHAP. CXCV.

An Act to incorporate the Chapel Religious Society,
in North 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 Samuel Mason, Alexander Barr, Samuel Bucknam, William Seales, John Small, William Small, Jeremiah Mitchell, Junior, Bezaleel Young, John Prince, Cornelius Moxey, Phinehas Parker, Joshua Gray, William Pittee, Richard Parker, John Hays, Reuben Prince, Stephen Moulton, Adams Gray, Reuben Loring, Thomas Seales, Levi Chase, Levi H. Moulton, Charles Myrick, James Parker, Jonathan Moulton, Levi Whitcomb, Theophilus Drinkwater, John Young, Robert Barr, Daniel Mitchell, Junior, Benjamin Parker, Ruddock Prince, Alexander Barr, Junior, Wentworth Ricker, Joel Ricker, Jacob Hill, Hezekiah Hill, Hezekiah Hill, Junior, James Hill, John Hill, Nicholas Drinkwater, David Chandler, John Chandler, David Chandler, Junior, Eleazer, Hill, Henry Moxey, David Gray, Thomas*

Persons incor-
porated.

Prince, Tristram G. Prince, Reuben Small, Abel Merrell, John Pittee and John D. Blanchard, with their polls and estates, together with such others as may hereafter associate with them, and their successors, be, and they are hereby incorporated, by the name of the Chapel Religious Society, in North Yarmouth, 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.

General powers.

SEC. 2. *Be it further enacted,* That any person in the said town of North Yarmouth, who may at any time hereafter, desire to become a member of said Chapel Religious Society, and give in his or her name to the Clerk of the parish or society, to which he or she may belong, with a certificate signed by the Minister or Clerk of said Chapel Religious Society, that he or she hath actually become a member of, and united in religious worship with said Chapel Religious Society, fourteen days previous to the parish or society meeting, to be held in the month of March or April, annually, shall, from and after giving such certificate, with his or her polls and estates, be considered as a member of said Chapel Religious Society: *Provided, however,* that all such persons shall be held to pay his or her proportion of all monies voted or assessed in the parish or society to which he or she belonged previous to that time.

Conditions of Membership.

Proviso.

SEC. 3. *Be it further enacted,* That whenever any member of said Chapel Religious Society, shall desire to leave the same, and unite with any other religious society in said town of North Yarmouth, and shall give in his or her name to the Clerk of said Chapel Religious Society, with a certificate signed by the Minister or Clerk of the parish or society, with which he or she may unite, that he or she hath actually become a member of, and united in religious worship with such other parish or society, fourteen days previous to their annual meeting in March or April, shall, from and after giving such certificate, with his or her polls and estates, be considered as a member of such other parish or society, to which he or she may so unite: *Provided, however,* that every such person shall be held to pay his or her proportion of all monies

Conditions of secession.

Proviso.

voted or assessed in said Chapel Religious Society, previous to that time.

SEC. 4. *Be it further enacted*, That any Justice of the Peace in the County of Cumberland, upon application therefor, is hereby authorized to issue a warrant, directed to some suitable member of said Chapel Religious Society, requiring him to notify and warn the members thereof, to meet at such time and place as shall be appointed in said warrant, to choose all such officers, and transact all such business, as parishes are, by law, entitled to choose and transact in the month of March or April, annually. Meetings.

[Approved by the Governor, January 20th, 1820.]

CHAP. CXCVI.

An Act to incorporate the Pilgrim 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 John Watson, Joshua Thomas, Beza Hayward, William Davis, and Barnabas Hedge, together with such others, as now are, or hereafter may be associated with them, for the purpose of procuring in the town of Plymouth, a suitable lot, or plat of ground, for the erection of a Monument, to perpetuate the memory of the virtues, the enterprize, and unparalleled sufferings of their ancestors, who first settled in that ancient town; and for the erection of a suitable Building, for the accommodation of the meetings of said associates; which Monument and Building shall, forever, be free from taxation, (while the property of said corporation,) be, and they hereby are incorporated into a society, by the name of the Pilgrim Society; and by that name, shall be a corporation forever; with power to have a common seal, to make contracts, relative to the object of their institution, to sue and be sued, to establish by-laws for the regulation of the society; *provided*, such by- Persons incor-
porated. General pow-
ers.

Proviso.

laws be not repugnant to the constitution and laws of this Commonwealth ; to choose a President, and such other officers, as may be thought expedient ; to take, hold and possess, any estate, real or personal, by subscription, gift, grant, purchase, or otherwise, for the purposes aforementioned ; *provided*, the value of said estate, shall not exceed ten thousand dollars.

Meetings.

SEC. 2. *Be it further enacted*, That the time and place, for holding the first meeting of said society, may be appointed by any three of the aforementioned persons, by their giving notice thereof, in the Columbian Centinel, printed in Boston ; and at such meeting, the said society may agree upon the mode of calling future meetings ; may adjourn from time to time ; may choose such officers as may be deemed expedient, and establish by-laws to regulate said society.

[Approved by the Governor, January 24th, 1820.]

CHAP. CXCVII.

An Act to incorporate the First Universalist Society,
in the town of York.

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 Thomas Savage, Daniel Brooks, Solomon Brooks, William Stacy, Nathaniel Parsons, Alexander McIntire, Joshua Johnson, Josephus Howard, Samuel Moody, Junior, Eliakim Sevey, Daniel Sweet, Jonathan Young, Elihu Bragdon, William McIntire, Micum McIntire, Daniel Crosby, Joseph Todd, Matthias Bragdon, Isaac Bowden, Junior, Theodore Wilson, Ebenezer Weare, Ebenezer Simpson, Eliphalet Grover, James Nowell, William Burley, James Bragdon, Joseph Swett, Junior, William P. Stacy, Elias Main, Paul Junkins, David Blaisdell, Junior, Joseph Freethy, Jotham Trafton, Joshua Moore, Daniel Raynes, Junior, Theodore Webber, Junior, Mark McIntire, John Bragdon, Thomas Em-

ery, Daniel Carlisle, James Stevens, William Beddel, Nathaniel Webber, and Ichabod Emery, with their polls and esates, be, and they are hereby incorporated, by the name of the First Universal Society, in York, with all the privileges, powers, and immunities, to which other religious societies are entitled by the constitution and laws of this Commonwealth. General powers.

SEC. 2. *Be it further enacted*, That any person in the said town of York, or in the adjoining towns, who may, at any time hereafter, desire to become a member of said Universalist Society, and give in his or her name to the Clerk of the town or parish, to which he or she may belong, with a certificate, signed by the Minister or Clerk of said Universalist Society, that he or she hath actually become a member of, and united in religious worship with said Universalist Society, fourteen days previous to the town or parish meeting, to be held in the month of March or April, annually, shall, from and after the date of such certificate, with his or her polls and estates, be considered as a member of said Universalist Society: *Provided, however*, that all such persons, shall be held to pay his or her proportion of all monies voted or assessed in the town or parish, to which he or she belonged, previous to that time. Conditions of membership. Proviso.

SEC. 3. *Be it further enacted*, That whenever any member of said Universalist Society, shall see cause to leave the same, and unite with any other religious society in the town or parish, in which he or she may reside, and shall give in his or her name to the Clerk of said Universalist Society, with a certificate, signed by the Minister or Clerk of the parish or society, with which he or she may unite, that he or she hath actually become a member of, and united in religious worship with such other parish or society, fourteen days previous to their annual meeting in March or April, and shall pay his or her proportion of all monies voted or assessed in said Universalist Society, previous thereto, shall, from and after giving such certificate, with his and her polls and estates, be considered as a member of such other parish or society, to which he or she may so unite. Conditions of secession.

SEC. 4. *Be it further enacted*, That any Justice of

Meetings.

the Peace, in the town of York, upon application therefor, is hereby authorized to issue his warrant, directed to some suitable member of said Universalist Society, requiring him to notify and warn the members thereof, to meet at such time and place, as shall be appointed in said warrant, to choose all such officers, and transact all such business, as parishes are, by law, entitled to choose and transact, in the month of March or April, annually.

[Approved by the Governor, January 24th, 1820.]

CHAP. CXCVIII.

An Act to change the name of the Western Society of Middlesex Husbandmen.

Name altered.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Western Society of Middlesex Husbandmen, a corporation created by an act, made and passed the twenty eighth day of February, in the year of our Lord one thousand eight hundred and three, shall hereafter be called and known by the name and style of "The Society of Middlesex Husbandmen and Manufacturers;" any thing in their original act of incorporation, to the contrary notwithstanding.

[Approved by the Governor, January 24th, 1820.]

CHAP. CXCIX.

An Act to extend the time for completing the Hancock Brook Canal.

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 five

years, from the passing of this act, be, and hereby is granted to the proprietors of the Hancock Brook Canal, to be built in the towns of Denmark and Hiram, in the County of Oxford, to complete the same ; the limitation in the act, additional to an act, granting three years to complete the said canal, having expired, notwithstanding.

[Approved by the Governor, January 24th, 1820.]

CHAP. CC.

An Act to repeal the fourteenth section of an Act, entitled "An Act for incorporating certain persons for the purpose of building a Bridge over Charles River, by the name of the Canal Bridge, and for extending the interest of the Proprietors of West Boston Bridge."

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the fourteenth section of an act, entitled "an act for incorporating certain persons for the purpose of building a bridge over Charles River, by the name of the Canal Bridge, and for extending the interest of the proprietors of the West Boston Bridge," passed the twenty seventh day of February, in the year of our Lord one thousand eight hundred and seven, be, and the same is hereby repealed.

[Approved by the Governor, January 25th, 1820.]

CHAP. CCI.

An Act in addition to an Act, entitled “An Act providing for the appointment of Agents, for demanding and receiving Fugitives from Justice, and for defraying the expense of transporting them from other States in the Union, to this Commonwealth.”

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 an act, entitled “an act providing for the appointment of Agents, for demanding and receiving fugitives from justice, and for defraying the expense of transporting them from other States in the Union, to this Commonwealth,” as requires the Governor to take the advice of the Council, previous to issuing a warrant to the Agent or Agents aforesaid, be, and the same is hereby repealed.

[Approved by the Governor, January 28th, 1820.]

CHAP. CCII.

An Act to incorporate the Proprietors of St. Paul's Church, in 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 Dudley A. Tyng, Benjamin Greene, William Dehon, John Odin, William Appleton, Henry Codman, David Sears, William Shimmin, Francis Wilby, George Odin, and George Sullivan, all of Boston, and all those original subscribers, for the purpose of erecting a new Episcopal Church, in Common Street, in Boston, who have paid, or who shall pay, or secure to be paid, before the first meeting of the corporation hereby created, the whole amount of

Persons incor-
porated.

their subscriptions, and who shall signify, in writing, to either of the persons above named, their desire to become associates, are hereby incorporated as a Protestant Episcopal Society and body politic, by the name of the Proprietors of Saint Paul's Church, in Boston, with all the powers and privileges of other like religious societies, according to the constitution and laws of this Commonwealth, and to the rights and usages of the Protestant Episcopal Church in the United States. The persons named and described as aforesaid, to be and continue members of said corporation, until there shall be a sale of pews, in said church; and from and after such sale, owners of pews therein, shall alone be members of said corporation.

SEC. 2. *Be it further enacted*, That the said corporation, at any legal meeting, held for the purpose, shall have power to authorize the Wardens of said church to transfer and convey all, or any part of the real or personal estate, which said corporation may acquire or possess, and to execute good and sufficient deeds to convey the same, in fee simple, or in any other manner, and for such consideration, as said corporation, at such meeting, shall, by vote, determine.

SEC. 3. *Be it further enacted*, That the first meeting of said corporation shall be called, by publishing this act in one or more newspapers, printed in Boston, with a request, that all persons concerned, should meet at such time and place as shall be mentioned in said notice. And the said printed notice or request shall bear the name of one, at least, of the persons named in the first section of this act.

[Approved by the Governor, January 28th, 1820.]

CHAP. CCIII.

An Act to incorporate the Proprietors of the First Methodist Meeting House, in Bucksport.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Abner Curtis, Joshua

Persons incorporated.

Howes, Jesse Kilby, Elisha D. Eldridge, and others, who have associated, or may hereafter associate with them, for the purpose of building a meeting house, their successors and assigns, be, and they hereby are made a corporation and body politic, by the name of the Proprietors of the First Methodist Meeting House, in Bucksport; and by that name may sue and be sued, and may have a common seal; and may, also, ordain and establish such by-laws and regulations, as to them shall seem necessary and convenient, for the government of said corporation; *provided*, such by-laws and regulations shall not be repugnant to the constitution and laws of this Commonwealth; and may purchase and hold real and personal estate, the annual income of which, shall not exceed one thousand dollars; and the shares of the said corporation, shall not be less than fifty, nor more than one hundred in number.

General powers.

Annual meetings.

Officers.

First meeting.

SEC. 2. *Be it further enacted*, That a meeting of said corporation shall be holden annually, on the first Monday of January, after the present year; at which meeting, the said proprietors shall, by ballot, elect five Trustees, one of whom shall be President, and any three of whom shall constitute a quorum for transacting business; a Treasurer, who shall also be Collector, and a Clerk, who shall respectively be sworn to the faithful discharge of the duties of their offices. And at all meetings of said corporation, each proprietor, or his agent, duly authorized in writing, shall have a right to vote, and be entitled to as many votes as he holds shares; *provided*, no person shall be entitled to more than five votes. And Abner Curtis, Esquire, is hereby authorized to issue his warrant to some one of the said proprietors, for the purpose of calling their first meeting, for the organization of said corporation; at which meeting, the said proprietors shall agree on the method of calling future meetings.

SEC. 3. *Be it further enacted*, That whenever any proprietor shall refuse or neglect to pay any tax or assessment, duly voted and agreed upon by said corporation, for the purposes thereof, to the Treasurer, within sixty days after the same shall be made payable, the said Treasurer, being thereto directed by the said Trustees, may sell at public vendue, the share

or shares of such delinquent proprietor, to defray said tax and necessary charges, after posting notice of the time, place, and cause of such sale, at two or more public places, in said town, at least thirty days previous to such sale ; and a certificate of the same, under the hand of the President and Clerk of said corporation, shall transfer all the right, title, and interest of such delinquent in the share or shares thus sold to the purchaser. And if the said share or shares, so sold, shall sell for more than the taxes or assessments thereon due, and charges, the overplus shall be paid over to such delinquent proprietor, by the Treasurer, on demand ; or the said Treasurer may, by the direction of the said Trustees, and in the name of said corporation, sue and prosecute to final judgment and execution, any such delinquent proprietor, for any tax or assessment, due on any share or shares of such delinquent proprietor.

Delinquent shares may be sold.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCIV.

An Act relating to the Circuit Court of Common Pleas,
for the Third Eastern Circuit.

WHEREAS, owing to sundry casualties, neither of the Justices of the Circuit Court of Common Pleas, for the Third Eastern Circuit, nor the Sheriff of the County of Hancock, were able to attend, nor did they, or either of them, attend the Circuit Court of Common Pleas, which by law, ought to have been holden at Castine, within and for the County of Hancock, on the third Tuesday of November last ; by reason of which, said Court was not opened and holden on that day, as by law it ought to have been : To prevent a failure of justice ;

Preamble.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all indictments, complaints, actions, suits, matters and things whatsoever, which

Transfer of business.

were pending in the Circuit Court of Common Pleas, in the County of Hancock, on the third Tuesday of November last, and all writs and processes, of every kind whatsoever, returnable to the Circuit Court aforesaid, and which would have had day therein, had the Justices of the said Court attended at said Castine, on the day aforesaid, and opened said Court according to law, shall be sustained, have day in, and be fully acted upon, by the Circuit Court of Common Pleas, next to be holden at Castine, within and for the County of Hancock, on the third Tuesday of March next; and all persons who were holden or bound to appear in the Circuit Court of Common Pleas, which, by law, ought to have been holden at Castine, on the third Tuesday of November last, shall be holden, and bound, under the same penalties, to appear in the said Circuit Court of Common Pleas, next to be holden at Castine, within and for the County of Hancock, on the third Tuesday of March next; and all attachments made by virtue of writs returnable to the Circuit Court of Common Pleas, which ought, by law, to have been holden at Castine, on the said third Tuesday of November, which shall be returned to and entered in the Circuit Court of Common Pleas, next to be holden at Castine, within and for the County of Hancock, on the third Tuesday of March next, shall be as effectual, to bind the property so attached, as they would have been, had said writs been returned to, and duly entered in the Court to which they were returnable.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCV.

An Act in addition to an Act, entitled "An Act establishing a Corporation, by the name of the Union 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 Union Turnpike

Corporation be, and they are hereby authorized to alter their road, by leaving its original rout, near Benjamin Willard's, in Lancaster, thence running in the most direct and suitable course, to where the county road, leading to Harvard, crosses Nashua River, thence in and near the course of said county road, so as to reunite with said turnpike road, near Jonas Bateman's, in Harvard.

Alteration of Road.

SEC. 2. *Be it further enacted*, That whenever said alterations shall be made and accepted, by a Committee or Committees, to be appointed by the Court of Sessions, in the County of Worcester, said corporation are hereby discharged from maintaining and keeping in repair such part of the present road, as said alteration shall render unnecessary, as a turnpike road.

Return of proceedings.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCVI.

An Act in further addition to an Act, entitled "An Act for incorporating certain persons for the purpose of making, laying and maintaining Side Booms, in Androscoggin River."

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the proprietors of the Booms, in Androscoggin River, in the town of Topsham be, and they are hereby empowered to extend their Side Booms above the Lower Falls, on Androscoggin River, at the carrying place, so called, in Brunswick, to within eight rods of the shore, in Topsham.

Extension of Side Booms.

SEC. 2. *Be it further enacted*, That the said corporation shall be entitled to demand and receive, of the respective owner or owners of logs, stopped in the said river, rafted and properly secured by said corporation, for the owner, above the Lower Falls, aforesaid, for any log or logs sufficient to make a thousand feet of boards, fifty cents.

Pay for stopping logs.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCVII.

An Act in addition to an Act, entitled "An Act to incorporate the Second Congregational Society, in the First Parish in Springfield."

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 Second Congregational Society, in the first parish in Springfield, shall be, and hereby is authorized and empowered to take the name of the Third Congregational Society in Springfield, and shall hereafter be known and called by that name forever.

Alteration of title.

Register of proprietors.

Transfer of pews.

SEC. 2. *Be it further enacted,* That the Clerk of said society shall record, in a book, to be by him kept for that purpose, the names of the proprietors of every pew, or part of a pew, in the meeting house of said society, and shall give to every such proprietor a certificate of his ownership of such pew or part of a pew ; which certificate shall be full evidence of the title of such proprietor thereto, and shall vest the same in said proprietor and his heirs, to all intents and purposes ; and a copy of such certificate shall be recorded in the same book by said Clerk ; and all transfers of a pew or part of a pew, in said house, shall be by deed, to be recorded in the same book by said clerk ; and for every such certificate, and for recording every such transfer, said Clerk shall be entitled to receive from every such proprietor or grantee, twenty five cents ; and all known officers of law, for all lawful purposes, shall have free access to such book of records.

Persons incorporated.

SEC. 3. *Be it further enacted,* That Joshua Frost, Jonathan Dwight, Junior, Robert Emery, John Howard, and Samuel Orne, Esquires, and their successors, be, and they hereby are constituted a body politic and corporate forever, by the name of the Trustees of the Fund of the Third Congregational Society, in Springfield ; and they shall have a common seal, subject to be altered at their pleasure, and they may sue and be sued in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution, by the name aforesaid.

SEC. 4. *Be it further enacted*, That said Trustees be, and hereby are vested with, and shall have full powers to receive into their hands, all monies and securities for money already raised, which may now be in the hands of the Treasurer of said society, and all monies, subscriptions, donations and securities for real or personal estate, that may hereafter be given, raised or subscribed for the use of said society; and may sell and convey, by deeds, lands and tenements, whereof the fee may rest in them, by virtue of mortgage or execution; and any gift, grant, bequest or devise, hereafter made to said Trustees or their successors, shall be valid and effectual to all intents and purposes whatever; and said Trustees are hereby empowered by purchase or operation of law, to take, have, hold, use, improve and manage any estate, real or personal, the annual income whereof shall not exceed the sum of two thousand dollars, in trust for the support and maintenance of the gospel ministry, and other expenses of said society. Powers of Trustees.

SEC. 4. *Be it further enacted*, That said Trustees shall pay to the regularly ordained Minister of said society, four hundred dollars semiannually; the first payment to be at the expiration of six months from the ordination or settlement of said Minister, over said society; and all other income or interest which said Trustees may receive from estates or securities, with which they may, by this act, be vested, they shall dispose of in such manner as said society shall, from time to time, direct: *Provided, however*, that the fund of said society shall be inalienable, and, that its proceeds shall, in no case, be appropriated, but for the benefit of said society. Salaries.

SEC. 6. *Be it further enacted*, That any three of said Trustees shall constitute a board for the transaction of business; and the concurrence of that number shall be requisite to every act and proceeding whatever; and said Trustees shall fill all vacancies at their board, as they shall arise from death, resignation, misconduct, incapacity, or removal from said society; and said Trustees shall have power, by a majority of votes, to remove any one of their number for such misconduct or incapacity, of which they are hereby constituted sole judges. Vacancies to be filled.

Duties of Treasurer.

SEC. 7. *Be it further enacted,* That said Trustees shall choose one of their board, Treasurer, who shall give bond to said Trustees, with surety or sureties, to their acceptance, in the penal sum of twenty five thousand dollars, for his faithful performance of the duties of that office ; and said Treasurer shall keep a record of all the proceedings of said Trustees, and an account of all their receipts and appropriations of money, and shall make a statement in writing, of such receipts and appropriations, and of all securities for money in his hands, every year, in the month of March, to the Clerk of said society, who shall record the same, in the society's books ; and said Treasurer shall constantly have the custody of all the money and effects, obligations and securities for the payment of money, and all other evidences of property belonging to said Trustees.

Lien on Pews.

SEC. 8. *Be it further enacted,* That for security of any debt due to said Trustees, from any proprietor of a pew or part of a pew, in the meeting house of said society, the same shall always be holden, and said Trustees shall have a lien on such pew or part of a pew, until such debt be discharged ; and for all loans hereafter made by said Trustees, they shall require two good and sufficient sureties, or a mortgage of real estate of double the value of the sum loaned, or may vest the same in bank stock, or in the funded stock of the United States.

Pay of Trustees.

SEC. 9. *Be it further enacted,* That the said Trustees shall receive for their services, such compensation as shall be mutually agreed on between them and said society ; and they shall be responsible to said society, for their negligence or misconduct in the management of said trust.

