

MAINE STATE LEGISLATURE

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LAWS

OF THE

Commonwealth of Massachusetts,

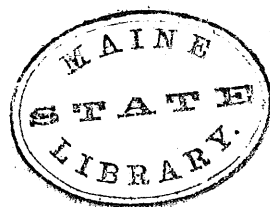
PASSED AT

THE SEVERAL SESSIONS OF THE GENERAL COURT

HOLDEN IN BOSTON.

BEGINNING 31st MAY, 1809, AND ENDING ON THE 29th FEBRUARY, 1812.

Published agreeably to Resolves passed 20th January, 1808, and
16th January, 1812.



VOL. V.

BOSTON:
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1812.

L A W S

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT AT THEIR SECOND SESSION,

COMMENCED

ON THE SECOND WEDNESDAY IN JANUARY,

ONE THOUSAND EIGHT HUNDRED AND TWELVE.

CHAP. LXXXVII.

An Act in addition to an act, entitled, "An act to incorporate the persons herein named, into a company, by the name of The Broad-Street Association, in the town of Boston."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act, entitled, "An act to incorporate the persons herein named into a company by the name of The Broad-Street Association, in the town of Boston," shall be, and the same hereby is continued in force until the first day of March, in the year of our Lord one thousand eight hundred and thirteen. Act continu-
ed.

[This act passed 22d January, 1812.]

CHAP. LXXXVIII.

An Act to change the name of Phillipsburgh in the County of York.

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 passing this Names of
town chang-
ed.

act, the town of Phillipsburgh, in the county of York, shall be called and known by the name of Hollis, and by no other name, any law to the contrary notwithstanding.

[This act passed 22d *January*, 1812.]

CHAP. LXXXIX.

An Act to incorporate Thomas Seargent Baylies and others, by the name of The Bristol Cotton Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Thomas S. Baylies, William De Wolf, Eliphalet Williams, Thomas Howe, Joseph Haven, Levi De Wolf, George Pearce, Thomas Hill jun. Charles Harris, Richard D. Harris, Caleb Peck, Joseph C. Wheaton, and John Field jun. with such others as may hereafter associate with them, their successors and assigns, be, and hereby are made a corporation, by the name and style of The Bristol Cotton Manufacturing Company, for the purpose of manufacturing cotton in the town of Dighton in the county of Bristol, and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, one thousand eight hundred and nine, entitled, "An Act defining the general powers and duties, of Manufacturing Corporations."

May hold
property.

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

[This act passed 31st *January*, 1812.]

CHAP. XC.

An Act to provide for, and direct the manner of paying the Members of the House of Representatives, in future, out of the public Treasury.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That in future, the members of the House of Representatives, shall be paid for their travel and attendance to, and during the session of the Legislature, in the same manner as the Council and Senate of this Commonwealth are paid, any law, usage or custom to the contrary notwithstanding, and that the said pay shall not be chargeable to their several towns.

Members of court paid from public treasury.

[This act passed 3d February, 1812.]

CHAP. XCI.

An Act to repeal an act, entitled, "An Act supplementary to an act, entitled, An act, to prevent damage by mischievous dogs," passed the twenty-eighth day of February, eighteen hundred and eleven.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act passed the twenty-eighth day of February, eighteen hundred and eleven, entitled, "An act supplementary to an act, entitled, An act to prevent damage by mischievous dogs," be, and the same is hereby repealed.

Act repealed.

[This act passed 3d February, 1812.]

CHAP. XCII.

An Act directing the Secretary of this Commonwealth to give any certificates which may be necessary to procure the release of American Seamen, free of any charge.

Secretary
directed to
give certifi-
cates.

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 Secretary of this Commonwealth be, and is hereby directed, from and after the passing of this act, to give free of any charge whatsoever, any certificates that may be necessary to procure the release of American Seamen, impressed on board the ships of any foreign nation, any law or usage to the contrary notwithstanding.

Fees
refunded.

SEC. 2. *And be it further enacted*, That all fees heretofore received by the said Secretary for such certificates, and now in his hands, be paid over to the persons who advanced the same, if called for within two years.

[This act passed 3d February, 1812.]

CHAP. XCIII.

An Act supplementary to the several acts establishing the Courts of Sessions.

Clerk or
Sheriff pow-
er to adjourn
court.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That when, from any cause whatever, all the Justices of the Court of Sessions in any county shall be prevented from attending the same court, at any term thereof, which now is, or hereafter may be appointed by law for holding any such court, then and in such case, it shall be the duty of the Clerk of the courts in such county, or in his absence, the Sheriff of the county, to adjourn such court from day to day, or to such time as may insure the attendance of one or more Justices of

the same court, and when such adjournment shall be made by the Sheriff of any county, he shall give notice thereof, to such Clerk, that so a regular record may be made thereof.

[This act passed 3d *February*, 1812.]

CHAP. XCIV.

An Act to establish the town of Bingham.

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 township Number one, in the first range of townships within the Bingham purchase in the county of Somerset, be, and hereby is incorporated and established as a town, by the name of Bingham, within the following described boundaries, viz. Bounded south by the town of Solon, east by number two in the range aforesaid, north by number one in the second range, east of Kennebeck River, and west by Kennebeck River; and the inhabitants of the said town of Bingham are hereby vested with all the powers and privileges and subjected to the like duties and requisitions of other towns, according to the Constitution and Laws of this Commonwealth.

Bingham in-
corporated.

Boundaries.

SEC. 2. *And be it further enacted,* That any Justice of the Peace for the county of Somerset, is hereby authorised, upon application therefor, to issue a warrant directed to a freeholder and inhabitant of the said town of Bingham, requiring him to notify and warn the inhabitants thereof 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.

Justice to is-
sue warrant.

[This act passed 6th *February*, 1812.]

CHAP. XCV.

An Act to incorporate the district of Berlin into a town by the name of Berlin.

Berlin 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 the district of Berlin, in the county of Worcester, be, and hereby is incorporated into a town, by the name of Berlin, subject to the like duties and requirements, and vested with all the powers, privileges and immunities which other towns do, or may enjoy, agreeably to the Constitution and Laws of this Commonwealth.

Justice to is-
sue warrant.

SEC. 2. *Be it further enacted,* That either of the Justices of the Peace for the county of Worcester be, and he is hereby authorised to issue a warrant, directed to a freeholder, an inhabitant of the said town of Berlin, requiring him to notify and warn the freeholders and other legal voters thereof, 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 required to choose and appoint at their annual town meetings.

[This act passed 6th February, 1812.]

CHAP. XCVI.

An Act to incorporate a number of persons in the County of Franklin, by the name of The Franklin Glass Factory Company.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ebenezer Hall, William Cobb, Jacob Rich, Benjamin Tuel, Samuel Fay, and Ebenezer Williams, together with such others as may hereafter associate with them, and their successors, be, and they are hereby made a corporation, by the name of The Franklin Glass Factory Company, for the purpose of

manufacturing window glass and hollow glass ware, in the county of Franklin, in said Commonwealth, and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties, requirements, and disabilities, prescribed and contained in an act, entitled, "An act defining the general powers and duties of manufacturing corporations;" passed the third day of March, eighteen hundred and nine.

Powers and
privileges.

SEC. 2. *And be it further enacted*, That the said corporation, in their corporate capacity, shall and may lawfully hold and possess real estate not exceeding thirty thousand dollars, and personal estate not exceeding seventy thousand dollars, as may be necessary and convenient for carrying on the manufacture of glass in said county of Franklin.

May hold real estate.

[This act passed 6th *February*, 1812.]

CHAP. XCVII.

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

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, the whole Commonwealth be, and hereby is formed and divided into eighteen districts, for the choice of Counsellors and Senators, in manner following; and that each district be, and hereby is directed and authorized to choose the number of Counsellors and Senators thereto respectively affixed, in manner directed by the Constitution and Laws of this Commonwealth, viz.

Commonwealth dis-
tricted.

The town of Boston, in the county of Suffolk, shall form one district, and choose five Senators.

The towns of Salem, Danvers, Marblehead, Lynn, Lynnfield, Andover, Salisbury, Haverhill, Amesbury, Methuen, and Middleton, in the county of Essex, and Chelsea in the county of Suffolk, shall form one district, and choose three Senators.

Towns forming districts.

The towns of Ipswich, Newbury, Newburyport, Beverly, Rowley, Gloucester, Topsfield, Bradford, Boxford,

T t t

Wenham, Manchester and Hamilton, in the county of Essex, shall form one district, and choose two Senators.

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

The towns of Springfield, Brimfield, South-Brimfield, Longmeadow, Wilbraham, Holland, Monson, Ludlow, Palmer, West-Springfield, Westfield, Southwick, Granville, Montgomery, Blanford, Chester, Russell and Tolland, in the county of Hampshire, shall form one district, and choose one Senator.

The towns of Hadley, Northampton, Worthington, Westhampton, Cummington, Williamsburg, Chesterfield, Greenwich, Easthampton, Belchertown, Norwich, Granby, Plainfield, Southampton, Ware, Middlefield, South Hadley, Goshen, Pelham, Hatfield and Amherst, in the county of Hampshire, shall form one district, and choose one Senator.

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

The counties of Bristol and Norfolk shall form one district, and choose four Senators.

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

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

The towns of Worcester, Mendon, Brookfield, Oxford, Charlton, Sutton, Spencer, New Braintree, Westborough, Uxbridge, Northbridge, Sturbridge, Hardwick, Western, Douglas, Grafton, Petersham, Upton, Dudley, Ward, Milford, Dana and Barre, in the county of Worcester, shall form one district, and choose two Senators.

The towns of Lancaster, Rutland, Oakham, Hubbards-ton, Southborough, Northborough, Lunenburg, Fitchburg, Harvard, Bolton, Berlin, Leominster, Holden, Royalston, Westminster, Athol, Templeton, Princeton, Ashburnham, Paxton, Sterling, Boylston, Gardner, Gerry, West Boylston, Shrewsbury, Winchendon and Leicester, in the county of Worcester, shall form one district, and choose two Senators.

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

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

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

The counties of Cumberland and Oxford shall form one district, and choose three Senators.

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

The counties of Kennebeck and Somerset, shall form one district, and choose two Senators.

[This act passed 11th *February*, 1812.]

CHAP. XCVIII.

An Act authorising the sale of the School Land in the town of Baldwin, in the county of Cumberland.

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 Peirce, Esq. Richard Fitch, David Potter, Ephraim Bachelдор, and Joseph Richardson, be, and they are hereby appointed trustees, to sell the School Lands in the town of Baldwin, and to put out at interest the monies arising from such sale, in manner hereinafter mentioned, and for that purpose. Trustees appointed.

SEC. 2. *Be it further enacted,* That the said trustees be, and they are hereby incorporated into a body politic, by the name of The Trustees of the School Fund in the town of Baldwin, in the county of Cumberland, and they and their successors shall be and continue a body politic and corporate by that name forever; 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. Incorporated.

SEC. 3. *Be it further enacted,* That the said trustees and their successors, shall and may annually elect a President and Clerk, to record the doings and transactions of the trustees at their meetings, and a Treasurer to receive and apply the monies hereinafter mentioned, as hereinafter directed. Empowered to elect officers.

SEC. 4. *Be it further enacted,* That the number of trustees, shall not at any one time, be more than five, nor less than three; any three of their number to constitute a Number limited.

Vacancies
supplied.

quorum for transacting business, and they shall and may from time to time fill up vacancies in their number, which may happen by death, resignation or otherwise, from the inhabitants of said town, and shall also have power to remove any of their number, who may become unfit and incapable, from age, infirmity, misconduct, or any other cause, of discharging their duty, and to supply a vacancy so made by a new choice from the town aforesaid; and the said trustees shall annually hold a meeting in March or April, and as much oftener as may be found necessary to transact their necessary business, which meetings, after the first, shall be called in such way and manner, as the trustees shall hereafter direct.

Time of
meeting.

Trustees
empowered
to sell.

SEC. 5. *Be it further enacted*, That said trustees be, and they are hereby authorised, to sell and convey in fee simple, all the school lands belonging to said town of Baldwin, and to make, execute and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds, subscribed by the name of their Treasurer, by direction of said trustees, with their seal thereto affixed, shall be good and effectual in law to pass and convey the fee simple from said town to the purchaser, to all intents and purposes whatever.

Monies re-
ceived and
appropri-
ated.

SEC. 6. *Be it further enacted*, That the monies arising from the sale of said lands shall be put at interest as soon as may be, and secured by mortgage of real estate to the full value of the estate sold, or by two or more sufficient sureties with the principal; unless said trustees shall think proper to invest the same in bank stock of this Commonwealth, which they may do.

Trustees to
be directed.

SEC. 7. *Be it further enacted*, That said trustees shall annually apply the interest arising from the fund aforesaid, to the support of schools in said town, in such way and manner as the inhabitants thereof in legal town meeting shall direct. And it shall never be in the power of said town to alienate, or any wise alter the fund aforesaid.

Treasurer
to give
bond.

SEC. 8. *Be it further enacted*, That the Clerk of said corporation shall be sworn, previous to his entering on the duties of his office, and the Treasurer of the trustees shall give bond faithfully to perform his duty, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his office.

SEC. 9. *Be it further enacted,* That the trustees or their officers, for any service they may perform, shall be entitled to no compensation, out of any money arising from the fund aforesaid, but if entitled to any, shall have and receive the same of said town as may be mutually agreed on. Officers compensation.

SEC. 10. *Be it further enacted,* That the said trustees and their successors shall exhibit to the town, at their annual meeting in March or April, a regular and fair statement of their doings, and said trustees, and each of them, shall be responsible to the town, for their personal negligence, or misconduct, whether they be officers or not, and liable to a suit, for any loss or damage arising thereby, the debt or damage recovered in such suit to be for the use aforesaid. Trustees directed to exhibit accounts annually.

SEC. 11. *Be it further enacted,* That Josiah Pierce Esq. be, and he hereby is, authorised to fix the time and place for holding the first meeting of said trustees and to notify each trustee thereof. First meeting directed.

[This act passed 11th *February*, 1812.]

CHAP. XCIX.

An Act to establish a Corporation by the name of The Trustees of the Baptist Seminary in West 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 there be, and hereby is established, in the town of West Springfield, in the county of Hampshire, a literary seminary by the name of The Baptist Seminary in West Springfield, for the purpose of promoting piety and virtue and for the education of youth in such languages, and in such of the liberal arts and sciences, as the trustees thereof shall from time to time judge the most useful and expedient, for the purposes of the said institution, and as they may accordingly order and direct. Seminary established.

SEC. 2. *Be it further enacted,* That the number of the said trustees shall never be more than fifteen, nor less than nine, five of whom shall be a quorum for doing

Trustees in-
corporated.

business, and the said trustees, who are by this act created a corporation, shall be, and hereby are declared to have perpetual succession with all the powers and privileges incident and usually given to and exercised, and enjoyed by other institutions of the like nature and purpose. And the said corporation may have and use a common seal, subject to change or alteration when they see cause; and all deeds or other instruments shall be sealed with said seal, and when signed, sealed, executed, acknowledged and delivered, by the Treasurer of the said corporation, shall be binding on the said corporation, and shall be good and valid in law.

Empowered
to elect officers.

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

Proviso.

Monies received and appropriated.

SEC. 4. *Be it further enacted*, That all the monies, lands, or other property already subscribed, or which may be hereafter given, assigned, or transferred to the said trustees, for the use of the said institution, shall be received and held by them and their successors in office, in trust; and the said trustees, in behalf of said seminary, may also receive and hold in fee-simple, by gift, grant, demise, bequest or otherwise, any land, or other estate, real or personal, provided the annual income thereof shall not exceed the sum of fifteen thousand dollars; and the said trustees may sell and dispose of the same, and apply

the rents and profits thereof in such way as they may judge will be the most productive to the general interests of the said institution, and the promotion of literature. And the said trustees, in their corporate capacity, are hereby made capable in law to sue and be sued, in all actions real, personal, or mixed, and to prosecute and defend the same to final judgment and execution, by the name of The Trustees of the Baptist Seminary in West Springfield.

SEC. 5. *And be it further enacted*, That Benjamin Basset, Asahil Chapin, Stephen Chapin, Samuel Gill, Austin Goodyear, Benjamin Hastings, Caleb Humeston, Thomas Rand, and Noah Wolcot, be, and they hereby are appointed and declared to be the first and present trustees of the said seminary. Trustees appointed. And any Justice of the Peace for the county of Hampshire is hereby authorized, upon application therefor, to issue a warrant, directed to one of the before named trustees, requiring him to notify and warn a meeting of the said trustees, at such convenient time and place, as shall be expressed in said warrant, to organize the said seminary, by the election and appointment of its officers. Justice to issue warrant.

[This act passed 11th February, 1812.]

CHAP. C.

An Act to annex Isaac Walker and Joshua Brewer, with their families and estates, to the town of Tyringham.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Isaac Walker and Joshua Brewer, inhabitants of the town of New Marlborough, with their polls and estates, be, and they hereby are set off from the said town of New Marlborough, and annexed to the town of Tyringham, in the county of Berkshire, as described within the following limits, viz. Beginning at the north-east corner of the said town of New Marlborough, thence southerly on the line of Sandisfield, one hundred and fifty rods, to a stake and stones; thence north, fifty degrees west, two hundred and fourteen rods, to a

Persons set off to other town.

stake and stones upon the line between New Marlborough and Tyringham ; thence one hundred and seventy-six rods to the bounds first mentioned.

[This act passed 11th *February*, 1812.]

CHAP. CI.

An Act to incorporate Larned Corbin and others, by the name of The Merino Wool Factory Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Larned Corbin, Jephthah Bacon, Aaron Tufts, Phinehas Bemis, and William Larned, 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 Merino Wool Factory Company, for the purpose of manufacturing wool and cotton in the town of Dudley, in the county of Worcester, and for the purpose aforesaid, shall have all the powers and privileges, and shall also 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 eighteen hundred and nine.

Persons in-
corporated.

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

May hold
estate.

[This act passed 13th *February*, 1812.]

CHAP. CII.

An Act defining the duties of Sheriffs, Coroners and Constables 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 when any person imprisoned for debt, or any other cause, shall die in any county of this Commonwealth, it shall be the duty of the Sheriff or deputy Gaoler to deliver the body of such deceased person to his relations or friends, if they shall request it. And if no application be made for such body, it shall be the duty of the Sheriff, or deputy Gaoler, to bury the same in the common burying ground, and the expenses thereof shall be paid by the town in which such person had a legal settlement, if such person had been an inhabitant of this Commonwealth, otherwise the expenses aforesaid shall be paid out of the treasury of this Commonwealth.

Dead bodies
not attachable
by writ
&c.

SEC. 2. *Be it further enacted*, That if any Sheriff, Coroner, or Constable shall take the body of any deceased person, by virtue of any writ on mesne process or execution, upon conviction of such offence before the Supreme Judicial Court, or the Circuit Court of Common Pleas, within the county in which such offence shall have been committed, he shall be fined not more than five hundred dollars, or imprisoned for a time not exceeding six months.

Fine for the
same.

[This act passed 13th February, 1812.]

CHAP. CIII.

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

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Alexander Milliken, Seth Kempton, Abner Bicknell, George Hight, Thomas

Persons in-
corporated.

U u u

Whittier, Isaac Milliken, and Davis Wasgatt, together with such others as may hereafter associate with them, and their successors and assigns, be, and they hereby are made a corporation, by the name of The Frankfort Cotton and Wool Factory Company, for the purpose of manufacturing cotton and wool in the said town of Frankfort, in the county of Hancock, and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties, requirements and disabilities prescribed and contained in an act, entitled, "An act defining the general powers and duties of manufacturing corporations," passed the third day of March, eighteen hundred and nine.

Empowered
to hold
estate.

