

MAINE STATE LEGISLATURE

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LAWS

OF THE

Commonwealth of Massachusetts,

PASSED AT THE SEVERAL

SESSIONS OF THE GENERAL COURT,

HOLDEN IN BOSTON,

BEGINNING 26th MAY, 1812, AND ENDING ON THE 2d MARCH, 1815.

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



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1812-15.

LAWS

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT AT THE SESSION

COMMENCING ON THE

26th DAY OF MAY, AND ENDING ON THE 16th DAY OF JUNE,

ONE THOUSAND EIGHT HUNDRED AND THIRTEEN.



CHAP. I.

An Act in further addition to an act, entitled "An act to incorporate Nicholas Thorndike and others, into a company by the name of The Beverly Marine Insurance Company."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That such further time, not exceeding four years, from and after the twenty-fourth day of August next, be allowed to the stockholders in the Beverly Marine Insurance Company, named in an act, entitled "An act to incorporate Nicholas Thorndike and others, into a company, by the name of the Beverly Marine Insurance Company," to pay in the residue, being the last moiety of the instalments, and amounting in all to fifty dollars on a share, in the capital stock of the said Company, as the Directors thereof may judge proper; and that the said residue shall be paid in at such times, and in

Further time
allowed to
pay instal-
ments.

Proviso.

such proportions as the said Directors shall order and appoint, within the period aforesaid. *Provided however*, That nothing in this act shall be construed to exonerate, or discharge the estates of the said stockholders from being liable, in the manner and for the purposes mentioned in the tenth section of the said original act, in addition to which this act is made.

[Approved by the Governor, June 8, 1813.]

CHAP. II.

An Act concerning the conveyance of real estate in this Commonwealth, for the security and benefit of the School Fund of Connecticut, consenting to and approving thereof.

Preamble.

WHEREAS it is represented to this General Court, that the state of Connecticut have, by a permanent appropriation, constituted a fund for the support of free schools, and that sundry citizens of this Commonwealth have become debtors to said fund, and that for the accommodation of said citizens, as well as the security of said fund, it has been found convenient to make conveyances of real estate in this Commonwealth, to said state of Connecticut, or the agent or Trustees of said state, for the use and benefit of said School Fund; and it appearing to this General Court, that the establishment of said Fund is for a benevolent purpose, and will be of great public benefit :

Conveyance
of real estate
consented to.

BE it, therefore, enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the consent and approbation of this Commonwealth be, and the same is hereby given to all conveyances of real estate in this Commonwealth which have been, or may be made to the state of Connecticut, or an agent or trustee of said state, for the security, protection, and benefit of said School Fund; and the same shall be as valid in law, to all intents and purposes, as if such conveyance had been made to a citizen of this Commonwealth; and such real estate may be transferred by any agent duly authorized thereto by said state of Connecticut, in the same manner as is provided

by the laws of this Commonwealth, for transferring real estate. This act to continue in force, during the pleasure of the legislature of this Commonwealth.—*Provided how- ever,* That nothing herein contained, shall be so construed as to affect any action now pending. Proviso.

[Approved by the Governor, June 8, 1813.]

CHAP. III.

An Act to incorporate The Trustees of the Ministerial Fund, in the town of Berkley.

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 Toby, Levi French, Luther Crane, George Sanford, jun. Samuel French, John Dillingham, Barzillai Hathaway, Christopher Paull, Barzillai Crane, and Dean Burt be, and they hereby are constituted and made a body politic and corporate, by the name of The Trustees of the Ministerial Fund in the town of Berkley; and they, and their successors shall, by that name, continue to be a body politic and corporate forever, and shall have power to make and use a common seal, subject to be altered at their pleasure; and may sue, and be sued in any action, real, personal, or mixed, and prosecute and defend the same to final judgment and execution. Persons in-
corporated.

SEC. 2. *Be it further enacted,* That the said Trustees shall forever hereafter, in the month of August annually, and at such other times as may be found necessary for the transaction of their business, hold a meeting in the said town of Berkley, at such time and place as a major part of said Trustees, for the time being, by an advertisement posted up in some public place in said town, seven days at least before such meeting, shall appoint and direct; and shall at such annual meeting elect a President to preside in their meetings, a clerk to record the votes and proceedings of the Trustees at their regular meetings, in a book or books to be kept for that purpose, and who shall be sworn to the faithful discharge of his trust; and a Treasurer to receive and apply the monies as herein after Annual
meeting of
Trustees.

directed. And the said Trustees are further authorized and required, at any meeting regularly called for that purpose, in the manner above prescribed, to supply from the inhabitants of said town, any vacancies which may from time to time be occasioned by the death, resignation, or removal of any of the said Trustees, or either of their officers aforesaid.