First meeting.

SEC. 10. *Be it further enacted,* That Joshua Frost, Esquire, be, and hereby is authorized and empowered to fix the time and place, for holding the first meeting of said Trustees, and to notify each Trustee thereof.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCVIII.

An Act to change the name of the American Society, for Educating Pious Youth, for the Gospel Ministry.

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 American Society, for Educating Pious Youth, for the Gospel Ministry, be changed, and that the said corporation be hereafter known, and called by the name of the American Education Society.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCIX.

An Act to incorporate the Belfast Upper Bridge Company.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Cunningham, Persons incorporated. William Patterson, Ephraim M'Keen, Salathiel Nickerson, Junior, Nathaniel Eells, John M'Keen, and William Ryan, together with those who may hereafter associate with them, be, and they are hereby incorporated into a body politic, by the name of the Belfast Upper Bridge Company, for the purpose of building and maintaining a bridge over the river in the town of Belfast, in the County of Hancock, at the Narrows, so called, near where the old bridge now stands; and as such, they may sue and be sued, may appoint one or more Agents or Attornies to prosecute or defend them, General powers. and may have and keep one common seal, which they may alter, break or change, at pleasure.

SEC. 2. Be it further enacted, That, for reimbursing to the said William Cunningham and others, before

Rates of Toll.

named, and their associates, the money they may expend in building and supporting the said bridge, a toll is hereby granted and established, for the sole benefit of the said William Cunningham and others, before named, and their associates, according to the rates following, to wit: for each foot passenger, two cents; for each man and horse, twelve cents and five mills; for each horse and chaise, sulkey or riding chair, twenty five cents; for each sleigh, sled, cart or waggon, drawn by one beast, twelve cents and five mills; for each sleigh, sled, waggon or cart, drawn by two beasts, twelve cents and five mills; for each sled, cart or waggon, drawn by more than two beasts, seventeen cents; for neat cattle, in droves or single, two cents each; for sheep or swine, one cent each; for each coach and pleasure carriage of four wheels, drawn by two or more horses, thirty cents.

Condition of Bridge.

SEC. 3. *Be it further enacted*, That the said bridge shall be well built, of good and suitable materials, at least twenty feet wide, with sufficient rails on each side, for the safety of passengers, and to be provided with a draw, of sufficient width for vessels to pass through; and the proprietors shall keep the said bridge in good, safe, and passable repair; and if the said corporation should unreasonably neglect to keep said bridge in good repair, as aforesaid, on such neglect being made to appear to the Court of Sessions, for the County of Hancock, it shall be in the power of said court, to prohibit the proprietors aforesaid, from receiving toll from any person or persons passing said bridge, until it is by them put into such repair as shall be deemed sufficient by the said court; and the said toll shall commence whenever said bridge shall be fit and safe for carriages to pass over it, and shall continue to said corporation and their successors, for the term of twenty years, from the passing of this act, subject to alterations by the General Court. And the said proprietors shall constantly keep, in a conspicuous place, and fairly exposed to view, a sign, with all the rates of toll, legibly written thereon. And at all times, when the Toll Gatherer shall not attend his duty, the passenger or carriage may pass free of toll.

SEC. 4. *Be it further enacted*, That, if the said

William Cunningham and others, before named, and their associates, shall neglect, for the term of two years, to build said bridge, then this act shall be void.

SEC. 5. *Be it further enacted,* That upon application of any two of the proprietors aforesaid, to either of the Justices of Peace, within and for the County of Hancock, it shall be the duty of such Justice to issue his warrant, directed to some member of said corporation, requiring him to notify and warn a meeting of said proprietors, to be holden at such time and place as shall be appointed, to choose such officers as said corporation are empowered to choose. And the said corporation, at the same, or any subsequent meeting, may determine on the mode of calling future meetings, and may make and adopt such by-laws, rules and regulations, as may be necessary and convenient for the management of their affairs; *provided*, they are not repugnant to the constitution and laws of this Commonwealth.

Proprietors' Meetings.

SEC. 6. *Be it further enacted,* That nothing in this act shall entitle the said proprietors to demand or receive toll of any person who shall be passing with his horse or carriage, to or from public worship, on the Lord's day; or from any person or persons, on military duty; or from any person going to, or returning from town meetings.

Exemptions.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCX.

An Act to incorporate the Institution for Savings, in Newburyport, and its vicinity.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That William Bartlett, Moses Brown, John Pettingell, John Pearson, Thomas M. Clark, Edward Rand, Edward S. Rand, William B. Banister, Stephen Howard, Thomas Carter, Joshua Carter, Ebenezer Mosely, Ebenezer Wheelwright,

Persons incorporated.

Peter Le Breton, Jonathan Gage, Francis Vergnies, Nathan Noyes, Oliver Prescott, Nathaniel Bradstreet, Joseph S. Pike, and Philip Bagley, together with such as have associated, and may hereafter associate with them, be, and they hereby are incorporated into a society, by the name of the Institution for Savings, in Newburyport, and its vicinity; and that they, and such others as may be duly elected members of the said corporation, as is in this act provided, shall be, and remain a body politic and corporate, by the same name, forever.

General powers.

SEC. 2. *Be it further enacted*, That the said society and corporation shall be capable of receiving, from any person or persons, disposed to obtain and enjoy the advantages of said institution, any deposit or deposits of money, and to use and improve the same, for the purposes, and according to the directions herein mentioned and provided: And all such deposits of money, received by the said society, shall be used and improved to the best advantage of the owners thereof; and the net income or profit thereof, shall be, by the said society, applied and divided among the persons making the deposits, their executors, administrators, or assigns, in just proportion, to each depositor; and the principal of such deposits may be withdrawn at such time, and in such manner, as the said society shall direct and appoint. And the said corporation may, at their first meeting, and at their annual meetings in January, have power to elect, by ballot, additional members of the said society.

Division of profits.

SEC. 3. *Be it further enacted*, That the said corporation may have a common seal, which they may change and renew at their pleasure; and that all deeds, conveyances, and grants, covenants, and agreements, made by their Treasurer, or any other person, by their authority and direction, according to their institution, shall be good and valid; and the said corporation shall, at all times, have power to sue and be sued, and may defend, and shall be held to answer, by the name aforesaid.

Location.

SEC. 4. *Be it further enacted*, That the said society shall hereafter meet at Newburyport, at such time in the month of January, annually, and at such other

times, as the society, or the President thereof, may direct; and any seven members of the said corporation, (the President, a Vice President, Treasurer, or Secretary, being one,) shall be a quorum. And the said society, at their meeting in January, annually, shall have power to elect a President, and all such other officers, as to them shall appear necessary; which officers, so ^{Choice of Officers.} chosen, shall continue in office one year, and until others are chosen in their stead: and the Secretary and Treasurer, so chosen, shall be under oath to the faithful performance of the duties of their offices respectively; and they shall also have the power of making by-laws, for the more orderly management of the business of the corporation; *provided*, such by-laws are not contrary to the constitution and laws of this Commonwealth.

SEC. 5. *Be it further enacted*, That any three of the persons named in this act, are hereby empowered, by public notification in the newspapers printed in Newburyport, to call and notify the first meeting of the said society, at such time and place as they may judge proper. ^{First Meeting.}

[Approved by the Governor, January 31st, 1820.]

CHAP. CCXII.

An Act to establish an Academy, in the town of Billerica, by the name of Billerica Academy.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That there be, and hereby is established, in the town of Billerica, in the County of Middlesex, an academy, by the name of Billerica Academy, for the purpose of promoting religion and morality, and for the education of youth, in such of the liberal arts and sciences, as the Trustees for the time being, shall direct; and that Josiah Crosby, Esquire, Samuel Whiting, Esquire, Joseph Locke, Esquire, ^{Trustees.}

Reverend Nathaniel Whitman, Francis Faulkner, Esquire, Colonel Josiah B. Richardson, Doctor Zadock Howe, Reverend Samuel Stearns, Reverend Samuel Sewall, Reverend Jacob Coggin, Honorable Edward St. Loe Livermore, George Bruce, Gentleman, Cyrus Baldwin, and William Blanchard, Junior, Esquires, and Doctor Abraham R. Thompson, be nominated and appointed Trustees; and they are hereby incorporated into a body politic, by the name of the Trustees of Billerica Academy; and they, and their successors, shall be and continue a body politic, by that name, forever.

SEC. 2. *Be it further enacted*, That all lands, monies, or other property, heretofore given, or subscribed, for the purpose of erecting or establishing an academy as aforesaid, or which shall hereafter be given, granted, or assigned to the said Trustees, shall be confirmed to the said Trustees, and their successors in that trust, forever, for the uses, which in such instruments, shall be expressed: And the said Trustees shall be capable of having, holding, and taking in fee simple, by gift, grant, devise, or otherwise, any lands, tenements, or other estate, real or personal; *provided*, the annual income of the same, shall not exceed the sum of three thousand dollars; and shall apply the interest, rents, and profits thereof, so as most effectually to promote the design of the institution.

SEC. 3. *Be it further enacted*, That the said Trustees, for the time being, shall be the Visitors and Governors of said institution; shall have full power, from time to time, to elect such officers thereof, as they shall judge necessary and convenient, and fix the tenure of their respective offices; to remove from office any Trustee, when he shall become incapable from age or otherwise, of discharging the duties of his office; to fill all vacancies that may happen in the Board of Trustees, by electing suitable persons therefor; to determine the times and places for holding their meetings, the manner of notifying the Trustees, the method of electing and removing members of the board; to ascertain the powers and duties of their several officers; to elect Instructors, and prescribe their duties; to make and ordain reasonable rules, orders, and by-laws, with reasonable penalties, for the government of the institu-

General powers.

Proviso.

Choice of Officers.

tion ; *provided*, the same be not repugnant to the laws of the Commonwealth.

SEC. 4. *Be it further enacted*, That the Trustees of said academy, may have a common seal, which they may change at pleasure ; and all deeds, sealed with said seal, and delivered and acknowledged by the Secretary of said Trustees, by their order, shall be good and valid in law ; and said Trustees may sue and be sued in all actions, and prosecute and defend the same to final judgment and execution, by the name of the Trustees of Billerica Academy. May sue and be sued.

SEC. 5. *Be it further enacted*, That the number of said Trustees, shall never exceed fifteen, nor be less than nine ; seven of whom shall be necessary to constitute a quorum for doing business, but a less number may adjourn from time to time ; and a majority of those present, shall always decide all questions that may properly come before the said Trustees ; except, that a majority of all the Trustees shall be necessary to remove any member of the board.

SEC. 6. *Be it further enacted*, That Joseph Lee, Esquire, be, and he is hereby authorized and empowered to fix the time and place, for holding the first meeting of the Trustees, and to notify them thereof. First Meeting.

[Approved by the Governor, January 31st, 1820.]

CHAP. CCXII.

An Act in addition to an Act, entitled “ An Act directing the mode of attaching on mesne process, and selling by execution, shares of debtors, in incorporated companies.”

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That whenever any Sheriff, or Deputy Sheriff shall make sale of any share or interest in an incorporated company, of any right in equity to redeem mortgaged real estate, or of any personal

Feb. 1, 1820.

Sheriffs to hold monies.

property, which shall, before such sale, have been attached on mesne process, or taken on execution by a Coroner, and such Sheriff or Deputy Sheriff, is duly notified thereof, in writing, he shall hold the monies in his hands, arising from such sale, subject to such attachment or execution, in the same manner as if he were authorized to serve the execution which shall have issued, or may issue on such mesne process, or on which said share or interest, equity of redemption, or personal property, may have been taken by said Coroner.

Sheriffs to pay balances to Coroners.

SEC. 2. *Be it further enacted*, That said Sheriff or Deputy Sheriff, after being notified, in writing, by said Coroner, of the execution, in his the said Coroner's hands, on which said share or interest, equity of redemption, or personal property shall have been taken, or which issued on the mesne process, whereon said share or interest, equity of redemption, or personal property had been attached, of the time of such attachment on mesne process, or taking on execution, and of the whole amount, including fees due on said execution, shall pay over to said Coroner, the amount due on said execution, or so much thereof, as shall remain in his hands, after satisfying all executions, in his own hands, on which said share or interest, equity of redemption, or personal property had been taken, or which issued on mesne process, whereon said share or interest, equity of redemption or personal property had been attached, prior to the time of the attachment on mesne process, or taking on execution as aforesaid, by said Coroner.

Duty of Coroners.

SEC. 3. *Be it further enacted*, That whenever any Coroner shall make sale of such share or interest, equity of redemption, or personal property, which shall, before such sale, have been attached on mesne process, or taken on execution by a Sheriff or Deputy Sheriff, such Coroner shall be subject to the same duties and requirements, in relation to such Sheriff or Deputy Sheriff, as by the first and second sections of this act, a Sheriff is, in like case subject to, in relation to a Coroner.

SEC. 4. *Be it further enacted*, That whenever any Constable shall make sale of such share or interest, equity of redemption, or personal property, which shall,

before such sale, have been attached on mesne process, or taken on execution, by a Sheriff or Deputy Sheriff, or by a Coroner, such Constable shall be subject to the same duties and requirements, in relation to such Sheriff or Deputy Sheriff, or Coroner, as by the first and second sections of this act, a Sheriff is, in like case subject to, in relation to a Coroner. Duty of Constables.

[Approved by the Governor, February 1st, 1820.]

CHAP. CCXIII.

An Act setting off Phineas Whiting and others, from the Town of Chelmsford, and annexing them to the West Congregational Society, in Dracut.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Phineas Whiting, Nathaniel Wright, John Ford, Silas Hoar, Artemas Holden, James Bowers, Jonathan Bowers, Samuel F. Wood, Nathan Tyler, Josiah Fletcher, Otis Tyler, Joseph C. Hall, Nathan Tyler, Junior, Nathan Hunting, Nathan P. Ames, Joseph Dane, Ephraim Osgood, Simon Parker, Lowell Butterfield, Jeduthan Parker, Zebulon Parker, Osgood Worcester, Joel Dix, Varnum Spaulding, Robert Spaulding, Micajah Bowers, Bradley Varnum, John Goulding, Samuel Hunt, Moses Cheever, Junior, and Amos Proctor, of Chelmsford, in the County of Middlesex, with their polls and estates, be, and they are hereby set off, for parochial purposes only, from said town of Chelmsford, and annexed to the West Congregational Society, in Dracut, in said county; there, hereafter to enjoy all the parochial privileges of said society, and to pay their proportion of all necessary charges that may arise therein, for the purposes aforesaid: *Provided, nevertheless,* that the aforesaid persons shall be holden to pay their proportion of all parochial taxes, now assessed or granted, by the said Town of Chelmsford. Persons set off. Proviso.

[Approved by the Governor, February 1st, 1820.]

CHAP. CCXIV.

An Act to incorporate the Fall River 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 Abraham Bowen, Dexter Wheeler, David Anthony, and Jonathan Borden, together with such others, as have, or may hereafter associate with them, their successors, and assigns, be, and they are hereby made a corporation, by the name of the Fall River Manufactory, for the purpose of manufacturing cotton goods, in the Town of Troy, in the County of Bristol; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, passed the third day of March, in the year of our Lord one thousand, eight hundred and nine, entitled "an act defining the general powers and duties of manufacturing corporations."

Persons incor-
porated.General pow-
ers.

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 fifty thousand dollars, as may be necessary and convenient, for carrying on the manufacture aforesaid.

May hold Real
Estate.

[Approved by the Governor, February 5th, 1820.]

CHAP. CCXV.

An Act incorporating the Portland Relief 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 Simon Greenleaf, Samuel Baker, Nelson Racklyft, Seth Clark, John Powell, Francis Douglas, William Swan, Cornelius D.

Persons incor-
porated.

Maynard, William Lord, Arthur Shirley, and their associates, and successors, be, and they hereby are constituted a corporation, by the name of the Portland Relief Society; and they hereby are invested with all the powers, privileges, and immunities, incident to such corporations.

SEC. 2. *Be it further enacted*, That said society shall have power to take, possess and hold, by gift, grant, or purchase, any real or personal estate; *provided*, the value thereof do not exceed ten thousand dollars; and shall and may employ the income, interest and profits, arising from such estate, in acts of charity and benevolence, and not otherwise; and may make and establish any by-laws, rules and regulations, for their own government; *provided*, the same are not repugnant to the constitution and laws of this Commonwealth.

May hold Real Estate.

SEC. 3. *Be it further enacted*, That Simon Greenleaf, be, and he is hereby authorized to call the first meeting of said society, by giving personal notice to each of them, or leaving a written notice at each of their dwelling houses, seven days before the time of meeting.

First Meeting.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXVI.

An Act to establish part of the line between the Towns of Lenox and Lee, in the County of Berkshire.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That that part of the dividing line, between the Towns of Lenox and Lee, namely, beginning at the now reputed southeast corner of said Lenox, about eighteen rods west of the Housatonic River, at a heap of stones in the north line of a tract of land, known by the name of the Glass Work Grant; thence running north, seven degrees east, parallel with the west line of a grant of land, known by the name of

Boundaries;

Larribee's Grant, until the said line shall reach the middle of the said Housatonic River, above the furnace and mills standing on the same; thence northerly, in the middle of said river, as far as the north line of the said Larribee's Grant, where it intersects the original east line between said towns, be, and the same is hereby established as the boundary line between the said towns.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXVII.

An Act to incorporate the Proprietors of the South Buildings, in Salem.

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 Willard Peele, Pickering Dodge, and others, interested in a certain real estate in Salem, in the County of Essex, consisting of a brick building; bounded westerly by Cambridge Street, and northerly by Chesnut Street, with the land under and adjoining said building, and their successors and assigns, be, and they hereby are constituted a body politic and corporate, by the name of the Proprietors of the South Buildings, in Salem: And the said corporation, by said name, may sue and be sued, have a common seal, make rules and by-laws for the management of said estate, and do and execute whatever, by law, shall appertain to bodies corporate.

General pow-
ers.

May hold Real
Estate.

SEC. 2. *Be it further enacted,* That the said corporation be capable to have, hold and possess the said real estate and appurtenances; *provided,* the lawful proprietors thereof shall convey the same to said corporation: And said corporation shall have power to sell, alien, lease and manage said estate, according to the pleasure of said corporation, expressed at a legal meeting.

SEC. 3. *Be it further enacted,* That the said corpor-

ate property shall be divided into shares, not exceeding one hundred and fifty in number; and certificates thereof shall be signed by the President of said corporation, and issued to the proprietors, according to their respective interests in said estate; and such shares shall be personal estate. Shares limited.

SEC. 4. *Be it further enacted,* That said corporation may, from time to time, assess all monies necessary for the rebuilding, repairing and good management of the corporate estate; and may, after ten days notice, sell, at public vendue, the share or shares of any proprietors, neglecting to pay said assessments; *provided,* Assessments. Proviso. that no assessments shall be made, at any meeting, unless the same be agreed to by two thirds, at least, in number and value of those present, or represented at such meeting.

SEC. 5. *Be it further enacted,* That said Peele, or said Dodge, may call a meeting of said corporation, by advertising the same, in any newspaper printed in Salem, ten days, at least, before said meeting: And said corporation may, at any such, or other meeting, agree on the mode of calling future meetings, and may elect Meetings. a President and Clerk, and the same remove as the said corporation shall see fit.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXVIII.

An Act to incorporate a Religious Society, in the Town of Waterville.

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 Reddington, Moses Appleton, Thomas Parker, John Partridge, David Persons incor- Ross, Joseph Hitchings, Hall Chase, Hezekiah Stratton, Junior, James Crommett, Junior, Isaac Stevens, Moses Dalton, William Dalton, Nathaniel B. Doe, Russell Blackwell, Timothy Boutelle, Kendall Nich-

ols, Lemuel Stilson, Asa Dalton, Ebenezer Nelson, John Burleigh, David Parker, John Turney, Junior, Joseph Ricker, Daniel Fairfield, James Trafton, David Nours, Lemuel Pullen, Daniel Moor, Moses H. Pike, Lemuel Dunbar, Nancy Wright, David Webb, Ephraim Getchell, Gilbert Whitman, Daniel Wells, Jedediah Morrill, Martha Miller, Benjamin Clement, Dexter Pullen, and James Pullen, with their families and estates, together with such others as may hereafter associate with them, and their successors, be, and they hereby are incorporated into a religious society, by the name of the Waterville Institution Society, with all the powers, privileges, rights and immunities, to which religious societies are entitled, by the constitution and laws of this Commonwealth.

Conditions of
Membership.

SEC. 2. *Be it further enacted*, That any person, who may be desirous of becoming a member of said society, and shall declare such intention, in writing, given in to the Clerk of the same, fifteen days previous to the annual meeting of said society, and shall receive a certificate, signed by said Clerk, that he or she has become a member of said society, such person, shall, from the date of such certificate, be considered, with his or her polls and estate, to be a member of said society.

Conditions of
secession.

SEC. 3. *Be it further enacted*, That when any member of said society, shall see cause to leave the same, and shall give notice of such intention, in writing, to the Clerk of said society, he or she shall be entitled to receive from said Clerk, a certificate, that he or she, has ceased to be a member of said society, such person shall, with his or her polls and estate, be considered as being discharged from said society; *provided, however*, that every such person shall be held to pay his or her proportion of all charges and taxes, legally assessed upon them, previous to their leaving said society.

Meetings.

SEC. 4. *Be it further enacted*, That any Justice of the Peace, for the County of Kennebec, upon application therefor, is hereby authorized to issue his warrant, directed to any member of said society, requiring him to notify and warn the members thereof, to meet at such convenient time and place, as shall be appointed in said warrant, to choose such officers, as parishes

are, by law, empowered and required to choose, at their annual meeting.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXIX.

An Act to relieve towns from the expenses of supporting persons imprisoned for debt.

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 any person, committed to prison on mesne process, or execution, in any civil action, shall obtain the liberties of the prison yard, such person shall not be deemed and considered a pauper, so long as he or she shall be at large within the limits of the prison yard, nor shall the town to which such debtor belongs, nor the Commonwealth, in case such debtor has no place of legal settlement therein, be charged with his or her support.

Persons having the liberty of the yard, not to be considered paupers.