SEC. 2. *Be it further enacted*, That the said proprietors, in their corporate capacity, shall, and may lawfully hold and possess, real estate not exceeding twenty thousand dollars, and personal estate not exceeding one hundred thousand dollars, for carrying on the manufacture of wool and cotton, in the said town of Frankfort.

[This act passed 13th *February*, 1812.]

CAAP. CIV.

An Act making further allowance to the Judge of Probate for the county of Kennebeck, for his services.

Preamble.

WHEREAS the allowance to the Judge of Probate, for the county of Kennebeck, as by law established, proves to be an inadequate compensation for his services in that office.

Treasurer's
duty.

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 Treasurer of the county of Kennebeck, be, and he is hereby authorised and directed to pay the said Judge of Probate for the time being, such sum as together with the fees of office shall be equal to four hundred dollars per annum, provided that the said Judge shall keep an account of all fees, by him taken, in said office, and shall present said account attested by the Register of Probate, to the Treasurer of said county, at the end of each year.

[This act passed 13th *February*, 1812.]

CHAP. CV.

An Act subjecting the real estate of Banking Corporations to be taken in execution, and sold at public auction, for the payment of their debts.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, the lands, tenements or hereditaments of any bank already incorporated, or which may hereafter be incorporated by law, may be taken in execution, and sold at public vendue to the highest bidder; and in every such case, the officer who shall levy such execution shall be impowered to execute to the purchaser a good deed or deeds of any such lands, tenements or hereditaments, having first given notice of the time and place of sale, at least fourteen days previous thereto, in two or more public places, in the town or place where such lands or tenements lie, as also in two adjacent towns; and all deeds and conveyances of any such lands, tenements or hereditaments duly executed as aforesaid, shall be good and effectual in law to transfer to the purchaser, his heirs and assigns forever, all the right, title and interest therein, which belonged to said corporation; any law, usage or custom to the contrary notwithstanding.

Property of
banking cor-
poration
maybe taken
for debt.

SEC. 2. *Be it further enacted*, That the officer who may levy any such execution, shall be authorised and empowered to adjourn the vendue from time to time, not exceeding seven days at any one time, until the sale of such real estate shall be completed.

Officers'
duty.

[This act passed 13th February, 1812.]

CHAP. CVI.

An Act to amend an act, entitled, "An act to establish the Fifteenth Massachusetts 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 from and after the passing of this act, so much of the said Fifteenth Massachusetts Turnpike road, as lies north of where the said turnpike road intersects the county road leading from Great Barrington to Stockbridge in the county of Berkshire, being about three fourths of a mile in length, be, and hereby is discontinued, and the proprietors of the said Fifteenth Massachusetts Turnpike road be, and they hereby are exempted and released from keeping the said three fourths of a mile, of the said turnpike road in repair, any thing in the aforesaid act of incorporation to the contrary notwithstanding. *And it is also hereby further provided,* That the toll gates and the rates of toll, at the said gates, as established by the act aforesaid, shall be, and continue the same, as are allowed, in and by the act aforesaid.

Turnpike
road discon-
tinued.

Shall not
affect other
roads.

SEC. 2. *And be it further enacted,* That the discontinuance aforesaid, shall in no manner affect any county road already laid out and established upon that part of said turnpike road discontinued as aforesaid; but any county road heretofore laid out, shall be, and remain a county road in future, in the same manner it would have done if the act establishing said turnpike corporation had not been passed.

[This act passed 13th February, 1812.]

CHAP. CVII.

An Act in addition to an act, passed the twenty-sixth day of February 1811, entitled, "An act to establish the Baptist Society of Newbury and Newburyport.

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 meeting house of The Baptist Society in Newbury and Newburyport be, and they hereby are authorised and empowered to sell and convey by private contract or public auction as they may think expedient, the walls of said meeting house, and the land under and adjoining the same, belonging to the said proprietors, and to apply the proceeds thereof in such manner as the said proprietors may think proper; and a deed of the premises aforesaid, executed by such person or persons, as by the vote of a legal proprietors' meeting may be appointed for such purpose, and duly acknowledged and recorded, shall be good and sufficient in law, to convey the said land and walls, and to pass the title thereof in fee simple to the purchaser.

Proprietors
authorised
to sell.

[This act passed 13th *February*, 1812.]

CHAP. CVIII.

An Act to authorise the sale of the Ministerial and School Lands in the town of New Sharon, and to incorporate certain persons by the name of The Trustees of the Ministerial and School Funds in the town of New Sharon.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Abel Baker, Samuel Bradley, Christopher Dyer, Thomas Fields, Daniel Gould, and Francis Mayhew, be, and they are hereby appointed Trustees to sell the Ministerial and School Lands, in the said town of New Sharon, in the county of Kennebeck,

Persons in-
corporated.

and to put out at interest the monies arising from such sale, in the manner hereinafter directed.

Trustees
empowered

SEC. 2. *Be it further enacted*, That the trustees before named be, and they are hereby incorporated into a body politic, by the name of The Trustees of the Ministerial and School Funds in the town of New Sharon, and that they and their successors shall be, and continue a body politic and corporate forever, and they shall have and use a common seal, subject to alteration at their pleasure. And by the name aforesaid they may sue and be sued, in all actions, real, personal, and mixed, and prosecute and defend the same to final judgment and execution.

Choice of of-
ficers.

SEC. 3. *Be it further enacted*, That the inhabitants of the said town of New Sharon, who are qualified to vote in town affairs, shall at their annual town meetings for the choice of officers, have the privilege to elect three persons, as associates with the beforenamed trustees, and after the said corporation shall be duly organized, according to the provisions of this act, one of the three associates, chosen as aforesaid, shall annually retire by lot, and the vacancy so made shall be supplied by a new election, so that one new member of the said corporation may be elected annually forever.

President
and Clerk,
how chosen.

SEC. 4. *Be it further enacted*, That the said trustees and their successors shall annually elect a President and a Clerk, to record the doings of the said trustees, and a Treasurer to receive and apply the monies herein mentioned, as hereafter directed, and any other needful officers for the better managing their business, and all such elections shall be by written votes.

Trustees to
supply va-
cancies.

SEC. 5. *Be it further enacted*, That the number of trustees shall never exceed nine, nor be less than six, any five of whom may be a quorum for doing business, and they shall have power from time to time, to fill up vacancies in their number, which may happen by death, resignation, or otherwise, and they shall also have power to remove any one of their number, who, from age, infirmity, misconduct, or any other cause, may become unfit or unable to discharge his duty, and to supply the vacancy so made by a new choice, from the inhabitants of the said town. And the said trustees shall hold a meeting annually in March, and oftener when it may be found necessary, to

perform their business, which said meeting, after the first, shall be notified and called, in such way and manner as the trustees at any meeting may direct.

SEC. 6. *Be it further enacted*, That the said trustees be, and they are hereby authorised to sell and convey the ministerial and school lands belonging to the said town of New Sharon, and to make, execute, and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds shall be subscribed by the Treasurer and countersigned by the Clerk, with the seal affixed, shall be good and effectual in law to convey the fee simple from the said town to the purchaser.

Trustees
authorised
to sell.

SEC. 7. *Be it further enacted*, That all monies arising from the sale of the said ministerial and school lands, in the said town of New Sharon, shall be put to use, as soon as may be, and secured by mortgage on real estate, to the full value of the property sold, or money loaned, or by two or more sureties, with the principal, unless the trustees shall think it more expedient to invest the same in public funded securities, or bank stock, at their discretion.

Empowered
to use funds.

SEC. 8. *Be it further enacted*, That the Treasurer of the said fund shall give bonds to the acceptance of the said trustees faithfully to perform his duty, and to be at all times responsible for the faithful application and expenditure of the monies which may come into his hands, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his said office: and the Clerk shall be sworn to the faithful discharge of his duty.

Treasurer
to give
bond.

SEC. 9. *Be it further enacted*, That it shall be the duty of the said trustees to keep distinct accounts of the monies accruing from the sale of the said school lands, from those of the ministerial lands, and of the interest arising therefrom respectively; which accounts they and their successors in office shall exhibit to the town, at their annual meeting in March or April; and the said trustees shall be entitled to no compensation from the funds aforesaid, but a reasonable compensation may be made to them, the Treasurer, or other officers, by the town, at their discretion.

Duty of
trustees.

SEC. 10. *Be it further enacted*, That the interest accruing on the monies, coming from the sale of the said ministerial lands shall be appropriated for the support of

Monies received and appropriated.

the gospel ministry in the said town of New Sharon: and the interest accruing on the monies coming from the sale of the said school lands shall be appropriated for the support of instruction in public free schools in the said town. And it shall never be in the power of the said town, to alienate or alter the appropriation of the said funds, provided in this act.

Trustees responsible.

SEC. 11. *Be it further enacted*, That the said trustees, and each of them, severally, shall be responsible to the town for their personal misconduct or neglect, whether they be officers or not, and liable to prosecution for any loss or damage to the said funds arising thereby, and the debt or damage recovered in such suit, shall be considered as belonging to the said funds, and applied accordingly.

Justice to issue warrant.

SEC. 12. *Be it further enacted*, That any Justice of the Peace for the county of Kennebeck, upon application therefor, is hereby authorised to issue a warrant to one of the trustees before named, requiring him to notify and warn the first meeting of the said trustees 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.

[This act passed 13th *February*, 1812.]

CHAP. CIX.

An Act to incorporate a number of persons by the name of The First Baptist Society in Salisbury.

Persons incorporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, That Daniel Barnard, Joseph Boardman, Thomas Boardman, Thomas Boardman jun. Stephen Brown, Aaron Clough. Jacob Currier, Benjamin Currier, Richard Currier, Jacob Flanders jun. Joseph Flanders, Moses Flanders 3d, Nathan Flanders, Bennet Flanders, Samuel Follensbe, Ezekiel Fowler, Daniel Fowler, Thomas Frost, Moses Gill, William Goodridge, Henry Goodwin jun. Philip Gould, Allen Greeley, Moses Greeley, Stephen Greeley, William Huntington jun. Eliphalet Lowell, Jonathan Martin, Henry Maxfield,

Abraham Morrill jun. David Morrill, David Morrill jun. Samuel Morrill, John Morrill, Jonathan Morrill, Bradbury Morrill, William Morrill, Benjamin Morrill, James Quimby, Nathaniel Ring, Jeremiah Sawyer, Jabez True, Samuel A. Tucker, James Tucker, and Philip Wadleigh, with their families and estates, together with such as may hereafter associate with them, and their successors, be, and they hereby are incorporated and established as a distinct religious society, by the name of The First Baptist Society in Salisbury, with all the powers and privileges, usually exercised and enjoyed by other religious societies, according to the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted,* That any person belonging to any other religious society in the said town of Salisbury and Amesbury, who may desire to join in religious fellowship with the said Baptist society, and doth declare such desire and intention in writing to the minister, elder, committee, or clerk thereof, fifteen days at least prior to the annual meeting, and receive a certificate of membership signed by the said minister, elder, committee, or clerk, that he or she has actually become a member of, and doth statedly and constantly unite in religious worship with the said Baptist society in Salisbury, such person, from the date of such certificate, shall be considered with his or her polls and estate as a member of the said Baptist society, provided always that every person so joining the said Baptist society, shall give like notice of his intention to the committee or clerk of the society from which such person may secede.

Method of
becoming a
member.

SEC. 3. *Be it further enacted,* That when any member of the said Baptist society may see cause to leave the same, and to unite in religious worship with any other religious society in the said towns of Amesbury or Salisbury, and doth declare such desire and intention in writing to the minister, elder, committee, or clerk of such other society, fifteen days at least prior to the annual meeting thereof; and if such person doth receive a certificate of membership, signed by the minister, elder, committee, or clerk, such person from the date of such certificate, with his or her polls and estate, shall be considered a member of the said society. *Provided however,* That in every case of secession from one society and joining an-

Manner of
leaving.

Proviso.

Feb. 17, 1812.

other, in the manner provided by this act, such person shall be holden to pay his or her tax or proportion of all assessments or other pecuniary parish charges assessed and not paid before such secession.

Justice to is-
sue warrant. SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Essex is hereby authorised, upon application therefor, to issue a warrant directed to a member of the said Baptist society, requiring him to notify and warn a meeting thereof, at such convenient time and place, as may be appointed in the said warrant, to organize the said society by the appointment of its officers.

[This act passed 17th *February*, 1812.]

CHAP. CX.

An Act to exempt Nehumkeag stream in the town of Pittston, from the operation of all the laws for regulating the fisheries in the river and county of Kennebeck.

Act
repealed. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the stream called Nehumkeag, in the town of Pittston, in the county of Kennebeck, be, and hereby is exempted from the operation of all the laws for the regulating the fisheries in the rivers and streams running into the river Kennebeck.

[This act passed 17th *February*, 1812.]

CHAP. CXI.

An Act for continuing in force an act, entitled, "An act making a temporary alteration in the toll receivable on certain articles by the Proprietors of the upper Locks and Canals on Connecticut river, in the county of Hampshire."

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 upper

Locks and Canals on Connecticut river, in the county of Hampshire, be, and they hereby are authorized to demand and receive hereafter the same toll on certain articles passing through their works which they were authorized to demand and receive by virtue of an act entitled, "An act making a temporary alteration in the toll receivable on certain articles by the proprietors of the upper Locks and Canals on Connecticut river in the county of Hampshire." Proprietors authorized to receive toll.
Provided however, That the toll hereby authorized to be received be subject to be regulated by the General Court, Proviso. according to the provision contained in the original act of incorporation, passed on the twenty-third day of February, in the year of our Lord one thousand seven hundred and ninety-two.

[This act passed 17th *February*, 1812.]

CHAP. CXII.

An Act to incorporate the Proprietors of the Birmingham 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 Benjamin Andrews, Amos Lawrence, and such other persons as may hereafter associate with them, their successors and assigns, be, and hereby are made a corporation by the name and style of The Birmingham Factory, for the purposes of manufacturing cutlery, buttons, brass and plated furnitures, and various hard-wares within the town of Boston, or any where within seven miles of said town, and for this purpose shall have all the powers and privileges, and be subject to the duties and regulations contained in an act passed by the General Court March the third one thousand eight hundred and nine, entitled, "An act defining the general powers and duties of manufacturing corporations." Persons incorporated.

SEC. 2. *Be it further enacted,* That said corporation may take and hold real estate not exceeding the value of eighty thousand dollars, and personal estate not exceeding the value of three hundred thousand dollars, for the pur- Possession of property allowed.

pose of establishing and carrying on the manufacturing of such wares as aforesaid.

[This act passed 17th *February*, 1812.]

CHAP. CXIII.

An Act determining the places for holding the Courts of Probate, and the town in which the Register of Probate shall keep his office, within and for the county of Franklin.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, there shall be holden within and for the county of Franklin, in each year, a Court of Probate at the places hereafter mentioned, that is to say, at Greenfield eight times, at Charlemont twice, at Wendell twice, and at Conway twice, at such times and places in said towns as the Judge of Probate, for the same county, shall appoint.

Times and
places for
holding.

Office, where
to be kept.

SEC. 2. *Be it further enacted,* That the Register of Probate for said county, shall hold and keep his office in the shire town of the same county.

[This act passed 17th *February*, 1812.]

CHAP. CXIV.

An Act to set off that part of the estates of Samuel Carr and Joseph Wingate respectively, which is situated in the town of Augusta, from said town, and to annex the same to the town of Hallowell, and to the first parish in said Hallowell.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That such part of the estate of Samuel Carr, and such part of the estate of Joseph Wingate, as is situated in the town of Augusta, be, and

Persons set
off to other
town.

the same is hereby set off from the town of Augusta and annexed to the town of Hallowell, and to the first parish in said Hallowell. *Provided*, That said Carr and Wingate shall be holden to pay all taxes already legally assessed upon them respectively, in the same manner as if this act had not passed. Proviso.

[This act passed 17th *February*, 1812.]

CHAP. CXV.

An Act to extend the charter of the Worcester and Fitzwilliam Turnpike Corporation.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Worcester and Fitzwilliam Turnpike Corporation shall be allowed three years from the fifteenth day of June, one thousand eight hundred and twelve, for making and completing their said road, viz. from the north line of this Commonwealth, in the town of Royalston, near Graves' Mills, so called, to the dwelling-house of Eden Baldwin in Templeton, near Baldwin's mills.

[This act passed 17th *February*, 1812.]

CHAP. CXVI.

An Act for continuing in force an act, entitled, "An act making a temporary alteration in the toll to be received by the Proprietors of the Locks and Canals on Connecticut river."

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 Locks and Canals on Connecticut river be, and they hereby are authorized hereafter to demand and receive the same toll that they were authorized to demand and receive by virtue of the act aforesaid, passed on the eighth day of March in Proprietors authorized to receive toll.

Proviso.

the year of our Lord one thousand eight hundred and five, and entitled, "An act making a temporary alteration in the toll to be received by the proprietors of the Locks and Canals on Connecticut river. *Provided however*, That the said toll be subject to be regulated by the General Court according to the provision for that purpose made, and contained in the original act of their incorporation.

[This act passed 17th *February*, 1812.]

CHAP. CXVII.

An Act to alter the name and title of an act passed February 24, 1810, incorporating Timothy Burbank and others by the name of The Agawam Cotton, Woollen, and Linen Manufactory.

Name altered.

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 corporation aforesaid shall be allowed to take the name of The Agawam Manufacturing Company, and by that name shall hereafter be known instead of the aforesaid name.

Former law binding.

SEC. 2. *Be it further enacted*, That all acts, engagements, promises, and things heretofore done or entered into by said corporation, shall be as binding on the same as though this act had never been passed, any thing in the original act to the contrary notwithstanding.

[This act passed 18th *February*, 1812.]

CHAP. CXVIII.

An Act to repeal the second section of an act, entitled, "An act in addition to an act, in explanation of an act, entitled, An act in addition to an act, passed in the year of our Lord one thousand seven hundred and forty-one, entitled, An act to enable the Trustees appointed in His Majesty's High Court of Chancery to purchase houses and lands, and to improve the same for perpetuating the charity of the Honorable Edward Hopkins Esq. more effectually to secure the interest of their several tenants in possession of their Hopkinton and Upton lands, and the revenue of those lands to the College and Grammar School at Cambridge, according to the true intent of all parties, at the first settlement of that town."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the second section of the act entitled, "An act in addition to an act, in explanation of an act, entitled, An act in addition to an act, passed in the year of our Lord one thousand seven hundred and forty-one, entitled, An act to enable the Trustees appointed in His Majesty's High Court of Chancery to purchase houses and lands, and to improve the same for perpetuating the charity of the Honorable Edward Hopkins Esq. more effectually to secure the interest of their several tenants in possession of their Hopkinton and Upton lands, and the revenue of those lands to the College and Grammar School at Cambridge, according to the true intent of all parties, at the first settlement of that town," be, and the same is hereby repealed. Act repealed.

[This act passed 18th February, 1812.]

CHAP. CXIX.

An Act to incorporate the Trustees of the Ministerial Fund in the town of Watertown.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Jonas White, Levi Thaxter, Nathaniel R. Whitney, John Fowle, and Peter Clark, be, and they hereby are constituted and made a body politic and corporate, by the name of The Trustees of the Watertown Ministerial Fund: and they and their successors in office, shall by that name continue to be a body politic and corporate forever. And the said corporation shall have power to have and use a common seal, subject to alteration when they see cause; and shall also be capable in law as a corporation, to sue and be sued, in any action, real, personal, or mixed, and prosecute and defend the same, to final judgment and execution, and may also pursue and oppose, settle and adjust, as well out of, as in any court of justice, all claims and demands in favour of, or against them in their said capacity, in such way and manner as they may think expedient.

Trustees
empowered.