Duty of
Trustees.

SEC. 3. *Be it further enacted,* That it shall be the duty of the said Trustees and their successors, to receive and manage all monies now raised and appropriated as a fund for the support of a Congregational minister in the said town of Berkley, and also to receive, manage and improve all such estate, real, personal and mixed, as may hereafter come to them, in their said corporate capacity, for the purpose aforesaid, by gift, grant, devise or otherwise, by operation of law, not exceeding in the whole, the amount or value of eight thousand dollars, in such way and manner as in their judgment will best obtain and secure the end of their Incorporation; and they are also hereby authorised and empowered to lease, sell or convey in fee simple, or otherwise, all or any part of the estate which may come to them in their said corporate 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, countersigned by the Clerk, and sealed with their common seal, shall be valid in law, to convey such estate to the purchaser, according to the conditions and meaning of such instrument.

Money to be
loaned on in-
terest.

SEC. 4. *Be it further enacted,* That all money coming to the said Trustees, in their said corporate capacity, shall be loaned on interest, and secured by the bond or note of the borrower, with sufficient surety or sureties, or by his bond or note, with mortgage on real estate to the satisfaction of the said Trustees, or they may invest all or any part of said money in public funded securities or bank stock, as they may think best: and whenever the annual interest or income of the said ministerial fund, whether real or personal estate, shall amount to the sum of one hundred and twenty dollars, the Trustees shall make a statement thereof to the said town, and the said annual interest or income may then be applied for, and toward the support of such Congregational minister as then shall be, or from time to time thereafter, may be

settled by the Church and Congregation in said town to preach the gospel in the meeting-house, or place of public worship near the centre of said town; or the said annual interest or income may remain for a longer time in the hands of said Trustees to increase the principal of the said fund, as the inhabitants of the said town at a legal meeting to be called for that purpose, may, by a major vote, determine and direct.—*Provided* that the principal of the said fund, shall at no time exceed the amount or value of eight thousand dollars. And the said town shall not have the power to change the appropriation of the said fund from the support of such congregational minister as aforesaid, or to alienate, alter or diminish the principal thereof, if, by such alienation, alteration, or diminution, the said principal shall be reduced to a less sum or value than eight thousand dollars.

Proviso,

SEC. 5. *Be it further enacted,* That the said Treasurer before entering on the duties of his said office, shall give to the said Trustees and their successors his bond, with surties to the satisfaction of the said Trustees 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 the said Trustees, and shall have the care and custody of all monies effects, 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 thereto required by the said Trustees, 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, papers, property, and evidences of property in his hands, in good order and condition.

Treasurer to give bonds.

His power and duty.

SEC. 6. *Be it further enacted,* That the said Trustees and their successors, shall be accountable to the said town of Berkley for the said Ministerial Fund, and for their management thereof; and shall be liable to the said town, in their own private property and persons respectively, for any embezzlement, negligence or misconduct, in their said capacities as Trustees; and the said town of Berkley may commence and prosecute, to final judgment and execution, an action of trespass on the case against the said Trustees, or any of them, or their successors, for any such

Trustees accountable.

embezzlement, negligence or misconduct; and all damages recovered in such action, shall be applied to increase the said Ministerial Fund; and whenever judgment shall be rendered against any one, or more of the said Trustees in such action, such Trustee or Trustees shall be held and considered thereby, to be removed from his or their said trust, and the vacancy or vacancies thus made, shall be supplied in manner as is herein before provided.

[Approved by the Governor, June 9, 1813.]

CHAP. IV.

An Act in addition to an act, entitled "An act authorizing the sale of a part of the Ministerial Lands, in the first parish in the town of Standish."