SEC. 2. *Be it further enacted,* That every town or district, which shall be liable for, and shall have paid any of the charges of maintaining, in close prison, any person as a pauper, hereafter committed on mesne process, or execution, in any civil action, may recover the same in an action at law against the creditor, at whose suit such debtor shall have been committed, and for the time he shall continue so imprisoned, at the suit of such creditor, at the rate of one dollar and twenty five cents, for the support of such debtor, per week; and such creditor shall also be liable to the Commonwealth for similar expenses incurred by the Commonwealth: *Provided, however,* that said creditor may, at any time, discharge his debtor, committed as aforesaid, from prison, and such discharge shall not operate to release the debtor from the debt and costs on which he was committed; but such debt and costs, together with all sums which the creditor may have paid for the support of the debtor, in manner as herein before provided, shall be, and remain a legal claim against the goods and

Creditor to pay Board.

Proviso.

estate of the debtor, his or her body being forever thereafter exempted from arrest therefor.

SEC. 3. *Be it further enacted*, That the keeper of the prison shall be entitled to receive at and after the rate of one dollar and twenty five cents per week, and no more, for the support of each debtor, being a pauper, in close confinement.

SEC. 4. *Be it further enacted*, That no part of this act shall apply to any commitment for debts contracted, or for any cause of action which shall accrue on or previous to the fourteenth day of March next.

[Approved by the Governor, February 5th, 1820.]

Limitation.

CHAP. CCXX.

An Act to annex John W. Perry, with his family and estate, to the Town of Natick.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That John W. Perry, with his family and estate, be, and hereby is set off from the Town of Sherburne, and annexed to the Town of Natick; and shall there exercise and enjoy all his rights and privileges, as an inhabitant of the said town, and shall also be subject to the same duties and requisitions as the other inhabitants of the said town of Natick: *Provided, however*, that the said John W. Perry shall be holden to pay his assessments of all county, town and parish taxes and expenses, assessed upon him, and remaining unpaid, prior to the passing of this act.

Persons set off.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXI.

An Act to change the name of the West Congregational Society, in Dracut.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the West Congregational Society, in Dracut, in the County of Middlesex, shall, after the passing of this act, be called and known by the name of the Presbyterian Church and Society, Name changed. in Dracut.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXII.

An Act to change the name of the Hopkinton and Framingham Cotton Manufacturing Company.

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 Hopkinton and Framingham Cotton Manufacturing Company," at Hopkinton, in the County of Middlesex, be, and hereby is changed, to the Middlesex Factory Company; and shall, from and after the first day of March next, be called and known by this name.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXIII.

An Act to prevent the destruction of Fish in the several Ponds, in the town of Haverhill.

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

Prohibition of
taking Fish.

passing of this act, no person shall take, catch, or kill any pickerel, or other fish, in the several ponds, in the Town of Haverhill, in the County of Essex, with any instrument whatever, at any time between the first day of December, in each year, and the first day of May, following; and no person shall catch, kill, or destroy, any pickerel, or perch, in said ponds, or in the several brooks, running into or out of the same, with any spear, grapple, seine, net, or pot, at any time after the passing of this act. And every person offending against the provisions of this act, shall, for each and every offence, forfeit and pay the sum of two dollars, to be recovered with costs of suit in an action of debt, by any person or persons, who shall sue for the same, to his or their use, before any Justice of Peace, within and for the County of Essex.

Penalties.

Privilege.

SEC. 2. *Be it further enacted*, That the inhabitants of Haverhill, aforesaid, may, at their annual meeting, in March or April, in any year, by vote, suspend the operation of the prohibitions and restrictions, contained in the first section of this act, or any part of the same, for any term of time, not exceeding one year, as to them shall seem expedient.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXIV.

An Act to incorporate the Ashburnham Leather Manufactory.

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 Joseph Jewett, Stephen Corey, Hosea Stone, Fitch Crosby, Asahel Corey and Abraham T. Lowe, together with such others, as may hereafter associate with them, be, and they are hereby incorporated as a company, by the name of the Ashburnham Leather Manufactory, for the purpose of manufacturing all kinds of morocco and other leather, in the Town of Ashburnham, in the County of Worcester;

and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, prescribed in an act, passed the third day of March, eighteen hundred and nine, entitled, "an act defining the general powers and duties of manufacturing corporations," and of the several acts supplementary thereto. General powers.

SEC. 2. *Be it further enacted*, That the said company may be lawfully seized of such real estate, not exceeding the value of ten thousand dollars, and such personal estate, not exceeding the value of thirty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of morocco, and all other sorts of leather, in the said Town of Ashburnham. Limitation of Funds.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXV.

An Act to incorporate the Proprietors of Dead River Dam.

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 Stanchfield, Stillman Howard, Simeon Foss, William Gott, John Francis, Solomon Lathrop, Zebulon P. Miller, Charles Knapp, Elias Lane, Peter Lane, Levi Foss, and Isaac Gould, together with such others, as may hereafter associate with them, and their successors and assigns, shall be a corporation, by the name of the Proprietors of Dead River Dam; and by that name, may sue and be sued to final judgment and execution; and may do and suffer all such matters, acts and things, which bodies politic may and ought to do and suffer: And that said corporation shall have full power and authority to make, have and use a common seal, and the same to break, alter and renew at pleasure. And the said corporation shall, and they are hereby authorized to erect, Persons incorporated. General powers.

Proviso.

and keep a dam across Dead River, in the Town of Leeds, in the County of Kennebec, where the Centre Bridge (so called,) now stands: *Provided, however,* that the dam, so to be erected, shall in no way interfere with the rights of any person or persons, who now have, or may hereafter have a right to build a canal, to connect the waters of Wilson Pond with the waters of the Androscoggin Pond or River. And that, whenever the waters of the Androscoggin Pond, shall be connected with the waters of the Wilson Pond, by a canal, this act shall cease to have effect; and the dam to be erected, under the authority of this act, may be removed by order of the Court of Sessions for the County of Kennebec, or by the proprietors of the canal, connecting the waters of the Wilson and Androscoggin Pond.

First meeting.

SEC. 2. *Be it further enacted,* That any Justice of the Peace, for said County of Kennebec, be, and he is hereby authorized and empowered, upon application of any three of said proprietors, to issue his warrant for calling the first meeting of said proprietors.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXVI.

An Act to incorporate the First Universalist Society, in Westminster.

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 Heman Ray, Joshua Moor, Caleb Wetherbee, Henry Coolidge, Caleb Lincoln, Jesse Spaulding, Daniel Lincoln, Elias Blodget, Isaac Blodget, Jonas Winship, Jonas Holden, Jonas Winship, Junior, Silas Smith, Junior, Merari Spaulding, Cyrus Winship, Joseph Howard, Asa W. Rand, Zechariah Whitman, Charles Smith, Jonathan Whitman, Joseph Beaman, Junior, Moses Mosman, Benjamin Seaver, Zebina Spaulding, Caleb Wilder, John Mosman, Stillman Brooks, Joel Baker, Abner Holden,

Levi Sawyer, and Jacob Sawyer, with their families, polls, and estates, together with such others as may hereafter associate with them, and their successors, be, and they are hereby incorporated into a religious society, by the name of the First Universalist Society, in Westminster, with all the privileges, powers, rights, and immunities, to which other parishes are entitled, General powers. by the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted,* That when any person in Westminster, or the adjoining towns, may incline to join said Universalist Society, by signifying such, Conditions of membership. his or her desire, in writing, to the Clerk of the town, or society, to which he or she may belong, and by notifying thereof the Clerk of said Universalist Society, he or she, together with his or her polls and estate, shall be considered to belong to said society, in the same manner as if incorporated, by name, in this act. And whenever any person belonging to said society shall incline to withdraw therefrom, by signifying such, Conditions of secession. his or her desire, in writing, to the Clerk of said Universalist Society, and by notifying thereof, the Clerk of the town in which he or she resides, he or she, with his or her polls and estate, shall be discharged from said Universalist Society: *Provided, however,* that, in either case, such person shall be liable to pay his or her proportion of all assessments on the members of the society, made and not paid, previous to the leaving such society.

SEC. 3. *Be it further enacted,* That either of the Justices of the Peace, for the County of Worcester, upon application therefor, is authorized to issue his warrant, directed to some member of said society, requiring him to warn the members thereof, to meet at Meeting. such time and place, as shall be appointed in said warrant, to choose such officers as parishes are, by law, empowered and required to choose, at their annual meetings.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXVII.

An Act to incorporate the Trustees of Saint Peter's Charity Fund, in the Town of Newburyport.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Jonathan Gage, Joshua Greenleaf, Stephen Howard, Jacob Perkins, Eleazer Johnson, and Enoch Plumer, with their associates and successors, be, and they are hereby constituted and made a corporation, by the name of the Trustees of Saint Peter's Charity Fund, in Newburyport; and the said Trustees are hereby vested with all the powers and privileges, and shall also be subject to all the duties and liabilities, incident to other charitable institutions.

Persons incor-
porated.

SEC. 2. *Be it further enacted*, That the said Trustees shall have power to receive, possess, and hold, by gift, grant, or purchase, any real or personal estate; *provided*, the value thereof shall not exceed ten thousand dollars; and may employ the income, interests, and profits, arising from such estate, in acts of charity and benevolence, and for no other use whatever; and no donation shall exceed ten dollars at any one time. And the said Trustees may make and establish such rules and by-laws, as they may, from time to time, think necessary for the better management and administering the said charity; *provided*, such rules and by-laws shall not be contrary to the constitution and laws of this Commonwealth.

General pow-
ers.

By-Laws.

SEC. 3. *And be it further enacted*, That the first meeting of the said Trustees may be convened by a warrant from any Justice of the Peace, for the County of Essex, upon application therefor, directed to one of the persons named in this act, requiring him to notify and warn the members of said corporation, to meet at such convenient time and place, as shall be appointed in the said warrant, to organize the said corporation, by the election and appointment of its officers.

Meeting.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXVIII.

An Act to incorporate the Town of Hartland.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the township, numbered three, in the County of Somerset, commonly called the Warren Towns, as described by the following boundaries, be, and hereby is incorporated and established as a town, by the name of Hartland: west by Cornville, north by Athens and Harmony, east by St. Albans and Palmyra, southerly by the L of Palmyra, so called; thence from the west line of said L, to the southeast corner of Cornville, including the mile and half strip. And the inhabitants of the said Town of Hartland, are hereby vested with all the corporate powers and privileges, and shall also be subject to the like duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth. And any Justice of the Peace, for the County of Somerset, is hereby empowered, upon application therefor, to issue a warrant, directed to a freehold inhabitant, requiring him to notify and warn a meeting of the freeholders and other inhabitants of the said Town of Hartland, to meet at such convenient time and place, as shall be appointed in said warrant, for the choice of such officers as towns are, by law, empowered and required to choose, at their annual town meetings.

[Approved by the Governor, February 7th, 1820.]

CCXXIX.

An Act authorizing the appointment of Firemen, 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 the Selectmen of the

Number limited Town of Boston, for the time being, be, and they are hereby authorized and empowered, if they judge it expedient, as soon as may be, after the passing of this act, to nominate and appoint a number of suitable persons, not exceeding thirty, who shall continue in office during the pleasure of the Selectmen of said town, whose duty it shall be, under the direction of the Firewards of said town, to attend fires therein, and the vicinity, with axes, ladders, firehooks, and such implements and apparatus, for the extinguishment of fires, and the preservation of persons and property, as may be provided for that purpose, and placed under their care; and to perform such further duty, as such Selectmen shall, from time to time, prescribe.

Organization of Companies. SEC. 2. *Be it further enacted*, That the Firemen, so appointed, shall and may be organized into one or more distinct companies, under the direction of such Selectmen; and each of said companies is hereby authorized to meet together some time in the month of May, annually; at which meeting, they shall have authority to choose a Master or Director, and Clerk of such company, and establish such rules and regulations respecting their duty as Firemen, as may be approved by such Selectmen, and to annex penalties for the violation of the same, which may be recovered by the Clerk of such company, before any Justice of the Peace for the County of Suffolk; *provided*, that no such penalty shall exceed the sum of six dollars and sixty-seven cents, and that such rules and regulations shall not be repugnant to the laws of this Commonwealth.

Monthly Meetings. SEC. 3. *Be it further enacted*, That the respective companies of Firemen, who may be nominated and appointed in pursuance of this act, shall be held and obliged to meet together once a month, and oftener, if necessary, for the purpose of inspecting and examining the fire hooks, ladders, and other implements and apparatus which may be placed under their care, management, and superintendence, and the appendages belonging to the same, and seeing that the same are in good repair, and ready to proceed, on any emergency, to the relief of any part of the community which may be invaded by the calamity of fire. And the Firemen appointed as aforesaid, shall be held and obliged to go

forward, under the direction of the Firewards of said town, and to use their best endeavors to extinguish and prevent the spreading of any fire, which may happen in said town, or in the vicinity thereof, and which shall come to their knowledge, without delay ; and also to use their best exertions for the preservation of all persons and property which may be exposed to danger thereby.

SEC. 4. *Be it further enacted*, That the persons who may be appointed Firemen in pursuance of this act, shall be, and they are hereby exempted from common and ordinary military duty, and from serving as Jurors, or in the office of Constable, during the time they may be employed in the service aforesaid. Exemption.

SEC. 5. *Be it further enacted*, That if any one, who may be appointed, pursuant to the provisions of this act, shall, in the opinion of such Selectmen, be negligent or remiss in the duties required of him, as a Fireman, by this act, or by any rules and regulations which may be prescribed and made in pursuance thereof, it shall be the duty of such Selectmen, upon sufficient evidence thereof, to discharge him from such company, and from his office and duty, as a Fireman ; and thereupon to proceed and appoint another person in his room, in the manner herein before directed. Discharge for neglect of duty.

[Approved by the Governor, Februry 7th, 1820.]

CHAP. CCXXX.

An Act to incorporate the Episcopal Church of Saint Thomas, in Taunton.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Ichabod Leonard, Levi Leonard, David Burt, James Burt, 2d, Oliver Danforth, and Galen Hicks, together with such others as have associated, or may hereafter associate with them, and their successors, with their polls and estates, be, Persons incorporated.

General powers.

and they hereby are incorporated into a society or body politic, by the name of the Episcopal Church of Saint Thomas, in Taunton, with all the powers and privileges, and subject to all the duties and restrictions of other religious societies, according to the constitution and laws of this Commonwealth, and the rights and usages of the Protestant Episcopal Church, in the United States.

Conditions of membership.

SEC. 2. *Be it further enacted*, That if any other person or persons, shall hereafter incline to associate with the said Episcopal Church, in Taunton, and shall leave a certificate of the same, signed by the Rector, Clerk, or Committee of said church, with the Clerk of the town or parish, to which he or they may respectively belong, he or they, with his or their polls and estates, shall be considered as members of the Episcopal Church aforesaid. And if any person or persons shall hereafter see cause to leave the said Episcopal Church of Saint Thomas, and unite with any other religious society or parish, and shall leave with the Rector or Clerk, of the Episcopal Church aforesaid, a certificate of the same, signed by the Minister, Clerk or Committee of such other parish or religious society, with which he or they may have united, he or they, with his or their polls and estates, shall be discharged from said Episcopal Church, and annexed to the parish or society, with which he or they may have united as aforesaid.

Terms of secession.

Society's funds.

SEC. 3. *Be it further enacted*, That said Episcopal Church aforesaid, be, and they hereby are empowered to raise and establish a fund, the annual income or interest of which shall not exceed the sum of two thousand dollars; and for this purpose, may take and hold, by gift, grant, or otherwise, any estate, real or personal, and manage, lease, sell and dispose of the same; the income and interest of which, or so much thereof as shall be necessary, shall be appropriated and applied, at the discretion of the said society, to the support of a Protestant Episcopal Priest or Priests, in said society. And the Warden and Vestry of the said society, for the time being, shall have the management of the said fund and estate, pursuant to the votes of the said society, and subject, at all times, to account with them.

SEC. 4. *Be it further enacted*, That the said society

shall, at a meeting duly called for that purpose, elect a Rector, whenever they shall think it expedient, who shall be inducted according to episcopal usage. Rectorship.

SEC. 5. *Be it further enacted,* That the annual meeting of the said society, shall be on Easter Monday, at such hour and place, as the Wardens, for the time being, shall direct and notify; at which meeting, the said society shall choose two Wardens, three or five Vestry Men, a Treasurer, Clerk, and other necessary officers, who shall continue in office one year, and until others are chosen and qualified; and special meetings may be called and notified in the same manner, by the Wardens, as parish meetings are called and notified by Parish Assessors or Committees. Officers to be chosen.

SEC. 6. *Be it further enacted,* That the Treasurer of the said society shall give bond, with sureties, to the satisfaction of the Wardens and Vestry, for the faithful performance of his duties, in the penal sum of two thousand dollars, and shall receive the rents and monies of the said society, and shall have the custody of all leases, and other written evidence of contracts, and debts due to them; and he shall, annually, and whenever required by the Wardens and Vestry, exhibit to them, to be submitted to the society, a detailed account of all monies by him received and paid, and of the state of said fund. Treasurer to give bonds.

SEC. 7. *Be it further enacted,* That all deeds of pews in the church, which may be erected by the said society, shall be recorded within three months after the same are executed, in the books of the Clerk of the said society, and need not be recorded in the office of the Town Clerk, or Register of Deeds. Pews to be registered.

SEC. 8. *Be it further enacted,* That any Justice of the Peace, for the County of Bristol, is hereby authorized, upon application of either of the persons named in this act, to issue his warrant, requiring such person applying as aforesaid, to notify a meeting of the members of the Episcopal Church aforesaid, at such convenient time and place, as shall be appointed in said warrant, for the election of such officers and transacting such other business as may be necessary, for the due organization of said society. First Meeting.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXXI.

An Act to alter the time for holding the Court of Sessions, in the County of Franklin.

Time of holding
Court, altered.

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 term of the Court of Sessions, now, by law, established to be holden at Greenfield, within and for said County of Franklin, on the third Tuesday of November, shall be holden on the first Tuesday of September, any law to the contrary notwithstanding.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXXII.

An Act to incorporate the First Congregational Society, in Lubec.

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 John Faxon, Joseph Sumner, Jabez Mowry, H. G. Balch, Moses Fuller, S. Clapp, Daniel Young, William Chaloner, Samuel Miars, Joseph Whitney, Nehemiah Small, William Phelps, Hiram Bosworth, Joseph Foster, and their associates, or successors, be, and they hereby are incorporated and made a body politic and religious society, by the name of the First Congregational Society, in Lubec; and by that name may sue and be sued, and shall have, and be invested with all the powers, privileges, and immunities, to which other religious corporations in this Commonwealth are entitled by law; and shall be capable of purchasing and holding estate, real and personal, the annual income of which shall not exceed five thousand dollars, exclusive of their meeting house, and the land whereon the same stands.

General pow-
ers.

SEC. 2. *Be it further enacted*, That the said society be, and they are hereby authorized and empowered to raise, from time to time, by a tax upon the pews in their said meeting house, such sum or sums of money, for the building or repairing their meeting house, settling and maintaining a Minister, and defraying all other expenses of public worship, with incidental charges, as they may agree; or otherwise, monies, for the purposes aforesaid, may be raised and collected, in the same way and manner as other religious societies are, by law, authorized to do. And when any tax shall be assessed upon the pews, the society shall cause a valuation thereof to be made, by the Assessors of the society, so often as the society shall think proper. And the said Assessors shall number and appraise the pews, respectively, according to their situation and rank, and shall make a list of such valuation, and shall assess and apportion the sums, voted to be raised by the said society upon the said pews, according to the last valuation thereof as aforesaid, and shall deliver an attested copy of the same to the Clerk of the society, who shall make and keep a record thereof, for the use and inspection of said society.

SEC. 3. *Be it further enacted*, That whenever any owner, or occupier, of any pew, in said meeting house, shall neglect or refuse to pay the tax or taxes assessed upon their pew or pews, the Collector of any such tax, to whom the same is committed, shall have power, and he is hereby fully authorized to demand and receive the same of any such owner or occupant thereof; and if payment of such tax is neglected to be made, for thirty days after notice given and demand made, by any such Collector as aforesaid, of the owners or occupants, when known, and living in said town, or by an advertisement, posted upon the door of said meeting house, when the owners or occupants are unknown, or not living in said town, (of all which the Collector's oath shall be sufficient evidence,) such Collector shall have power to sell such pew or pews, at public vendue, to the highest bidder, notice being given of the time and place of sale, in manner aforesaid; and of the pew or pews to be sold, and the number of the same, four days, at least, before the time of such sale, and

Pew Taxes.

Pews liable for Taxes.

Feb. 7, 1820.

after the expiration of said thirty days. And such Collector shall have power, if he see fit, to adjourn such sale, from time to time, not exceeding three times, nor beyond thirty days from the first day of sale; and shall also make and execute a deed of every such pew, thus sold, which deed shall be recorded by the Clerk of said society. And such deeds shall completely vest all such owners interested in such pew or pews, in the purchaser, together with the lands thereunto attached, in said society; and the overplus, (if any,) when the tax or taxes are deducted, and all the legal costs of sale, shall be immediately paid over to the owner.

Power of Col-
lectors.

SEC. 4. *Be it further enacted*, That the Collector of said society shall receive suitable warrants, for the collection of any such tax, from the Assessors, and shall have the same powers to collect the taxes of said society, as Collectors of town taxes have, by law; and shall observe the same directions in collecting and paying over the money, as town Collectors are bound to observe.

Qualification of
Voters.

SEC. 5. *Be it further enacted*, That in every question which involves the property of said society, no person shall be considered a legal voter, but actual proprietors, or their agents, legally authorized; and the proprietor or proprietors of each pew, in said house, shall be entitled to one vote, for each pew, upon all such questions.

Annual Meet-
ings.

SEC. 6. *Be it further enacted*, That any Justice of the Peace, in the County of Washington, be, and hereby is authorized to issue his warrant, directed to some suitable person who is a member of the said First Congregational Society, requiring him to warn and notify the members thereof, to meet at such time and place, in said Town of Lubec, as shall be directed in said warrant, to choose such officers, as parishes and other religious societies in this Commonwealth, are, by law, authorized to choose, in the month of March or April, annually.

[Approved by the Governor, February 7th, 1820.]

CHAP. CCXXXIII.

An Act to annex Thomas Keyes, with his family and estate, to the Town of West Boylston.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Thomas Keyes, with his family and estate, be, and hereby are set off from the Town of Boylston, and annexed to, and made a part of the Town of West Boylston ; and shall there exercise and enjoy all the rights and privileges, and shall also be subject to all the duties and requisitions as other inhabitants of the said town of West Boylston.

[Approved by the Governor, February 10th, 1820.]

CHAP. CCXXXIV.