SEC. 2. *Be it further enacted,* That the said trustees, as soon hereafter as may be, and forever hereafter, in the month of March or April annually, shall elect one of their number as President, and whenever the said office shall become vacant, by death, resignation, or otherwise; and shall also in the said month of March or April annually, elect a Clerk, and whenever the office of Clerk shall be vacant, whose duty it shall be to record the doings and proceedings of the said trustees at their regular meetings, in a book or books to be kept for that purpose: and the said trustees shall annually in said months of March or April, and at all other times, when one shall be wanting, choose a Treasurer to receive all monies and other property, and to keep and apply the same, as is hereinafter directed. And every Clerk and Treasurer, before entering upon his said office, shall be sworn, to the faithful discharge of the duties thereof, and a record thereof shall be entered in the books of the corporation.

SEC. 3. *Be it further enacted*, That the number of the said trustees shall not exceed seven, nor be less than five, a majority of whom shall constitute a quorum for doing business; and they may from time to time remove any of their number, who shall become unfit or incapable, through age, infirmity, misconduct, or any other cause, of discharging his duty; and they shall within ten days after such removal, or after any vacancy shall happen, by death, resignation, or otherwise, give information thereof to the selectmen of said town, and the town at a legal meeting may fill up such vacancy or vacancies within three months after such information received: but if such vacancy or vacancies shall not be filled by said town within three months, then the remaining trustees may proceed to supply such vacancy from the inhabitants of the said town. And the said trustees shall annually in the months of March or April, hold a meeting to transact their business, and as much oftener as they may think proper.

Trustees to
supply va-
cancies.

SEC. 4. *Be it further enacted* That it shall be, and it is hereby made the duty of the said trustees and their successors to use, manage and improve all the ministerial lands of said town, except that now occupied by the Rev. Richard Rosewell Elliot, in such way and manner as in their discretion and judgment will best obtain and secure the end of their incorporation: and also to manage and improve all such estate, real, personal, or mixed, as may hereafter come to them in their said corporate capacity, by gift, grant, devise, or otherwise, by operation of law, and which they are hereby made capable of receiving and holding in their said corporate capacity; and they are also hereby authorized and empowered to lease, sell, or convey, in fee simple, or otherwise, all or any part of said ministerial land, or any other property which may hereafter come to them, in their said capacity, and for that purpose to make, execute, and acknowledge any good and sufficient deed or deeds thereof, which deed or deeds when signed by the President, and countersigned by the Treasurer, and sealed with their common seal, shall bind the said corporation and be valid in law, to convey such land or other property to the purchaser, according to the conditions and meaning of such instrument.

Authorized
to improve
lands.

Trustees
empowered.

SEC. 5. *Be it further enacted*, That the said trustees and their successors in office be, and they hereby are authorized and empowered, at the expense of said town of Watertown, to establish and make any road, street, lane, and passage ways upon and over any part of such land, as they now hold, or may hereafter hold, in their said corporate capacity, and the same to alter or discontinue, as they may think proper : *Provided*, they do not thereby infringe or impair the rights of any individual, who may hereafter become interested in the same lands, or of any other person whatever.

Monies re-
ceived and
appropria-
ted.

SEC. 6. *Be it further enacted*, That all money coming to the said trustees, in their corporate capacity, shall be loaned on interest, and secured by the bond or note of the borrower with sufficient sureties, or by his bond or note, with mortgage on real estate, to double the amount of the sum loaned, or they may invest all, or any part of said money, in public funded securities, or bank stock, as they may judge best ; and whenever the annual interest or income of said ministerial fund, whether real or personal estate, shall amount to the sum of two hundred dollars, and upwards, the same shall be applied toward the support of the minister of said town, in such manner as said town may direct ; and whenever the said interest or income shall amount to a sum more than sufficient to pay the salary of the said minister, the surplus thereof shall be added to the principal of the said fund, unless otherwise appropriated by said town ; and the said town shall never have power to alienate, alter, or diminish the principal of said fund, or to change the appropriation thereof from the support of the minister of the said town.

Treasurer to
give bond.

SEC. 7. *Be it further enacted*, That the said Treasurer, before entering upon his said office, shall give to the said trustees and their successors, his bond, with good and sufficient sureties, in such sum as the said trustees shall require, for the faithful discharge of the duties of his said office, and the said Treasurer shall be the receiver of all monies and effects due, owing, or coming to said trustees, and he shall have the care and custody of all the money, effects, and all obligations, securities, and evidences of property belonging to the said trustees, to be accountable therefor, and shall render a fair and regular account of all his doings, and of the property and effects in his hands,

whenever the said trustees shall require it, and shall dispose of the same, as they shall order and direct, and shall deliver over to his successor in the same office, as soon as may be, all the books and papers, property, and evidences, of property, in his hands, in good order and condition.

SEC. 8. *Be it further enacted*, That the said trustees ^{Trustees} and their successors shall be liable to the said town ^{responsible.} of Watertown, in their own private property and persons, for any negligence or misconduct in their said capacity as trustees. *Provided however*, That no one of them shall be ^{Proviso.} so liable, who shall make it appear, that such negligence or misconduct did not in any way arise or happen through his own personal agency or omission, and the remedy of said town, shall be by an action of trespass on the case: and the said trustees and their successors shall in each and every year, in the months of March or April, at the annual meeting of said town, exhibit a fair statement of their proceedings and of the state of the funds under their management: and the said trustees, or others, for any services performed on the behalf of the said funds, shall not receive any compensation therefrom, but such allowance may be made to them, from time to time, as the said town may see cause, and order accordingly.

SEC. 9. *Be it further enacted*, That any Justice of the Peace for the county of Middlesex is hereby authorized, upon application therefor, to issue his warrant, directed to one of the trustees before named, requiring him to notify and warn the first meeting of the said trustees, at such convenient time and place as shall be expressed in said warrant, to organize the said corporation, by the appointment of its officers. ^{Justice to issue warrant.}

[This act passed 18th February, 1812.]

CHAP. CXX.

An Act to incorporate The Castine Mechanic Association.

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 Scot, and all those ^{Persons in-} who have associated or may hereafter associate with him, ^{corporated.}

be, and they are hereby incorporated and made a body politic, by the name of The Castine Mechanic Association, and by that name shall be known in law, and shall be capable of suing and being sued, and shall have power to have and keep a common seal, to make by-laws for the election of their members and officers, the collection of assessments, the regulation of their meetings, and the appropriations of their funds, for charitable uses, but shall not have power to make by-laws, or regulations, for any other purpose whatever.

May hold
estate.

SEC. 2. *Be it further enacted*, That the said corporation shall have power, and shall be capable in law, to purchase, have, hold, use, possess, retain, and enjoy in fee-simple or otherwise, any personal or real estate, within this Commonwealth, not exceeding the value of fifteen thousand dollars in real estate, and fifteen thousand dollars in personal estate, and the same to sell, alien, and dispose of at pleasure.

Appropriation of annual income.

SEC. 3. *Be it further enacted*, That the annual income of said corporation, shall only be employed for the purpose of relieving the distresses of unfortunate mechanics and their families, to promote inventions and improvements in the mechanic arts, by granting premiums for said inventions and improvements, and to assist young mechanics with loans of money.

Limitation.

SEC. 4. *Be it further enacted*, That the said corporation shall be, and continue for, and during the term of ten years, unless the Legislature shall within that time see fit to dissolve the same.

First meeting.

SEC. 5. *Be it further enacted*, That James Scot be, and he is hereby authorized and empowered to call the first meeting of said corporation, by giving notice of the time and place thereof, by posting up written notices, in Castine and Penobscot, thirty days at least before the time of such meeting,

[This act passed 18th February, 1812.]

CHAP. CXXI.

An Act to annex John Nuting, and others, to the town of Amherst.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the land belonging to the town of Hadley, with the inhabitants thereon contained, within the boundaries hereafter mentioned and described, to wit, beginning at the south-west corner of Amherst, thence running the course of the west line of said Amherst, southerly until it intersects the north line of South Hadley; thence easterly by the north line of said South Hadley and Granby to the line of Belchertown; thence northerly by said Belchertown line to the south-east corner of said Amherst; thence by the southerly line of said Amherst to the first mentioned corner or bound, be, and hereby are set off from the said town of Hadley, and annexed to the said town of Amherst, and shall forever hereafter be considered as belonging thereto. *Provided* ^{Boundaries fixed.} *nevertheless,* That the said John Nuting, and others, shall ^{Proviso.} pay their proportionable part of all taxes, which are already assessed or levied on the said town of Hadley, in like manner as though this act had not passed.

SEC. 2. *And be it further enacted,* That in all State taxes, which shall hereafter be granted until a new valuation shall be settled, one fortieth part of the taxes which would have been set to the said town of Hadley, according to the valuation adopted at the present session of the General Court, shall be taken therefrom, and set to the said town of Amherst.

[This act passed 18th February, 1812.]

CHAP. CXXII.

An Act in addition to an act, entitled, "An act to incorporate certain persons for the purpose of building a bridge over Connecticut river, between Sunderland and Deerfield, in the county of Hampshire."

Possession
of property
allowed.

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 Sunderland bridge be, and they hereby are authorized and empowered to purchase and hold in their corporate capacity, such real estate, not exceeding in value two thousand dollars, as may be necessary to enable them to carry into effect the act to which this is in addition.

[This act passed 18th *February*, 1812.]

CHAP. CXXIII.

An Act to authorize and empower Benjamin Goodhue and others, or any, or either of them his associates, to build a bridge over the North river, in the town of Danvers, or to widen and repair a Dam at Trask's mills, (so called) in the town of Danvers, and for other purposes.

Persons in-
corporated.

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, Benjamin Goodhue, and others his associates, or any, or either of them, be, and they hereby are authorized and empowered to build a bridge over the North river, in the town of Danvers, at, or near a place called Trask's mills, in the town of Danvers, or to widen and repair the mill-dam at Trask's mills, so called, in Danvers. *Provided,* That the said Goodhue and others his associates, or any or either of them, who shall build the said bridge, or widen and repair said dam, shall do the same at their sole expense, and keep the same in repair, and open, and

free from all obstructions to the public. *Provided also,* Proviso. That they first obtain the consent of the owner or owners of said mills and dam, and do not infringe the rights of the owner or owners of said mill-dam, and that neither of the towns of Salem or Danvers shall ever be held to pay, or to be at any charge or expense in the building of the said bridge, or widening and repairing said dam, or keeping either of them in repair.

[This act passed 18th *February*, 1812.]

CHAP. CXXIV.

An Act to establish the town of Dearborn in the county of Kennebeck.

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 plantation heretofore called Town incorporated. West Pond, in the county of Kennebeck, as contained in the following described boundaries, shall be, and hereby is established a town, by the name of Dearborn, viz. easterly by the town of Waterville, southerly by the town of Belgrade, westerly by the town of Rome, and northerly by the south line of the county of Somerset. Boundaries described. And the inhabitants of the said town of Dearborn are hereby vested with all the powers and privileges, and subject to the like duties and requisitions of other incorporated towns, according to the constitution and laws of this Commonwealth.

SEC. 2. *And be it further enacted,* That any Justice of the Peace for the county of Kennebeck is hereby authorized, upon application therefor, to issue a warrant, Justice to issue warrant. directed to a freeholder and inhabitant of the said town of Dearborn, requiring him to notify and warn the freeholders thereof, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers as towns are by law required to choose at their annual town meetings.

[This act passed 22d *February*, 1812.]

CHAP. CXXV.

An act to establish the town of Kingville, in the county of Kennebeck.

Town incor-
porated.

Boundaries
described.

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 township numbered four in the first range of townships, north of the Waldo Patent, and in the county of Kennebeck, contained within the following described boundaries, with the inhabitants thereon, shall be, and hereby is established a town, by the name of Kingville, viz. easterly by the town of Dixmont, southerly by the north line of of the Waldo Patent to the town of Unity, westerly by the said town of Unity, and northerly by the township numbered five in the second range. And the inhabitants of the said town of Kingville are hereby vested with all the powers and privileges and subject to the like duties and requisitions of other towns, according to the constitution and laws of this Commonwealth. And the whole of the said town of Kingville be, and hereby is annexed to the county of Kennebeck.

Justice to is-
sue warrant.

SEC. 2. *And be it further enacted,* That any Justice of the Peace for the county of Kennebeck is hereby authorized, upon application therefor, to issue a warrant directed to a freeholder and inhabitant of the said town of Kingville, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers as towns are by law required to choose at their annual town meetings.

[This act passed 22d February, 1812.]

CHAP. CXXVI.

An Act to establish The First Universal Society in
Salisbury.

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 Morrill, Jonathan Morrill jun. Jacob Morrill, Henry Morrill jun. Ephraim Brown, Aaron Osgood, Peter Osgood, John Osgood jun. Richard Osgood, Philip Colby, Eliphalet Wadleigh, Ephraim B. Wadleigh, Enoch Wadleigh, Enoch Currier, Ezekiel Currier, David Currier jun. Ebenezer Jackson, Joseph Jewell, Benjamin Joy, Moses Carter, John P. Sweatt, German Senter, John Sanborn, Thomas Sanborn, Jonathan King, Isaac Knap jun. John Blasdel, Lowell Bagley, Stephen H. Bagley, Jacob Gale, Jonathan French, Edmund Barnard, Timothy Collins, Winthrop Collins, Daniel Curtis, William Davis, William Dennett, Isaac Chandler, Sargent Moody, John Hoyt, Thomas Hoyt jun. Edmund Sargent, William Nichols, Moses Nichols jun. Joseph Tuxbury, Samuel Hoyt, Bagley Carter, Nathaniel Wyer, Ebenezer Whitmore, John Bayley jun. Benjamin F. Russell, Enoch Smith, Joseph Hoyt jun. and John Butler, with their families and estates, be, and they hereby are incorporated as a distinct religious society, by the name of The First Universal Society in Salisbury, for religious purposes only, and as such shall have all the powers and privileges of other religious societies, according to the constitution and laws of this Commonwealth. Persons in-
corporated.

SEC. 2. *Be it further enacted,* That any person who may desire to join in religious worship, and to become a member of the said Universal Society, shall have liberty so to do, by giving notice of such desire and intention in writing to the clerk of the society where such person has formerly attended on public worship, and also a copy of the said notice in writing to the clerk of the said Universal Society, fifteen days previous to the annual meeting, and such person, from the date aforesaid, with his or her polls and estate, shall be considered a member of the said Universal society. Method of
becoming a
member.

Y y y

SEC. 3. *Be it further enacted*, That when any member of the said Universal society shall see cause to leave the same, and to unite with any other religious society, the like notice and process shall be made and given, mutatis mutandis, as is prescribed in the second section of this act. *Provided always*, That in every case of secession from one society and joining to another, the person so seceding shall be holden, in law, to pay his or her proportion of all parochial expenses assessed and not paid prior to leaving the said society.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Essex is hereby authorized to issue a warrant directed to a member of the said Universal Society, requiring him to notify and warn the first meeting of the said society, to meet at such convenient time and place as shall be expressed in the said warrant, for the choice of such officers as religious societies are accustomed to choose and appoint at their annual meetings.

[This act passed 22d February, 1812.]

CHAP. CXXVII.

An Act to establish a Town by the name of Brewer.

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 town of Orrington, in the county of Hancock, laying on the east side of Penobscot river, be divided, and that the northerly part thereof, (commonly known by the name of Knapp's square,) with the inhabitants thereon, be incorporated into a town by the name of Brewer, by the following bounds, viz. beginning at Nichols' rock (so called) on the easterly bank of Penobscot river, being the corner bounds between said Orrington and Eddington; thence south forty-eight degrees east to the easterly corner of said Orrington; thence south forty-two degrees west on the back line of said town six miles, or to the south-easterly corner of lot number eighteen in the third division of lands in said town; thence north forty-eight degrees west to the head of the front

Manner of leaving.

Proviso.

Justice to issue warrant.

Town incorporated.

Boundaries described.

lots ; thence by the head of the front lots to the north line of the widow Priscilla Brastow's lot ; thence by the north line of said lot to the river ; thence as the said river runs to the first mentioned bound, excepting three acres of land deeded by government to Jonathan Eddy Esq. And that the said town is hereby vested with the powers, privileges, and immunities which other towns do or may enjoy by the constitution and laws of this Commonwealth.

SEC. 2. *And be it further enacted*, That any Justice of the Peace for the county of Hancock be, and he is hereby authorized to issue his warrant directed to a freeholder and inhabitant of said town of Brewer, to notify the inhabitants of said town to meet at such convenient time and place as shall be appointed in said warrant, to choose such officers as towns are by law required to choose at their annual town meetings. Justice to issue warrant.

[This act passed 22d February, 1812.]

CHAP. CXXVIII.

An Act in addition to an act, entitled, "An act to establish a Corporation by the name of The Granville Turnpike Corporation," passed the twentieth of June, one thousand eight hundred and nine.

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 said Granville Turnpike Corporation may, and they hereby are authorized to make said road eighteen feet in width, instead of twenty-four feet, as by the said act they were required, any law, usage, or custom to the contrary notwithstanding. Corporation authorized.

SEC. 2. *Be it further enacted*, That the Committee that shall be appointed to accept said road, shall also be authorized to appoint the place for erecting the gate. Committee authorized.

[This act passed 22d February, 1812.]

CHAP. CXXIX.

An Act to regulate the fishery in the town of West Cambridge, and to empower said town to dispose of the privilege of taking the fish called shad and alewives within the limits thereof,

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the said town of West Cambridge shall at their annual meeting in March or April choose a committee not exceeding seven, nor less than three, freeholders of said town, who shall be sworn to the faithful discharge of the duty enjoined upon them by this act, and also the act to prevent the destruction of shad and alewives in Mystic river (so called) within the towns of Cambridge, Charlestown, and Medford. And it shall be, and it hereby is made the duty of the said Committee to cause the natural course of the rivers and streams to be kept open and without obstruction during the whole season the said fish pass up or down said rivers or streams, and to remove any such obstructions as may be found therein. And the said committee, or any two of them, paying or tendering a reasonable sum, if demanded, shall have authority in discharging the duties enjoined upon them by this act, to go on the lands of any person bounding on said rivers or streams without being considered trespassers; and any person who shall molest or hinder said committee, or either of them, in the execution of their duty, he or they so offending shall forfeit, for every such offence, a sum not exceeding ten dollars, nor less than two dollars, at the discretion of the Justice before whom the same shall be tried; and it shall be the duty of the said Committee to prosecute all breaches of this act, and for either of them to seize and detain in custody any net or seine found in the rivers or streams contrary to the true intent and meaning of this act, until the persons so offending make satisfaction for his offence, or is legally acquitted therefrom; and also to seize to the use of the town all such fish as they may suspect have been taken contrary to the provisions of this act, unless the person in possession can

Town to
choose com-
mittee.

their duty.

Penalty.

give satisfactory evidence to the committee that such fish were lawfully taken.

SEC. 2. *Be it further enacted*, That it shall and may be lawful for the town of West Cambridge, annually, at any legal meeting of the inhabitants of said town, to sell or otherwise dispose of the privilege of taking the fish called shad and alewives in any of the ponds, rivers, or streams issuing therefrom, within the limits of said town, so far as said town bounds on both sides of said rivers and streams, at such times only as is already provided by law to prevent the destruction of shad and alewives in Mystic river (so called) and the emoluments arising from the said privilege shall be appropriated, by the said town, to such purposes as the inhabitants thereof may in town meeting from time to time determine.

Town may dispose of privilege of taking fish.

SEC. 3. *Be it further enacted*, That if the purchaser or purchasers, manager or managers, or those employed by them, shall presume to take any of said fish at any other place than the said town shall appoint, and if any other person or persons whatever, except the purchaser or purchasers, manager or managers, of said privilege, or those employed by them, do presume to take any of the said fish in the said ponds, rivers, or streams within the town of West Cambridge, otherwise than may be allowed by said town, he or they, so offending, shall for each offence forfeit and pay a sum not exceeding thirteen dollars, nor less than two dollars, at the discretion of the Justice before whom the same shall be tried.