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 deacon Jonathan Philbrick, Mr. Bryan Martin, Edward Thompson, Daniel Cram, jun. and John Sanborn, the Trustees named in an act, entitled "An act authorizing the sale of a part of the Ministerial Lands in the first parish in the town of Standish," passed the twenty-fifth day of February, in the year one thousand eight hundred and twelve be, and they hereby are authorized to sell and convey, in fee simple, the thirty acre lot, whereon the meeting-house stands in said town, (excepting and reserving out of the north west corner of said lot, one half acre of land to be laid out ten rods fronting on the main road, and to extend back eight rods, whereon the meeting-house stands,) and to make, execute, and acknowledge a good and sufficient deed or deeds, 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 whatsoever.

SEC. 2. *Be it further enacted,* That the Trustees herein named, and their successors, shall proceed in the sale of said land, and in the appropriating the interest arising

Trustees authorized to sell lands.

therefrom, in the same way and manner as they are required by the act to which this is in addition.

[Approved by the Governor, June 9, 1813.]

CHAP. V.

An Act to alter the times of holding the Courts of Sessions in the county of Washington.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, the Court of Sessions for said county of Washington, shall be holden on the first Mondays of March and September annually, at Machias, in said county, instead of the times heretofore established by law; and that all petitions, recognizances, warrants, reports and processes whatsoever, shall be returned to, be entered, have day in, and be proceeded upon in the same Court, to be holden on the said first Mondays of March and September, any law to the contrary notwithstanding.

Court of Sessions; time of holding altered.

[Approved by the Governor, June 9, 1813.]

CHAP. VI.

An Act to incorporate The Berwick Manufacturing Company.

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Micajah Currier, Robinson Palmer, Ambrose Allen, Josiah W. Seaver, William Hight, Brackett Palmer, Timothy Ferguson, Benjamin Nasine, Joshua Roberts, and Benjamin Haggins, 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 Berwick Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth and Yarn, in the town of Berwick, in the county of York; and for the purpose aforesaid, shall have

Persons incorporated.

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.

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That the said Corporation, in their corporate capacity shall, and may lawfully hold and possess such real estate, not exceeding the value of thirty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactures aforesaid. [Approved by the Governor, June 10, 1813.]

CHAP. VII.

An Act to incorporate the proprietors of meadow lands, in the town of Deerfield.

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 from and after passing this act, David Hoit, Seth Nims, David Sheldon, Seth Sheldon, Solomon Williams, John Bardwell, Joseph Cleason, Dennis Stebbins, Zadock Hawks, Quartus Wells, Asa Stebbins, Joseph Stebbins, and Thomas Wells Dickinson, together with such others as may hereafter become proprietors be, and they hereby are incorporated into a body politic, by the name of The Proprietors of Plain Swamp Brook Meadows, and by that name may sue and be sued, and do and suffer all matters, acts or things, which bodies politic may or ought to do and suffer.

Justice to is-
sue warrant.

SEC. 2. *Be it further enacted*, That any Justice of the Peace in the county of Franklin be, and he hereby is empowered and directed, upon application in writing from three or more of said proprietors, to issue his warrant to one of the proprietors aforesaid, requiring him to notify and warn a meeting of said proprietors, at such time and place as he shall think most convenient for the purposes to be expressed in said warrant, by posting up a copy of said warrant, with the notification thereon, at the house of public worship in the town-street in said town, seven days at

least before the time of holding said meeting; and the said proprietors, when legally assembled as aforesaid, shall have power to choose a clerk, assessors, collector, and treasurer, who shall be sworn to the faithful discharge of the trust reposed in them, and continue to serve until others are chosen and sworn in their places, which may be annually; which officers chosen and sworn as aforesaid, shall have the same power to perform, execute, and carry any vote or order of said Corporation into full effect, as town officers of like description have by law to do and perform; and said Corporation shall, at their first meeting, agree and determine upon the method for calling future meetings; and said Corporation shall, at their first meeting, or any other meeting legally called for that purpose, have power to vote and raise monies for the purpose of draining off the stagnant water from said Meadow, from time to time, as shall be found necessary for the better improvement of said lands, and for paying all other expenses, that shall be found necessary for carrying the votes and orders of said Corporation into effect; and all monies raised as aforesaid, shall be assessed upon each proprietor in the Meadows aforesaid, in proportion to the number of acres, or the value thereof, he or she owns; and if any proprietor shall refuse or neglect to pay the sum or sums assessed upon him or her, as aforesaid, after thirty days notice, so much of his or her meadow-land shall be sold at public vendue by the collector, as will be sufficient to pay the same, with legal costs, after posting up notice of the time and place of said sale, at three or more public places in said town, thirty days at least before the time of said sale.

