

# MAINE STATE LEGISLATURE

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# PRIVATE ACTS

OF THE

# STATE OF MAINE,

PASSED BY THE

THIRD LEGISLATURE,

AT THE SESSION, HELD IN JANUARY, 1823.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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PORTLAND:

BY TODD AND SMITH.....PRINTERS TO THE STATE.

1823.

## CHAPTER CXC.

AN ACT for the relief of the estate of William Bingham, deceased.

Whereas William Bingham, formerly of the City of Philadelphia, Esquire, did, on the thirtieth day of January, in the year of our Lord one thousand eight hundred and four, duly make and publish his last will and testament in writing, and in and by the same did devise and bequeath unto Alexander Baring, Henry Baring, Robert Gilmor, Thomas Mayne Willing, and Charles Willing Hare, their heirs, executors, administrators and assigns, all his real estate, lands, tenements and hereditaments, of whatever nature or kind the same might be, and also his personal property, upon trust, for the uses in the said will expressed and declared, and did by the same will direct, that in case any or either of them, the said Trustees, should happen to die, or be desirous to be discharged from, or neglect or refuse to act in the trust thereby created, at any time before the same trusts should be finally performed or otherwise determined, then it should be lawful to and for the survivor or survivors of them, by any writing under their hands and seals, to be attested by two or more credible witnesses, from time to time, to nominate and appoint any other person to be a Trustee in the stead or place of the Trustee so dying, or desiring to be discharged, or refusing, or declining, or becoming incapable to act as aforesaid, and thereupon all the trust, estates, monies and premises which should then be vested in the Trustee, so dying or desiring to be discharged, or refusing, or declining, or becoming incapable to act, should be thereupon, with all convenient speed, conveyed, assigned and transferred, in such manner and so as that the same should and might be legally and effectually vested in such new Trustee, upon said trusts: And whereas the said William Bingham afterwards died, seized of divers lands, tenements and real estate in this State, and possessed of sundry chattels and personal estate, leaving the same last will and testament unreversed and in full force, and the same has been duly proved

and now remains of record, in the office of Register of Wills, and for granting letters of administration, for the City and County of Philadelphia, in the Commonwealth of Pennsylvania, by reason whereof the said lands, tenements, and real and personal estate became vested in the said Trustees, their heirs, executors and administrators, for the uses and purposes, and with the powers and authorities, in and by the same last will and testament contained and declared: And whereas the said Charles Willing Hare, one of the said Trustees, by inquisition duly found, and remaining of record in the Court of Common Pleas for the County of Philadelphia, in the Commonwealth aforesaid, has been declared and adjudged to be lunatic and *non compos mentis*; and a Committee has been appointed of the said Charles Willing Hare, by reason whereof he has become incapable of acting as a Trustee aforesaid: And whereas the said Robert Gilmore, another of the said Trustees, departed this life, whereby the estates of the said William Bingham, survived in law to the said surviving Trustees: And whereas after the death of the said Robert Gilmore, and after the said inquisition, return and appointment of a Committee in the case of the said Charles Willing Hare, the said Alexander Baring, Henry Baring and Thomas M. Willing, by writing under their hands and seals, attested by two credible witnesses, bearing date the twenty-sixth day of June, in the year of our Lord one thousand eight hundred and twenty-two, and now recorded in the office for recording deeds, &c. for the City and County of Philadelphia, in Letter of Attorney, Book J. H. No. 1, page 5, &c. did nominate and appoint John Richards of the City of Boston, in the State of Massachusetts, Esquire, and Joseph R. Ingersol, of the City of Philadelphia, in the State of Pennsylvania, Counsellor at Law, to be Trustees of the estate real and personal aforesaid, under the last will and testament of the said William Bingham, deceased, in the stead and place of the said Robert Gilmore and the said Charles Willing Hare, by virtue whereof, and by force of an Act of

the General Assembly of the Commonwealth of Pennsylvania, passed the seventeenth day of March, in the year of our Lord one thousand eight hundred and twenty-two, all the lands, tenements, hereditaments, trust estates, monies and effects of the late William Bingham, within the jurisdiction of the said Commonwealth, which, at the time of the decease of the said Robert Gilmor, were vested in the said Alexander Baring, Henry Baring, Robert Gilmor, Thomas Mayne Willing, and Charles Willing Hare, were from and immediately after such appointment, vested in the said Alexander Baring, Henry Baring, Thomas M. Willing, John Richards and Joseph R. Ingersol, as fully as if the said Charles Willing Hare were deceased, and the said John Richards and Joseph R. Ingersol had been in the said last will named as devisees in trust, together with the said Alexander Baring, Henry Baring and Thomas Mayne Willing: And whereas the said Thomas M. Willing has recently, and since the said appointment, departed this life, and all his interest and estate, in the premises, have survived to the surviving Trustees, and by a confirmation of the said appointment of John Richards and Joseph R. Ingersoll by this Legislature, the trust of the said estates, within this State, will be in the said Alexander Baring, Henry Baring, John Richards and Joseph R. Ingersol, in like manner as in the Commonwealth of Pennsylvania, where his last will is proved, and where the said appointment has been authorized:

*Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That all and singular the lands, tenements, hereditaments, trust estates, monies and effects of the late William Bingham, within this State, which, at the time of the decease of the said Thomas Mayne Willing, were vested in the said Alexander Baring, Henry Baring, Thomas Mayne Willing and Charles Willing Hare, shall be, and the same are hereby declared to be vested in the said Alexander Baring, Henry Baring, John Richards and Joseph R. Ingersol, and that all

the said lands, tenements, hereditaments, trust estates, monies and effects, shall be, and shall by virtue of the said appointment, and of this Act, be deemed and taken to be, to all intents and purposes, vested in the said Alexander Baring, Henry Baring, John Richards and Joseph R. Ingersol, their heirs, executors, administrators and assigns, as fully and effectually, to all intents and purposes, with the same powers and authorities, and upon the same trusts and conditions, in all respects, as in and by the last will and testament of the said William Bingham, are declared, limited and appointed, and as if the said Charles Willing Hare were also deceased, and the said John Richards and Joseph R. Ingersol had been in the said last will named as devisees in trust, together with the said Alexander Baring and Henry Baring.

[*This Act passed January 31, 1823.*]

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#### CHAPTER CXCI.

AN ACT to annex a part of Thomas Patten's land to Hampden.

*BE it enacted by the Senate and House of Representatives, in Legislature assembled, That* such part of the land of Thomas Patten, of Hampden, in the county of Penobscot, as now lies in the town of Newberg, be, and the same hereby is annexed to the town of Hampden.

[*This Act passed January 31, 1823.*]

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#### CHAPTER CXCII.

AN ACT to incorporate the Saco Lodge.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled, That* George Thacher, junior, Seth S. Fairfield, Reuben H. Green, George Scamman and Isaac Emery, and their associates and successors, be, and they hereby are incorporated into a body politic, by the name of

Persons incorporated.