Penalty for taking fish contrary to law.

SEC. 4. *And be it further enacted*, That the penalties incurred by any breach of this act shall be recovered by an action on the case, before any Justice of the Peace within said county of Middlesex, allowing an appeal to the Circuit Court of Common Pleas of said county; and all sums of money recovered as forfeited by this act, shall be for the support of the poor of said town; and no person by reason of his being one of the fish committee, aforesaid or an inhabitant of the said town, shall be thereby disqualified from being a witness in any prosecution for a breach of this act.

for breach of law, how recovered.

[This act passed 22d *February*, 1812.]

CHAP. CXXX.

An Act to establish the Town of Fairhaven.

Town incor-
porated.

Boundaries
described.

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 easterly part of New Bedford, in the county of Bristol, as described within the following bounds, with the inhabitants thereon, be, and they are hereby incorporated into a separate town, by the name of Fairhaven, viz. beginning at the mouth of Acuchnot river; thence northerly by said river until it comes to the north side of a bridge at the head of said river; thence westerly by the north side of the highway to Swift's corner (so called); thence northerly by the easterly side of the highway which leads to Rounswell's furnace until it comes to Freetown line; thence easterly by the line of said Freetown till it comes to Peaked Rock (so called) in the northeast corner of the town of New Bedford; thence southerly by Rochester line till it comes to Buzzard's Bay; thence by said Bay to the first mentioned bound. And the said town of Fairhaven is hereby vested with all the powers, privileges, rights, and immunities, and subject to all the duties and requisitions to which other towns are entitled and subjected by the constitution and laws of this Commonwealth.

Holden to
pay propor-
tion of taxes.

SEC. 2. *Be it further enacted,* That of all state and county taxes which shall be levied and required of said towns, previous to a new valuation, the said town of Fairhaven shall pay three tenth parts thereof.

To support
poor.

SEC. 3. *Be it further enacted,* That all the expenses arising for the support of the poor of said town of New Bedford, with which it is now chargeable, together with such poor as have removed out of said town prior to this act of incorporation, but who may hereafter be lawfully returned to said town for support, shall be divided between the two towns in proportion to the taxes which they are liable to pay respectively, according to this act.

Warrant to
be issued.

SEC. 4. *Be it further enacted,* That John Hawes Esq. be, and he is hereby authorized to issue his warrant, directed to some suitable inhabitant of Fairhaven, requiring

him to notify and warn the inhabitants thereof, qualified to vote for town officers, to meet at such convenient time and place as shall be expressed in his said warrant, to choose all such officers as towns are by law authorized to choose in the months of March or April annually. And that the said John Hawes Esq. be, and he hereby is authorized and empowered to preside at said meeting during the election of a moderator, and to exercise all the powers, and do all the duties which town clerks by law have and do perform in the elections of moderators of town meetings.

[This act passed 22d *February*, 1812.]

CHAP. CXXXI.

An Act to establish the Town of South Reading.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That all that tract or parcel of land with the inhabitants thereon, which is within the bounds of, and known by the name of the first or south parish in Reading, in the county of Middlesex, as the same has heretofore been bounded and described, be, and the same is hereby incorporated and established as a town, by the name of South Reading, and the said town is hereby vested with all the powers and privileges, and also subject to all the duties and requisitions of other towns, according to the constitution and laws of this Commonwealth. Town incor-
porated.

SEC. 2. *Be it further enacted,* That the inhabitants of said town of South Reading shall be holden to pay all State, town and county taxes, which have been assessed upon them, prior to the passing of this act, and they shall also be holden to contribute and pay to the town of Reading, their just proportion of all debts, now actually due and owing by that town, and the said town of South Reading shall also be holden to support as nearly as may be its due proportion of all paupers who are now supported by said town of Reading, whether the same be in whole or part so supported, and after the organization of South Reading, such proportion of paupers shall be delivered to the overseers of that town to be supported, and maintained Holden to
pay taxes.

by them accordingly. And in case any person not resident in Reading, but having a legal settlement therein, shall hereafter be returned to that town for support, in case such person derives his settlement from any person who has heretofore resided in that territory, now established as South Reading, then and in such case, such poor person shall be returned to, and be liable to be maintained by South Reading, provided that such town shall in no case be chargeable with the support of any paupers who would not have been chargeable to said town of Reading.

Justice to issue warrant.

SEC. 3. *Be it further enacted*, That any Justice of the Peace for the county of Middlesex is hereby authorized, upon application therefor, to issue a warrant directed to a freeholder and inhabitant of said town of South Reading, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place, as shall be appointed in the warrant, to choose such officers as towns are by law empowered and required to choose at their annual town meeting. *Provided*, that the said town of South Reading shall be holden, until the further order of the Legislature, to pay to the town of Reading, such proportion, if any, of the expenses of maintaining the bridges and causeways over Ipswich river, within said town, as a committee of the Court of Sessions for said county shall determine, and said Court of Sessions are hereby authorized, on the application of either of the inhabitants of Reading or South Reading, from time to time, to appoint a committee for the above purpose, whose report, made to and accepted by said court, shall be binding on the said towns.

[This act passed 25th *February*, 1812.]

CHAP. CXXXII.

An Act regulating the annual allowance to the Judge of Probate for the county of Hancock, for his services in said office.

Preamble.

WHEREAS the fees of the Judge of Probate for the county of Hancock, as by law established, prove to be an inadequate compensation in that office.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Treasurer of the county of Hancock be, and he is hereby authorized and directed to pay the said Judge of Probate for the time being, such sum, as, together with the said fees, shall be equal to two hundred and fifty dollars annually. *Provided,* that the said Judge shall keep an account of all the fees by him taken in said office, and shall present such account, attested by the Register of Probate, to the Treasurer of said county, at the end of each year.

Treasurer
authorized.

Proviso.

[This act passed 25th February, 1812.]

CHAP. CXXXIII.

An Act to establish the Town of Phillips, 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 township number three on the Sandy river, commonly called Curvo, in the county of Somerset, as described within the following boundaries, with the inhabitants thereon, be, and hereby are incorporated into a town, by the name of Phillips, viz. beginning at a hemlock tree, standing in the west line of the township granted to the sufferers of Portland, and at the northeasterly corner of township number two; thence running south seventy-five degrees west, six miles two hundred and thirty-four rods, to a beach tree; thence running north ten degrees west, four miles one hundred and ninety-four rods, to a hemlock tree; thence running north seventy degrees east, by Commonwealth's land, six miles and one hundred and ninety rods, to a hemlock tree standing in the south line of the million acres, sold to William Bingham Esq.; thence running east on the line last mentioned, three hundred and sixty-five rods, to a maple tree; thence running south by the township granted to the sufferers of Portland, five miles and a quarter, to the bounds first mentioned. And the said town of Phillips

Town in-
corporated.

Boundaries
fixed.

Z z z

Feb. 25, 1812.

is hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions, to which other towns are entitled or subjected to, by the constitution and laws of this Commonwealth.

Justice to is-
sue warrant. SEC. 2. *And be it further enacted*, That any Justice of the Peace, for the county of Somerset is, hereby authorized to issue a warrant, directed to some inhabitant of the said town of Phillips, requiring him to notify and warn the inhabitants thereof 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 required to choose at their annual town meetings.

[This act passed 25th *February*, 1812.]

CHAP. CXXXIV.

An Act to annex John Harris to the Third Parish in Roxbury.

Land set off. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That John Harris of Brookline, and one acre of land with the buildings thereon, for parochial purposes only, be, and hereby are set off from the town of Brookline, and annexed to the third parish in Roxbury, there to do the duties, and enjoy the privileges of a parishioner. *Provided*, the said John Harris shall be holden to pay all arrears of assessments, and all other parish charges, due and unpaid at the passing of this act.

Proviso.

[This act passed 25th *February*, 1812.]

CHAP. CXXXV.

An Act to empower the inhabitants of the First Parish in Bath to raise money for parochial purposes, by taxing the pews in their meeting-house.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the inhabitants of the first parish in the town of Bath, in the county of Lincoln, be, and they hereby are empowered to raise the whole, or any part of any sum of money which the said inhabitants may hereafter vote to raise for the purpose of repairing and finishing their meeting-house, paying their minister's salary, and paying the debts and incidental charges of said parish, by a tax on the pews which now are, or which may hereafter be erected in the new meeting-house, belonging to said parish, and that the said inhabitants, at their meeting in March or April annually, shall determine whether they will raise the whole amount voted by them by such a tax, and if not the whole, what proportion they will so raise, and if they shall determine to raise a part only by such tax, then the remainder shall be raised by an assessment on the polls and estates of said parish as heretofore.

Inhabitants
empowered.

SEC. 2. *And be it further enacted,* That for the equitable apportionment of the taxes to be assessed on said pews, the inhabitants of said parish 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 number and value of said pews, shall, when accepted, be binding on all persons interested for the purposes of taxation as aforesaid, until a new valuation shall in like manner be made and accepted. And the sums voted to be raised on said pews, from time to time, shall be assessed and apportioned thereon by the assessors, for the time being, according to such valuation.

Committee
to make val-
uation.

SEC. 3. *And be it further enacted,* That the assessors of said parish shall make out a fair list of the taxes assessed on pews according to this act, and commit the said list to the treasurer of the parish, to receive and collect the said taxes; and it shall be the duty of the Treasurer of said

Duty of as-
sessors.

Pews of de-
linquents
may be sold.

Proviso.

Treasurer's
duty and
power.

parish, as soon after receiving the said list of taxes on pews as may be, to give notice thereof, by posting a copy of said list at the meeting-house door, stating the number of each pew, and the amount of tax set against it, with a notification written thereon, for all 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 on any pew shall not be paid to the Treasurer, 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 thereof, shall remain unpaid, at public auction, to the highest bidder, and his certificate or bill of sale to the purchaser, recorded in the records of said parish, shall give to the purchaser a perfect right and title to said pew, and he 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 such vendue, by posting up one advertisement, stating the number of the pew to be sold, and the amount of tax due upon it, with the time and place of sale, at said meeting house, and one other similar advertisement at the post office in said town.

SEC. 4. *And be it further enacted,* That the assessors of said parish, for the time being, may order the treasurer to receive and collect the taxes aforesaid by instalments, of which it shall be the duty of the treasurer to give notice; but in case any owner or occupant shall neglect to pay an instalment, so that it become necessary to sell the pew, the treasurer shall retain from the proceeds of the sale the whole amount of tax assessed and due upon such pew. And in case an adjournment of the sale shall appear necessary to the treasurer, he may adjourn his sales for a time, not exceeding four days at a time, till they be completed; and in all cases he shall pay over to the owners of pews, on demand, the balance in his hands arising from such sales, after deducting the taxes due, and his reasonable charges for advertising and selling the same.

[This act passed 25th February, 1812.]

CHAP. CXXXVI.

An Act authorizing the sale of a part of the Ministerial Lands in the first parish in the town of Standish.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the auothority of the same,* That Deacon Jonathan Philbrick, ^{Trustees ap-} Mr. Bryan Martin, Edward Thompson, Daniel Crane jun. ^{pointed.} and John Sanborn, be, and they hereby are appointed trustees, to sell and dispose of all the Ministerial Lands belonging to said parish, except the thirty acre lot, whereon the meeting-house stands, and to put out at interest the monies arising from such sale, in manner hereinafter mentioned.

SEC. 2. *Be it further enacted,* That the said trustees be, and they are hereby incorporated into a body politic, ^{Incorporated.} by the name of The Trustees of the Ministerial Fund in the first parish in the town of Standish, in the county of Cumberland; and they and their successors shall be, and continue a body politic and corporate by that name forever, and they shall have a common seal, subject to be altered at their pleasure, and they may sue, and be sued in all actions, real, personal, and mixed, and prosecute and defend the same to final judgment and execution, by the name aforesaid. And said trustees shall, and may annually elect a President, and Clerk to record the doings and transactions of the trustees at their meetings, and a Treasurer to receive and apply the monies hereafter mentioned, as hereinafter directed.

SEC. 3. *Be it further enacted,* That the number of trustees shall not at any one time be more than five, nor less than three, any three of their number to constitute a quorum for transacting business, and they shall, and may from time to time fill up vacancies in their number which may happen by death, resignation, or otherwise, from the members of said first parish, and shall also have power to remove any of the number who may become unfit and incapable, from age, infirmity, misconduct, or any other cause, of discharging their duty, and to supply a vacancy ^{Trustees to supply va-} so made, by a new choice from the parish aforesaid; and ^{cancies.}

the said trustees shall annually hold a meeting in the month of March or April, and as much oftener as may be found necessary to transact their necessary business, which meetings after the first, shall be called in such way and manner as the trustees shall hereafter direct.

Trustees
empowered.

SEC. 4. *Be it further enacted*, That said trustees be, and they hereby are authorized to sell and convey, in fee simple, all the ministerial lands belonging to said parish, (excepting the thirty acre lot, whereon the meeting house stands); and to make, execute and acknowledge, a good and sufficient deed or deeds thereof, which deed or deeds subscribed by the name of their Treasurer, by direction of said trustees, with their seal thereto affixed, shall be good and effectual in law to pass and convey the fee simple from said parish to the purchasers, to all intents and purposes whatever.

Monies re-
ceived and
appropriat-
ed.

SEC. 5. *Be it further enacted*, That the monies arising from the sale of said lands, shall be put at interest, as soon as may be, and secured by mortgage of real estate, to the full value of the estate sold, or by two or more sufficient sureties, with the principal, unless the trustees shall think it best to invest the same in bank stock of this Commonwealth, which they may do.

Support of
minister.

SEC. 6. *Be it further enacted*, That the interest arising from the sale of said ministerial lands shall be annually applied towards the support of the minister, now settled in said parish, or which may hereafter be settled there, and so long as said parish shall remain without a settled minister, the interest aforesaid shall be put out at interest, and secured as aforesaid, to increase said fund, until there be a re-settlement of a minister; and it shall never be in the power of said parish to alienate or any wise alter the fund aforesaid.

Trustees
responsible.

SEC. 7. *Be it further enacted*, That the clerk of said trustees shall be sworn previous to his entering on the duties of his office, and the treasurer of the trustees shall give bond to the said first parish, faithfully to perform his duty, to be at all times responsible for the faithful application and appropriation of the money which may come into his hands, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his office.

SEC. 8. *Be it further enacted*, That the trustees, for the services they may perform, shall be entitled to no com-

pensation out of any money arising from the fund aforesaid; but if entitled to any, shall have and receive the same of the parish, as shall be mutually agreed on. And said trustees and their successors shall exhibit to the parish at their annual meeting in March or April, a regular and fair statement of their doings; and said trustees and each of them, shall be responsible to the parish for their personal negligence or misconduct, whether they be officers or not, and liable to a suit for any loss or damage arising thereby, the debt or damage recovered in such suit, to be for the use aforesaid.

Trustees directed to exhibit accounts annually.

SEC. 9. *Be it further enacted*, That Edward Thompson be, and he hereby is authorized to fix the time and place for holding the first meeting of the trustees, and to notify each trustee thereof.

[This act passed 25th *February*, 1812.]

CHAP. CXXXVII.

An Act for dividing the county of Hampshire, and erecting and forming the southerly part thereof into a separate county, by the name of Hampden.

SEC. 1. **B**E *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the county of Hampshire be, and hereby is divided; and the following towns, in the southerly part thereof be, and hereby are erected and formed into a county by the name of Hampden, that is to say, Springfield, Longmeadow, Wilbraham, Monson, Holland, Brimfield, South Brimfield, Palmer, Ludlow, West Springfield, Westfield, Montgomery, Russell, Blanford, Granville, Southwick, Tolland, and Chester, of which Springfield shall be the shire town; and that all that part of said county of Hampshire, included within the boundaries of the towns before mentioned, shall be deemed and taken to compose the said county of Hampden. And the inhabitants of the said county of Hampden shall have, use, exercise and enjoy all such powers, rights, privileges, and immunities, as by the constitution and laws of this Com-

County erected.

Towns included.

monwealth, other counties within the same have, use, exercise and enjoy.

Court of
Common
Pleas estab-
lished.

SEC. 2. *And be it further enacted*, That the said county of Hampden shall belong to, and be comprehended within the Western Circuit of the Circuit Court of Common Pleas, and that there shall be held and kept within and for said county of Hampden, a Circuit Court of Common Pleas, to sit at Springfield aforesaid, at such times, in each year, as shall be established by law; and the Justices which compose the Circuit Court of Common Pleas for the Western Circuit, shall have, hold, exercise, and enjoy, within said county of Hampden, all the powers which are given to, and are lawfully exercised by them in other counties within said Western Circuit; and all appeals from any judgment, order, or decree of said Circuit Court within said county of Hampden, shall be heard and tried at the Supreme Judicial Courts hereafter to be holden, as by law shall be provided, within and for said county of Hampden.

Jurisdiction
of Supreme
Judicial
Court.

SEC. 3. *And be it further enacted*, That all causes which may be pending by appeal, writ of error, certiorari, or otherwise, in the Supreme Judicial Court within said county of Hampden, and which are by law required to be heard, tried, and decided upon, by three or more of the Justices of the Supreme Judicial Court, shall and may be heard, tried, and decided on by such Supreme Judicial Court, which is now by law to be holden annually in the said county of Hampshire; and that writs of error, certiorari, and other suits, writs or processes, which by law are to be heard and determined by three or more of the Justices of said Supreme Judicial Court, and which are brought and sued out, on any suits or proceedings in any of the courts of the said county of Hampden, or on any matters originating within the same county, may be brought and made immediately returnable to such Supreme Judicial Court, next to be holden at said Northampton, and by three or more of the Justices thereof, heard and determined; and all appeals from any order, decree, or doings of the Judge of Probate for the said county of Hampden, shall be made to the Supreme Judicial Court next to be holden at said Northampton by three or more Justices of said court. And the Clerk of the Supreme Judicial Court, in the said county of Hampden, shall attend all such Supreme Judicial Courts to be holden at said Northampton, at

which three or more of the Justices thereof are required to attend, with all the papers in his office filed in, and relating to any causes pending in the Supreme Judicial Court in the county of Hampden, and in which any bills of exceptions are filed, or any motions for new trials made, or in which any question is reserved for the opinion of such Supreme Judicial Court; and the said clerk, on the first day of the sitting of such court, and at the opening thereof, shall exhibit to, and furnish the Justices thereof with a list of all such causes, and shall make and keep a record of the doings of the same court, relative to all such causes; and the Justices of the same court may, and hereby

Justices
authorized

SEC. 4. *And be it further enacted*, That the Register of Deeds in the Southern District for the registering of deeds in the county of Hampshire, and by this act included in said county of Hampden, shall continue to hold his said office during the term for which he was chosen; and after this act shall take effect, shall be Register, for the registering of all deeds and conveyances of lands, and of executions levied on lands, and all other instruments required by law to be registered for the said county of Hampden, during the term for which he was chosen for said Southern District, and shall thenceforward be holden to pay over to the Treasurer of the said county of Hampden, the duties by law payable on the registering of deeds and other conveyances in the said registry; and shall, as soon as may be after a Treasurer of said county of Hampden shall be appointed or chosen, make and execute a bond to such Treasurer, according to the law in that behalf made.

Register
may hold his
office.