[Approved by the Governor, June 10, 1813.]

Proprietors
to choose of-
ficers.

Corporation
may raise
money.

Penalty for
neglecting to
pay assess-
ments.

CHAP. VIII.

An Act in addition to an act, entitled "An act to incorporate Isaac Story and others, by the name of The Marblehead Social Insurance Company."

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the further time of four years,

Further time
allowed to
pay instal-
ments.

from and after the seventeenth day of July next, be allowed to the stockholders of the Marblehead Social Insurance Company, to pay in the residue of the capital stock of said Company, amounting to fifty dollars on each share, and being the last moiety of their instalments of the sum of one hundred thousand dollars, the capital stock of said Company; and that the said residue shall be paid in such proportions, and at such periods within the time mentioned, as the Directors of said Company for the time being, shall order and appoint, any thing in the act to which this act is in addition, or in the act of incorporation of said Company, to the contrary notwithstanding; and that so much of the ninth section of the act aforesaid, entitled "An act establishing a Corporation, by the name of The Marblehead Social Insurance Company," passed the seventeenth day of June, in the year of our Lord one thousand eight hundred and nine, as restricts the legal transfer or assignment, of any share or shares of the stock in said Company, be, and the same is hereby repealed.—*Provided however,* That nothing in this act shall be construed to exonerate, or discharge the estates of the stockholders of said Company from being liable, in the manner and for the purposes mentioned in said act, to which this is in addition.

Proviso.

[Approved by the Governor, June 10, 1813.]

CHAP. IX.

An Act to render valid the doings of the Court of Sessions, in the county of Hancock.

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, for the county of Hancock, at the several Sessions of said Court, holden at Castine, in said county, subsequent to the first day of April, one thousand eight hundred and twelve, be, and the same hereby are made valid in law, in as full and ample a manner, as though the Sessions of said Court had been holden on the several days prescribed by an act passed the twenty-

Proceedings
made valid.

ninth day of February, one thousand eight hundred and twelve, entitled "An act to fix the times of holding the Court of Sessions, in the respective counties in this Commonwealth," any provision contained in said act to the contrary, notwithstanding.

[Approved by the Governor, June 10, 1813.]

CHAP. X.

An Act to establish The Union Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Oliver Clap, Warren Clap, Benjamin Billings, Daniel Ellis, Daniel Payson, Edward G. Cundall, and Oliver Eldridge, together with such others as may hereafter join and associate with them, their successors and assigns be, and they hereby are made a Corporation, by the name of The Union Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Walpole, in the county of Norfolk; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, one thousand eight hundred and nine. Persons incorporated.

SEC. 2. *Be it further enacted,* That the said Corporation may lawfully hold and possess such real estate, not exceeding the value of twenty-five thousand dollars, and personal estate not exceeding the value of fifty thousand dollars, as may be convenient and necessary for carrying on the Manufacture aforesaid. May hold real and personal estate.

[Approved by the Governor, June 10, 1813.]

CHAP. XI.

An Act in addition to, and explanation of an act, entitled
 “An act establishing and regulating the Fees of the
 several officers, and other persons hereafter mentioned,
 and for repealing the laws heretofore made for that pur-
 pose.”

BE it enacted by the Senate and House of
*Representatives, in General Court assembled, and by the
 authority of the same,* That in every action hereafter pend-
 ing in any Circuit Court of Common Pleas, within this
 Commonwealth, which shall be defaulted, without being
 submitted to a Jury, or the Writ read to them, after an
 issue in fact be joined, the Justices of the said Court, the
 Officers' fees. Clerk thereof, or the Attorney in such action, shall receive
 or tax no other or greater Fees, than they severally would
 have been entitled to receive and tax, had no such issue
 been joined; any law, usage, or custom, to the contrary
 notwithstanding.

[Approved by the Governor, June 10, 1813.]

CHAP. XII.

An Act to incorporate the North Parish, in the town of
 Sutton, into a separate town, by the name of Millbury.