An Act to set off a part of the Town of Shapleigh, and annex the same to the Town of Sanford.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the following described parcels of land, viz. : two hundred acres formerly belonging to Kendal ; three hundred and sixty nine acres, purchased of this Commonwealth by William Frost, Junior ; and so much of the three hundred acres granted to John Lydston, as was formerly owned and possessed by the said William Frost, Junior, which lands are now a part of the Town of Shapleigh, in the County of York, shall be, and they, with the inhabitants and their estates thereon, hereby are set off, from the said Town of Shapleigh, and annexed to the Town of Sanford, in said County : *Provided, however,* Description of Lands, set off. Proviso. that the said lands, inhabitants and estates respectively, shall be holden to pay to the said Town of Shapleigh

their just proportion of all unpaid taxes, heretofore voted, or assessed, on or by the authority of the Town of Shapleigh.

Taxes set off.

SEC. 2. *Be it further enacted*, That in all future state and county taxes, until a new valuation shall be taken and settled, one twenty fifth part of the taxes which would have been set to the Town of Shapleigh, according to the last valuation, shall be set to the Town of Sanford.

[Approved by the Governor, February 10th, 1820.]

CHAP. CCXXXV.

An Act to extend the provisions of an Act for incorporating the proprietors of the Kennebunk Pier, and to annex the Harding Wharf thereto.

Extension of
time.

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 further term of ten years from the expiration of the last limitation be, and hereby is granted to the proprietors of the Kennebunk Pier, according to the provisions of the original act of incorporation, passed the second day of February, seventeen hundred and ninety eight.

Sec. 2. *Be it further enacted*, That the Harding Wharf, so called, lying near the said pier, be, and hereby is annexed to and made a part of said property; and the proprietors of the said pier shall be holden to put and keep the said wharf in sufficient repair, during the said term of ten years.

[Approved by the Governor, February 10th, 1820.]

CHAP. CCXXXVI.

An Act to incorporate the Freewill Baptist Society, in Eastport.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Sylvanus Appleby, John Babcock, John Burgin, Jerry Burgin, Alexander Capen, Thomas Haycock, Joshua Hinckley, John C. Lincoln, Robert Mowe, Darius Olmstead, Ethel Olmstead, Charles Peavey, John Shackford, and William Shackford, together with such as may hereafter associate with them, and their successors, be, and they hereby are incorporated, for religious purposes only, into a society, by the name of the Freewill Baptist Society, in Eastport, with all the powers, privileges and immunities, to which other religious societies are entitled, by the constitution and laws of this Commonwealth; and said corporation is hereby authorized and empowered to take, purchase and hold, all real and personal estate necessary and convenient for the purposes aforesaid.

Persons incorporated.

SEC. 2. *Be it further enacted,* That said society be, and the same is hereby authorized, at a meeting held for the purpose, to raise such sums of money as it may think needful for the support of public worship, building and repairing meeting houses, and other purposes incident to the authority given by this act, by an equal assessment upon all the pews and seats in any meeting house which may hereafter belong to it. And if any proprietor of any pew or seat shall neglect or refuse to pay any assessment which may be made upon his pew or seat, within one year from the time he shall be notified thereof, the Treasurer of said society may sell, at public auction, all the right and interest said delinquent proprietor may have in any seat or pew, after giving notice of the time and place of sale, at least fourteen days previous thereto, by notifications, in writing, posted at all the doors of the meeting house of said society. And after deducting the amount of the assess-

Money to be raised.

Delinquents' Pews to be sold.

ment, with legal interest thereon, from the time it became due, and all costs and charges, the said Treasurer shall pay the balance, if any, over to said delinquent proprietor. And said Treasurer is hereby authorized and empowered, upon the sale aforesaid, to execute and deliver a deed of conveyance, to the purchaser of the pew or seat, which deed shall be good and valid in law.

By-Laws.

SEC. 3. *Be it further enacted*, That said society may order and establish such regulations, rules and by-laws, for its government, and for the management of its concerns, as may be thought fit; *provided*, the same are not repugnant to the laws of this Commonwealth.

Meeting.

SEC. 4. *Be it further enacted*, That any Justice of the Peace, for the County of Washington, be, and he hereby is authorized to issue his warrant to some member of said society, requiring him to warn the members thereof to meet at such convenient time and place, as shall be therein directed, to choose a Moderator, Clerk and Treasurer, and such other officers as they may think needful; and the Moderator so chosen, and the Moderators chosen at all future meetings, shall have authority to administer the oath of office to the Clerk and all other officers, of whom an oath is required by law.

[Approved by the Governor, February 12th, 1820.]

CHAP. CCXXXVII.

An Act to incorporate the First Baptist Society, in Portland.

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 Thomas Beck, Mark Harris, and Benjamin Ilsley, together with such others as may hereafter associate with them, and their successors, be, and they are hereby incorporated into a religious society, by the name of the First Baptist So-

ciety, in Portland, with all the powers and privileges, belonging to other religious societies, according to the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted*, That any inhabitant of the said Town of Portland, who may hereafter desire to join in religious fellowship with the said Baptist Society, shall have a right so to do, by declaring such desire and intention, in writing, and delivering the same to the Minister or Clerk of the said Baptist Society, fifteen days before the annual meeting thereof; and shall also deliver a copy of the same to the Town Clerk, or to the Clerk of any other religious society, with which such person has been before connected, fifteen days before the annual meeting thereof; and if such person can produce a certificate of admission, signed by the Minister and Clerk of said society, purporting that he or she has united with and become a member of said Baptist Society, such person, from the date of said certificate, with his or her polls and estate, shall be held and considered to be members of the said First Baptist Society, in Portland; and shall be exempted from taxation towards the support of any other religious society, in the town or parish where such person may dwell.

Conditions of
Membership.

SEC. 3. *Be it further enacted*, That when any member of the First Baptist Society, in Portland, may see cause to secede therefrom, and to unite with any other religious society, in the said Town of Portland, the same forms and process of a written declaration and certificate shall be made, required, and given, *mutatis mutandis*, as is prescribed and required in the second section of this act: *Provided, always*, that in every case of secession from one society, and joining another, the person so seceding, shall be holden, in law, to pay his or her proportion, or assessment, of all parochial or society debts and expenses, which have been voted and assessed, and not paid, prior to such secession.

Terms of seces-
sion.

SEC. 4. *Be it further enacted*, That any Justice of the Peace, for the County of Cumberland, be, and he is hereby empowered to issue his warrant, directed to one of the persons named in this act, requiring him to notify and warn the members of the said Baptist Society, to meet at such convenient time and place as shall

Meeting.

be appointed in the said warrant, to organize the said society, by the election and appointment of its officers.

[Approved by the Governor, February 12th, 1820.]

CHAP. CCXXXVIII.

An Act authorizing the Worcester and Stafford Turnpike Corporation to remove the two westerly gates on said turnpike road.

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 Worcester and Stafford Turnpike Corporation be, and they are hereby authorized to remove the westerly gate on said turnpike road, easterly from where it is now located, to some convenient place, not exceeding five miles ; and likewise to remove the middle gate, (so called,) on said road, not exceeding three fourths of a mile, either way, from the place where it is at present located : *Provided*, that said gates shall not be erected on any town or county road ; and that, hereafter, they shall be authorized and empowered to demand and receive from all travellers, passing said gates so removed, the usual rates of toll established and provided to be taken and received by the general turnpike law, any thing in the general turnpike law to the contrary notwithstanding.*

Gate removed.

Toll.

[Approved by the Governor, February 12th, 1820.]

CHAP. CCXXXIX.

An Act in addition to an Act, entitled, "An Act to divide the Town of Greenwich into two parishes."

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That instead of the words, "thence west, to the west line of lot numbered seventeen," contained in the first section of the act, passed on the twenty first day of June, in the year of our Lord one thousand seven hundred and eighty seven, entitled "an act to divide the Town of Greenwich, into two parishes," said line be known and described as follows, viz.: east, to the west line of lot, numbered seventeen.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCXL.

An Act to incorporate the First Congregational Society, in Eastport.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Jonathan D. Weston, Ezekiel Prince, Ezra Whitney, Micajah Hawks, together with such others as may hereafter associate with them, and their successors, be, and they are hereby incorporated as a religious society, by the name of the Proprietors of the First Congregational Meeting House, in Eastport; and are hereby vested with all the powers and privileges, and subject to all the duties and requisitions, of other parishes, or religious societies, according to the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted,* That any inhabitant of the town of Eastport, who may be desirous of joining the said First Congregational Society, shall declare

Persons incorporated.

Conditions of Membership.

such desire and intention, in writing, fifteen days before the annual society meeting, and also deliver a copy of the same declaration to the Minister or Clerk of such other society as the said person formerly belonged to; and if such person receive and can produce a certificate thereof, signed by the Clerk or Committee of said society, that he or she has actually become a member of the said First Congregational Society, such person, with his or her polls and estate and family, shall be considered as members of said society.

Terms of seces-
sion.

SEC. 3. *Be it further enacted*, That when any member of the said First Congregational Society, may see cause to secede therefrom, and to unite with any other religious society, in said town of Eastport, such person shall have a right so to do, by declaring such intention, fifteen days before the annual meeting of such other society; and shall also deliver a copy of such declaration to the Committee or Clerk of the society from which he or she has so seceded, such person shall have, from the Clerk thereof, a certificate thereof, and shall be considered as released from said society, from the date of said certificate: *Provided, however*, that in every case of joining, or secession from one society and joining another, such person shall always be holden to pay his or her proportion of all parish or society taxes and expenses assessed, or not, prior to such secession.

First Meeting.

SEC. 4. *Be it further enacted*, That any Justice of the Peace, for the County of Washington, upon application therefor, is hereby empowered to issue a warrant, directed to one of the persons named in this act, requiring him to notify and warn the first meeting of the said proprietors, at such convenient time and place, as shall be appointed in said warrant, to organize the proprietors, by the election and appointment of their officers.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCLXI.

An Act to incorporate the Trustees of the Methodist Religious Society, in Charlestown.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Grandville, James Burnet, Jonathan Ingals, William Swindell, William Haws, Moses Rand, Samuel Poor, Domingo De Castro, and John Lamb, be, and hereby are incorporated into a body politic, by the name of the Trustees of the Methodist Religious Society, in Charlestown; and by that name, they and their successors in office, shall be a corporation forever. Persons incorporated.

SEC. 2. *Be it further enacted,* That the number of said Trustees shall, at no time exceed nine, six of whom shall constitute a quorum to do business. They shall annually, in the month of March, elect from their own body, a Treasurer, who shall have charge of the monies and security for monies, or other property belonging to the said Methodist Religious Society; also a Secretary, who shall keep a faithful record of all the votes and doings of the said Trustees. They shall have power to make such rules and by-laws, as may be necessary, for the management of their affairs, and the regulation of their officers, the raising of money for the support of their public teacher, and repairs of their chapel, and for calling their meetings from time to time, as are not repugnant to the constitution and laws of this Commonwealth. General powers.

SEC. 3. *Be it further enacted,* That whenever there shall occur any vacancy in the Board of Trustees, by reason of death, resignation or removal from office, the Secretary, for the time being, shall notify and call a meeting of the remaining Trustees, as soon as may be; and the Minister, having the pastoral charge of said Methodist Religious Society, shall nominate suitable persons, being members of the said society; and from such nominations, the Trustees shall elect, and by a majority of votes, appoint a person to fill such vacancy, in order that the number of Trustees be nine, forever. Choice of Trustees.

SEC. 4. *Be it further enacted*, That the lands and other property that may be hereafter purchased by, or given unto the said Trustees, for the use and benefit of the said Methodist Religious Society, either for the support of the worship of God, or for the support of the poor of the said society, shall be confirmed to the said Trustees, and their successors in that trust, forever: And the said Trustees and their successors, may have and hold, in fee simple, by gift, grant, devise, bequest, or otherwise, any lands, tenements, hereditaments, or other estates, real or personal; *provided*, the annual income thereof shall not exceed the sum of two thousand dollars; and may sell and dispose of the same, and apply the rents and proceeds thereof, in such manner as shall best promote the end and design of the said Methodist Religious Society.

May hold Real Estate.

Proviso.

SEC. 5. *Be it further enacted*, That the said Trustees may have one common seal, which they may at pleasure alter and renew; and all deeds, signed by the Treasurer and Secretary of said corporation, for the time being, and sealed with their seal, duly acknowledged, shall be good and valid in law; and the said Trustees 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 of the Trustees of the Methodist Society, in Charlestown.

Power of Trustees.

SEC. 6. *Be it further enacted*, That Jonathan Ingals be, and hereby is authorized, to fix the time and place of holding the first meeting of the said Trustees, and to notify them thereof accordingly.

First Meeting.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCXLII.

An Act to incorporate the Town of Ætna.

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 tract of land, de-

scribed and bounded as follows, viz. : beginning at the southwest corner of the Town of Carmel, thence westerly, on the north line of the Town of Dixmont, to the southeast corner of Plantation Number Five, in the second range ; thence northerly, on the easterly line of said Plantation, to the Town of Newport ; thence easterly, on the south line of the said Town of Newport, and Plantation Number Three, in the third range, to the northwest corner of the said Town of Carmel ; thence southerly, on the westerly line of said Carmel, to the place of beginning, together with the inhabitants thereof, be, and hereby are incorporated into a town, by the name Ætna : And the inhabitants of the said town are hereby vested with all the powers, privileges and immunities, which the inhabitants of towns within this Commonwealth, do or may, by law, enjoy.

SEC. 2. *Be it further enacted,* That any Justice of the Peace, within and for the County of Penobscot, is hereby empowered to issue his warrant, directed to a freehold inhabitant of the said town, directing him to notify the inhabitants of said town, to meet at such time and place, as he shall appoint, to choose such officers, as other towns are empowered to choose, at their annual town meetings.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCLXIII.

An Act in addition to an Act, entitled “ An Act for the preservation of the fish, called Alewives, in Weweeantit River, in the County of Plymouth, and for regulating the taking said fish.”

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 twenty fifth day of June next, no person shall be liable to pay any penalty or forfeiture, for taking fish, called alewives, in Weweeantit River, or in any pond or

stream, having connection therewith, from the twenty fifth day of June, to the fifteenth day of March, annually, any law to the contrary notwithstanding.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCLXIV.

An Act to establish the jurisdictional line between the Towns of Groton and Dunstable.

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 jurisdictional line between the Towns of Groton and Dunstable, in the County of Middlesex, be, and hereby is fixed and established, and the same hereafter is to be considered and known according to the bounds and monuments hereinafter mentioned and described, as follows, to wit : beginning at a chesnut tree, marked, with stones about it, on the easterly bank of Nashua River, at the south-westerly corner of Henry Blood's land ; thence running southeasterly, to a dead pitch pine tree, marked, standing on the westerly side of Unquetanasset Brook, so called, with stones about it, being the same bound which is designated, at the southerly end of the line, marked number twenty three, on the plan of the present jurisdictional line, between the said towns ; thence running still southerly, to a stake and stones, on the easterly side of Unquetanasset Brook, so called, and on the southerly side of the Pepperell road, and near the Trough Bridge, so called, being the southerly end of the line, marked number thirty four, on said plan ; thence running southwesterly, to a heap of stones, at the end of a large rock, called Break-Neck-Rock, being the southwesterly end of the line, marked number thirty eight, on said plan ; thence running southerly to a pitch pine stump, with stones about it, near Pole Hill, so called, where a large pitch pine tree lately stood, on the northerly side of the road, leading from Groton to

Boundaries.

Dunstable, being the easterly end of the line, marked number fifty eight, on said plan ; thence running south-easterly, to a heap of stones, on a ledge of rocks, at the easterly end of the line, marked number seventy four, on said plan ; and thence running easterly, to a white birch tree, with stones around it, on a little island, the westerly side of Mashapoag Pond, so called, being the easterly end of the line, marked number eighty seven, on said plan.

SEC. 2. *Be it further enacted*, That all persons, of either of said towns, now seized and possessed of an inheritable estate therein, and their heirs only, shall be exempted from being taxed as non resident proprietors, by either of said towns, in consequence of the establishment of the above mentioned jurisdictional line, but not to exempt any person or persons from being taxed as non resident proprietors, who are now liable to be so taxed. Exemptions.

SEC. 3. *Be it further enacted*, That all persons who are now inhabitants of Groton, and will become inhabitants of Dunstable by the establishment of the line aforesaid, shall be deemed to have their legal settlement in Dunstable ; and all persons who have heretofore gained a legal settlement in Groton, by force of their residence, or occupation of the lands, or territories, that will, by the establishment of said line, belong to the Town of Dunstable, other than those who are now occupying or resident upon the said lands or territories, shall be deemed to have their legal settlement in Groton. Legal settlement.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCXLV.

An Act to incorporate the Trustees of the Second Congregational Society, in Greenfield.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Jonathan Leavitt, Jerom Persons incorporated.

Ripley, Elijah Alvord, Eliel Gilbert, Samuel Wells, Ambrose Ames, and David Ripley, and their successors, be, and they are hereby made and constituted a corporation, by the name of the Trustees of the Ministerial Fund of the Second Congregational Society, in Greenfield; and by that name, to remain a corporation forever; capable and liable, in law, to sue and be sued in any action, real, personal, or mixed; and may have and hold, in fee simple, or otherwise, any estate, real and personal, to the value of fifteen thousand dollars; and may sell and convey the same, by deed or otherwise; and may appoint all such officers, as may be necessary, for the management of their affairs; and may make, adopt and execute all reasonable by-laws and regulations that may be necessary and proper, for the government of the said corporation, and not repugnant to the constitution and laws of this Commonwealth.

Powers of Trustees.

SEC. 2. *Be it further enacted*, That the said Board of Trustees shall have full power to receive and hold all money, notes, or other securities, now constituting the fund of the said society; and also, to receive and hold all gifts, grants, donations, or subscription, that may hereafter be made to increase said fund, and the same to manage and put on interest, and to apply the income and interest thereof, annually, for the support of the Minister of said society, forever: *Provided*, that no appropriation of any gift, grant, or donation, or the income thereof, shall ever be made contrary to the express intention and direction of the donor.

Management of Funds.

SEC. 3. *Be it further enacted*, That the number of Trustees shall never be more than seven; that whenever they shall be reduced below that number, the vacancies shall be filled before they proceed to the transaction of any other business; that four shall be a quorum for doing business; that the said Trustees shall keep a fair record of all their proceedings, which shall be open to the inspection of any Committee appointed for that purpose, by said society: And that the said Trustees shall have power to fill all vacancies that may happen, by death, resignation, or otherwise.

Quorum of Trustees.

SEC. 4. *Be it further enacted*, That the said Trustees shall, annually, exhibit to the said society, a correct statemet of the funds, in their possession, and of

Annual exhibition of Funds.

the expenditure of the interest and income thereof, whenever the society may require it ; and they shall be liable, individually, in damages to the society, and to donors, for any waste, misapplication, or mismanagement of said funds ; and shall receive no compensation for their services, in managing the affairs of the said corporation, other than what shall be paid them by the said society.

SEC. 5. *Be it further enacted*, That whenever any one of the Trustees shall die, or resign, or shall become a member of any other church or society of christians, or shall cease to be a member of the Second Congregational Church or Society aforesaid, or in the judgment of a major part of the Trustees, shall be rendered incapable, by age, removal, or otherwise, of beneficially discharging the duties of said office, the Trustees shall declare his office vacant, and shall proceed, without delay, to elect some suitable person to fill such vacancy. Vacancies to be filled up. And all deeds and instruments, requiring a seal, which the Trustees shall have lawfully determined to make, shall be sealed with their seal, and being signed and acknowledged by the Treasurer of said corporation, shall bind the said Trustees and their successors, and be valid in law.

SEC. 6. *Be it further enacted*, That any Justice of the Peace, for the County of Franklin, is hereby authorized and empowered to issue his warrant, directed to one of the Trustees named in this act, requiring him to notify the first meeting of the said corporation, to organize the same, by the establishment of by-laws, and By-Laws. the appointment of its officers.

SEC. 7. *Be it further enacted*, That it shall and may be lawful, for all deeds given, or hereafter to be given, on the sale of any pew in the Second Congregational Meeting House, in the Town of Greenfield, to be recorded, by the Clerk of said society, in a book to Records of Society. be especially provided for that purpose ; and all deeds, legally executed and recorded as aforesaid, shall be deemed sufficient in law, to pass the title thereto, any law, usage, or custom, to the contrary notwithstanding.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCXLVI.

An Act in addition to an Act, entitled "An Act to incorporate the Boston Manufacturing Company."

Capital Stock
increased.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Boston Manufacturing Company be, and the same is hereby authorized to increase its capital stock, by adding thereto, a sum equal to that permitted by the original act of incorporation, or any smaller sum; and may purchase therewith real estate, not however, exceeding in value, one quarter part of the sum hereby permitted to be added, exclusive of buildings and improvements made by said corporation.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCLXVII.

An Act to change the name of the Methodist Society, in the First Parish in Lynn, in the County of Essex, and for other purposes.

Change of Title

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 name of the Methodist Society, in the First Parish in Lynn, in the County of Essex, shall cease, and the said society shall hereafter be known, and called by the name of the First Methodist Society, in Lynn.

May choose
Trustees.

SEC. 2. *Be it further enacted,* That the said society shall, in the month of April, annually, at a legal meeting for that purpose, by a major vote of the pew holders present, each pew holder having one vote, choose five Trustees, and three of said Trustees shall be a quorum for doing business; and the said Trustees shall also, annually, elect from their own body, a Treasurer,

who shall have charge of all the monies and securities for money, or other property belonging to the said Methodist Society ; and also, a Clerk, who shall keep a faithful record of all the votes and doings of the said Trustees, and record all deeds and transfers of pews, in a book, which shall be kept for that purpose ; and the Trustees, for the time being, shall have power to give deeds to pew holders, which deeds, after being recorded by the Clerk, shall be valid to all intents and purposes, as though they were recorded by the Register of Deeds, for the County of Essex. And the said Trustees may, on the behalf of the said Methodist Society, hold the lot of land, whereon they have lately built a meeting house, and such other estate, real and personal, as the said society may determine to possess, by purchase, or any donation or legacy, which may be made to the said society : *Provided*, that the annual income of the whole estate of the said society, beside the meeting house and the land under it, shall not exceed two thousand dollars : *Provided, also*, that the said meeting house shall always be free, for the use of the Ministers of the Methodist Episcopal Church, in the United States of America, who may, from time to time, be appointed by the annual conference, to preach and expound the word of God, in the said house ; to administer the government of the church, to hold society meetings, according to the rules of discipline, which are, or may be adopted by the general conference of the Ministers of the said church. And the said Trustees may sell and dispose of any property, belonging to the said society, and apply the rents, profits, income and proceeds thereof, in such manner, as will best promote the welfare of the said Methodist Religious Society ; and shall also have power to make and establish such rules and by-laws as may be necessary for the well ordering their affairs, the raising of money for the support of their public teachers, and repairs of their chapel, and for calling and notifying their society meetings, from time to time ; *provided*, such by-laws and rules, shall not be contrary to the constitution and laws of this Commonwealth.

