

MAINE STATE LEGISLATURE

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PRIVATE ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1828.

Published agreeably to the Resolve of the 28th June, 1828.

PORTLAND.

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1828.

the rates of toll above specified : *Provided*, That, when ten years from the first opening of said Canal shall have expired, the Legislature afterwards may regulate the rates of toll. Proviso.

SECT. 4. *Be it further enacted*, That if any person or persons shall wilfully or mischievously destroy or injure said Canal, or any part thereof, or divert or obstruct the waters to the damage of the proprietors thereof, he or they shall pay treble the amount of such damage as said proprietors shall before the Court and Jury before whom the trial shall be had, make to appear, said proprietors have sustained by means of said trespass, to be sued for and recovered in any Court of competent jurisdiction. Penalty for destroying or injuring Canal.

SECT. 5. *Be it further enacted*, That if the said proprietors shall refuse or neglect, for the space of five years after the passing of this act, to open and complete said Canal, then this act shall be void. Act to be void, unless the Canal be completed within a certain time.

SECT. 6. *Be it further enacted*, That any Justice of the Peace in the county of Penobscot be, and is hereby empowered to issue a warrant to either of the proprietors aforesaid, requiring him to notify a meeting of the proprietors in manner as the law directs in similar cases ; and the proprietors at said meeting shall choose a clerk, and such other officers as they may deem necessary for managing the business of said proprietors, which they shall have power to choose from time to time afterwards, if necessary, and said proprietors may agree on a method for calling future meetings. First meeting, how called. Officers to be chosen.

[*Approved by the Governor, February 5, 1828.*]

CHAPTER DXIII.

AN ACT to establish an Institution for Female Education.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That there be, and hereby is established at

Waterville, in the county of Kennebec, an Institution for instructing female children and youth in the branches of piety and learning usually taught in Female Academies, and that the Grand Master of the Grand Lodge of Maine for the time being, and William King, Simon Greenleaf, William Swan, Peleg Sprague, Jacob M'Gaw, Nathaniel Gilman, Jediah Morrell, and Asa Redington, Jun., are hereby appointed Trustees of said Institution by the name of the Trustees of the Masonic Institution for Female Education: And that they and such other persons as they shall associate with them for the purpose, and their successors, shall be and continue a body politic by that name forever. And the mode and conditions of appointing and constituting said additional Trustees shall be determined at the first meeting of the Board, and remain unchangeable. The said Grand Master, shall, *ex officio* be President of the Board.

SECT. 2. *Be it further enacted,* That said Trustees be, and are hereby made capable of taking and holding in fee simple, a freehold, by gift, grant, purchase, legacy, devise, or otherwise, lands, tenements, or other estate, real or personal, in trust, to be applied and used solely for procuring a site, erecting suitable buildings, and such other purposes as may be necessary to effectuate the aforesaid design of said Institution. And they shall have a common seal, which they may change at pleasure; and they may by said corporate name, sue and be sued, prosecute and defend to final judgment, and shall have the powers pertaining to Trustees of other literary institutions. And all deeds signed and delivered by the Treasurer of said Trustees, made by their order, in their name and sealed with their seal, shall be their deed and valid in law. And said Trustees are empowered to establish such regulations for the advancement and permanency of the institution, and such reasonable rules, orders, and by-laws for the governmen-

Institution established.

Trustees.

Name of the Institution.

Trustees made a body politic.

Additional Trustees to be constituted, at the first meeting of the Board.

President.

Trustees may hold real and personal estate, in trust, for certain purposes.

Further powers, &c.

thereof as they may deem necessary, not being repugnant to the laws of the State.

SECT. 3. *Be it further enacted,* That there shall be an annual meeting of said Trustees; at which meeting they shall determine the number necessary to constitute a quorum for transacting business, till changed at some other annual meeting. And at all legal meetings questions shall be decided by a majority of members present.

Annual meeting of the trustees, &c.

SECT. 4. *Be it further enacted,* That said Trustees shall have full power from time to time to elect such instructors and officers of the Institution as they shall think proper, and fix their powers, duties, tenures and compensations, and the same to alter at pleasure. Also to determine what descriptions of scholars shall be admitted, and the modes, times, and conditions of admitting them, and also to establish classifications and courses of study. They may also call necessary meetings of the Board, determine the times and places thereof, and the manner of notifying Trustees. And may, if they see fit, at any time hereafter, establish and appoint a Board of Overseers, on such conditions and impose on them such duties, and bestow such powers as to said Trustees may seem proper.

Trustees to elect instructors and officers, &c.

— to determine the description of scholars, &c.

— may call necessary meetings of the Board.

— may appoint a Board of Overseers, with powers &c.

SECT. 5. *Be it further enacted,* That Nathaniel Gilman, Esquire, be authorized to fix the time and place of the first meeting of the Trustees and notify them thereof, at which meeting two-thirds of the existing Trustees shall be necessary to form a quorum.

First meeting, how called.

SECT. 6. *Be it further enacted,* That the powers granted by this Act may be enlarged, restrained, or repealed at the pleasure of the Legislature: *Provided,* That this Act shall be so construed that said Trustees shall not be made capable of receiving any endowment from the State.

Powers restricted.

Proviso.

[Approved by the Governor, February 6, 1828.]