SEC. 1. **BE** it enacted by the Senate and House of
*Representatives, in General Court assembled, and by the
 authority of the same,* That all the lands comprised within
 the North Parish, in the town of Sutton, in the county of
 Worcester, as the same is now bounded, together with
 the farm on which Joshua Chase now lives in said town,
 with all the inhabitants dwelling thereon be, and they
 hereby are incorporated into a town, by the name of Mill-
 bury, and vested with all the powers, privileges, and im-
 munities, and subject to all the duties and requirements
 of other incorporate towns, agreeably to the constitution
 and laws of this Commonwealth.

SEC. 2. *Be it further enacted,* That the inhabitants of the
 said town of Millbury, shall be holden to pay all the arrears

of taxes which have been assessed upon them by the town of Sutton; and shall also support and maintain all such persons, as heretofore have been, now are, or hereafter may be inhabitants of that part of Sutton, hereby incorporated, and are, or may become chargeable, according to the laws of this Commonwealth, and who have not obtained a settlement elsewhere therein.

Holden to
pay arrears
of taxes.

SEC. 3. *Be it further enacted*, That the inhabitants of the said town of Millbury, shall be entitled to receive and hold such proportion of all debts now due, and assessments already voted to the said town of Sutton, and also such proportion of all the real and personal property of the town of Sutton, of what kind soever it may be, now owned in common by the inhabitants of said town, as the property of the inhabitants of Millbury bears to the property of all the inhabitants of the said town of Sutton, according to the last valuation thereof; and they shall also be holden to pay their proportion, (to be ascertained as aforesaid,) of all the debts now due, and owing from the said town of Sutton; and the inhabitants of said Millbury, or any religious Society therein, shall furthermore be entitled to receive and hold such proportion as they are now entitled to, if any, of the ministerial money raised by the sale of ministerial lands in said Sutton, which money is now in the hands of the first Congregational Society in said town.

Entitled to
proportion of
real and per-
sonal prop-
erty.

SEC. 4. *Be it further enacted*, That in case the dividing line between the said town of Millbury and the said town of Sutton, should happen to divide the farms of any of the inhabitants of either said towns, the said inhabitants shall be taxed for the whole of their home farm in that town only, where they may respectively dwell.

SEC. 5. *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 Millbury, requiring him to notify and warn the inhabitants thereof, to meet at such time and place, as may be appointed in said warrant, for the choice of all such town officers, as towns are by law required to choose at their annual town meetings.

Justice au-
thorized to
issue war-
rant.

[Approved by the Governor, June 11, 1813.]

CHAP. XIII.

An Act to incorporate The Palmer's River 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 Paul Nelson, Asa Bullock, Gideon Peck, James Nichols, and Benjamin Norris, and others who have already associated, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Palmer's River Manufacturing Company, for the purpose of manufacturing Cotton and Woollen goods at Rehoboth, in the county of Bristol; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act, defining the general powers and duties of manufacturing Corporations."

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred and fifty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactures aforesaid, in the town of Rehoboth.

[Approved by the Governor, June 11, 1813.]

CHAP. XIV.

An Act in addition to an act, entitled "An act to incorporate sundry persons, by the name of The President, Directors and Company of the Northampton Bank."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the act, entitled "An act to incorporate sundry persons by the name of The President,

Directors, and Company of the Northampton Bank," and also an act in addition thereto, passed the eighteenth day of June, in the year of our Lord one thousand eight hundred and three, shall continue and remain in force for and during the term of five years, from and after the first Monday of October next, so far as to make the said President, Directors and Company capable in law, during the term aforesaid, to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatsoever; and they shall also have power to sue out, and cause to be executed, final process in any suit in which they may be a party, or may be interested; and to make, execute and deliver proper and legal conveyances, or releases of any real estate of which they may be seized and possessed, any thing in either of the acts aforesaid to the contrary notwithstanding.

Act of incorporation continued.

[Approved by the Governor, June 11, 1813.]

CHAP. XV.