SEC. 3. *Be it further enacted*, That all monies voted to be raised, for the support of the ministry and other

Quarterly Assessments.

incidental charges, in and upon said house, by a major vote of the pew holders therein, may be assessed quarterly, by the Trustees, upon the pews, according to the appraisal made upon them ; and any pew which may be deficient for three quarterly assessments, may be sold by the Trustees, at public auction, after giving fourteen days notice of the sale, by posting a notification at the door of said meeting house ; and after such deficiency, with incidental costs, shall be paid, the remainder of the proceeds shall be paid over to the proprietor of said pew ; and any pew holder shall be at liberty to sell his or her pew to one person only ; *provided*, all arrears are first paid.

Vacancies to be filled up.

SEC. 4. *Be it further enacted*, That whenever any vacancy may occur in the Board of Trustees, by reason of death, resignation or removal out of the town, or for any other cause, the Clerk, for the time being, shall notify, and call a meeting of the remaining Trustees, as soon as may be ; and the said Trustees shall proceed to elect, and by a majority of votes, appoint a person to fill such vacancy, so that the number shall be always five ; and the said Trustees may sue, and be sued, plead and be impleaded against, by the name of the Trustees of the First Methodist Society, in Lynn. And the said Trustees shall, annually, lay before the said society, an account of the funds, and of their proceedings.

First Meeting.

SEC. 5. *Be it further enacted*, That any Justice of the Peace, for the County of Essex, is hereby empowered, upon application therefor, to issue a warrant, to one of the members of the said society, for calling a meeting thereof, to organize the said society, by the election of its officers, who may then, or at any subsequent meeting, establish the manner of notifying and calling future meetings.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCXLVIII.

An Act in addition to an Act for incorporating the
Town of Hampden.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the bounds of the Town of Hampden shall hereafter be as follows, viz. : beginning at the northeast corner of the northerly line of the Waldo Patent, so called, on Penobscot River, and bounded on the south by the northerly line of said Boundaries. Patent, running six miles on said line ; from thence running northerly, on the east line of the Town of Newburgh, to the southeast corner of the Town of Carmel ; from thence easterly, on the southerly side of the Towns of Hermon and Bangor, to Penobscot River ; and thence bounded on said river, to the first mentioned boundary.

[Approved by the Governor, February 17th, 1820.]

CHAP. CCXLIX.

An Act to alter and establish the Boundary Line,
between the Towns of Dorchester and Quincy.

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 Neponset River be, and it is hereby established as the boundary line Boundary. between the Towns of Dorchester and Quincy, in the County of Norfolk ; and that all that part of the Town of Dorchester, which lies on the southerly side of said river, called Squantum, and the farms, be, and it is hereby set off from the said Town of Dorchester, and annexed to the Town of Quincy : *Provided, nevertheless,* Provisos, that John Pope, Edmund Pope, Moses Billings and Ol-

iver Billings, with their respective families, and all their lands and estates, lying in said Squantum, and the farms, and also, Thomson's Island, so called, with the inhabitants thereon, shall remain annexed to the Town of Dorchester, any thing in this act to the contrary notwithstanding: *And provided, also*, that all lots or parcels of salt marsh, lying in said Squantum, and the farms now owned by the Town of Dorchester, in its corporate capacity or by the several inhabitants of said town, shall, so long as they remain the property of any of the inhabitants of said town, be exempt from taxation, by the Town of Quincy, but may be taxed by the Town of Dorchester, in the same manner as though this act had not passed.

Support of Pau-
pers.

SEC. 2. *Be it further enacted*, That the Town of Quincy shall maintain and support all paupers, who now have, or may hereafter acquire a settlement in each and every part of said Squantum, and the farms, which by this act, and all former acts, have been set off from the Town of Dorchester, and annexed to the Town of Quincy.

Payment of
Taxes.

SEC. 3. *Be it further enacted*, That the proprietors of lots of upland and marsh, lying in that part of the Town of Dorchester, which is, by this act, set off from said town, and annexed to Quincy, shall be holden to pay all taxes, which have been legally assessed on them, by said Town of Dorchester, in the same manner as though this act had not passed.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCL.

An Act to repeal all laws heretofore made for regulating the Alewife Fishery, in the Town of Kingston, in the County of Plymouth, so far as they relate to Jones River, above and including Adams' Mill Dam, so called, and also so far as they relate to Stony Brook, in said town.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That all the laws heretofore

made regulating the alewife fishery, in the Town of Kingston, in the County of Plymouth, so far as they relate to Jones River, above, and including Adams' Mill Dam, so called, and also, so far as they relate to Stony Brook, in said town, be, and the same are hereby repealed. Fish Laws repealed.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLI.

An Act to unite the West School District, in Canaan, and the East School District, in Norridgewock, in the County of Somerset.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the inhabitants, with their estates, in the west school district, in the Town of Canaan, and the inhabitants, with their estates, in the east school district, in the Town of Norridgewock, be, and they are hereby made one school district, for the term of ten years; and as such, they are authorized and empowered to unite their proportion of money, raised and appropriated by the said towns, respectively, to the uses and purposes of instruction, and to elect such Agents, with such powers as other school districts are by law authorized to have; and the Town Officers of either of said towns, on request from the Agents of said united districts, are requested to perform all the duties in relation thereto, which they are authorized and directed to do and perform, in respect to any other school district, in their own town. Union of School Districts.

SEC. 2. *Be it further enacted*, That in case the inhabitants of said united district shall erect and build a school house therein, the same house and all other property, at the end of said ten years, belonging to said district, shall be sold by auction, and the whole proceeds of sale, justly and proportionably distributed Distribution of proceeds.

among the said inhabitants, according to what they paid or were assessed, in the tax next preceding such sale.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLII.

An Act to incorporate the Boston Soap Stone 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 John Woodberry, Jonathan Whitney, and William Lancaster, together with such others as may hereafter associate with them, and their successors, shall be, and hereby are made a corporation, by the name of the Boston Soap Stone Manufactory ; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements of other manufacturing corporations, as prescribed, and contained in an act, passed the third day of March, eighteen hundred and nine, entitled, "an act defining the general powers and duties of Manufacturing Corporations," and of the acts subsequent and supplementary thereto. And the said corporation shall continue from the first Monday of March next, until the first Monday of March, which will be in the year of our Lord, one thousand eight hundred and forty, and thence afterwards, for the space of one year, for the final settlement of the affairs of the said corporation, but for no other purpose whatsoever.

Persons incor-
porated.

General pow-
ers.

Limitation of
act.

May hold Real
Estate.

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

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLIII.

An Act to incorporate the First Baptist Society, in
Malden.

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 Wait, Eben-
ezer Harnden, James Crane, William Oliver, Ezra Holden, Nathaniel Pratt, Jabez Howard, Timothy Bailey, and Edward Newhall, together with such other persons as may hereafter associate with them, and their successors, with their families, polls, and estates, be, and they are hereby incorporated into a religious society, by the name of the First Baptist Society, in Malden, with all the powers, privileges and immunities, to which parishes are, by law, entitled in this Commonwealth. Persons incorporated.

SEC. 2. *Be it further enacted,* That said society be, and is hereby authorized and empowered, to sell or lease the pews in the meeting house, belonging to said society, and give deeds to convey the same. And all deeds and conveyances of, and all executions extended on the pews in said meeting house, shall be recorded by the Clerk of said society, and being so recorded, shall be considered valid in law. Sale of Pews.

SEC. 3. *Be it further enacted,* That said society shall have power to receive, by donation or otherwise, and purchase, hold, and enjoy, such real and personal estate, as they may deem necessary for the due support of religious worship in said society; *provided, however,* the same shall not exceed in value the sum of twenty thousand dollars. Real estate limited.

SEC. 4. *Be it further enacted,* That any person of the baptist denomination, who shall unite in religious worship with said society, by giving in his or her name to the Clerk of the town or parish, to which he or she belongs, with a certificate, signed by the Minister or Clerk of said society, that he or she has actually become a member of, and united in worship with said society, shall, from and after giving in such certificate, with his or her family, polls and estates, be considered Conditions of membership.

members of said society: *Provided, however,* that every such person shall be holden to pay his or her proportion of all assessments previously made, for parochial purposes.

Terms of secession.

SEC. 5. *Be it further enacted,* That when any member of said Baptist Society, shall see cause to leave the same, and unite in religious worship with any other religious society, and shall give in his or her name to the Clerk of said Baptist Society, accompanied with a certificate from the Minister or Clerk of such society as he or she may have joined, shall be considered no longer a member: *Provided, however,* in all cases of secession from said society, every such person shall be holden to pay his or her proportion of all assessments unpaid, prior to leaving the same.

Proviso.

Confirmation of former proceedings.

SEC. 6. *Be it further enacted,* That the several meetings, heretofore held by the proprietors of said meeting house, and the proceedings for forming said society, for building their meeting house, and the assessments therefor, be, and the same are hereby confirmed, and made valid in law.

First Meeting.

SEC. 7. *Be it further enacted,* That the persons named in the first section in this act, or either of them, may cause the first meeting of said society to be called for any purpose specified by them, by posting up a notification at said meeting house, giving notice of the time and place of said meeting; at which meeting, the society may agree on the mode of notifying future meetings.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLIV.

An Act to establish Blanchard's Gun Stock Turning
Factory.

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 Scott and James

Clark, and their associates, and all persons who shall become stockholders in the corporation herein created, be, and they hereby are incorporated and made a body politic, by the name of Blanchard's Gun Stock Turning Factory, with all the powers and rights, vested by law, in manufacturing corporations, and subject, in like manner, as they are, to all the liabilities, limitations, and restrictions, by law, imposed on like corporations in this Commonwealth. Powers and privileges.

SEC. 2. *Be it further enacted*, That the said corporation may hold and possess real estate, not exceeding in value fifteen thousand dollars.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLV.

An Act in addition to an Act, entitled "An Act for the relief of Poor Prisoners, who are committed by Execution, for Debt."

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That any person hereafter committed to prison on execution, and being desirous to avail himself, or herself, of the poor debtors' oath, the judgment creditor or creditors living without this Commonwealth, and having no agent or attorney within the same, may be admitted to take the same, by leaving an attested copy of such notification as is, in and by the act, entitled, "an act for the relief of poor prisoners, who are committed by execution for debt," passed the nineteenth day of November, in the year of our Lord one thousand seven hundred and eighty seven, provided, with the Clerk of the Court, or the Justice, by whom the said execution was signed, thirty days previous to such intended caption, any thing in the said act to the contrary notwithstanding.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLVI.

An Act laying a Tax upon Retailers of Spirituous Liquors, and other Persons.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That every person who shall, from and after the fourteenth day of March next, be licensed to sell wine, beer, ale, cider, brandy, rum, or any strong liquors, by retail, and every person who shall be licensed as a victualer or confectioner in the town or district where he or she lives, shall, upon such license being granted, pay to the Clerk of the Court of Sessions, in addition to the fees now paid, by law, the sum of four dollars, for the use of the Commonwealth; and all such licenses shall be granted on condition that the retailer, confectioner, or victualer, so pay said four dollars, before he or she shall recognize, as by law required.

Additional fees.

SEC. 2. *Be it further enacted,* That in addition to the bond now required by law, to be given by each Clerk of the Court of Sessions in the several counties, to the respective County Treasurers, each Clerk aforesaid shall, before the first day of May next, give bond, with sufficient surety or sureties, in the penal sum of one thousand dollars, to the Treasurer of the county, and his successor in that office, to account for, on oath, and pay over to him, from time to time, the sum of four dollars for each retailer, confectioner and victualer in the county, who shall be so licensed, within one month after he, the said Clerk, shall receive the same. And if any Clerk shall neglect to give such bond, he shall forfeit and pay a sum not exceeding five hundred dollars, to be recovered by the County Treasurer to the use of the county, in an action of debt in any court proper to try the same; and the respective Clerks of the Courts of Sessions, shall be allowed a commission of one per cent. for so receiving and paying over said sums to the County Treasurers; and the respective County Treasurers shall be held to account with the

Sureties of Clerks.

Clerks' Commission, and responsibility.

Treasurer of the Commonwealth, for all sums received by them, in virtue of this act.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLVII.

An Act in addition to the several Acts, regulating the Sale of Goods by Public Auction.

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 licenses granted to any person to sell goods and chattels, by public auction or outcry, within the Town of Boston, in the County of Suffolk, it shall and may be lawful for the Selectmen of the said Town of Boston, or the major part of them, granting such license, to annex thereto, such conditions, limitations and restrictions, respecting the place or places in said town, at, and within which the person, so licensed, shall and may be allowed and authorized to sell goods and chattels by public auction or outcry, as shall appear to them needful and expedient for the public welfare. And any person who shall sell any goods or chattels whatsoever, by public auction or outcry, at any place within said Town of Boston, contrary to the conditions, limitations, or restrictions, contained in, or annexed to such license, shall be liable and subject to the same penalties and forfeitures, to be prosecuted for, and recovered in the same manner as if such person had sold such goods or chattels, by auction or outcry, without any license whatever.

Limitations and restrictions.

Householders liable to a fine.

SEC. 2. *Be it further enacted,* That the owner, tenant, or occupant of any house, or store, having the actual possession and controul of the same, who shall allow or permit any person, licensed as aforesaid, to sell any goods or chattels, by public auction or outcry, in his said house or store, or in any apartment, or yard appurtenant to the same, contrary to the conditions, limitations, or restrictions, annexed to the license of

TAUNTON RIVER FISHERY. Feb. 21, 1820.

such person, shall be liable and subject to the same penalties and forfeitures, to be prosecuted for, and recovered in the same manner as if such owner, occupant, or tenant had knowingly allowed or permitted any unlicensed person to sell any goods or chattels, by public auction or outcry, in his said house or store, or in any apartment or yard appurtenant thereunto.

SEC. 3. *Be it further enacted*, That the law of this Commonwealth, which was passed on the fifteenth day of June, in the year of our Lord one thousand eight hundred and fifteen, entitled, "an act in addition to an act, entitled an act to regulate the sale of goods at public vendue, and to repeal all laws heretofore made for that purpose," shall not apply or be enforced within the Town of Boston; and the same, so far as it respects the said town, is hereby repealed.

Former Acts
repealed.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLVIII.**An Act to regulate the Fishery in Taunton Great River.**

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall not be lawful for any person or persons, except as is hereinafter provided, to catch shad and alewives, with seines or nets, in Taunton Great River, from the fifteenth day of March to the first day of June, in each year; *provided*, that it shall and may be lawful for the inhabitants of the several towns, situated on said river, to catch shad and alewives, with seines or nets, in said river, with twelve seines or nets only, in the manner following, to wit: the Towns of Wellington, Dighton, Somerset, Freetown and Troy, shall each have the right of disposing at public auction, for their own benefit, of the privilege of catching shad and alewives with one seine or net only; the Towns of Berkley and Raynham shall each have the right of

Prohibition of
Fishing.

Sale of privi-
lege.

disposing at public auction, for their own benefit, of the privilege of catching shad and alewives, with two seines or nets only; and the Town of Taunton shall have the right of disposing at public auction, for their own benefit, of the privilege of catching shad and alewives, with three seines or nets only, in the river aforesaid, for the time aforesaid; and the purchaser or purchasers of the privileges which shall be located in the Towns of Raynham and Taunton shall not have a right to sweep, with a seine or net, more than fifteen rods in length; and the Towns of Berkley and Wellington, shall not have a right to sweep, with a seine or net, more than twenty rods in length, and but four days in each week, beginning at four o'clock on Monday morning and ending at four o'clock on Friday morning; the purchaser or purchasers of the privilege or privileges, which shall be located in the town of Dighton, shall have a right to sweep, with a seine or net, thirty rods in length, and no more, five days in each week, beginning at four o'clock on Monday morning and ending at four o'clock on Saturday morning; and the purchaser or purchasers of the privilege or privileges, which shall be located in either of the Towns of Somerset, Freetown, or Troy, shall have a right to sweep, with a seine or net, forty rods in length, and no more, five days in each week, beginning at four o'clock on Monday morning and ending at four o'clock on Saturday morning: *And provided, also*, that each of the said towns shall, at a legal meeting, between the first day of September and the last day of December, in each year, dispose and make sale of, at public auction, for the next year, and so from year to year, their privilege or privileges, of catching shad and alewives, with seines or nets, in the river aforesaid, for the time aforesaid, to such person or persons as shall offer the most for the same, and give sufficient security for the payment of the purchase money, at such time and in such manner as the respective towns shall order.

SEC. 2. *Be it further enacted*, That the several purchasers of the respective privileges aforesaid, shall select the place where they intend to use their seine or net for the purpose of catching shad and alewives, and

Time of Fishing.

Location of privileges.

TAUNTON RIVER FISHERY. *Feb. 21, 1820.*

shall file a certificate thereof, with the Clerk of the town within which they have determined to exercise their said privilege as aforesaid, on or before the first day of March, in each year: *Provided*, that the privilege which shall be purchased of the said Town of Somerset, shall be exercised within the limits of said town; and the person or persons so purchasing and locating the privileges aforesaid, shall have the right to catch shad and alewives in the river aforesaid, for the time aforesaid, and no other person.

Sweep of nets.

SEC. 3. *Be it further enacted*, That no purchaser of a privilege, as aforesaid, shall make use of a seine or net for the purpose aforesaid, at any other place in said river, than the place so selected and certified as aforesaid, during the time aforesaid; and no two seines shall be located or swept within half a mile of Robinson's Bridge, so called, in Raynham; and no seine or net shall be swept more than forty rods on the bank of said river; and no two seines shall be allowed to be swept within the same limits, on the same side of said river; and no person whatever, shall be permitted to set any seine, net, weare, or other obstruction, in or across said river, or any part thereof, or any waters connected with said river, (Broad Cove, so called, in Somerset, excepted,) for the purpose of taking shad or alewives, or obstructing their passage along the said river, during the time aforesaid.

Forfeitures.

SEC. 4. *Be it further enacted*, That if any person or persons, shall draw or sweep with any seine or net, on any day or time, other than as before expressed, or at any other place, than those selected and located as aforesaid; or shall on any day, or at any place, set any seine or net, weare, or other obstruction, in or across said river, or any part thereof, or any waters connected with the same, (Broad Cove aforesaid, excepted,) with the intention to catch or destroy any of the fish called shad, or alewives, within the time limited in the first section of this act, he or they shall forfeit and pay fifty dollars for each and every such offence, to be recovered by indictment or information, to the use of the county, in which the offence shall be committed, or by action of debt; one half thereof, after deducting all necessary expenses of the prosecution, to

the use of him or them who shall prosecute or sue for the same, and the other half to the use of the town in which the offence shall be committed.

SEC. 5. *Be it further enacted*, That if any person or persons shall be found sweeping, with any seine or net, or if any seine or net shall be used by any person, contrary to the true intent and meaning of this act, it shall and may be lawful for any Fish Wardens or Inspectors, to be chosen by virtue of this act, or the law regulating the fishery in the Town of Middleborough, to seize and take such seine or net, and convert and retain the same to his or their own use and benefit, without any suit or process whatsoever; and if prosecuted therefor, to plead the general issue, and give this act in evidence, as though the same had been pleaded specially.

SEC. 6. *Be it further enacted*, That the several towns aforesaid, shall, at their annual meetings in the month of March, or April, choose, by ballot, three or more suitable persons, being freeholders in said town, as Fish Wardens, whose duty it shall be, jointly and severally, to see that this act is enforced, and to prosecute for all breaches thereof; and each Fish Warden, so chosen, shall be sworn to the faithful discharge of his duty: And the said Fish Wardens when sworn, are authorized to measure seines and nets, and to pursue and execute the duties of their office in any place within the towns aforesaid. And if any person, chosen a Fish Warden, as aforesaid, shall refuse or neglect to be sworn, as aforesaid, for the space of five days, after he shall be duly notified of his election, as aforesaid, he shall forfeit and pay a fine of ten dollars, to the use of such town, to be recovered by action of debt, by the Treasurer thereof, and such town shall proceed to a new choice, and so on, as often as circumstances shall require. And if any of the towns aforesaid, shall neglect to choose Fish Wardens, as aforesaid, or to make sale of their privileges aforesaid, within the time limited therefor, according to the meaning of this act, such town shall forfeit and pay a fine of one hundred dollars, for the use of him or them, who shall prosecute for the same.

SEC. 7. *Be it further enacted*, That all the laws

heretofore made for the regulation of the fishery in Taunton Great River, (except so far as respects the Town of Middleborough,) be, and the same are hereby repealed: *Provided, however,* that any prosecutions which have been, or may be commenced, for the recovery of any forfeitures, incurred by virtue of the laws hereby repealed, may be prosecuted to final judgment and execution, in the same manner as if this act had not been passed: *And, provided, also,* that all contracts made prior to the passing of this act, by any of the towns aforesaid, respecting the fishery aforesaid, by virtue, and in pursuance of the laws hereby repealed, shall be valid, to all intents and purposes, this act to the contrary notwithstanding: *And, provided, further,* that the inhabitants of the respective towns aforesaid, who have not already disposed of their privileges, as aforesaid, for the present year, by virtue and in pursuance of the laws hereby repealed, shall and may dispose of the same, at any time before the first day of March next.

Repeal of laws.

Proviso.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLIX.

An Act for altering the time of holding the Court of Sessions, within the County of Worcester.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, the Court of Sessions, now by law, appointed to be holden at Worcester, within and for the County of Worcester, on the second Tuesday of March, annually, shall be holden at Worcester aforesaid, on the fourth Tuesday of March, annually, any law to the contrary notwithstanding.

Time of holding
Court altered.

[Approved by the Governor, February 15th, 1820.]

CHAP. CCLX.

An Act to incorporate a Provident Institution for Savings, in the Town of Hallowell, and the vicinity.

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 S. Wilde, Rufus K. Page, Benjamin Vaughan, Benjamin Page, Junior, Thomas B. Coolidge, Ariel Mann, Gideon Farrell, John Agry, Samuel G. Ladd, William Oliver Vaughan, Thomas Agry, Robert H. Gardiner, Peter Grant, Frederick Allen, Hiram A. Bement, Benjamin Wales, John Merrick, Samuel Moody, William Eaton, Jacob Abbot, Junior, Nathaniel Perley, Elias Bond, Thomas Bond, and Ebenezer T. Warren, together with such others as have associated with them, be, and they are hereby incorporated into a society, by the name of the Institution for Savings, in the Town of Hallowell, and its vicinity; and that they, and such others as shall be duly elected members of the said corporation, as is in this act provided, shall be, and remain a body politic and corporate, by the same name, forever.