SEC. 5. *And be it further enacted*, That all officers within the said county of Hampden, having authority to commit prisoners to jail, shall be authorized, for the term of five years, to commit their prisoners to the jail in the county of Hampshire; and all writs of execution, warrants, mittimus-

Officers au-
thorized
respecting
Prisoners.

ses, and precepts of every kind, issued by lawful authority in said county of Hampden, or against any person in the same, and directed to any officer within said county of Hampden, and in which the place of commitment is required to be, or is usually mentioned, shall be made conformable to the authority hereby given to the officers aforesaid, during the said term, unless before the expiration of said term of five years a jail shall have been erected within said county of Hampden, and by the proper court declared to be in a state fit for the reception and confinement of prisoners; and the keeper of said jail, at said Northampton, be required, at the opening of each Supreme Judicial Court, and of each Circuit Court of Common Pleas in said county of Hampden, to lay before the same a list of all prisoners then in his custody, and committed to the said jail pursuant to the authority herein given; and that the keeper of said jail be required to keep and detain all such prisoners until delivered therefrom by order or due course of law; and that the courts aforesaid, so to be holden in said county of Hampden, be, and hereby are authorized to direct the Sheriff of said county of Hampden, or his deputy, to take from said jail any prisoner committed as aforesaid to said jail, for any crime committed within said county of Hampden, and him detain, keep and have before such courts, that such prisoner may be dealt with according to law, or may order such prisoner to be discharged, where no cause of detaining him in jail exists; and that said courts, and any Justice of the Peace for said county of Hampden, when imprisonment may be a part of any sentence passed on any person convicted of any crime, may order such person to be imprisoned in the jail aforesaid, or that he there be detained until he pay any fine and cost imposed on him by any of said courts; and that said jail be, to all intents and purposes, for the term aforesaid, a jail, as well for said county of Hampden as for said county of Hampshire; and that said county of Hampden be chargeable with all the expenses arising from any prisoners there committed from said county, in the same manner as other counties are, in regard to their own jails.

Duties of
jail keeper.

Sheriff
authorized.

Residence of
Justices.

SEC. 6. *And be it further enacted,* That the Justices of the Peace for the county of Hampshire, who shall, upon the division of the same, reside in the county of Hampden, shall be, and are hereby declared to be Justices of the

Peace for said county of Hampden, during the time for which they were appointed and commissioned, unless removed from office, according to the provision in the constitution in that respect.

SEC. 7. *And be it further enacted,* That all assessments of county taxes already made, or which may be made in said county of Hampshire, and upon the several towns therein, before this act takes effect, shall be paid to the Treasurer of said county of Hampshire; and the said Treasurer is hereby authorized to enforce the payment thereof, as well after this act takes effect as before, as in manner by law prescribed. Treasurer
authorized.

SEC. 8. *And be it further enacted,* That the Clerk of the courts in said county of Hampden be, and hereby is required and authorized to issue venuries for Jurors, to such towns as he shall think proper, in said county, until the said county shall be districted by the Court of Sessions for said county, for that purpose. Clerk
authorized

SEC. 9. *And be it further enacted,* That whenever any person shall be committed to the jail in Northampton for not recognizing or finding sureties of the peace, pursuant to an order of any Justice of the Peace for said county of Hampden, any Justice of the Peace for said county of Hampshire may take recognizance of any such person, according to such order; and whenever any person is committed to said jail on execution, by any officer in said county of Hampden, and wishes to take the benefit of the law provided for those who are unable to support themselves in prison, and pay prison charges, any Justice of the Peace for the said county of Hampshire, and of the Quorum, are hereby authorized to do and transact all matters and things respecting such persons, that they are by law authorized to do, in case such person was committed by the Sheriff of said county of Hampshire, or his Deputy. Justice
authorized.

SEC. 10. *And be it further enacted,* That the Court of Sessions for said county of Hampden may, at the first term of the same, appoint some suitable person, being a freeholder in said county, who being duly qualified according to law, shall be Treasurer of said county until some person shall be chosen and qualified in manner by law prescribed. Court may
appoint
County
Treasurer.

SEC. 11. *And be it further enacted,* That the said county of Hampden shall be entitled to a share in all monies in the hands of the Treasurer of the county of Hampshire,

and of all sums of money due on taxes or other debts due to said county of Hampshire, according to the taxes paid in the last county tax for said county, by the said towns in said county of Hampden, in proportion to the whole tax last assessed ; and of other moveable property belonging to said county of Hampshire, deducting therefrom all sums due from said county of Hampshire when this act takes effect.

SEC. 12. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of August next.

[This act passed 25th *February*, 1812.]

CHAP. CXXXVIII.

An Act to establish the Town of Seekonk.

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 westerly part of Rehoboth in the county of Bristol, as described within the following bounds, with the inhabitants thereon, be, and they are hereby incorporated into a separate town, by the name of Seekonk, viz. Beginning at a rock in the line between the towns of Attleborough, and Rehoboth which is the north-east corner boundary of the west precinct in said Rehoboth; thence south four degrees west until it strikes the line between the towns of Swanzey and said Rehoboth ; thence westerly by Swanzey line till it strikes the line between said Rehoboth and the State of Rhode Island and Providence Plantations ; thence following the line between the State of Rhode Island and Providence Plantations and said Rehoboth, till it comes to the south-west corner of the town of Attleborough ; thence easterly by the line between the towns of Attleborough and Rehoboth to the first mentioned bounds ; and the said town of Seekonk is hereby vested with all the powers and privileges, rights and immunities, and subject to all the duties to which other towns are entitled and subjected by the constitution or laws of this Commonwealth.

Town incor-
porated.

Boundaries
described.

SEC. 2. *Be it further enacted*, That of all state and county taxes which shall be levied and required of said towns, previous to a new valuation, the said town of Seekonk shall pay one half thereof.

SEC. 3. *Be it further enacted*, That all the expenses arising for the support of the poor of said town of Rehoboth, with which it is now chargeable, together with such poor as have removed out of said town prior to this act of incorporation, but who may hereafter be lawfully returned to said town for support, shall be equally divided between the towns of Seekonk and Rehoboth; and when the said town of Seekonk shall be organized, the paupers, whether the same be supported in whole or in part only, shall be divided as nearly as may be, and one half of the number delivered over to the overseers of the poor of that town, to be by them in future supported. To support poor.

SEC. 4. *Be it further enacted*, That Elkanah French Esq. be, and he is hereby authorized to issue his warrant, directed to some suitable inhabitant of Seekonk, requiring him to notify and warn the inhabitants thereof, qualified to vote for town officers, to meet at such convenient time and place as shall be expressed in said warrant, to choose all such officers as towns are by law authorized to choose in the months of March or April annually. And that the said Elkanah French Esq. be, and he hereby is authorized and empowered to preside at said meeting during the election of a moderator, and to exercise all the powers, and to do all the duties which town clerks by law have and do perform in the elections of moderators of town meetings. Warrant to be issued.

[This act passed 26th February, 1812.]

CHAP. CXXXIX.

An Act authorizing Judges of Probate in certain cases to alter the times appointed by law, for holding Probate Courts, and to continue any process or proceeding therein.

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, whenever the times appointed by law for holding any Probate Court shall be found to interfere with any other court, or whenever any Judge of Probate shall be prevented, by reason of sickness, inevitable casualty or other cause, from holding the same, at the time appointed by law, or whenever it shall appear to him to be for the general benefit or interest of individuals, he shall be, and is hereby fully authorized and empowered to appoint such other time for holding said court as he shall deem expedient, by giving public notice thereof, or notifying all concerned. And the said Probate Court shall, and may be adjourned from time to time, and any process or proceeding therein may be continued to such time and place as the said Judge may order and direct, any law to the contrary notwithstanding.

[This act passed 27th February, 1812.]

CHAP. CXL.

An Act to incorporate a number of persons by the name of The Oxford Agricultural Society.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Robert Bradley, Stephen Chase, Amos J. Cook, Judah Dana, Philip Eastman, Oliver Griswold, Obadiah Kimbal, John M'Millan, James Osgood jun. Henry Young, Brown Osgood, Timothy Osgood, Francis L. Whiting, together with such

Persons in-
corporated.

others as may hereafter associate with them, and their successors, be, and they are hereby made a corporation, by the name of The Oxford Agricultural Society, and for this purpose, shall have the same powers and privileges, and be subject to the like duties and restrictions, as the other incorporated agricultural societies in this Commonwealth; and the said corporation may lawfully hold and possess real estate not exceeding twenty thousand dollars, and the annual income of the personal estate shall not exceed two thousand dollars.

SEC. 2. *And be it further enacted*, That any Justice of the Peace for the county of Oxford is hereby authorized to issue a warrant, directed to one of the members before named, requiring him to notify and warn the first meeting of the said society, to be holden at such convenient time and place as may be appointed in said warrant, to organize the said society, by the elections and appointments of its officers.

Justice to issue warrant.

[This act passed 27th February, 1812.]

CHAP. CXLI.

An Act in addition to an act, entitled, "An act to divide the County of Hampshire, and to constitute the northerly part thereof into a new County by the name of Franklin.

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 Justices of the Court of Sessions in said county of Franklin be, and they hereby are authorized and required to hold a Court of Sessions at Greenfield, in and for said county, on the first Tuesday of March next, and at such other times as may be prescribed by law.

Justices required to hold court.

SEC. 2. *And be it further enacted*, That the said Court of Sessions, at their said first term, shall and may appoint some suitable person, being a freeholder in said county, who, being duly qualified according to law, shall be Treasurer of said county, until some person shall be chosen and qualified in manner prescribed by law; and shall also at said

Court of Sessions to appoint Treasurer.

Proviso.

term divide the said county into jury districts agreeably to law : *Provided however*, That the venuries already issued, or which may be issued by the Clerk of the Judicial Courts in said county before the said county shall be divided into such districts for the drawing and returning of jurors to attend the Circuit Court of Common Pleas to be holden at Greenfield, in and for said county, on the second Monday of March next, shall be served and returned, and have the same effect, to all intents and purposes, as if the same had been issued after the said county shall be divided as aforesaid.

Register
may hold his
office.

SEC. 3. *And be it further enacted*, That the Register of Deeds in the northern district for the registering of deeds in the late county of Hampshire, and which by the act before recited is included in the county of Franklin, shall continue to hold his said office during the term for which he was chosen ; and shall be register for the registering of all deeds and conveyances of land, and executions levied on land, lying and being within the said county of Franklin, during the aforesaid term ; and shall, from and since the second day of December last, be holden to pay over to the Treasurer of said county of Franklin, the duties by law payable on the registering of deeds and other conveyances in said registry ; and shall, as soon as may be after a Treasurer of said county of Franklin shall be appointed or chosen, make and execute a bond to such Treasurer, according to the law in that behalf made.

Shire town.

SEC. 4. *And be it further enacted*, That the Western Circuit does, and shall, to every intent and purpose, include the county of Franklin, and that the Justices of the said Circuit Court of Common Pleas shall hold their courts at Greenfield, within and for said county, at such times as may be prescribed by law.

[This act passed 27th February, 1812.]

CHAP. CXLII.

An Act to ratify an Amendment of the Constitution of the United States, proposed to the Legislatures of the several states, by a resolve of Congress, passed November twenty-seventh, one thousand eight hundred and nine.

WHEREAS at the second session of the eleventh Congress of the United States, begun and held at the city of Washington, in the district of Columbia, on Monday the twenty-seventh day of November, one thousand eight hundred and nine, it was resolved as follows, viz. Preamble.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both houses concurring, That the following section be submitted to the Legislatures of the several States, which, when ratified by the Legislatures of three fourths of the States, shall be valid and binding as a part of the Constitution of the United States :

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honour, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatsoever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them. Amendment proposed.

BE it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the said proposed amendment be, and the same is hereby ratified, on behalf of the Commonwealth of Massachusetts, to become, when ratified by the Legislatures of three fourths of the several States, part of the Constitution of the United States. Ratified.

[This act passed 27th February, 1812.]

CHAP. CXLIII.

An Act to incorporate the Society for Theological Education.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Rev. John Sawyer, Eliphalet Gillett, Kiah Bayley, Jotham Sewall, Francis Brown, William Jenks, Asa Rand, Edward Payson, Asa Lyman, David Thurston, Gen. Henry Sewall, and Ammi R. Mitchell, with their associates, and such others as may hereafter be elected as such, be, and they hereby are incorporated and made a body politic and corporate, by the name of **The Society for Theological Education**, for the purpose of raising a fund to assist those well disposed young men, that are desirous of entering into the work of the gospel ministry, but by a deficiency of pecuniary resources are unable to prosecute a course of regular studies necessary to qualify them for a station so important and useful. Which institution may continue for the term of thirty years from 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 break, change, alter or renew at pleasure.

Officers, how
chosen.

SEC. 2. *Be it further enacted*, That said institution may annually choose by ballot a President, Secretary, Treasurer, and such number of trustees as they may deem proper, never less than nine, of which the President, Secretary, and Treasurer shall always be three, ex officio, five of whom shall be necessary to constitute a quorum, and all such other officers as are necessary to manage its concerns; and in case of the death or resignation of either of said trustees, or other officers, said institution, at any legal meeting, shall have power to fill any vacancy or vacancies which may so happen, and also to remove any trustee or other officer, who by age, infirmity, or misconduct, in the opinion of said institution ought to be removed. *Provided however*, That the officers which have been already chosen shall continue to hold the offices to which they

P#oviso.

have been respectively elected, until others are chosen in their stead, agreeably to the provisions of this act.

SEC. 3. *Be it further enacted*, That said institution shall be capable of receiving and holding any estate, real or personal, made to them by purchase, bequest, donation, or otherwise, to be used and improved for the purposes aforesaid: *Provided*, The whole of the estate of said institution shall not exceed the value of twenty thousand dollars, and provided the persons for whom the money may be appropriated shall be of the protestant religion, and in the opinion of the trustees, of reputed piety, prudence, and learning.

Possession
of property
allowed.

SEC. 4. *Be it further enacted*, That said institution may sell any of their estate, real or personal, purchased or given, in such way and manner as they may think proper, whenever it shall be found necessary for the purposes aforesaid; and all monies arising from such sale shall be faithfully applied by the trustees for said purposes, and for no other; and all deeds, conveyances, contracts, and other instruments, duly executed, signed, and sealed by the Treasurer with the seal of the institution, shall be binding on its members.

May sell
estate

SEC. 5. *Be it further enacted*, That said institution be, and hereby is authorized, at their first meeting to be holden under this act, by vote of a majority of the members present, to make and establish such rules, regulations and by-laws for their government as they may judge necessary, subject however to revision, alteration or addition at any regular subsequent meeting; and may also annex reasonable penalties to the breach of such rules, regulations and by-laws; *Provided*, the same be not repugnant to the laws of this Commonwealth.

Authorized
to make by-
laws, &c.

SEC. 6. *Be it further enacted*, That particular accounts of the funds, donations, and disposal thereof shall be exhibited by the Treasurer at every annual meeting, and fair entries shall be made in books to be provided for that purpose, of all donations made to said institution, and of all the real and personal estate belonging to the same, and said books shall be brought to said annual meetings and there opened for the perusal and examination of its members, and may at any time be inspected by a committee of the General Court.

Accounts to
be exhibited.

First
meeting.

SEC. 7. *Be it further enacted*, That the Rev. Asa Lyman shall be, and he is hereby authorized to call the first meeting of said institution, by publishing a notification of the time and place where the same shall be held, in one or more of the papers printed in Portland, fourteen days at least previous to said meeting.

SEC. 8. *Be it further enacted*, That the Legislature shall have power at any time hereafter to alter, amend, or wholly repeal this act, whenever in their opinion the public good may require it.

[This act passed 27th February, 1812.]

CHAP. CXLIV.

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

[This act passed 27th February, 1812.]

CHAP. CXLV.

An Act to divide the Commonwealth into Districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of election.

Common-
wealth dis-
tricted.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That this Commonwealth be, and it hereby is divided into twenty districts, as in this act defined and described, for the purpose of choosing Representatives to represent this Commonwealth in the Congress of the United States, after the present Congress; in each of which districts one representative, being an inhabitant of the district for which he shall be elected, shall be chosen in the manner hereinafter described.

SEC. 2. *Be it further enacted,* That the said twenty districts shall be formed and limited in manner following, viz.

The towns in the county of Suffolk, together with the town of Cambridge in the county of Middlesex, shall constitute one district, to be called Suffolk District. Towns forming districts.

The towns of Salem, Marblehead, Lynn, Lynnfield, Danvers, Middleton, Andover, Methuen, Haverhill, and Amesbury, in the county of Essex, shall constitute one district, to be called Essex South District.

The towns and districts in the county of Essex, not included in Essex South District, shall constitute one district, to be called Essex North District.

The towns and districts in the county of Middlesex, excepting the towns of Ashby, Townsend, Shirley, Pepperell, Cambridge, Brighton, Watertown, Newton, Framingham, Hopkinton, Holliston, Sherburne, and Natick, shall constitute one district, to be called Middlesex District.

The towns and districts in the county of Hampden, together with the towns of Ware, Belchertown, Granby, South Hadley, Hadley, Northampton, Westhampton, Southampton, Easthampton, Norwich, Worthington, and Middlefield, in the county of Hampshire, shall constitute one district, to be called Hampshire South District.

The towns and districts in the county of Hampshire, not included in Hampshire South District, together with the towns and districts in the county of Franklin, shall constitute one district, to be called Hampshire North District.

The towns and districts in the county of Plymouth shall constitute one district, to be called Plymouth District.

The towns and districts in the counties of Barnstable, Nantucket, and Dukes' County, together with the town of New Bedford, in the county of Bristol, shall constitute one district, to be called Barnstable District.

The towns and districts in the county of Bristol, except the town of New Bedford, together with the towns of Stoughton, Sharon and Foxborough, in the county of Norfolk, shall constitute one district, to be called Bristol District.

The following towns in the county of Worcester, to wit: Worcester, Mendon, Brookfield, North Brookfield, Oxford, Charlton, Sutton, Spencer, New Braintree, Westborough, Uxbridge, Northbridge, Sturbridge, Hardwick, Western, Douglas, Grafton, Petersham, Upton, Dudley, Ward, Milford, Dana, and Barre, together with the towns of Hopkinton and Holliston, in the county of Middlesex, shall constitute one district, to be called Worcester South District.

The towns and districts in the county of Worcester, not included in Worcester South District, together with the towns of Ashby, Townsend, Shirley, and Pepperell, in the county of Middlesex, shall constitute one district, to be called Worcester North District.

The towns, districts and plantations in the county of Berkshire shall constitute one district, to be called Berkshire District.

The towns and districts in the county of Norfolk, excepting the towns of Stoughton, Sharon, and Foxborough, together with the towns of Sherburne, Natick, Newton, Brighton, Watertown, and Framingham, in the county of Middlesex, shall constitute one district, to be called Norfolk District.

The towns, districts and plantations in the county of York, excepting the towns of Buxton, Limington, Cornish, and Parsonsfield, shall constitute one district, to be called the First Eastern District.

The following towns, districts and plantations in the county of Cumberland, viz. Portland, Falmouth, Cape Elizabeth, Scarborough, Gorham, Standish, Windham, North Yarmouth, together with the towns of Buxton, Limington, Cornish, and Parsonsfield, in the county of York, shall constitute one district, to be called the Second Eastern District.

The following towns, districts and plantations in the county of Cumberland, viz. Brunswick, Harpswell, Pownal, Freeport, Durham, Pegypscot, Minot, Poland, New Gloucester, Gray, Raymond, Otisfield, Thompson's Pond, and Shakers' Settlement Plantation, together with the towns of Litchfield, Lisbon, Bowdoinham, Bowdoin, Wales Plantation, Topsham, Lewistown, Bath, Georgetown, and Dresden, in the county of Lincoln, shall constitute one district, to be called the Third Eastern District.

The towns, districts and plantations in the county of Lincoln, excepting the towns of Litchfield, Lisbon, Bowdoinham, Bowdoin, Wales Plantation, Topsham, Lewiston, Bath, Georgetown, and Dresden, together with the towns of Deer Isle, Vinalhaven, Lincolnville, Northport, and Islesborough, in the county of Hancock, shall constitute one district, to be called the Fourth Eastern District.