SEC. 2. *Be it further enacted*, That the said society and corporation, shall be capable of receiving from any person or persons disposed to obtain and enjoy the advantages of said institution, any deposit or deposits of money, and to use and improve the same, for the purposes, and according to the directions herein mentioned and provided.

SEC. 3. *Be it further enacted*, That all deposits of money received by the said society, shall be by the said society, used and improved to the best advantage, and the net income or profit thereof, shall be by them applied and divided among the persons making the said deposits, their executors or administrators, in just proportion; and the principal of such deposits may be withdrawn at such reasonable times, and in such manner as the said society shall direct and appoint.

SEC. 4. *Be it further enacted*, That the said society

Members of the
Institution.

and corporation, shall, at their first meeting, and at their annual meetings in January, have power to elect, by ballot, any person or persons as members of the said society.

Power of Treas-
urer.

SEC. 5. *Be it further enacted*, That the said society may have a common seal, which they may change and renew at pleasure ; and that all deeds and conveyances and grants, covenants and agreements, made by their Treasurer, or any other person by their authority and direction, according to their institution, shall be good and valid ; and the said corporation shall, at all times, have power to sue and be sued, and may defend, and shall be held to answer, by the name aforesaid.

Election of Offi-
cers.

SEC. 6. *Be it further enacted*, That the said society shall hereafter meet at Hallowell, at such time in the month of January, annually, and at such other times, as the society, or the President thereof, may direct ; and any seven members of the said corporation, (the President, a Vice President, Treasurer, or Secretary being one,) shall be a quorum. And the society, at their meeting in January, annually, shall have power to elect and choose a President, and all such other officers, as to them shall appear necessary ; which officers, so chosen, shall continue in office one year, and until others are chosen in their stead ; and the Treasurer and Secretary, so chosen, shall be under oath, to the faithful performance of the duties of their offices, respectively.

General pow-
ers.

SEC. 7. *Be it further enacted*, That the said society hereby are, and forever shall be vested with the power of making by-laws for the more orderly managing the business of the corporation ; *provided*, the same are not repugnant to the constitution or laws of this Commonwealth.

First meeting.

SEC. 8. *Be it further enacted*, That Thomas B. Coolidge, Benjamin Vaughan, and John Agry, or any two of them, be, and they hereby are authorized, by public notification in the Hallowell Gazette, to call the first meeting of the said society, at such time and place as they shall judge proper.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXI.

An Act authorizing the Sale and Assessment of the Pews in the Meeting House of the First Congregational Parish, in Lynn.

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 First Congregational Parish or Society, in Lynn, in the County of Essex, be, and they hereby are authorized and empowered to sell or lease their pews in the meeting house of said parish, and by any Agent, by them duly chosen for that purpose, to give deeds to convey the same to the purchaser or purchasers thereof. Sale or lease of Pews.

SEC. 2. *Be it further enacted,* That the pew holders in said society be, and they hereby are authorized to assess on the pews in said meeting house, such taxes as they, from time to time, shall find necessary; and shall, at a meeting to be called for that purpose, vote to assess for the maintenance of public worship and other parochial charges, according to the relative value of said pews; and all assessments so made, shall be considered as a lien on the pews in said meeting house, respectively; and the said pews shall be held liable to be taken and sold for the payment of all such assessments, and for the expenses incurred by such sale, in such manner, and on such conditions as may be established by said society, and which shall be summarily expressed and contained in the deeds of sale of the said pews; and a bill or memorandum of each proprietor's assessment, and of the time or times, of payment, signed by the Treasurer of said society, for the time being, shall be left in such proprietor's pew, thirty days, at least, before such time of payment; of which fact, the oath of the Treasurer, or of the person by him employed for that purpose, shall be sufficient evidence. Assessment of Pew Taxes. Lien on Meeting House.

SEC. 3. *Be it further enacted,* That if any pew in said house, shall not sell for a sum sufficient to pay the assessment thereon, with the expenses of the sale, the said parish shall have like remedy against

Remedies for
deficiencies.

the owner or occupant of such pew, for the recovery of the balance, as parishes now have, by law, for the collection of taxes on polls and estates.

SEC. 4. *Be it further enacted*, That all deeds and conveyances of, and all executions extended on the pews in said meeting house, with the returns thereon, shall be recorded by the Clerk of said parish, in a book to be provided for that purpose, and shall thereupon be considered valid in law.

SEC. 5. *Be it further enacted*, That nothing in this act shall be construed, or deemed to take away, or impair the legal rights of said parish; but the same shall, in all other respects, be, and remain the same as though this act had not been passed.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXII.

An Act regulating the taking of Fish, called Alewives,
in the Town of Middleborough.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall and may be lawful for the inhabitants of the Town of Middleborough, in the County of Plymouth, to take the fish, called alewives, at the Old Stone Wear, so called, in said town, on Wednesday, Thursday, Friday and Saturday, of each week, during the time said fish are allowed to pass the aforesaid place, and at no other time, at the place aforesaid; any law to the contrary notwithstanding.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXIII.

An Act to incorporate the Proprietors of Museum Hall,
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 Benjamin Rich, John Heard, Junior, Shadrach Shattuck and Alpheus Carey, Persons incorporated. and others, their associates, successors and assigns, be, and they hereby are constituted a body politic and corporate, by the name of the Proprietors of Museum Hall; and the said corporation, by the same name, are hereby declared and made capable, in law, to sue and be sued, plead and be impleaded, to have a common seal, and the same to alter and renew at pleasure, to make rules and by-laws, for the regulation and management of the estate hereinafter described, consistent with the laws of the Commonwealth; and generally to do and execute whatever, by law, doth or may appertain to bodies politic and corporate, within the meaning and intent of this act.

SEC. 2. *Be it further enacted,* That the said corporation be, and the same hereby is declared and made capable to have, hold, and possess, by fee simple or lease hold, all that certain real estate, situate in said Boston, bounded and described as follows, viz. : eastwardly on land of the heirs of Samuel Torrey, deceased, two hundred and six feet; southwardly on Cooper's Alley, one hundred and eighty feet; westwardly on land of Brattle Street Church, and land of the heirs of David Bradlee, deceased, two hundred and sixty feet; northwardly on Elm Street, one hundred and eighty feet, together with all the rights and privileges and appurtenances thereof; *provided*, the lawful proprietors thereof shall legally convey the same to the said corporation. And the said corporation shall have power to sell, grant, and alien, in fee simple, or otherwise convey their corporate property, or any part thereof, within said described limits; and to lease, manage, and improve, build, rebuild, pull down or alter the

Boundaries of Real Estate.

General corporate powers.

same, according to the will and pleasure of said corporation, expressed by any legal meeting, by said associates, or their assigns, or the major part of them : *Provided, always,* that if the said real estate, or any part thereof shall, at any time hereafter, be used for a public market place, for the sale of provisions, the same shall be subject to all the by-laws, orders, rules and regulations, not repugnant to the constitution and laws of this Commonwealth, which the Selectmen of the Town of Boston shall, from time to time, make and establish, for the regulation of the public market at Faneuil Hall, within the said Town of Boston.

Division of
Shares.

SEC. 3. *Be it further enacted,* That the corporate property shall be divided into shares, not exceeding six hundred in number, as the said corporation may find to be most expedient ; and the said shares shall be divided among the several proprietors according to the interest and portions which they may respectively have in said corporate property ; and certificates of such shares shall be signed by the President of the corporation, and shall be transferable by assignment on the back thereof ; and the property in the same shall vest in the assignee or vendee thereof, when a record of such assignment shall be made by the Clerk of the corporation ; whereupon new certificates shall issue accordingly ; and the shares in said corporation shall, in all respects, and at all times, be held as personal estate.

Assessments.

SEC. 4. *Be it further enacted,* That the said corporation shall have power, from time to time, to assess such sums of money as, at a legal meeting held and notified for that purpose, may be deemed necessary for building, rebuilding and repairing or altering any buildings whatever, on the land within the said described limits, or for the improvement or management of the corporate estate, agreeably to the true intent of this act ; *provided,* that all assessments together, shall never exceed two hundred dollars on each share. And in case any proprietor shall neglect or refuse to pay any assessment so laid, the said corporation may cause such of the shares of such proprietors, as may be sufficient therefor, to be sold at public auction, after ten days notice, in a public newspaper printed in Boston, to the

Proviso.

Sale of Delin-
quent Shares.

highest bidder ; and after deducting the amount assessed and unpaid, together with the charges of sale and advertisement, the surplus, if any, shall be paid over to such proprietors ; and the purchaser of such share or shares, shall be entitled to receive a certificate of the share or shares by him purchased, accordingly.

SEC. 5. *Be it further enacted*, That the real or mixed estate of said corporation, shall be liable for the Liabilities. debts of the corporation, and to attachment and execution on any judgment against said corporation : And said corporation shall possess the right of equity of redeeming the same, appertaining, by the laws of the Commonwealth, to other real estate.

SEC. 6. *Be it further enacted*, That in all meetings of the members of said corporation, for the transaction of business, each member or proprietor shall be entitled to one vote for every share by him held in said corporation : *Provided, always*, that no one member shall Regulation of
Shares. ever be entitled to more votes than shall be equal to one third in value of the corporate property. Proprietors may appear and act at any meeting by proxy, in writing.

SEC. 7. *Be it further enacted*, That said Benjamin Rich, John Heard, Junior, Shadrach Shattuck, and Alpheus Carey, or either of them, may call a meeting Meetings. of said corporation, by advertisement in a public newspaper, printed in Boston, ten days, at least, before the time of meeting ; and the said corporation may, at such, or any other meeting, agree on the mode of calling future meetings ; and shall elect a President and Clerk, and all such other officers as they may deem necessary for conducting their corporate affairs and estate ; the Clerk to be sworn before entering on the duties of his office.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXIV.

An Act in addition to "An Act to establish Courts of Sessions."

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Courts of Sessions in the several counties of this Commonwealth, shall have all the powers and privileges, and do and perform all the duties that the Circuit Courts of Common Pleas had and performed, in and by an act, entitled "an act to transfer the powers and duties of the Courts of Sessions to the Circuit Court of Common Pleas, and for other purposes," passed the twenty eighth day of February, in the year of our Lord one thousand eight hundred and fourteen.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXV.

An Act in addition to an Act, entitled "An Act regulating the management and drawing of Lotteries, in certain cases, 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 after Union Canal Lottery shall have completed the drawing of the scheme last published, the Managers of the several lotteries, mentioned in the act, entitled "an act regulating the management and drawing of lotteries, in certain cases, in this Commonwealth," shall continue to draw all future classes of said lotteries, in the rotation mentioned in said act; and that five months be allowed to each set of Managers of said lotteries, in which time they may draw one or more classes, as they may think proper.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXVI.

An Act authorizing the several Insurance Companies in this Commonwealth, to Insure against Fire.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the several Insurance Companies, incorporated within this Commonwealth, be, and they hereby are authorized, in addition to the powers granted by their respective charters, to make insurance against fire, on such terms and conditions Insurance. as may be agreed upon by the parties, on any dwelling houses, or other buildings, and on merchandize, or other property, within the United States: *Provided, always,* that no sum shall be insured, on any one risk against fire, exceeding ten per centum of the capital stock, actually paid in, of said Insurance Companies, Proviso. respectively.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXVII.

An Act to repeal an Act, entitled “An Act to prevent the destruction of Fish, in Pittsfield.”

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 thirteenth day of December, in the year of our Lord one thousand eight hundred and sixteen, entitled “an act to prevent the destruction of fish, in the Town of Pittsfield,” be, and the same is hereby repealed.

Law repealed.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXVIII.

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 Charles Blake, of Boston, in the County of Suffolk, librarian, son of James Blake, shall be allowed to take the name of Charles Loyd Blake ; Betsey G. Bray, of said Boston, singlewoman, daughter of John Bray, shall be allowed to take the name of Elizabeth Goodwin Bray ; Charles Bullard, of said Boston, son of Eli Bullard, of Framingham, shall be allowed to take the name of Charles Buckminster Bullard ; James Russell Dutton, son of Warren Dutton, of said Boston, Esquire, shall be allowed take the name of James Dutton Russell ; William French, son of Thomas French, of said Boston, shall be allowed to take the name of William Page French ; John Howe, of said Boston, victualler, shall be allowed to take the name of John Jay Howe ; Henry Jones, son of Ephraim Jones, of said Boston, shall be allowed to take the name of Henry Hartwell Jones ; John Vinton, of said Boston, shall be allowed to take the name of John Calder Vinton ; Miriam Hayden, of said Boston, shall be allowed to take the name of Miriam Sumner Hayden ; Asa Penniman, of Dedham, in the County of Norfolk, shall be allowed to take the name of Henry Asa Penniman ; Ezra Prior, of Quincy, in said County of Norfolk, mariner, son of Ezra Prior, late of Duxbury, in the County of Plymouth, deceased, shall be allowed to take the name of Ezra William Prior ; Edward Fisher Keith, of Wrentham, in said County of Norfolk, shall be allowed to take the name of Edward Comstock Fisher ; Freeman Josselyn, of Pembroke, in the County of Plymouth, shall be allowed to take the name of Freeman Marshall Josselyn ; Aurora Oldham, of said Pembroke, shall be allowed to take the name of Aurora Williams Oldham ; Nehemiah Stockbridge Tubbs, of said Pembroke, shall be allowed to take the name of

Nehemiah Bisbee Stockbridge ; Zadoc Leonard, of New Bedford, in the County of Bristol, cabinet maker, shall be allowed to take the name of William Henry Leonard ; Eber Baker, of Westport, in said County of Bristol, shall be allowed to take the name of Eber Davis Baker ; Perry Maccomber, Junior, of Dartmouth, in said county, shall be allowed to take the name of Perry Russell Maccomber ; Joseph Long, of Cambridge, in the County of Middlesex, shall be allowed to take the name of Joseph Augustus Edwin Long ; Joseph Allen, son of Shobal C. Allen, Esquire, late of Townsend, in said County of Middlesex, deceased, shall be allowed to take the name of Joseph Shobal Allen ; and William Allen, son of said Shobal C. Allen, shall be allowed to take the name of William Child Allen ; Warwick Palfray, the third, of Salem, in the County of Essex, shall be allowed to take the name of William W. Palfray ; Nancy Mackey, of Andover, in said County of Essex, singlewoman, shall be allowed to take the name of Nancy Lois Gardner Mackey ; Jonathan Hoar, of New Salem, in the County of Franklin, shall be allowed to take the name of Jonathan Hanson ; and Joseph S. Hopy, and Azuby, children of the said Jonathan, shall be allowed to take the surname of Hanson, instead of Hoar ; Anthony Logo, of Ashfield, in said County of Franklin, trader, shall be allowed to take the name of John Clark ; Nathan Keep, of Longmeadow, in the County of Hampden, shall be allowed to take the name of Nathan Cooley Keep ; Winthrop Farrin, of Bath, in the County of Lincoln, shipwright, shall be allowed to take the name of Winthrop G. Farrin ; Jonathan Freeman Dana, of Cambridge aforesaid, physician, shall be allowed to take the name of James Freeman Dana ; Henry Andrews, of said Boston, shall be allowed to take the name of Henry Perkins Andrews ; Job Pierce Porter, of Middleborough, in said County of Plymouth, shall be allowed to take the name of Job Pierce ; and Babbit Blanchard, of Harvard, in the County of Worcester, shall be allowed to take the name of Grove B. Blanchard ; and the said persons, from the time of the passing of this act, shall be called and known by the names, which, by this act, they are severally allowed

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to take as aforesaid, and the same shall be considered as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXIX.

An Act in further addition to an Act, entitled "An Act for the limitation of certain Real Actions, and for the Equitable Settlement of Certain Claims, arising in Real Actions."

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That* where any action has been, or may hereafter be commenced against any person for the recovery of any lands or tenements, which such person, at the time of the commencement of such action, may hold by virtue of a possession and improvement, and which the tenant, or person under whom he claims, has had in actual possession for the term of six years or more, next before the commencement of such action, the tenant in such action shall have and possess all the right, benefit and privilege, to which any tenant or defendant is entitled, by virtue of "an act for the limitation of certain real actions, and for the equitable settlement of certain claims arising in real actions;" any thing therein, to the contrary notwithstanding.

[Approved by the Governor, February 22d, 1820.]

CHAP. CCLXX.

An Act to incorporate the Proprietors of Pleasant Hill Bridge.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Charles Barrell, Henry F. Barrell, George Barrell and Samuel Brown Barrell, together with those who shall hereafter associate with them, with their successors and assigns, be, and hereby are constituted a corporation and body politic, by the name of the Proprietors of the Pleasant Hill Bridge, for the purpose of erecting a bridge over Miller's River, from the termination of Bridge Street, at Lechmere's Point, in Cambridge, in the County of Middlesex, to the land lying on the opposite side of said river; *provided,* ^{Persons incorporated.} said bridge be eighteen feet in width, be provided with a convenient draw for the passing of vessels, and that the same, within the term of three years from the passing of this act, shall be built, kept open, and made convenient, safe, and free, for the accommodation of all travellers. ^{Proviso}

SEC. 2. *Be it further enacted,* That any person or persons, who, after the first day of April next, shall be the owners of the land on the northerly side of said river, shall also have the privilege and right of building such bridge, if said corporation shall, upon request, neglect or refuse to erect the same, within six months from the time of such request. ^{Conditions of building Bridge}

[Approved by the Governor, February 22d, 1820.]

CHAP. CCLXXI.

An Act to incorporate the Columbian 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 Nathaniel P. Russell, Benjamin P. Homer, and Caleb Loring, with their associates, successors and assigns, be, and they hereby are incorporated into a company and body politic, by the name of the Columbian Insurance Company, with all the powers and privileges granted to insurance companies, and subject to all the restrictions, duties and obligations, contained in a law of this Commonwealth, entitled "an act to define the powers, duties, and restrictions of insurance companies," passed on the sixteenth day of February, in the year of our Lord one thousand eight hundred and eighteen, for and during the term of twenty years after the passing of this act ; and by that name, may sue and be sued, plead and be impleaded, appear, prosecute, and defend to final judgment and execution ; and may have a common seal, which they may alter at pleasure, and may purchase, hold and convey any estate, real or personal, for the use of said company ; *provided*, the said real estate shall not exceed the value of twenty thousand dollars, excepting such as may be taken for debt, or held as collateral security for monies due to said company.

Persons incor-
porated.General pow-
ers.

Capital Stock.

SEC. 2. *Be it further enacted*, That the capital stock of said company, shall be not less than one hundred thousand dollars, nor more than three hundred thousand, and shall be divided into shares of one hundred dollars each ; fifty per centum of which shall be paid in money, within sixty days after the first meeting of said company, and the residue, in such instalments, and under such penalties, as the President and Directors shall, in their discretion, direct and appoint.

SEC. 3. *Be it further enacted*, That the stock, property, affairs, and concerns of the said company, shall be managed and conducted by nine Directors, one of

Directors.

whom shall be President thereof, who shall hold their offices for one year, and until others are chosen, and no longer ; and who shall, at the time of their election, be stockholders, and citizens of this Commonwealth ; and shall be elected on the second Monday of January, in each and every year, at such time of the day, and in such place, in the Town of Boston, as a majority of the Directors, for the time being, shall appoint ; of which election, public notice shall be given in two of the newspapers printed in the Town of Boston, and continued for the space of ten days, immediately preceding such election ; and the election shall be made by ballot, by a majority of the votes of the stockholders present, allowing one vote for each share in the capital stock ; *provided*, that no stockholder shall be allowed more than ten votes ; and absent stockholders may vote by proxy, under such regulations as the said company shall prescribe. And if, through any unavoidable accident, the said Directors should not be chosen on the second Monday of January, as aforesaid, it shall be lawful to choose them on any other day, in the manner herein prescribed.

Limitation of
Votes.

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

Choice of Pre-
sident.

Vacancies to be
filled up.

SEC. 5. *Be it further enacted*, That the President and four of the Directors, or five Directors, in the absence of the President, shall be a board, competent for the transaction of business ; and all questions before them, shall be decided by a majority of votes ; and they shall have power to make and prescribe such by-laws, rules and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate and effects of said com-

Power of Di-
rectors.

Proviso.

pany, and the transfer of the shares, and touching the duties and conduct of the several officers, clerks, and servants employed, and the election of Directors, and all such matters as appertain to the business of insurance; and also shall have power to appoint a Secretary and so many clerks and servants, for carrying on the said business, and with such salaries and allowances to them, and to the President, as to the said board shall seem meet: *Provided*, such by-laws and regulations, shall not be repugnant to the constitution and laws of this Commonwealth.

First Meeting.

SEC. 6. *Be it further enacted*, That any two or more persons, named in this act of incorporation, are hereby authorized to call a meeting of the said company, as soon as may be, in Boston, by advertising the same for two successive weeks, in two of the newspapers printed in Boston, for the purpose of electing a first Board of Directors, who shall continue in office until the second Monday of January, in the year of our Lord, then next ensuing.

Insurance
against Fire.

SEC. 7. *Be it further enacted*, That the said company is hereby authorized to make insurance against fire, on such terms and conditions as the parties may agree, on any dwelling house or other buildings, as well as on any other property within the United States of America: *Provided*, that no greater sum shall be insured on any one risk of fire, than ten per centum of the amount of the capital stock of said corporation actually paid in.

[Approved by the Governor, February 22d, 1820.]

CHAP. CCLXXII.

An Act to establish the Town of Hanson.

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 west part of the Town of Pembroke, in the County of Plymouth, on the westerly side of the following line, be incorporated into

a separate town, by the name of Hanson; beginning at Boundaries. the mouth of Rocky Run Brook, so called; thence up stream, with said brook, until it comes to the road near Nathan Dwelly's; thence on a line, to strike the northwest corner of the land of Samuel Perry, in the line of the land of Seth Perry; thence with the lands of said Samuel and Seth Perry, to Oldham's Pond, so called; thence to the northeast corner of the land of Micah Foster, on the southerly side of said pond; thence by the line of the said Foster's land, to Indian Head Pond, so called; thence southerly, on the margin of said pond, to the land of Levi Everson; thence easterly by said Everson's land, to the road near the Baptist Meeting House; thence on the northerly side of the road, to the house of John Oldham; and thence crossing the road to the southerly side, and by said road, to a corner between the houses of Levi Thomas and Levi Everson, and is a corner at which the Plymouth road commences; thence southerly to the southeast corner of Levi Everson's store lot, so called; thence southerly, on a course to strike the southerly corner of the east and west parishes on the Halifax line, with all the inhabitants living thereon, be, and hereby are incorporated into a separate town, by the name of Hanson, with all the powers and privileges, Powers and privileges. and subject to all the duties, that towns within this Commonwealth, do or may enjoy, or be subject to.

SEC. 2. *Be it further enacted,* That the inhabitants of the said Town of Hanson, shall pay all the arrears of taxes, which have been assessed upon them by the Town of Pembroke, together with their proportion of all debts due from said Town of Pembroke, and shall be entitled to receive their proportion of all taxes, debts and monies, now due to said Town of Pembroke, of what kind or description soever; and the apportionment of all debts, dues, taxes and other public property, Taxes proportioned. between the said Towns of Pembroke and Hanson, shall be made according to the proportion the east and west parish in Pembroke stood in the last valuation.

SEC. 3. *Be it further enacted,* That the poor, now supported by the Town of Pembroke, and all such who may hereafter be returned for support, in virtue of Support of the Poor. having acquired a settlement in said town, shall be

supported in the Town of Pembroke or Hanson, as they shall have acquired their settlement within the territorial limits of either town, as described by this act.

Fisheries.

SEC. 4. *Be it further enacted, That the alewife fishery in the Town of Pembroke, having been resigned by the Town of Hanson, to the Town of Pembroke, shall be under the sole control of said Town of Pembroke; but the inhabitants of the Town of Hanson shall be entitled to the privilege of purchasing fish, in the same manner and order as now practised; said Town of Hanson resigning all their right to the proceeds of the fish, and are hereby exonerated from all charge and expense in regulating and taking the same.*

Choice of Officers.

SEC. 5. *Be it further enacted, That Thomas Hobart, Esquire, be, and he is hereby empowered to issue his warrant, directed to some principal inhabitant of the Town of Hanson, requiring him to notify and warn the inhabitants of the said Town of Hanson, to assemble and meet at some convenient time and place, in said town, to choose all such officers, as towns are required to choose, in the months of March and April, annually, and to do and transact any other business relative to the affairs of said town, as may be necessary.*

[Approved by the Governor, February 22d, 1820.]

CHAP. CCLXXIII.

An Act to incorporate the Trustees of the Ministerial and School Fund, in the Town of Sweden.

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 Benjamin Webber, Andrew Woodbury, Jacob Stevens, Calvin Powers, and Daniel Holden, be, and they are hereby constituted and appointed a Board of Trustees, with perpetual succession, by the name of the Trustees of the Ministerial and School Fund, in the Town of Sweden; and the said Trustees, and their successors, in their said*

capacity shall be, and they are hereby authorized to receive and manage all the money and estate which has been, or may be granted and appropriated, as a ministerial fund, in the said Town of Sweden; and also to manage, lease, sell and dispose of, under the direction of said town, all the school lands which may be divided and set off to the said Town of Sweden, from the Town of Lovel, according to the act of incorporation of said Town of Sweden; and to put out at interest and appropriate the monies arising therefrom, in manner hereinafter mentioned and prescribed.

SEC. 2. *Be it further enacted,* That the said Trustees, and their successors, shall, annually, elect a President, and also a Clerk, whose duty shall be to record the doings of said Trustees, at any of their meetings, in a book to be kept for that purpose, and who shall be sworn to the faithful discharge of his trust; and a record thereof shall be made in the books of said corporation. And the said Trustees shall also, annually, elect a Treasurer, to receive and apply the funds in manner herein directed.

SEC. 3. *Be it further enacted,* That the number of the said Trustees shall never be more than seven, nor less than five, a majority of whom may be a quorum for doing business; and when the number of Trustees shall be seven, one of them shall annually retire, beginning and proceeding according to seniority of years; and such vacancy shall be supplied by election from among the freeholders, at the annual town meeting for the choice of town officers; and in like manner any vacancy may be supplied, which may happen by death, resignation, removal out of town, infirmity, misconduct, or any other cause, which, in the judgment of the legal voters of said town, shall be sufficient for such removal, and to fill the vacancy so occasioned; and the said Trustees may remove any officer or agent, by them employed, whenever they may see sufficient cause; and the said Trustees shall hold a meeting in March or April, annually, and at such other times as they shall judge necessary, for the election of officers, and to transact other business; which meetings, after the first, shall be notified in such way and manner as the Trustees shall direct.

Ministerial and
School Fund.

SEC. 4. *Be it further enacted,* That the money which may be received by the Trustees aforesaid, by virtue of this act, or otherwise, for the purposes aforesaid, shall be a fund for the support of the ministry and schools, in the said Town of Sweden; and all such money shall, as soon as may be, be loaned on interest, and secured by mortgage of real estate, or by two or more sufficient sureties, with the principal, unless the Trustees shall judge it best to invest the same in public funded securities or bank stock, which they may do. And the interest arising, from time to time, from the said funds, shall be applied towards the support of public worship and of schools, in the said Town of Sweden; and it shall never be in the power of the said Trustees, or the town, to alienate or alter the appropriation aforesaid.

Powers of Trustees.

SEC. 5. *Be it further enacted,* That the Trustees aforesaid, by their said corporate name, may sue and be sued, in any action, real, personal or mixed, and may prosecute and defend the same to final judgment and execution; and they may have a common seal, subject to alteration; have power to make by-laws, and generally, all other powers, incident and usually given to like corporations: and the Treasurer shall give bond, with two sufficient sureties, to the said Trustees, for the faithful discharge of his trust. And the said Trustees and their officers, for the services they may perform, shall receive no compensation out of the said funds, or the income thereof, but a reasonable compensation may be made to them by the said town, as they may see cause.

Accounts to be
exhibited.

SEC. 6. *Be it further enacted,* That the said Trustees shall keep distinct accounts of the money and estate belonging to the school fund, from those belonging to the ministerial fund, and of the interest arising therefrom, respectively; which accounts, they and their successors shall exhibit to the town, at their annual meeting, for the choice of town officers; and the said Trustees, and each of them, severally, shall be responsible to the town for their personal neglect, or misconduct in office, and liable to prosecution for any loss or damage to the said funds, arising thereby; and the damage recovered in such prosecution, shall be con-

sidered as belonging to the said funds, and applied accordingly.

SEC. 7. *Be it further enacted*, That any Justice of the Peace, for the County of Oxford, is hereby empowered, upon application therefor, to fix the time and place of holding the first meeting of the Board of Trustees aforesaid, and to notify each Trustee thereof. First Meeting.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXIV.

An Act to incorporate the Boston Society for the Religious and Moral Instruction of the Poor.

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 Salisbury, Persons incor-
 E. Dwight, William Jenks, William Thurston, porated.
 Thomas Vose, Samuel T. Armstrong, Pliny Cutler,
 John Hopkins, Charles Cleaveland, Henry Homes,
 John C. Proctor, and Samuel Train, with their asso-
 ciates, and such other persons as may hereafter, from
 time to time, become members of said society, according
 to its rules and by-laws, to be hereafter established,
 be, and they hereby are incorporated into a society,
 for the purpose of the religious and moral instruction
 of the poor, by the name of the Boston Society for the
 Religious and Moral Instruction of the Poor, with the
 usual powers of corporations of the like nature ; and by
 that name, shall be forever a body politic and corporate,
 with power to establish by-laws and orders, for the General pow-
 regulation of the society, the orderly conducting and ers.
 executing the business thereof ; *provided*, the same be
 not repugnant to the constitution or laws of this Com-
 monwealth : to take, hold, and possess any estate, real
 or personal, by subscription, gift, grant, purchase, de-
 vise or otherwise, for the sole benefit of the said insti-
 tution : *Provided*, the value of the whole estate of said
 society, real and personal, shall never exceed twenty
 thousand dollars.

Election of Officers.

SEC. 2. *Be it further enacted*, That a President, a Treasurer, and such other officers of said society, as the by-laws thereof may direct, shall be elected, from time to time, by ballot, at such times, as the said by-laws shall appoint for that purpose; and the mode of supplying vacancies, in any of said offices, shall also be prescribed by the said by-laws.

SEC. 3. *Be it further enacted*, That all deeds, conveyances, contracts and other instruments duly executed, and signed by the President, and attested by the Treasurer of said society, pursuant to any vote of said corporation, shall be valid and binding, and sufficient to convey lands or other property.

First Meeting.

SEC. 4. *Be it further enacted*, That Josiah Salisbury, Sereno E. Dwight, and William Jenks, be, and they hereby are authorized, by public notice in two of the newspapers published in Boston, to call the first meeting of the members of said society, at such time and place, as they shall judge proper; and at the said first meeting, the times of holding stated meetings of the said society, and of electing officers, and the mode of calling special meetings, and of notifying stated and special meetings, shall be determined, by a vote of the majority of the members present.

SEC. 5. *Be it further enacted*, That the present officers of said association, shall continue to execute their several duties, until an election shall have taken place, pursuant to the by-laws, to be established according to this act.

[Approved by the Governor, February 21st, 1820.]

CHAP. CCLXXV.

An Act to incorporate the Wolcott 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 James Wolcott, Junior, Samuel A. Groves, and Perez B. Wolcott, of South-

bridge, in the County of Worcester, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of the Wolcott Woollen Manufacturing Company, for the purpose of manufacturing wool, in the Town of Southbridge, in the County of Worcester; and for the purpose aforesaid, 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 of manufacturing corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine. Powers and privileges.

SEC. 2. *Be it further enacted*, That the said corporation, in their corporate capacity, shall and may hold and possess real estate, not exceeding fifty thousand dollars, and personal estate, not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture of wool, in said Town of Southbridge. Limitation of Real Estate.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXVI.

An Act to incorporate the First Universalist Society,
in Roxbury.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That William Hannaford, Elisha Wheeler, Samuel S. Williams, Haman Brown, Charles Joy, Samuel Parker, Harford Morse, Luther Morse, Lewis Morse, Joseph Stratton, Joshua Sampson, Robert Edwards, W. J. Newman, Joseph James, Mark P. Swett, Ebenezer Brewer, Jesse Jordan, Joel W. Gay, Frederick Chandler, Opher Haynes, Isaac Gale, Warren Marsh, Jesse Brown, Jane Cheney, Jonathan Williams, Joseph May, Aaron White Bugbee, Lott Young, Ebenezer Goddard, Junior, James Riley, William Cobb, Eleb Faxon, Thomas Mayo,

Powers and privileges.

William Dove, Aaron Bartlett, Samuel Langley, John Bodge, William Lingham, Benjamin Mirick, Josiah Richardson, Luther Newell, Enoch Davenport, and Elisha Whitney, and all others who may associate with them, be, and they hereby are incorporated as a religious society, by the name of the First Universalist Society, in Roxbury, with all the privileges, powers and immunities, to which other religious societies in this Commonwealth, are entitled by law.

May hold Real Estate.

SEC. 2. *Be it further enacted*, That the said society shall be capable in law, to purchase, hold and dispose of any estate, real or personal, for the use of said society; *provided*, the annual income thereof, shall not exceed, at any time, the sum of two thousand dollars.

By-Laws.

SEC. 3. *Be it further enacted*, That the said society, may have power to order and establish such regulations, rules and by-laws, for their government, and for the management of their concerns, as they may see fit; *provided*, the same are not repugnant to the laws of this Commonwealth; *and, provided, also*, that the assessments on any share, for erecting a house of public worship, shall not exceed fifty dollars.

SEC. 4. *Be it further enacted*, That all taxes for the support of public worship, shall be levied and collected on the pews in said house, in such manner as the society shall hereafter determine.

First Meeting.

SEC. 5. *Be it further enacted*, That any Justice of the Peace, for the County of Norfolk, be, and he hereby is authorized to issue his warrant to some member of said society, requiring him to warn the members thereof, to meet at such convenient time and place, in said Town of Roxbury, as shall be therein directed, to choose a Moderator, a Clerk, a Treasurer, and such other officers, committee or committees, as they shall think needful: And the Moderator so chosen, and Moderators chosen at any future meetings of the said society, shall have authority to administer the oaths of office to the Clerk, and any other officer, which the said society shall think proper to elect; and from whom the said society may think it necessary and proper, by a vote, in any of its meetings, to require an oath for the faithful discharge of the duties of their office.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXVII.

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

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 hereby is continued in force until the fourteenth day of June, which will be in the year of our Lord one thousand eight hundred and twenty five, any thing in the act, to which this is in further addition, to the contrary notwithstanding. Act continued.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXVIII.

An Act in addition to the several Acts relating to the North West River Canal 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 further term of three years, from the first day of April next, be, and hereby is granted to the corporation, for making the North West River Canal, in the Town of Baldwin, in the County of Cumberland. Extension of time.

SEC. 2. *Be it further enacted,* That instead of the toll now established by law, the said corporation shall have a right to demand and receive toll at the rates following, viz. : for each thousand of lumber, floated down said canal, which shall be put therein, above the head of the Great Bog, so called, fifty cents ; and forty Rate of Toll.

TAX ON PEWS, IN DOUGLAS. *Feb. 24, 1820.*

cents for each and every thousand, for all lumber floated down said canal, which shall be put therein, at, or below the head of said Great Bog.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXIX.

An Act authorizing the Taxing of Pews, in the Congregational Meeting House, in Douglas.

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 members of the Congregational Society, in the Town of Douglas, in the County of Worcester, be, and they hereby are empowered to raise any sum or sums of money, which the said members may, hereafter, at any legal meeting, called for the purpose, vote to raise, for the support of a Gospel Minister in said society, and for other necessary expenses, by a tax upon the pews and pew grounds, in said meeting house.

Pew Taxes.

SEC. 2. *Be it further enacted,* That for the equitable apportionment of the taxes to be assessed on said pews and pew grounds, the members of said society shall cause a valuation thereof to be made, by a Committee, to be chosen by them, for that purpose; and the report of that Committee, stating the numbers and value of said pews, shall, when accepted and recorded, be binding on all persons interested, for the purpose of taxation, as aforesaid; and the sums, voted to be raised on said pews, shall be apportioned and assessed thereon, by the Assessors for the time being, according to such valuation.

Valuation of
Pews.

SEC. 3. *Be it further enacted,* That the Assessors of said society, shall make out a fair list of the taxes assessed on pews and pew grounds, according to this act, and commit said list to the Treasurer of the society, to receive and collect the taxes; and it shall be the duty of the Treasurer, as soon as may be, after receiving

Collection of
Pew Taxes.

said list, to give notice thereof, by posting a copy of said list at said meeting house door, stating the number of each pew, and the amount of taxes set against it, with a notification thereon written, for persons interested in said pews, to pay the tax upon the same, within thirty days from the date of said notification ; and if the tax upon any pew shall not be paid to the Treasurer, within thirty days, according to his notification as aforesaid, it shall be the duty of the Treasurer, and he is hereby empowered to sell the pew, upon which such tax or any part of it shall remain unpaid, at public auction, to the highest bidder ; and his deed to the purchaser, recorded in the records of the society, shall give to the purchaser a perfect right and title to said pew ; and he or she shall afterwards be considered the legal owner thereof: *Provided, however,* that the Treasurer shall, after the expiration of said thirty days, give, at least, ten days notice of the time and place of vendue, by posting up one advertisement at said meeting house, and one at some other public place in said town, stating the number of the pew to be sold, and the tax due upon it.

Sale of delinquents' Pews.

SEC. 4. *Be it further enacted,* That in case an adjournment of the sale of pews, shall appear to the Treasurer to be necessary, he may adjourn his sale for a time, not exceeding seven days at a time, until his sales are completed ; and in all cases, he shall pay over, on demand, to the former owner of pews, the balance in his hands, arising from the sales, after deducting the taxes due, and his reasonable charges for advertising and selling the same.

Balances paid over.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXX.

An Act for establishing the Compensation for Piloting Vessels through the Vineyard Sound, over Nantucket Shoals, in certain cases.

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, any person who shall faithfully and skilfully pilot any vessel through the Vineyard Sound, over Nantucket Shoals, to her port of destination, in Boston Bay, or eastward thereof, shall be entitled to receive the following rates of pilotage, viz. : From the first day of November, until the thirty first day of March inclusive, for a vessel drawing not more than eleven feet of water, three dollars and fifty cents per foot ; if drawing over eleven feet, and not more than fourteen feet, four dollars per foot ; if drawing over fourteen feet, four dollars and fifty cents per foot : from the first day of April, until the thirty first day of October inclusive, for a vessel drawing not more than eleven feet of water, two dollars and fifty cents per foot ; if drawing over eleven feet, and not more than fourteen feet, three dollars per foot ; if drawing over fourteen feet, three dollars and fifty cents per foot ; with an addition of five dollars, if such person shall be landed at any place eastward of Cape Ann, and not eastward of Portsmouth, or of ten dollars, if landed eastward of Portsmouth.

Rates of Pilotage.

SEC. 2. *Be it further enacted*, That the provisions of this act shall not extend to any case where an agreement, in writing, shall be made between the master or owner of a vessel, and the person who may undertake to act as pilot of such vessel, fixing any other rate of pilotage or compensation, for such services.

Exceptions.

SES. 3. *Be it further enacted*, That nothing contained in this act, shall, in any way, affect any law respecting pilotage, now in force in any part of this Commonwealth.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXXI.

An Act securing to Mechanics and others, Payment for their labor, and materials expended in erecting and repairing Houses and other Buildings, with their appurtenances.

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 any contract shall hereafter be made in writing, between the proprietor or proprietors of land, on the one part, and any person or persons, on the other part, for the erecting or repairing any house or other building or their appurtenances, or for furnishing labor or materials, for the purpose aforesaid, the person or persons, who shall, in pursuance of such contract, have furnished labor or materials for such purpose, shall have a lien to secure the payment of the same upon such building, and the lot of land, on which the same stands, and upon the right of redeeming the same, when the same has been previously conveyed in mortgage : *Provided, always,* that no such lien shall attach unless such contracts shall have been recorded in the Registry of Deeds, in the county in which the land, on which such house or other building has been erected or repaired, lies ; and no lien created by this act, shall continue in force more than six months from the time when the last instalment shall fall due, by the contract by which such lien shall be claimed, unless a legal process shall have been commenced for the purpose of enforcing such lien.

SEC. 2. *Be it further enacted,* That it shall be the duty of the Register of Deeds, in the county in which any such land may lie, to record all such contracts for the usual fees ; and when a contract shall consist of more than one part, the recording of one part shall be sufficient, and have the same effect as recording the whole.

SEC. 3. *Be it further enacted,* That any person having a lien upon any building and the lot of land on which it stands, as aforesaid, may petition to the Judge

Petitions for
claiming Liens.

or Justices of the Court of Common Pleas, holden in the county in which the land, mentioned in any such contract may lie, to order a sale of such land, with the appurtenances ; in which case the Judge or Justices of such Court shall order notice to be given to all the creditors having a lien, as aforesaid, on such estate, to appear and make out their claims under such contracts ; and the owner or owners of such estate, to show cause, if any they have, why a decree, that such estate should be sold, should not be passed, by causing each of them to be served with an attested copy of said petition, and the order of Court thereon, fourteen days, at least, before the time assigned for a hearing upon said petition, or by causing an attested copy of such petition and order to be published, at such times, in such newspaper as the Court shall direct, the last publication to be, at least, fourteen days before the time assigned for such hearing ; and every such creditor, who does not appear and exhibit his claim to the Court, before the sale of such estate shall be decreed, as aforesaid, shall not be entitled to the benefit of such lien. And when it shall be made to appear to the Court, before which such petition shall be pending, either by the default or confession of the party petitioned against, or by the verdict of a jury, that any sum of money secured by such contract, had been due and unpaid sixty days at the time of preferring such petition, the Court may enter up judgment against the respondent, in favor of each of such lien creditors, for such sum as may be found due to them respectively, and may order the land and appurtenances, in such contract mentioned, to be sold at public auction, to pay and satisfy the same ; saving to the owner or owners of such estate, the right of redeeming the same, at any time within one year from the time of sale, by paying the purchaser, or any person claiming under him, the sum for which it was sold, with interest, at the rate of twelve per cent. ; deducting therefrom the rents and profits, over and above the necessary repairs. And in the hearing upon any such petition, each of such lien creditors shall have a right to contest the claim of the other by issue to the jury, or otherwise.

SEC. 4. *Be it further enacted*, That whenever the owner of any such estate, shall have so failed to per-

form his contract or contracts, in relation thereto, as aforesaid, that, in the opinion of the Court, said estate, according to the true intent and meaning of this act, ought to be sold, as aforesaid; and the person or persons, or any of them, who have so contracted to furnish labor or materials, for erecting or repairing such house or other buildings, and without any default on his, her, or their part, have not fully performed his, her, or their contract, a portion rate of the sum, stipulated to be paid to such lien contractor, shall be awarded to him, her, or them. And any creditor of the owner of any lot of land, on which an house or other building shall be erected or repaired, by contract, as aforesaid, who shall have caused such lot of land, with the appurtenances to be attached, to secure the payment of his demand, previously to any such lien creditor entering into, and recording, as aforesaid, his contract, for erecting or repairing such house, or other building, or their appurtenances, as aforesaid, shall be preferred to any such contracting creditor, so far as relates to the value of said land, or building, in the state in which they were at the time when erecting or repairing of such house or building was commenced. And the value of such lot of land, or land and building, at the time when the same shall be attached as aforesaid, shall be ascertained by the appraisal of three disinterested freeholders of the county, in which such land shall lie; one to be appointed by the petitioning creditor or creditors, one by the respondent, and one by the officer who shall make the sale. And in case the respondent neglects or refuses to appoint such appraiser, the appointment of two such appraisers, shall be made by such officer.

Sale of Estate,
for Lien.

SEC. 5. *Be it further enacted*, That in all cases, in which the Court shall order and decree, that any such estate shall be sold, as aforesaid, the sale shall be made by the Sheriff or his Deputy; and if the Sheriff be interested, then by the Coroner of the county in which such estate lies; and such notice shall be given of the time and place of sale, as is provided by law, when the right of redeeming real estate is sold, which has been conveyed in mortgage. And whenever it shall be found by the officer who has made such sale, that the net proceeds of such sale are insufficient to sat-

Manner of making sales.

isfy the sums which shall have been awarded to the lien contract creditors, and attaching creditors, according to the provisions of this act, it shall be the duty of such officer, after satisfying this claim of the attaching creditor or creditors, if such there are, to apportion the net proceeds of such sale among the lien creditors, according to the sums to them respectively awarded; and if the net proceeds of the sale of such estate, shall exceed the amount of all the sums ascertained and awarded as aforesaid, it shall be the duty of such officer to pay over the excess to the respondent.