The towns, districts and plantations in the county of Hancock, excepting the towns of Deer Isle, Vinalhaven, Lincolnville, Northport, and Islesborough, together with the towns, districts and plantations in the county of Washington, shall constitute one district, to be called the Fifth Eastern District.

The towns, districts and plantations in the county of Kennebeck shall constitute one district, to be called the Sixth Eastern District.

The towns, districts and plantations in the counties of Oxford and Somerset, together with the towns of Bridgeton, Harrison, and Baldwin, in the county of Cumberland, shall constitute one district, to be called the Seventh Eastern District.

SEC. 3. *Be it further enacted*, That the Selectmen of the several towns and districts within this Commonwealth shall, in manner as the law directs for calling town-meetings, cause the inhabitants of their respective towns and districts, duly qualified to vote for Representatives in the General Court of this Commonwealth, to assemble on the first Monday of November, biennially, beginning in November next, to give in their votes for their respective Representatives to the Selectmen, who shall preside at said meetings; and the Selectmen, or the major part of them, shall, in open town-meeting, sort and count the votes, and shall form a list of the names of the persons voted for, with the number of votes for each person, written in words, at length, against his name; and the Town Clerk shall make a record thereof, and the Selectmen shall, in such meeting, make public declaration of the persons voted for, and of the number of votes they respectively have, and shall, in open town-meeting, seal up the said list certified by the Selectmen, and express upon the outside of the said list, the district in which the votes were given, and shall transmit the same, within fourteen days next after such meeting, to the Secretary of the Commonwealth, or to the Sheriff of the county

Duties of
Selectmen.

in which such town or district lies, who shall transmit the same to the Secretary of the Commonwealth, within forty days next after the time of holding such meeting ; and the Secretary shall lay the same before the Governor and Council ; and in case of an election for any district, by a majority of the votes returned from such district, the Governor shall forthwith transmit to the person so chosen, a certificate of such choice, signed by the Governor and countersigned by the Secretary ; and the Selectmen of such towns and districts as lie within any county in which there may be no sheriff, shall return such list to the Secretary's office, within the same term of time as sheriffs are required to do.

Precepts to
be issued.

Sheriff to
make return.

SEC. 4. *Be it further enacted*, That in case no person shall be chosen by a majority of all the votes returned from any district, the Governor shall cause precepts to issue to the Selectmen of the several towns and districts within such district, directing and requiring such Selectmen to cause the inhabitants of their respective towns and districts, qualified as aforesaid, to assemble as aforesaid, on a day in such precept to be appointed, to give their votes for a Representative in Congress as aforesaid, which precepts shall be accompanied with a list of persons voted for in such district, shewing the number of votes for each person, according to the first return ; and the same proceedings shall be had thereon, in all respects, as before directed in this act ; and the Sheriff shall make return thereof into the Secretary's office, on or before such day as the Governor shall appoint in such precept. And the Selectmen of such towns and districts, as lie within any county in which there may be no Sheriff, shall return such lists to the Secretary's office, within the same term of time as Sheriffs are required to do ; and the Secretary shall lay the lists so returned to his office before the Governor and Council, and the Governor shall cause the person or persons who shall be chosen as aforesaid to be notified thereof ; and like proceedings shall be again had in case any district shall fail of completing the choice of its Representative ; and the Governor shall issue his precept accordingly, to the Selectmen of those towns and districts, or such districts wherein the choice of Representative shall not have been made ; and like proceedings shall be had as often as occasion may require.

SEC. 5. *Be it further enacted*, That whenever any vacancies shall happen in the representation of this Commonwealth in the Congress of the United States, the Governor shall cause precepts to issue to the Selectmen of the several towns and districts, within any district in which such vacancy may happen, directing and requiring them to cause the inhabitants of their respective towns and districts, to assemble on a day in such precept to be appointed, to give in their votes for a Representative to supply such vacancy; and like proceedings shall, from time to time, in all respects, be had, as are herein before provided.

Governor to
issue pre-
cepts for the
supply of va-
cancies.

SEC. 6. *Be it further enacted*, That it shall be the duty of the several Sheriffs of the several counties of the Commonwealth, on receiving copies of this act, or any precept from the Governor, for the purpose herein mentioned, to transmit the same seasonably to the Selectmen of the several towns and districts, and to the assessors of the several districts and plantations where there may be no Selectmen, within their respective counties, to whom such copies or precepts may be respectively directed. And the several Sheriffs shall, for the said service, be entitled to receive out of the treasury of this Commonwealth, fifty cents for each of the copies and of the precepts so by them distributed to the Selectmen of the towns and districts, and to the assessors of the districts and plantations in their counties where there may be no Selectmen. *Provided however*, That no Sheriff who shall neglect seasonably to transmit all and every of the copies and precepts by him received, in manner aforesaid, shall be entitled to any compensation for distributing any of such copies or precepts; and for returning the votes from all the towns within the respective counties, which may be seasonably delivered to him as aforesaid, each Sheriff shall be entitled to receive seventeen cents per mile, computing from the place of abode of each Sheriff, to the Secretary's office; and, in either case, the Sheriffs shall present their accounts to the Committee on Accounts for examination and allowance.

Duties of
Sheriffs.

Proviso.

SEC. 7. *Be it further enacted*, That any Sheriff who shall neglect to perform the duties which by this act he is directed to perform, shall, for each neglect, forfeit and pay a sum not exceeding two thousand, nor less than two hundred dollars, for any such neglect. And if any Select-

Penalty for
neglect.

men shall neglect to perform any of the duties which by this act they are required to perform, each Selectman, so neglecting, shall forfeit and pay a sum not exceeding two hundred dollars, nor less than thirty dollars, for any such neglect; any of the forfeitures aforesaid to be recovered by indictment before the Supreme Judicial Court, or before any Circuit Court of Common Pleas, or before the respective Courts of Common Pleas, for the several counties of Nantucket or Dukes' County, which forfeiture shall be to the use of the Commonwealth.

Assessors' power.

SEC. 8. *Be it further enacted*, That the assessors of those districts and plantations, where there may be no Selectmen, shall have the same powers and perform the same duties for the purposes of this act, as are herein given to, or required of Selectmen, and shall incur like penalties in case of neglect.

Extension of act.

SEC. 9. *Be it further enacted*, That this act shall be construed to extend to those plantations only, which shall choose assessors to assess the public taxes which shall be set to such plantations in the tax act next preceding the several elections.

SEC. 10. *Be it further enacted*, That this act, until a new apportionment of Representatives among the several states shall be made, and for the purpose of supplying any vacancy or vacancies which may happen in the representation of this Commonwealth in the Congress of the United States, which shall make such apportionments, shall continue and be in full force.

[This act passed 28th *February*, 1812.]

CHAP. CXLVI.

An Act in addition to an act, entitled, "An act to incorporate a religious Society, by the name of The First Parish in the Town of 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 the proprietors of appropriated pews in the meeting-house of the First Parish in the Town or Charlestown shall, from and after the passing of

this act, be solely authorized and empowered to vote in, and manage the concerns of the said corporation ; and they, with their estates, and not the persons who occasionally hire pews or seats in said house, shall be liable to all assessments or taxes for the charges of the said parish ; and in all cases two votes, and no more, may be given in the right of each pew. *Provided nevertheless,* That no proprietor of a pew, who is a member of another religious society, shall be entitled to vote, or be liable to any other tax than the weekly assessment on his pew. Proprietors authorized.

SEC. 2. *And be it further enacted,* That all deeds and conveyances of, and executions extended on the pews in said meeting-house, shall be recorded by the clerk of the said parish in a book to be provided for that purpose ; and being so recorded shall be considered valid in law ; and the parish Clerk shall be entitled to the same fees as are or may be allowed to Registers of Deeds for similar services. Proviso.

SEC. 3. *And be it further enacted,* That in the first section of the act, entitled, " An act to incorporate a religious society by the name of The First Parish in the Town of Charlestown," the words " and such other inhabitants of the said town as do now attend the publick worship of God, and the instructions of Dr. Jedidiah Morse, their minister in said house," together with the second, third, fourth, fifth, and seventh sections of the said act, be, and they are hereby repealed. Duty of clerk.

[This act passed 28th *February*, 1812.]

CHAP. CXLVII.

An Act to establish a Town by the name of North Brookfield.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That all that part of the town of Brookfield which has been heretofore called and known by the name of the Second or North Parish (excepting that part of said territory now lying south of the post road, leading from Worcester through Spencer to Springfield,) Boundaries described.

Town incor-
porated.

together with the inhabitants thereon, be, and the same is hereby incorporated into a separate town, by the name of North Brookfield. And the said town of North Brookfield is hereby vested with all the powers and privileges, and shall also be subject to all the duties to which other corporate towns are entitled and subjected by the constitution and laws of this Commonwealth.

Possession
of property
allowed.

SEC. 2. *Be it further enacted*, That the inhabitants of the said town of North Brookfield shall be entitled to hold such proportion of all the personal property now belonging to and owned in common by the inhabitants of the town of Brookfield, as the property of the said inhabitants of North Brookfield bears to the property of all the inhabitants of the town of Brookfield, according to the last valuation thereof.

SEC. 3. *Be it further enacted*, That the inhabitants of the said town of North Brookfield shall be holden to pay all arrears of taxes due from them, together with their proportion (to be ascertained as aforesaid) of all the debts now due and owing from the said town of Brookfield, or which may be hereafter found due and owing by reason of any contract or other matter and thing heretofore entered into, or now existing.

To support
poor.

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

Holden to
pay taxes.

SEC. 5. *Be it further enacted*, That the said town of North Brookfield shall be holden to pay their proportion of all state, town, and county taxes assessed on the inhabitants of the said town of Brookfield, until a new valuation shall be made of the said towns. *Provided*, That the said town of North Brookfield shall be holden, until the further order of the Legislature, to pay the town of Brookfield such proportion of any of the expenses of maintaining the bridges and causeways over the rivers in the town of Brookfield, as a committee of the Court of Sessions for

the county of Worcester shall determine; and said Court of Sessions are hereby authorized, on application of either of the inhabitants of Brookfield or North Brookfield, from time to time, to appoint a committee for the above purpose, whose report, made to and accepted by said court, shall be binding on the said towns.

SEC. 6. *Be it further enacted*, That any Justice of the Peace for the county of Worcester, upon application therefor, is hereby authorized to issue his warrant, directed to any freeholder in the said town of North Brookfield, requiring him to notify and warn the inhabitants thereof to meet at such time and place as shall be appointed in said warrant, for the choice of such officers as towns are by law required to choose at their annual town meetings.

Justice to issue warrant.

[This act passed 28th *February*, 1812.]

CHAP. CXLVIII.

An Act authorizing a Lottery for completing the repairs of Plymouth Beach.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That a lottery be granted to the town of Plymouth, to raise the sum of sixteen thousand dollars, for the purpose of completing the repairs of Plymouth Beach, in the county of Plymouth; and the town of Plymouth shall appoint the managers thereof, and the agents for expending said money, with power to remove the managers and agents, and to fill vacancies in the board of managers and agents, either by their Selectmen, or in such other way as the town shall direct; and the managers of said lottery, from time to time, shall make and publish such schemes as shall, in their opinion, best promote the purposes of said lottery, draw the same, and transact all business necessarily connected with the duties of their appointment.

Lottery granted.

SEC. 2. *Be it further enacted*, That said managers, before they enter on the duties of their office, shall give bond to the treasurer of the town of Plymouth, with sufficient sureties, in the sum of fifteen thousand dollars, con-

Managers to give bond.

ditioned to pay into the hands of the agent or agents, for applying the money to the object of this grant, the whole proceeds of the said lottery, without deduction for services or expenses, excepting one thousand dollars, which bond shall remain with the Treasurer aforesaid, for and during the time of two years after all the classes in said lottery shall be drawn and completed, that all persons aggrieved by the doings of said managers may have the benefit thereof; and said managers, before entering on their duties, shall give the bonds and be under oath faithfully to perform the duties of their office.

Agents to
give bond.

SEC. 3. *Be it further enacted*, That the agents aforesaid shall give bond to the Treasurer of the town of Plymouth, faithfully to appropriate the money paid to them by the said managers, without deduction for their expenses or services, under the direction of the town of Plymouth, or such persons as they shall appoint; and the town of Plymouth shall be bound to the Treasurer of this Commonwealth, in the sum of fifteen thousand dollars, faithfully to appropriate the whole sum in this grant to the repairs of said beach, except the sum of one thousand dollars aforesaid; and the managers and agents, to be appointed as aforesaid, shall render an account of their proceedings, which, being approved by the Selectmen of Plymouth, and by them presented to the Governor and Council for their approbation, and if by them allowed, the bond against the town shall then be cancelled.

Paying of
prizes.

SEC. 4. *Be it further enacted*, That all the prizes in said lottery shall be paid by the managers, if demanded, within sixty days after the drawing of any class shall be completed; and all prizes not demanded in one year next after the drawing of any class, shall be considered as generously given for the purposes for which this lottery was granted; and the managers aforesaid, after each class in said lottery is drawn, shall pay, within sixty days, to the agents aforesaid, fifteen sixteenth parts of the proceeds of each class; and no class in said lottery shall be drawn until four fifths of the tickets are sold; and said managers shall be holden to account to the town of Plymouth for the proceeds of all tickets sold, and all prizes drawn to the credit of the lottery, and all prizes not claimed within one year as aforesaid; and the managers shall be jointly holden to pay the prizes drawn against any number, though the

ticket drawing such prize be signed by one of them only; and said managers may sell fractional parts of tickets, but not at an advanced price.

SEC. 5. *Be it further enacted*, That said managers shall, from time to time, publish in one or more of the public newspapers printed in this Commonwealth, the scheme of each class in said lottery, the time and place of drawing, and list of prizes; and shall keep a book in which they shall charge themselves with the amount received for each ticket sold, numbering the same, and also with the amount of the prizes drawn against any number not sold, and likewise such numbers sold as are not claimed in one year; and they shall credit themselves with the amount of the prizes paid to the purchasers of tickets; and the whole business of the lottery shall be completed in five years, at which time the managers of said lottery shall make up and exhibit, to the Selectmen of Plymouth, a fair account of their whole proceedings, which, if approved and accepted by said Selectmen, the said managers shall be entitled to the return of their bond, at the time specified in this act; and the managers and agents, upon the request of the Selectmen of the town of Plymouth, shall exhibit an account of their doings, from time to time, when required.

Duties of managers.

[This act passed 28th *February*, 1812.]

CHAP. CXLIX.

An Act to establish the town of Sebec, in the county of Hancock.

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 township numbered four, in the seventh range, north of the Waldo Patent, in the county of Hancock, be, and hereby is established as a town, by the name of Sebec, and by the following boundaries, viz. east by number three in the same range; south by the river Pascataquies; west by number five in the same range, now incorporated Foxcroft; and north by number six in the eighth range. And the said town of Sebec is hereby vested with all the corporate powers and

Town incorporated.

Boundaries described.

privileges, and subjected to the like duties and requisitions of other towns, according to the constitution and laws of this Commonwealth.

Justice to is-
sue warrant.

SEC. 2. *Be it further enacted*, That any Justice of the Peace, for the county of Hancock, is hereby authorized, upon application therefor, to issue a warrant, directed to a freeholder and inhabitant of the said town of Sebec, requiring him to notify and warn the inhabitants thereof 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 required to choose at their annual town-meetings.

[This act passed 28th February, 1812.]

CHAP. CL.

An Act to incorporate a numer of persons by the name of
The First Universalist Society in Salem.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Jonathan Beckford, Nathaniel Frothingham, Robert Leach, Jeduthan Upton, Henry Rust, William Meriam, Thomas Newhall, Henry Tibbets, Zachariah Burchmore, Jeduthan Upton jun. Charles Steel, Nathan Luther, Samuel C. Pope, John Snethen, James Moody, Abraham Wendell, Henry Grant, Andrew Morgan, Joseph Newhall, Moses Thomas, Jethro Thomas, Seth Saltmarsh, John Ferguson, Samuel K. Putnam, Daniel Dutch, William Cleaveland, Ebenezer Burrell, Ward Chipman, Samuel Wilson, Hero Nichols, William Fabens, Joseph Ropes jun. Joseph Mansfield, Samuel Mansfield, Benjamin Cox jun. William Woodbury, Nathaniel Archer, George Ward, Jonathan Howard, Peter Hodson, Joshua Beckford, Thomas Driver, Ellis Mansfield, Stephen Driver jun. Richard Hay, Henry Archer, Nathaniel Fowle, and Lemuel Horton, with their families and estates, together with such others as may hereafter associate with them, and their successors, in the manner provided by this act, be, and they are hereby incorporated as a religious society by the name of The First

Universalist Society in Salem, with all the powers and privileges, exercised and enjoyed by other religious societies, according to the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted*, That any person living in Salem, or in any of the neighbouring towns, who may desire to become a member of the said Universalist society, shall declare such intention to the clerk or committee of said society, fifteen days at least previous to their annual meeting, and if such person do receive, and can produce a certificate of admission, signed by the clerk or committee, that such person has united with and actually become a member of the said society, such person, from the date of said certificate, shall be considered, with his or her polls and estate, a member of the said Universalist society. *Provided however*, That every such person shall be holden to pay his or her proportion of all parochial expenses in the society to which such person belonged, assessed and not paid, previous to leaving such society.

Method of becoming a member.

Proviso.

SEC. 3. *Be it further enacted*, That when any member of the said Universalist society may see cause to leave the same, and unite with any other religious society, he or she shall give notice of such intention to the clerk or committee of such other society, fifteen days at least previous to the annual meeting, and if such person receive and can produce a certificate of admission, signed by the clerk or committee of such other religious society, that such person has united with and actually become a member of the said other society, such person having paid his or her proportion of all monies voted to be raised in said Universalist society, previous thereto, shall be considered from the date of said certificate, with his or her polls and estate, as members of said other society.

Manner of leaving.

SEC. 4. *And be it further enacted*, That any Justice of the Peace for the county of Essex be, and hereby is authorized to issue a warrant, directed to some member of said 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 as religious societies have a right to choose at their annual meetings.

Justice to issue warrant.

[This act passed 28th *February*, 1812.]

D d d d

CHAP. CLI.

An Act to incorporate the Housatonuck Manufacturing Company, in Pittsfield.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Richard S. Chappell and John B. Root, together with such others as may hereafter associate with them, and their successors and assigns, be, and they hereby are made a corporation, by the name of The Housatonuck Manufacturing Company, for the purpose of manufacturing wool, cotton, flax, and hemp, in the town of Pittsfield, in the county of Berkshire, and for the purpose aforesaid shall have all the powers and privileges, and shall be also subject to all the duties and restrictions prescribed and contained in an act, entitled, "An act defining the general powers and duties of manufacturing corporations," passed the third day of March, eighteen hundred and nine.

Persons in-
corporated.

May hold
estate.

SEC. 2. *And be it further enacted,* That the said corporation, in their corporate capacity, may lawfully hold and possess real estate not exceeding thirty thousand dollars, and personal estate not exceeding fifty thousand dollars, as may be necessary for carrying on the manufactures of the said company in the town of Pittsfield.

[This act passed 28th February, 1812.]

CHAP. CLII.

An Act in addition to an act, entitled, "An act incorporating the proprietors of the Norfolk Cotton Manufactory."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the corporation created and established by the act, to which this act is an addition, be, and the same hereby is vested with full power and author-

Corporation
empowered.

ity to carry on the manufacture of wool, in its various branches, subject however to the same restrictions, and entitled to the same privileges to which the said corporation is now, by the aforesaid act, subjected and entitled, in the manufacture of cotton.

[This act passed 28th *February*, 1812.]

CHAP. CLIII.

An Act to exempt the county of Norfolk from building and keeping in repair certain bridges, and for other purposes.