Lien Creditors
to give discharges.

SEC. 6. *Be it further enacted,* That each and every lien Creditor, his Executors, Administrators, or Assigns, having received payment and satisfaction of his or their demands, according to the terms of such contract; or, when such house or other building shall have been sold, and the proceeds thereof paid over, according to the provisions of this act, each and every such lien Creditor, his Executors, Administrators, or Assigns, shall enter upon the margin of the record of such contract, a discharge of his or their lien upon such house or other building, created by such contract; or, by deed duly executed, release the same; and any party in interest shall be entitled to have like remedy for obtaining due discharge of such lien, in case the money shall be paid as aforesaid, as is now by law secured in equity to Mortgagers, their Heirs, Executors, Administrators, or Assigns.

Each party
may claim trial
by jury.

SEC. 7. *Be it further enacted,* That in all cases arising under this act, every party shall be entitled to a trial by jury, of any matter of fact in the cause; and any one or more of the parties may appeal from the judgment of the Court of Common Pleas, to the Supreme Judicial Court, as in other cases.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXXII.

An Act in addition to an Act, entitled “An Act directing the Settlement of the Estates of Persons Deceased, and for the Conveyance of Real Estate, in certain cases.”

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, wherein, upon a suggestion of waste, and according to the provisions of the ninth section of the act, entitled “an act directing the settlement of the estates of persons deceased, and for the conveyance of real estates, in certain cases,” passed on the fourth day of March, in the year of our Lord one thousand seven hundred and eighty four, a writ of *scire facias* shall issue against any executor or administrator, of any deceased person; and upon said writ being duly served and returned, such executor or administrator, shall make default of appearance, or coming in, shall not shew cause sufficient, to the contrary, execution shall be adjudged and awarded against him, of his own proper goods and estates, to the value of such waste, where it can be ascertained; otherwise for the whole sum recovered, with interest thereon, from the time when the first judgment was rendered; and for want of goods or estate, against the body of such executor or administrator.

Liability of Executors and Administrators.

[Approved by the Governor, February 24th, 1820.]

CHAP. CCLXXXIII.

An Act regulating the time for Inspecting Military Stores, Parading the Troops, and fixing the Compensation of certain Staff Officers.

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 Brigade Quarter

Feb. 24, 1820.

Personal In-
spection.

Master of each brigade, within this Commonwealth, shall, once in two years, in the month of September, personally examine, view and inspect the military stores of each town and district within his brigade, (provided by such towns and districts,) and make return thereof to the Adjutant General, on or before the first day of November next, after such inspection, in the way and manner provided in the twenty second section of an act, passed the ninth* day of March, in the year of our Lord one thousand eight hundred and ten, entitled "an act for regulating, governing and training the militia of this Commonwealth."

Biennial Re-
views.

SEC. 2. *Be it further enacted*, That all the troops of each division, shall be paraded, once in two years, for review, inspection, and discipline, either in brigades, regiments, or battalions of regiments, in the way and manner provided, in and by the twenty fifth section of the act aforesaid; and that the troops aforesaid shall not be paraded for the purposes aforesaid, in manner aforesaid, until the year of our Lord one thousand eight hundred and twenty one.

Pay of Brigade
Staff.

SEC. 3. *Be it further enacted*, That from and after the first day of March next, the several Brigade Majors, Brigade Quarter Masters, and Adjutants, shall each, annually, receive as a full compensation for his services, while in office, a sum not exceeding fifteen dollars; his account for such services, being first presented to, and allowed by the General Court.

SEC. 4. *Be it further enacted*, That any part of any act, which is inconsistent with, or repugnant to the provisions of this act, be, and the same is hereby repealed.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after the fifteenth day of March next, and not before.

[Approved by the Governor, February 24th, 1820.]

* This is a mistake: it should be the sixth of March.

CHAP. CCLXXXIV.

An Act to apportion and assess a Tax of One Hundred and Thirty Three Thousand Three Hundred and Eighty Two Dollars and Thirty Four Cents, and to provide for the reimbursement of Twenty Five Thousand Three Hundred and Forty Dollars, paid out of the public Treasury to the Members of the House of Representatives, for their attendance at the last session of the General Court, and also such sums as have been and shall be paid to such Members as are from the District of Maine, for their attendance at the present session of the General Court.

Pay of Representatives.

[Approved by the Governor, February 25th, 1820.]

CHAP. CCLXXXV.

An Act to incorporate the Proprietors of Livermore Bridge.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Thomas Davis, and such others as have, or may hereafter associate with him or them, be, and they are hereby made a corporation, by the name of the Proprietors of Livermore Bridge, and by that name may sue and be sued to final judgment and execution, and have power to levy and collect taxes and assessments, and compel payment from delinquent proprietors, by force of law; and shall exercise and enjoy all other powers and privileges incident and usually granted to corporations for building bridges, and liable to the same duties and requirements to which other similar corporations are subject. And the said bridge shall be erected in the Town of Livermore, at or near Chenery's Mills, and shall be built of good and durable materials, not less than twenty four feet wide, and well covered with plank or timber suitable.

Persons incorporated.

General powers.

ble for such a bridge, and with sufficient rails on each side, for the safety of passengers ; and the sills or string pieces, of said bridge, shall be laid at least eight feet above the surface of the water, at a high freshet.

Rates of Toll.

Sec. 2. *Be it further enacted*, That for remunerating to the proprietors, the money they may expend in building the said bridge, and keeping the same in good repair, a toll shall be, and hereby is granted and established, for the sole use and benefit of the said corporation, according to the rates following, viz. : for each foot passenger, two cents ; for one person and horse, eight cents ; for a single horse cart, sled, or sleigh, twelve cents and five mills ; for each wheelbarrow, hand cart, and every other vehicle capable of carrying a like weight, four cents ; for each team, including cart, sled, or sleigh, drawn by more than one beast, and not exceeding four beasts, sixteen cents ; and for every additional beast, above four, two cents each ; for each single horse and chaise, chair, or sulkey, twelve cents and five mills ; for each coach, chariot, phaeton, or curricule, twenty five cents ; for neat cattle or horses, exclusive of those rode on, or in carriages or teams, two cents each ; sheep and swine, one cent each ; and in all cases the same toll shall be paid for all carriages passing said bridge, whether the same be loaded or not loaded, and to each team, one man and no more, shall be allowed as a driver, to pass free from paying toll. And the said toll shall commence at the day of the first opening the said bridge for passengers, and shall so continue for and during the term of thirty years from the said day ; and after the expiration of that term, the said toll shall be subject to be regulated, or wholly discontinued, by the Legislature : *Provided*, the said proprietors shall, at all times, keep the said bridge in good, safe, and passable repair, during the term aforesaid : *Provided, also*, that all persons, inhabitants of the said Town of Livermore, going to, or returning from public religious worship, or going to, or returning from funerals ; children going to school and returning therefrom, shall, at all times, be permitted to pass said bridge free from toll.

Exemptions.

SEC. 3. *Be it further enacted*, That any three of the said proprietors may, by posting up a notification in

some public place, in the said Town of Livermore, notify and call a meeting of said proprietors, to be holden in Livermore, at such convenient time and place, as shall be expressed in said notification, ten days, at least, before the time of meeting; and the said proprietors being then met, allowing one vote to each share, (*provided*, no person shall be entitled to more than ten votes,) shall proceed to choose a Clerk, who shall be sworn to the faithful discharge of the duties of his office. And the said proprietors may, at the same, or a subsequent meeting, appoint such other officers as they may deem necessary for conducting their business, and may also agree on a mode for calling future meetings, and make and establish such rules and regulations as they may judge necessary and convenient for executing and completing the building the said bridge, for collecting the toll, hereby granted, and for the prudent and regular management of the affairs of the said corporation; and the same rules and regulations may enforce, and for the breach thereof, may order and demand fines and penalties, not exceeding twelve dollars: *Provided*, that said rules and regulations shall never be contrary to the constitution and laws of this Commonwealth.

Election of Officers.

By-Laws.

SEC. 4. *Be it further enacted*, That if the said corporation shall neglect, or refuse, for the term of seven years, from the passing of this act, to build and complete the said bridge, then this act shall be void and of no effect.

Time for erecting Bridge.

[Approved by the Governor, February 25th, 1820.]

CHAP. CCLXXXVI.

An Act to incorporate the Proprietors of Portsmouth Bridge.

WHEREAS the State of New Hampshire, by an act of the Legislature of the same, entitled "an act to incorporate the Proprietors of Portsmouth Bridge," which act was made and passed on the twenty eighth day of June, in the year of our Lord, one thousand

Preamble.

eight hundred and nineteen, did create and erect a certain body politic or corporate, for the purpose of building a bridge over Piscataqua River, between the Towns of Portsmouth, in the State of New Hampshire, and Kittery, in this Commonwealth; and whereas Samuel Leighton, and others, have petitioned the General Court to grant their approbation and assent to the said act of incorporation of the State of New Hampshire, and to erect them into a body politic and corporate, so that they, in concurrence with the corporation so created, in the State of New Hampshire, may carry into effect the great and valuable object aforesaid :

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 Leighton, Isaac Lyman, John Hammond, Daniel Pierce, Mark Dennett, Elisha Shapleigh, Elisha Bragdon, William W. Fernald, and Edward Augustus Emerson, with their associates, who are, or shall become proprietors in said bridge, so long as they shall continue proprietors thereof, shall be a body politic and corporate, for the purpose aforesaid, by the name of the Proprietors of Portsmouth Bridge, with power to purchase and hold such estate as may be necessary to carry into effect the object of the said corporation, with full power, likewise, to unite with the proprietors of Portsmouth Bridge, aforesaid, in the State of New Hampshire, in carrying the same into effect; and with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature.*

SEC. 2. *Be it further enacted, That Samuel Leighton, Isaac Lyman, and Mark Dennett, or any two of them, may call a meeting of said corporation, by advertisement, in the New Hampshire Gazette, to be holden at any suitable time and place, after seven days from the first publication of said advertisement; and the proprietors, by a vote of the majority of those present at such meeting, shall choose a Clerk; and at the same or any subsequent meeting, may elect such other officers and establish all such rules and by-laws, as may be deemed necessary, for the regulation and government of said corporation, and for carrying into effect the objects of the same; provided, said rules and by-laws,*

Proprietors.

General powers.

First Meeting.

Organization of Society.

be not repugnant to the constitution and laws of this Commonwealth.

SEC. 3. *Be it further enacted*, That the proprietors be, and hereby are permitted and empowered to erect a bridge over Piscataqua River, between the Towns of ^{Location.} Kittery or Eliot, in this Commonwealth, and Portsmouth, in the State of New Hampshire, in concurrence with the proprietors of Portsmouth Bridge, in New Hampshire, aforesaid.

SEC. 4. *Be it further enacted*, That for the purpose of reimbursing said proprietors, a toll be, and hereby is granted and established, for the sole benefit of said proprietors, according to the following rates, viz. : for ^{Rates of Toll.} each foot passenger, four cents ; for each person and horse, fifteen cents ; for each chaise, sleigh, or other pleasure carriage, drawn by one horse, thirty cents ; for each coach, chariot, sleigh, phaeton, or other pleasure carriage, drawn by two horses, sixty five cents ; for each coach, sleigh, or other pleasure carriage, drawn by four horses, eighty cents ; for each sled, sleigh, cart, or other carriage of burthen, drawn by one horse, sixteen cents ; for each cart, waggon, sled or sleigh, drawn by two horses, or oxen, twenty five cents ; and for each additional beast, five cents ; for neat cattle, or horses, exclusive of those rode on, or in teams or carriages, fifteen cents each ; for sheep and swine, two cents each. And to each team, one person, and no more, shall be allowed to pass free of toll. And, at all times, when the toll gatherer shall not attend his duty, the gate shall be left open. And the toll shall commence on the day of opening the bridge for passengers, and shall continue for the benefit of the said corporation forever : *Provided*, that in no case, shall the rates of toll, to be demanded and received for passing the said bridge, be greater than those which shall be established under the authority of the incorporation, aforesaid, of the State of New Hampshire : it being the intention of this Legislature, that, under the concurrent powers of the aforesaid corporations, one toll only, which shall ^{Limitation of Rates.} never exceed the rates above established, shall be demanded and taken by either or both of said corporations, for once passing the said bridge : *Provided, also*, that after the term of twenty years, the rates of toll

shall be subject to be altered by law. And the proprietors, aforesaid, shall, at the place where the said toll shall be collected, erect and keep constantly exposed to view, a sign or board, with the rates of toll fairly and legibly written thereon. And the said corporation may, if they see cause, commute the rate of toll with any person or persons, or with any corporation, by taking of him or them, a certain sum, annually, which may be mutually agreed on, in lieu of the toll aforesaid. And the said bridge shall be accommodated with, at least, eight lamps, which shall be well supplied with oil, and be constantly lighted during the night time, except when the moonlight may render it unnecessary.

Bridge Lamps.

Draw.

SEC. 5. *Be it further enacted*, That a draw or hoist in said bridge, shall be constructed over the channel of said river, of sufficient width for vessels to pass and repass freely; and the said proprietors shall cause the same to be hoisted or opened, without delay, for the accommodation of all such vessels as may have occasion to pass through the same, and for which the hoisting or opening said draw, may be necessary.

SEC. 6. *Be it further enacted*, That unless the said bridge be erected and finished within the term of nine years, then this grant shall be void.

SEC. 7. *Be it further enacted*, That after the said toll shall commence, the said proprietors or corporation, shall pay to Alexander Rice, Esquire, his heirs, executors or administrators, the sum of four thousand dollars, together with interest, after one year, on the same, from the commencement of the said toll; which said sum and interest, shall be paid out of the first proceeds of the bridge, by the toll collected thereon; and the payment of the same, shall be in full consideration of the injury which may be sustained by the said Rice, by the loss of the income of the ferry from Kittery to Portsmouth; which ferry is not to be used as a public ferry, after the said bridge becomes passable, and while it continues so. And if said sum, or interest thereon, shall not be paid within one month from the time it shall become due as aforesaid, and shall have been demanded, then the said Rice, or his legal representatives, may have his action of debt, or other action at law, for the recovery thereof; and the corporate prop-

Indemnity.

erty, rights, and franchises, of said corporation, may be attached, on the original writ, and taken and sold, on execution, for satisfying the judgment recovered, with the costs of levying the said execution, and the expenses of sale, in the same way and manner as is now provided by law, for the sale of personal property, taken on execution, excepting that ten days previous notice of such sale shall be given in some public newspaper, published in the Town of Portsmouth, in the the State of New Hampshire, in addition to the notice now required by law: *Provided, however*, that whenever the said bridge shall cease to be passable, the privilege of the ferry shall revert to the said Rice, his Reversion. heirs, or assigns, as fully, and in the same manner, as if the said bridge had never been erected: *Provided, also*, that nothing contained in this act shall be construed to prevent the repairing or rebuilding of said bridge, without paying any additional sum whatever, for the income of said ferry.

[Approved by the Governor, February 25th, 1820.]

CHAP. CCLXXXVII.

An Act in addition to an Act, entitled "An Act relating to the Separation of the District of Maine from Massachusetts Proper, and forming the same into a Separate and Independent State."

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 consent of the Legislature of this Commonwealth be, and the same is hereby given, that the District of Maine may be formed and erected into a Separate and Independent State, upon the terms and conditions, and in conformity to the enactments contained in an act, entitled "an act relating to the Separation of the District of Maine from Massachusetts Proper, and forming the same into a Separate and Independent State," whenever the Con-

Extension of
Time.

gress of the United States shall give its consent thereto, any thing in the said act, limiting the time when such consent should be given, to the contrary notwithstanding: *Provided, however,* that if the Congress of the United States shall not have given its consent as aforesaid, before the fifteenth day of March next, then all parts of the act, to which this is an addition, and all matters therein contained, which by said act have date or operation from, or relation to the fifteenth day of March next, shall have date and operation from, and relation to the day on which the Congress of the United States shall give its consent as aforesaid: *Provided, also,* that if the Congress of the United States shall not give its consent as aforesaid, within two years from the fourth day of March next, this present act shall be void and of no effect.

Provisional
Government.

SEC. 2. *Be it further enacted,* That if it shall not be known on the first Monday of April next, that the Congress of the United States has given its consent as aforesaid, the people of the said District of Maine shall elect, provisionally, a Governor, Senators and Representatives, or other officers, necessary to the organization of the government thereof, as a Separate and Independent State, according to the provisions of the constitution of government agreed to by the people of the said District. And the persons so elected, shall assemble at the time and place designated by the said constitution, if the consent of Congress, as aforesaid, shall be given during the present session thereof, but not otherwise; and when assembled as aforesaid, and having first determined on the returns, and qualifications of the persons elected, they shall have the power, as Delegates of the people, for that purpose, to declare on behalf and in the name of the people, the said elections of such persons to be constitutional and valid, for the respective offices and stations, for which they shall have been elected as aforesaid. And if such declaration shall not be made before the persons so elected, shall proceed to transact business, as the Legislature of said State, the said election shall be wholly void, unless it shall appear, that the consent of Congress aforesaid, shall have been given on or before the said first Monday of April next. And if the consent of Congress as

aforesaid, shall be given after the said first Monday of April next, and the persons so elected, when assembled as aforesaid, shall not declare the said election valid and constitutional as aforesaid, within ten days from the last Wednesday of May next; then they shall cease to have any power to act in any capacity for the people of the said District, by virtue of their elections as aforesaid; and the people shall again choose Delegates, to meet in convention, in the manner, for the purposes, and with the powers set forth in the third and fourth sections of the act to which this is in addition; the said elections of such Delegates to be made on the first Monday of July next, and the Delegates to meet in convention, at Portland, on the the first Monday of September next.

[Approved by the Governor, February 25th, 1820.]

CHAP. CCLXXXVIII.

An Act in addition to an Act, entitled "An Act relating to the Punishment of Convicts, who may be sentenced to solitary imprisonment and confinement to hard labor."

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Keeper of any County Gaol, or House of Correction, to which convicts have been, or may hereafter be committed, pursuant to an act, entitled "an act relating to the punishment of convicts, who may be sentenced to solitary imprisonment and confinement to hard labor," whose accounts shall have been allowed and settled by the Justices of the respective courts, as by said act is provided, shall be allowed to receive the same out of the County Treasury: *Provided*, that, in future, a sum not exceeding one dollar per week, shall be allowed for the support of any convict. And the said Justices are hereby authorized to issue their order for the payment Support of Convicts.

Feb. 25, 1820.

of the same, on the County Treasurer, accordingly. And the said County Treasurer shall charge, and be allowed the same, in his account against the Commonwealth, any thing in the act, to which this is an addition, to the contrary notwithstanding.

[Approved by the Governor, February 25th, 1820.]

CHAP. CCLXXXIX.

An Act providing for the Support of State Paupers.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That whenever any town within this Commonwealth shall incur expense in relieving or supporting any poor person, who has no settlement within the Commonwealth, such town shall be entitled to a reimbursement, at a rate not exceeding, in any case, the sum of one dollar per week for adults, and fifty five cents for children.

[Approved by the Governor, February 25th, 1820.]

CHAP. CCXC.

An Act to prevent the introduction of Paupers, from foreign ports or places.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That when any ship or vessel, having any passengers on board, who have no settlement within this Commonwealth, shall arrive at any port or harbor within the Commonwealth, the master of such ship or vessel shall, before such passengers come on shore, leave a list of their names and places of

residence, with the Selectmen or Overseers of the Poor of the town where such passengers shall be landed ; and if, in the opinion of said Selectmen or Overseers of the Poor, any such passengers may be liable to become chargeable for their support to the Commonwealth, the master of such ship or vessel shall, within five days after his arrival, as aforesaid, and on being notified by the Selectmen to that effect, enter into bonds, with sufficient sureties, to the satisfaction of said Selectmen, in a sum not exceeding five hundred dollars for each passenger, to indemnify and save harmless such town, as well as the Commonwealth, from all manner of charge and expense, which may arise from such passengers, for and during the term of three years ; and if the master of such ship or vessel shall land any such passengers, without entering their names and giving bonds as aforesaid, he shall forfeit and pay the sum of two hundred dollars for each passenger so landed, to be recovered by action of debt, by any person who shall sue for the same ; one moiety thereof to the use of the Commonwealth, and the other moiety to the prosecutor ; *provided*, this act shall not take effect until the first day of May next, and that nothing in this act shall be construed to extend to the master of any ship or vessel, in any voyage on which such ship or vessel may now be employed.

Bonds against
Pauperism.

[Approved by the Governor, February 25th, 1820.]

CHAP. CCXCI.

An Act to regulate the Fishery, in Piscataqua River.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, if any person or persons shall fish with a seine or net, more than twelve rods long, or with a trap line or setting line, so called, in Piscataqua River, or any of the branches thereof, within this

Penalties.

Commonwealth, at any season of the year, such person or persons, so offending, shall forfeit and pay, for fishing with a seine or net as aforesaid, ten dollars, and for fishing with a trap line or setting line, four dollars, to be recovered in an action of debt, in any court proper to try the same; one moiety to him or them who shall prosecute for the same, and the other moiety to the poor of the town, in which the offence was committed.

Forfeiture of Nets.

SEC. 2. *Be it further enacted*, That any seine, net or line, as aforesaid, which shall be found set in said river, or any branch thereof, without the owner of the same, or any other person, may be seized by any Constable or Fish Warden, in the town, in which the offence is committed, and the same shall be forfeited; one moiety to the officer seizing the same, and the other moiety to the informer. And it shall be the duty of the Selectmen of the Towns of Kittery and Eliot, annually, to appoint one or more suitable persons, in each town respectively, who shall be sworn to the faithful discharge of their trust, to be Fish Wardens, who shall receive certificates of their appointment from the Selectmen, and whose duty it shall be to carry this act into effect, and whose term of office shall continue from the time of their appointment, until the first day of May, then next ensuing.

Duty of Fish Wardens.

[Approved by the Governor, February 25th, 1820.]

COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, APRIL 6, 1820.

BY THIS, I CERTIFY, That the Laws printed in this pamphlet, passed at the session, beginning January 12th, and ending February 25th, 1820, have been compared with the originals in this office, and appear to be correct.

ALDEN BRADFORD,

Secretary of the Commonwealth.

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TO THE LAWS, WHICH WERE PASSED AT THE SESSION, BEGINNING
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EIGHTEEN HUNDRED AND TWENTY.

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