SEC. 1. **B**E *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, so much of the sixth section of the act establishing the county of Norfolk, passed the twenty-sixth of March, in the year one thousand seven hundred and ninety-three, as subjects the said county to build and keep in repair certain bridges therein mentioned, be, and the same is hereby repealed.

Act in part
repealed.

SEC. 2. *Be it further enacted,* That the several towns in the county of Norfolk, in which the said bridges are situated, shall hereafter be obliged to build and keep in repair the same, in the same manner as towns are required, by law, to build and keep in repair town bridges.

[This act passed 28th *February*, 1812.]

CHAP. CLIV.

An Act in addition to an act, entitled, “An act to regulate the taking of the fish called alewives in Manatiquat river, in the town of Braintree.”

WHEREAS by an act passed on the first day of March one thousand seven hundred and ninety-nine, the town of Braintree were authorized to farm out, and dispose of the fish called alewives, and as it appears by

Preamble.

representation from said town, that other fish, have and do run in the river in said town, which proves injurious to the alewife fish.

Restrictions. 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 taking of all fish, which do or may run from the salt water in the aforesaid river in the town of Braintree, excepting eels, smelts and tom cod, shall be forever hereafter subject to the same restrictions as the taking of alewife fish is by the act, entitled, "An act to regulate the taking of the fish called alewives in Manataquat river, in the town of Braintree."

Committee to farm out. SEC. 2. *Be it further enacted,* That the Selectmen of the town of Braintree, for the time being, shall be the committee to farm out and dispose of the aforesaid fish, agreeably to their best judgment: *Provided nevertheless,* That the fish called alewives shall be disposed of agreeably to the act to which this is in addition, any thing in the act to which this is in addition to the contrary notwithstanding.

[This act passed 28th February, 1812.]

CHAP. CLV.

An Act in addition to an act, entitled, "An act for incorporating certain persons, for the purpose of building a bridge over Deerfield river (so called), where Williams' ferry is now kept, and for supporting the same.

Proprietors empowered. **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 Deerfield river bridge, or corporation, be, and they are hereby authorized and empowered to purchase, hold, possess, use and occupy real estate, in their corporate capacity, not exceeding the value of five thousand dollars, for the purpose of erecting a toll-house and such other convenient buildings as said corporation, in their said capacity, may think proper.

[This act passed 28th February, 1812.]

CHAP. CLVI.

An Act to continue in force an act, entitled, "An act to establish the Second Brush-hill Turnpike Corporation."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the act entitled, "An act to establish the Second Brush-hill Turnpike Corporation," shall be, and hereby is continued in full force and effect, for and during the term of four years, from and after the first day of June next, any thing in said act of incorporation, or in an act defining the general powers and duties of turnpike corporations, to the contrary notwithstanding. Act continued in force.
 [This act passed 28th February, 1812.]

CHAP. CLVII.

An Act to repeal an act, entitled, "An act to alter and amend the Constitution of the Board of Overseers of Harvard College, and to regulate certain meetings of that Board.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act made and passed the seventh day of March, in the year of our Lord one thousand eight hundred and ten, entitled, "An act to alter and amend the Constitution of the Board of Overseers of Harvard College," be, and the same is hereby repealed; Act repealed. and the Board of Overseers, from and after the passing of this act, shall be constituted in the same way and manner, and be composed of the same persons, and no others, that it would have been, had the same act never been made or passed.

SEC. 2. *Be it further enacted,* That there shall be a meeting of the Board of Overseers of Harvard College, as the same will be constituted after the passing of this act, on the second Wednesday of the first session of the Annual meeting.

Duty of secretary.

General Court, annually, in the Senate chamber, at three o'clock in the afternoon (unless otherwise ordered by the said Board of Overseers,) if the General Court shall remain so long in session, and at such other times and places as the said Board shall order; at which annual meeting it shall be the duty of the Secretary of said Board, at the first meeting thereof, to lay before them the records and proceedings of the corporation of Harvard College, and of the said Board of Overseers, which have been had since the passing of the act aforesaid, which is hereby repealed, and in like manner, all the proceedings which may have been had by said corporation and Board of Overseers, shall be laid before them at their next succeeding meeting, to be held agreeably to the provisions of this act.

[This act passed 29th February, 1812.]

CHAP. CLVIII.

An Act to annex Daniel Foot to the town of Pittsfield.

Set off.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Daniel Foot, with his family and estate, be, and hereby is set off from the town of Dalton and annexed to the first parish in the town of Pittsfield, for parochial purposes only, there to do the duties and enjoy the privileges of a parishioner.

Holden to pay proportion of taxes.

SEC. 2. *And be it further enacted,* That the said Daniel Foot shall be holden to pay all legal taxes that have been assessed upon him by said town of Dalton, prior to the passing of this act.

[This act passed 29th February, 1812.]

CHAP. CLIX.

An Act to establish the Worcester and Leicester 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 Thomas Denny, Nathaniel Paine, Reuben Sykes, Austin Flint, and Alpheus Dimond, with such other persons as may hereafter associate with them, and their successors and assigns, shall be a corporation, by the name of The Worcester and Leicester Turnpike Corporation, for the purpose of making a turnpike road between the towns of Worcester and Leicester, viz, Beginning at the foot of a hill between the dwelling-houses of Asa Ward and Phineas Jones, in Worcester, to or nearly opposite the meeting-house in Leicester, and for the purpose aforesaid shall have all the powers and privileges, and shall be also subject to all the duties, requirements and penalties prescribed and contained in an act passed the sixteenth day of March, eighteen hundred and five, entitled, "An act defining the general powers and duties of turnpike corporations," and of any acts which have been, or may be made in addition thereto. And no county, town, or private road or way shall be opened into, or connected with the aforesaid turnpike road, without the consent of said corporation first had and obtained; except such county, town, or private road or way, as may be laid out crossing the said turnpike road, and leading in different directions therefrom.

Persons incorporated.

SEC. 2. *And be it further enacted,* That when the said turnpike road shall be made and completed, to the acceptance of the Court of Sessions for the county of Worcester, or a committee by them appointed, the said corporation may erect one half toll gate, and shall have liberty to demand and receive half the usual rates of toll, according to the general turnpike law.

Authorized to receive toll.

[This act passed 29th February, 1812.]

CHAP. CLX.

An Act altering the line between the counties of Kennebeck and Lincoln.

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 county line between the counties of Kennebeck and Lincoln be, and it is hereby altered, so as to include the town of Malta wholly within the said county of Kennebeck, and the town of Whitefield wholly within the said county of Lincoln.

County line altered.

[This act passed 29th February, 1812.]

CHAP. CLXI.

An Act authorizing the sale of School Lands in the town of Sumner, to raise a fund for the support of Schools in said town, and for appointing trustees for those purposes.

SEC. 1. BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Isaac Sturtevant, Calvin Bisbee, Stephen Ellis, Joseph Barrett, John Briggs, Moses Buck jun. and James Hearsey jun. be, and they are hereby appointed trustees of the School lands in the town of Sumner, in the county of Oxford; and they, and their successors in said office, are hereby incorporated by the name of The Trustees of the School Funds in Sumner, and by that name shall be capable, in law, to sue and be sued to final judgment and execution, and shall possess, hold and exercise all such powers and privileges as are incident to, and usually given to similar corporations; and the number of the said trustees shall never be less than five, nor exceed seven, any five of whom may be a quorum for doing business, and shall have power to supply any vacancies which may happen in their number, whether by death or resignation, removal, or any other disqualification,

Trustees appointed.

and shall also have power to remove any of their number, who from age, infirmity, misconduct, or any other cause, shall become unfit or incapable of discharging their duty, and fill up such vacancies by a new election from inhabitants of the said town of Sumner; and the said trustees, at their first meeting, shall appoint, and afterwards annually appoint, a Secretary, Treasurer, and such other officers as may from time to time appear to be necessary, who shall be sworn to the faithful discharge of their duty; and the said Secretary shall procure books, and keep a fair and faithful record of all the proceedings of the said trustees, which shall at all times be ready for inspection of the said trustees, and also of the Selectmen of the said town of Sumner.

SEC. 2. *Be it further enacted*, That the said trustees be, and they are hereby authorized to sell and convey the said school lands, and to use their discretion, both as to the time and manner of the sale, and taking security for the payment of the same, and to make, execute, and acknowledge good and sufficient deed or deeds thereof, in fee simple, from the said town to the purchasers of such lands, which deed or deeds shall be signed, executed, and acknowledged by the Treasurer in the name and by the direction of said trustees, and the conveyance so made shall be valid and effectual in law, and the monies arising from the sale of the said lands shall be put out at interest, as soon as conveniently may be, and secured by mortgage on real estate, to the full value of the estate sold or money loaned, or by two or more sufficient sureties with the principal; or the said trustees may invest the said school funds in public securities of this state, or of the United States, or in bank stock of the State Bank, as they may judge will be most for the interest and security of the said town, in the use and improvement of their said school fund; and the said fund shall be inviolably appropriated and used for the support of schools in the said town of Sumner, and no vote of the said town shall have any force or effect, to alienate or alter the appropriation of the said school fund.

Trustees
authorized.

SEC. 3. *Be it further enacted*, That the Treasurer of the said school fund shall give bonds to the said trustees, in the sum of three thousand dollars, for the faithful performance of his duty, and to be at all times responsible for the faithful application and expenditure of all monies

Treasurer to
give bond.

which may be deposited with him, conformable to the true intent and meaning of this act, and may be removed for negligence or misconduct in his office; and the said Treasurer and his successors in office shall be required by the said trustees to exhibit annually to the said town a fair and regular account of his doings, of the expenditure of the monies, and the present state of the funds; and the said Trustees, Treasurer, and Secretary shall receive no compensation for their services out of any monies arising from the said school fund; but such compensation may be made to the said Trustees, Treasurer, and Secretary, for their services, as the town may, from time to time, judge reasonable.

Justices
authorized.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Oxford is hereby authorized, upon application of any three of the trustees herein named, to appoint the time and place for the first meeting of the trustees; and at the said first meeting the said trustees shall fix and settle the time and mode of calling future meetings; and may also, at the same time, or at any subsequent meeting, establish such rules and by-laws for their regular proceedings, as may, from time to time, appear necessary, and to annex reasonable penalties for the breach thereof. Provided such rules and by-laws shall, in no case, be contrary to the constitution and laws of this Commonwealth.

[This act passed 29th *February*, 1812.]

CHAP. CLXII.

An Act to incorporate the Proprietors of the Newton Wire Manufactory.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Samuel Brown, William Ward, Hendrick W. Gordon, Sylvanus Gray, Benjamin Andrews, and such other persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name and style of The Newton Wire Manufactory, for the purpose of manufacturing wire and wire work, in all their kinds and

branches, and for this purpose shall have all the powers and privileges, and be subject to all the duties and regulations contained in an act passed by the General Court on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled, "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said corporation may take and hold real estate not exceeding the value of twenty thousand dollars, and personal estate not exceeding the value of fifty thousand dollars, for the purpose of establishing and carrying on the manufactory aforesaid. Possession of property allowed.

SEC. 3. *Be it further enacted*, That said corporation may locate said manufactory in the town of Newton, in this state, or in any place within twenty miles of said town of Newton, at the pleasure and discretion of the stockholders in said corporation.

[This act passed 29th *February*, 1812.]

CHAP. CLXIII.

An Act to incorporate the Proprietors of the Ministerial Fund in the Parish of Byfield.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the inhabitants of that part of the parish of Byfield which lies in the town of Newbury, be, and they hereby are incorporated as a body politic, forever, by the name of The Proprietors of the Ministerial Fund in the Parish of Byfield, for the purpose of managing such funds as now belong to the said inhabitants hereby incorporated, and such other funds as may hereafter accrue to them, for their proportional part of the support of the minister of said Byfield Parish; and the said corporation, by the said name, are hereby declared and made capable, in law, to sue and be sued in all actions real, personal and mixed, and prosecute and defend the same to final judgment and execution. Inhabitants incorporated

SEC. 2. *Be it further enacted*, That all the voters in said corporation, qualified by law, to vote in parish affairs,

Voters
authorized.

be, and they hereby are authorized, at their first meeting, which shall be holden, by virtue of this act, to choose a clerk, a treasurer, and three or five trustees, all of whom shall be chosen annually; and the said trustees and treasurer shall have the care and management of all funds and interest of the said corporation; and the annual meeting of the said proprietors shall be holden in the month of December, and other special meetings may be called in the manner, which the said proprietors may direct and order, and the moderator of any of said meetings is hereby authorized to administer the oath of office to the clerk; and the clerk and treasurer may receive reasonable compensation for their respective services.

Treasurer to
give bond.

SEC. 3. *Be it further enacted*, That the treasurer of said corporation shall give sufficient bonds (in the opinion of the trustees) for the faithful performance of his trust, and he shall, under the direction of the said trustees, be empowered, and hereby is authorized, to receive and let out any or all the money or interest of said corporation, on bond or mortgage; and, when it shall be necessary, to execute a deed or deeds of sale of any lands belonging to said proprietors.

Appropriation of interest.

SEC. 4. *Be it further enacted*, That the interest arising from said funds shall never be appropriated to any other use than that for which they were given; and the said interest may be applied, by the said proprietors, towards payment of their proportional part of ministerial taxes, as they may, from time to time, order and direct.

Justice to issue warrant.

SEC. 5. *And be it further enacted*, That any Justice of the Peace in the county of Essex, on the application of five members of said corporation, shall issue a warrant for calling the first meeting, and the corporation may agree upon the method of calling future meetings.

[This act passed 29th *February*, 1812.]

CHAP. CLXIV.

An Act in addition to an act, entitled, "An act to establish The Hingham and Quincy Bridge and Turnpike Corporation."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Joseph Bemis of Canton, in the county of Norfolk, Esquire, be, and he hereby is constituted and made a commissioner, jointly with Jonathan Hunnewell of Boston, and Samuel Bass of Randolph, Esquires, heretofore appointed commissioners, as appears in the act whereto this act is in addition; and the said Joseph Bemis is hereby authorized and empowered to do and perform all the duties and services which are incumbent upon and required of any commissioner aforesaid, in said act named, as though the said Joseph Bemis had been, by said act, appointed in the place of Aaron Hobart of Abington, who was appointed a commissioner in and by said act, and who has since deceased.

Commis-
sioner con-
stituted.

[This act passed 29th February, 1812.]

CHAP. CLXV.

An Act providing for the safe keeping of the records in the offices of the Register of Deeds, and of the Register of Probate, in the several counties within this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That it shall be the duty of the Court of Sessions, in each county in this Commonwealth, to provide in the same building, which has been or may be provided for the safe keeping of the judicial records and files, separate fire proof rooms with suitable alcoves, cases, and boxes, for the safe keeping of all the records, files, papers, and documents which now remain or shall

Duty of
Court of
Sessions.

hereafter accumulate in the office of Register of Deeds, except in those counties where there is already provided a fire-proof building, or rooms for the registry of deeds; in which case the records, files, papers, and documents which are required by this act, shall be deposited in said building or rooms, for the registry of deeds, which is kept in the shire town in each county, and also in the office of the Register of Probate, where the Register shall reside in such town.

Court of Sessions to provide building.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Court of Sessions, in each county, to provide the building or office required by the "Act providing for the appointment of clerks of the courts in the several counties, and for the safe keeping of the judicial records, and for other purposes," within two years from the passing of this act.

[This act passed 29th February, 1812.]

CHAP. CLXVI.

An Act to establish the town of Foxcroft, in the county of Hancock.

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 township numbered five, in the seventh range, north of the Waldo Patent, in the county of Hancock, be, and hereby is established as a town, by the name of Foxcroft, and by the following boundaries, viz. east by the township number four in the same range; south by the river Pascataquies; west by number six in the same range; north by number seven in the eighth range. And the said town of Foxcroft is hereby vested with all the corporate powers and privileges, and subjected to the like duties and requisitions of other towns, according to the constitution and laws of this Commonwealth.

Town incorporated.

Justice to issue warrant.

SEC. 2. *And be it further enacted*, That any Justice of the Peace, for the county of Hancock, is hereby authorized, upon application therefor, to issue a warrant, directed to a freeholder and inhabitant of the said town of Foxcroft,

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

[This act passed 29th *February*, 1812.]

CHAP. CLXVII.

An Act in addition to an act, entitled, "An act to regulate Prisons within this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That whenever any person who is or may be imprisoned for debt, on mesne process or execution, shall give bond with one or more sureties, approved by the creditor, or two Justices of the Peace, to the creditor, in double the amount for which he is imprisoned, conditioned, that from the time of executing such bond, he will not depart without the exterior bounds of the debtors' liberties until lawfully discharged, the gaol keeper shall release him from close confinement, without requiring any other condition in such bond. Liberty of prisoners.

SEC. 2. *Be it further enacted,* That nothing done since the passing of the act to which this act is an addition, shall be considered a breach of any bond which has been or may be given to obtain the liberty of the gaol yard or debtors' liberties, except the passing over and beyond the exterior limits and bounds thereof, as by law established for the time being. Breach of bond explained.

SEC. 3. *Be it further enacted,* That any bond which has been or may be given, to obtain the liberty of the gaol yard or debtors' liberties, shall be discharged and void whenever the principal therein shall surrender himself, or be surrendered by his surety, to the keeper of the prison where the bond was given, reserving however the right of the creditor to recover for a breach thereof before such surrender, by suit commenced within one year from such breach; *Provided however,* That after such surrender, said principal shall be entitled, on giving bond anew, to Conditions of discharging the bond.

the same privileges as he was or would be, before such surrender.

Conditions
of release.

SEC. 4. *Be it further enacted*, That any principal surrendered by his bail, either on mesne process or action of scire facias against the bail, shall, on giving bond similar to that in the first section of this act provided, be released from close confinement, in the same manner as if he had given such bond after commitment on the original writ or execution.

SEC. 5. *Be it further enacted*, That this act, and the act to which this act is an addition, shall be and continue in force and operation until repealed, any limitation therein to the contrary notwithstanding.

[This act passed 29th *February*, 1812.]

CHAP. CLXVIII.

An Act to continue in force the Charter of the Plymouth Bank.

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 the twenty-third day of June, in the year of our Lord one thousand eight hundred and three, entitled, "An act to incorporate sundry persons by the name of The President and Directors of the Plymouth Bank," be, and the same is hereby continued in force until the first Monday in October next, any thing in the act aforesaid to the contrary notwithstanding.

[This act passed 29th *February*, 1812.]

CHAP. CLXIX.

An Act to fix the times of holding the Court of Sessions in the respective counties in this Commonwealth.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the first day of April next, the times and places for holding the several Courts of Sessions shall be as follows, that is to say, Times of holding courts.

Within and for the county of Suffolk, at Boston, on the first Tuesday of January, on the third Tuesday of April, on the first Tuesday of July, and on the first Tuesday of October.

Within and for the county of Essex, at Ipswich, on the second Tuesday of April, and on the second Tuesday of October.

Within and for the county of Middlesex, at Cambridge, on the first Tuesday of January; and at Concord, on the second Tuesday of May, and on the third Tuesday of September.

Within and for the county of Worcester, at Worcester, on the second Tuesday of March, and on the second Monday of September.

Within and for the county of Hampshire, at Northampton, on the first Monday in September, and on the third Monday in January.

Within and for the county of Hampden, at Springfield, on the second Monday in April, and on the second Monday in September.

Within and for the county of Franklin, at Greenfield, on the first Tuesday of March, on the third Tuesday of August, and on the third Tuesday of November.

Within and for the county of Berkshire, at Lenox, on the last Tuesday of April, and on the last Tuesday of September.

Within and for the county of Norfolk, at Dedham, on the third Monday of April, and on the fourth Monday of September.

F f f f

Times of
holding
courts.

Within and for the county of Plymouth, at Plymouth, on the third Tuesday of March, and on the first Tuesday of August.

Within and for the county of Bristol, at Taunton, on the fourth Wednesday of March, and on the fourth Wednesday of September.

Within and for the county of Barnstable, at Barnstable, on the last Tuesday of March, and on the third Tuesday of September.

Within and for the county of Dukes' County, at Edgarton, on the third Monday of May, and on the first Monday of November.

Within and for the county of Nantucket, at Nantucket, on the third Monday of April, and on the second Monday of October.

Within and for the county of York, at York, on the Tuesday next preceding the third Monday of April; and at Alfred, on the Tuesday next preceding the second Monday of September.

Within and for the county of Oxford, at Paris, on the third Tuesday of March, and on the first Tuesday of September.

Within and for the county of Cumberland, at Portland, on the fourth Tuesday of March, and on the first Tuesday of September.

Within and for the county of Kennebeck, at Augusta, on the last Tuesday of April, and on the first Tuesday of December.

Within and for the county of Somerset, at Norridgewock, on the second Tuesday of March, and on the second Tuesday of September.

Within and for the county of Lincoln, at Wiscasset, on the third Monday of May; at Topsham, on the Monday next after the fourth Monday of August; and at Warren, on the third Monday of January.

Within and for the county of Hancock, at Castine, on the fourth Tuesday of March, on the fourth Tuesday of September, and on the third Tuesday of December.

Within and for the county of Washington, at Machias, on the second Tuesday of March, and on the second Tuesday of September, annually, in each, and all of the respective counties aforesaid.

SEC. 2. *Be it enacted*, That all petitions, complaints, motions, matters, things and process, of what nature or description soever, which may on the said first day of April next be pending in, or returnable to any Court of Sessions which would have been held, had not this act been passed, shall stand continued to, be entered at, have day in, and be proceeded upon, at the next term of the Court of Sessions which shall be holden in any county next after the said first day of April next.

SEC. 3. *Be it enacted*, That from and after the said first day of April next, all the laws heretofore made and passed, and now in force, determining the times, and places for holding the Courts of Sessions, within and for the several counties in this Commonwealth, so far only as respects the times and places of holding the same courts, be, and the same hereby are repealed.

[This act passed 29th *February*, 1812.]

CHAP. CLXX.

An Act to change the names of certain persons herein mentioned.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the date of passing this act, that William Andrews, the third son of John Andrews, of Boston, shall be allowed to take the name of William Barrell Andrews; that John Brown, of Boston, son of John Brown of Sterling, in the county of Worcester, shall be allowed to take the name of John George Brown; that Elijah Clark, son of Humphry Clark, shall be allowed to take the name of Elijah Pope Clark; that William Jarvis shall be allowed to take the name of William Charles Jarvis; that Obadiah Johnson shall be allowed to take the name of William Henry Johnson; that Susan Ann Lovell, daughter of James Lovell, shall be allowed to take the name of Ann Bethune Lovell; that William Machett shall be allowed to take the name of William P. Matchett; that John Marston shall be allowed to take the name of John Melcher Marston; that Henry

Names
altered.

Names
altered.

Parkman, son of Samuel Parkman, shall be allowed to take the name of Samuel Parkman,—all of Boston in the county of Suffolk ; that John Buckminster, of Hamilton, shall be allowed to take the name of John Butler ; that Elisha Hogg, of Danvers, shall be allowed to take the name of Elisha Dana ; that Asa Fletcher, of Danvers, shall be allowed to take the name of William Asa Fletcher ; that Polly Smith, of Salem, shall be allowed to take the name of Mary Larkin Smith,—all of the county of Essex ; that Samuel Tubbs, of Pembroke, shall be allowed to take the name of Samuel Tubbs Angier ; that Calvin Dammon, of Scituate, shall be allowed to take the name of Calvin Damon Wilder,—all of the county of Plymouth ; that Abner Gifford, of Westport, shall be allowed to take the name of Abner Browner Gifford ; that Raiman Castino (alias Salisbury), and Abigail Castino (alias Salisbury), of Westport, shall be allowed to take the names of Raiman Castino, and Abigail Castino, only,—all of the county of Bristol ; that Baxter Olds, of Brookfield, shall be allowed to take the name of Baxter Olds Minot ; that Polycarp Putnam, of Sutton, shall be allowed to take the name of John Milton Putnam,—all of the county of Worcester ; that Richard Lyman, of Northampton, shall be allowed to take the name of William Cornelius Lyman ; that Chase Page Wedgwood Griffin, of Alfred, in the county of York, shall be allowed to take the name of Charles Griffin ; that John Kimbal, of Augusta, in the county of Kennebeck, shall be allowed to take the name of John Sawyer Kimball ; that Ebenezer M'Intosh, of Portland, in the county of Cumberland, shall be allowed to take the name of Henry P. M'Intosh ; that Moses Chase jun. of Newburyport, shall be allowed to take the name of Moses James Chase ; that Moses Chase the third, of Newburyport, shall be allowed to take the name of Moses Bailey Chase ; that Benjamin Gould jun. of Newburyport, shall be allowed to take the name of Benjamin Apthorp Gould,—all of the county of Essex. And the said several persons, from and after the passing of this act, be called and known by the names which by this act they are respectively allowed to take as aforesaid, and the same shall be considered as their only proper and legal names.

[This act passed 29th *February* 1812.]

CHAP. CLXXI.

An Act to confirm the proceedings of the Justices of the Courts of Sessions for the several Counties of Lincoln, Washington and 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 proceedings of the Justices of the Court of Sessions holden at Warren, within and for the county of Lincoln, on the third Monday of January last, be, and the same are hereby made valid in law, in as full and complete a manner as though a term of said court had been holden at Topsham, within and for said county, on the first Monday of September last, any thing in the law establishing said court to the contrary notwithstanding.

Proceeding
of Court of
Sessions.

SEC. 2. *Be it further enacted,* That the proceedings of the Justices of the Court of Sessions holden at Machias, within and for the county of Washington, on the twenty-fourth day of December last, so far as it relates to their passing upon the county treasurer's accounts and making an estimate for a county tax for said county, be, and the same are hereby made valid, any law to the contrary notwithstanding.

SEC. 3. *Be it further enacted,* That the proceedings of the Justices of the Court of Sessions holden at Norridge-wock, within and for the county of Somerset, in the month of September last, and at the adjournments of said court, since that time, be, and the same are hereby made valid in law, any irregularity in the meeting or adjournment of said court by the Sheriff notwithstanding.

[This act passed 29th February, 1812.]

CHAP. CLXXII.

An Act to empower Solomon Towne to construct a Lock, and open a Canal, from Stiles' Pond in the town of Boxford, in the county of Essex, to the cotton factory of said Towne in Boxford.

Persons em-
powered.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Solomon Towne, of Salem, in the county of Essex, his heirs and assigns, be, and they are hereby authorized and empowered to construct a lock at the south end of Stiles' Pond in said Boxford, for the purpose of raising a head of waters in said pond, and to open a canal of convenient width and dimensions to conduct and draw off the waters of said pond, to the cotton mill or factory, belonging to said Towne, in said Boxford; and that said Towne, his heirs and assigns, shall have liberty to maintain said lock and keep open said canal, and to pass and repass to and from the same, for the purposes of keeping the same in repair and of heading the waters of said pond, and drawing the same at all times forever.

Damages
provided for.

SEC. 2. *And be it further enacted,* That if any person or persons, through whose lands the said canal shall pass, shall suffer any damage by means of the same, and the parties cannot agree upon the amount or value of the damages thus caused, nor upon some suitable person or persons to estimate the same, then and in such case, some disinterested person or persons shall, on petition therefor by the party claiming damage, be appointed by the Circuit Court of Common Pleas, holden within and for said county, after notice to the adverse party; and the determination and report of the referee or referees, so appointed, made in writing and returned by them to the next Circuit Court of Common Pleas for said county, shall be the measure of such damages; and the said court, if they see no sufficient reason to the contrary, shall render judgment thereon, and issue execution therefor. *Provided nevertheless,* That the said court, on application and request of either of the parties, shall issue a warrant to the

Sheriff of said county, or, in case he is interested, to some Coroner of the same county not interested, naming such Sheriff or Coroner, directing him to summon and impanel a jury of twelve good and lawful men, who shall be sworn to make a true and faithful appraisement of the damages sustained, and their verdict shall be returned by the officer to said court, and when there allowed and recorded, judgment shall be rendered thereon and execution issue accordingly.

[This act passed 29th *February*, 1812.]

CHAP. CLXXIII.

An Act in addition to an act, entitled, "An act for incorporating of 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 side booms in Androscoggin river be authorized and empowered to extend side booms above the lower falls in Androscoggin, at any suitable place or places within the limits of Topsham and Brunswick. Proprietors authorized.

SEC. 2. *Be it further enacted,* That the said corporation shall be entitled to and receive of the respective owner or owners of logs and other lumber by them stopped in their side booms, above said falls, rafted and properly secured for the owner, the following respective fees, viz. for each mast, fifty cents; for each log or logs sufficient to make a thousand feet of boards, thirty cents; for each boom, fifty cents; for each bow-sprit, fifty cents; for each ton of oak timber, twenty-five cents; for each ton of pine timber, eighteen cents; for each hundred feet of ranging timber, twelve cents; for each thousand of staves, twelve cents; for each thousand of clapboards, twelve cents; and for any other kind of lumber in the same proportion. *Provided* nevertheless, That the fees aforesaid shall at all times be subject to the revision and alteration of the Legislature. Rate of fees. Proviso.

Court
authorized.

SEC. 3. *Be it further enacted*, That if any owner or owners of any interval or other lands in the towns of Brunswick or Topsham, shall receive damage by the laying and making any side booms, either above or below the lower falls in Androscoggin river, such person or persons so damaged may apply to the Circuit Court of Common Pleas to be holden for the county in which such damage may accrue, within one year next after such damage arises, which courts are hereby authorized and empowered by warrant under the seal of said court, to appoint three disinterested and discreet freeholders of the same county, to appraise the yearly damage done to the owner or owners of any lands, by making and laying of any side boom or booms within either of the towns aforesaid; and said commissioners, or a majority of them, shall make return of their doings to the next court to be holden for the same county, which being returned, allowed, and recorded, and judgment therein rendered, shall be a sufficient bar to any action to be brought for any damage by reason of the laying of said side boom or booms.

Commission-
ers to be
sworn.

SEC. 4. *And be it further enacted*, That the commissioners appointed as aforesaid, shall, before they proceed to appraise the damage as aforesaid, be sworn to the faithful discharge of their trust and give ten days notice at least to all persons known to be interested; and their result and judgment thereon shall be the yearly damage until the owner or occupant of such land, or the proprietors of the side booms aforesaid, shall, on a new complaint to the said court, in manner aforesaid, obtain an increase or decrease of said damage; and the party entitled to such yearly damage, on the non-payment thereof, annually, by said proprietors, whether he be party to the record, his heirs, executors, administrators, or assigns, may have an action of debt, grounded on such record, to recover the same; and the party prevailing in any complaint or action aforesaid shall be entitled to his full legal costs.

[This act passed 29th *February*, 1812.]

CHAP. CLXXIV.

An Act to incorporate the Christian Monitor 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 Lathrop, Eliphalet Porter, John Prince, Thaddeus Mason Harris, John Bradford, Horace Holley, Samuel Carey, Jacob Flint, Henry Colman, James Morrill, Elisha Clap, and those who may associate with them, be, and they hereby are erected into a body corporate, by the name of The Christian Monitor Society, and by that name shall have all the rights of a corporation, during the pleasure of the Legislature. Persons in-
corporated.

SEC. 2. *Be it further enacted,* That the said Christian Monitor Society, shall have power to choose such officers as said society may think necessary, for the well ordering of the affairs of said society, and to establish such rules, regulations, and by-laws, as may be necessary and proper for the admission of members, and carrying into effect the objects of their institution, provided the same be not repugnant to the constitution and laws of this Commonwealth. Empowered
to choose
officers.

SEC. 3. *Be it further enacted,* That the said society shall never own or possess property to a greater amount than ten thousand dollars. Limitation
of property.

SEC. 4. *Be it further enacted,* That the only power and authority hereby vested in said society, besides the power and authority herein before given, is to publish from time to time one or more volumes, containing original and selected tracts, information, and essays, on the nature and evidence of divine revelation, and the duties which it inculcates; and to manage and appropriate the funds which said society may possess, for the above mentioned purposes. Authority
vested.

SEC. 5. *Be it further enacted,* That any Justice of the Peace, in the county of Suffolk, be, and he hereby is authorized to call a meeting of the members of the society, by notice in one or more newspapers printed in the town of Boston, on request of any two of the persons above named; and the persons who may convene, in virtue of such

G g g g

notice, may proceed to organize said society, at that meeting, or at any adjournment of that meeting.

[This act passed 29th *February*, 1812.]

CHAP. CLXXV.

An Act in further addition to an act, entitled, "An act to regulate the catching of salmon, shad, and alewives, and to prevent obstructions in Merrimack river, and in the other rivers and streams running into the same, within this Commonwealth, and for repealing several acts heretofore made for that purpose."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That any person who shall be convicted of catching any salmon, shad, or alewives in Merrimack river, or any river or stream centering to, or running into the same, or shall drag any seine or drag-net, or set any net or pot, or use any other machine for the purpose of catching any of the said fish in the said rivers or streams, within this Commonwealth; at any time or place other than is allowed by the act to which this is in addition, shall forfeit and pay, for each offence, a fine not less than seven dollars, nor more than thirty dollars, at the discretion of the court before which trial shall be had, according to the aggravation of the offence, any thing in the act to which this is in addition to the contrary notwithstanding.

Penalty for
taking fish
contrary to
law.

SEC. 2. *And be it further enacted,* That from and after the passing of this act, every town in this Commonwealth, bordering on Merrimack river, and in which there are any ponds, rivers, or streams, centering to, or emptying themselves into Merrimack river, where salmon, shad, or alewives do or would (if not obstructed) go up to cast their spawn, shall, at their annual meeting in the month of March or April annually, choose by ballot, at least six suitable and fit persons as fish-wardens, any law or usage to the contrary notwithstanding.

fish-ward-
ens to be
chosen.

SEC. 3. *Be it further enacted,* That if any person shall be found in any way aiding or assisting in unlawfully fishing, on conviction thereof he shall be adjudged guilty of

a breach of the act to which this is in addition, and shall forfeit and pay the same fine as is provided in this act for actually fishing on unlawful days. Penalty for breach of act

SEC. 4. *And be it further enacted*, That the powers given to fish-wardens, in the act to which this is in addition, shall be transferred to the Selectmen of the several towns, where this law can operate or have force, so far as relates to the opening and preventing obstructions in or across the said Merrimack river, or any of the rivers or streams running into the same; and it shall be the duty of the Selectmen of the three nearest or next adjoining towns, where any obstructions are or may be formed in or across said rivers or streams, or the major part of such Selectmen, to remove or cause to be removed, after twenty-four hours notice given to the owner, builder, or occupier, all obstructions to a free and suitable passage of said fish up and down the said rivers and streams: and if the owner, builder, or occupier of any dam or other obstruction shall refuse or neglect, for the space of twenty-four hours after notice given as aforesaid, to remove such dam or obstruction, or such part thereof as the Selectmen shall direct, the Selectmen shall cause the same to be removed at the expense of the owner, builder, or occupier thereof. Duty of Selectmen.

SEC. 5. *And be it further enacted*, That all fines and forfeitures incurred by any breach of this act, or the act to which this is in addition, and not exceeding ten dollars, shall inure wholly to the fish-warden complaining; and all fish found, taken on unlawful days, shall be the property of the fish-warden finding them. Fines, for forfeitures, &c.

[This act passed 29th February, 1812.]

CHAP. CLXXVI.

An Act establishing an Academy in the town of New Bedford, in the county of Bristol, by the name of Friends' Academy.

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

William Rotch has built a convenient house for an academy in New Bedford, in the county of Bristol, for that purpose, and he and his associates have subscribed upwards of ten thousand dollars, for a fund thereto, and have petitioned this court for an act of incorporation.

Academy in-
corporated.

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That there be, and hereby is established in the town of New Bedford, in the county of Bristol, an academy, by the name of Friends' Academy; for the purpose of promoting piety and virtue, and for the education of youth, in such languages and in such liberal arts and sciences as the trustees hereafter provided shall order and direct.

Trustees ap-
pointed.

SEC. 2. *And be it further enacted,* That William Rotch, Elisha Thornton, Thomas Arnold, Samuel Elam, Samuel Rodman, William Rotch jun. William Dean, Abraham Shearman jun. and James Arnold, be, and they are hereby appointed trustees of said academy, and they are hereby incorporated into a body politic, by the name of The Trustees of Friends' Academy; and they, and their successors shall be and continue a body politic and corporate by the same name forever.

Seal of office.

SEC. 3. *And be it further enacted,* That the said trustees, and their successors, shall have one common seal, which they may break, change and renew, from time to time, as they shall see fit; 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 of The Trustees of Friends' Academy, and may appoint an agent or agents to prosecute or defend such suit or suits.

Empowered
to elect offi-
cers.

SEC. 4. *And be it further enacted,* That the said William Rotch and others, the trustees aforesaid, and their successors, be, and they are hereby made the visitors, trustees, and governors of the said academy in perpetual succession forever; to be continued in the way and manner hereinafter specified, with full power and authority to elect such officers of the said academy as they shall judge necessary and convenient; and to make and ordain such laws, orders and rules, not repugnant to the laws of this Commonwealth, for the good government of said academy as to them shall seem fit and requisite.

SEC. 5. *And be it further enacted,* That the number of the trustees aforesaid shall not at any time be more than fifteen nor less than nine, four of whom, at least, shall be necessary to constitute a quorum for transacting business. Number limited.

SEC. 6. *And be it further enacted,* That whenever one or more of the trustees aforesaid shall die or resign, or in the judgment of the major part of the trustees shall be rendered incapable, by age or otherwise, of discharging the duties of his office, or disqualified by any rule or order they may have established; the trustees then surviving may elect one or more persons to fill the vacancy or vacancies. Vacancies supplied.

SEC. 7. *And be it further enacted,* That the trustees aforesaid, and their successors, be, and they are hereby rendered capable in law, to take and hold, by gift or grant, devise, bequest, or otherwise; any land, tenements, or other estate, real or personal, which have heretofore been given, or subscribed, or which may hereafter be given or subscribed, for the purpose aforesaid. *Provided,* The annual income of said real and personal estate shall not exceed the sum of ten thousand dollars; and all deeds and instruments which the said trustees may lawfully make, shall be sealed with their seal, and bind the trustees and their successors, and be valid in law. Proviso.

SEC. 8. *And be it further enacted,* That Samuel Rodman be, and hereby is authorized and empowered, to appoint the time and place for holding the first meeting of said trustees, and notify them thereof. First meeting.

[This act passed 29th February, 1812.]

CHAP. CLXXVII.

An Act appropriating certain fines for the repairing of Highways and Bridges.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That all fines which shall hereafter be imposed by the Supreme Judicial Court, or by the Circuit Court of Common Pleas, within this Commonwealth; on any town, for any neglect in making or repairing any highways or bridges within the same, shall be appro- Appropriation of fines.

priated and disposed of for the making and repairing the highways and bridges so defective as aforesaid.

Collectors to
be appoint-
ed.

SEC. 2. *And be it further enacted*, That the Justices of the Supreme Judicial Court, or of the Circuit Court of Common Pleas, shall at the session ; when any such fine shall be imposed as aforesaid, appoint one or more person or persons to superintend the collection and appropriation of the same for the purposes aforesaid ; whose duty it shall be to attend to the collection of such fine, and the appropriation thereof in manner aforesaid ; and shall make return of his or their doings therein to the court that may have imposed said fine, whenever thereto by them required.

[This act passed 29th *February*, 1812.]

END OF JANUARY SESSION, 1812.