An Act to set off part of the town of Monmouth, and to annex the same to the town of Winthrop.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the following described tracts of land, with the inhabitants thereon, be set off from the town of Monmouth in the county of Kennebeck, and annexed to the town of Winthrop in the same county, by the following described lines, to wit: beginning on a pond called Chandler's South Pond, where the line between great back lots, number twenty-one and twenty-two, as run by Obadiah Williams, strikes said pond; thence northerly on said pond to the south line of said town of Winthrop; thence west north-west about one mile and twenty-nine rods to the west end of lot number seventy-eight; thence on the easterly end of said lot to the south-east corner thereof; thence south, twenty-two and an half degrees west, to the line between said great back lots, number twenty-one and twenty two; thence on said lines easterly to the pond aforesaid. And the said tract of land,

Boundaries described.

with the inhabitants thereon, is hereby set off from said town of Monmouth and annexed to the town of Winthrop. And the said inhabitants shall hereafter be considered inhabitants of said town of Winthrop, and shall there exercise and enjoy all their civil rights and privileges, and shall also be subject to all their civil duties and requisitions, in like manner with the other inhabitants of said town. *Provided however,* That the said inhabitants shall be holden to pay all taxes heretofore legally assessed on them by the said town of Monmouth, in the same manner as if this act had not passed.

Proviso.

[Approved by the Governor, June 11, 1813.]

CHAP. XVI.

An Act to incorporate The Medford Wire 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 Isaac P. Davis, John L. Sullivan, Richard Sullivan, and George Sullivan, with such other persons as may hereafter be associated with them, their successors and assigns, be, and they hereby are made a Corporation and body politic, by the name of The Medford Wire Factory Company, for the purpose of manufacturing wire in the town of Medford; 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 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 be lawfully seized and possessed of such real estate, not exceeding the value of twenty thousand dollars, and such personal estate not exceeding the value of forty thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

May hold real and personal estate.

[Approved by the Governor, June 11, 1813.]

CHAP. XVII.

An Act to incorporate The First Baptist Society in Wilton, 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 Jedidiah Adams, Samuel Baker, Jeremy Bean, Ebenezer Brown, Levi Dakin, Levi Dakin, jun. Rufus Dresser, Moses Farmer, Daniel Hardy, Job Hardy, John Lake, Edward Lock, Leonard Merry, Peter Parker, Nehemiah Rainger, John Reed, Ebenezer Seales, Jonah Spaulding, Isaac Tripp, Humphry Tripp, Joseph Willard, and John F. Wood, with their families and estates, together with such others as may hereafter associate with them for religious purposes, according to the provisions of this act, be, and they are hereby incorporated as a religious society, by the name of The First Baptist Society in Wilton, with all the powers and privileges, and subject to all the duties and obligations of other religious societies, according to the constitution and laws of this Commonwealth.

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That any inhabitant living in either of the towns of Wilton, Temple, Farmington, and Chesterville, in the county of Kennebeck, or in the town of Jay, in the county of Oxford, who may desire to become a member of the said First Baptist Society in Wilton, shall have right so to do, by declaring such desire and intention in writing, and deliver the same to the clerk of said Baptist Society, fifteen days before the annual meeting; and shall also deliver a copy of the same to the clerk of the town, or to the clerk of any other religious society with which such person has been before connected, fifteen days before the annual meeting thereof. And if such person doth receive and produce to such clerk of the said Baptist society, certifying that he or she has united with, and been received as a member thereof, such person, from the production of such certificate, with his or her polls and estate, shall be considered as members of the said Baptist society, and shall be exempted from tax-

Manner of
becoming a
member.

ation to the support of any other religious society, in the town or parish where such person may dwell.

Manner of
leaving the
society.

Proviso.

SEC. 3. *Be it further enacted*, That when any member of the said First Baptist Society may see cause to leave the same, and to unite with any other religious society in the town where such person may dwell, the like notice and process of a written declaration and certificate 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 with another, the person so seceding shall be holden in law to pay his or her proportion or assessment of all parochial or society debts and expenses voted or assessed, and not paid prior to such secession.

Justice to is-
sue warrant.

SEC. 4. *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, directed to one of the members of the said First Baptist Society in Wilton, requiring him to notify and warn the members thereof to meet at such convenient time and place as may be expressed in said warrant, to organize the said society, by the choice and appointment of its officers.

[Approved by the Governor, June 11, 1813.]

CHAP. XVIII.

An Act to incorporate The Central 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 William Carr, James Ellis, Joseph Smith, jun. and others, who have already associated, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Central Manufacturing Company, for the purpose of manufacturing Cotton and Woollen goods at Seekonk, in the county of Bristol; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hun-

dred and nine, entitled "An act, defining the general powers and duties of manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized of such real estate, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding the value of three hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactures aforesaid in the town of Seekonk. May hold real and personal estate.

[Approved by the Governor, June 11, 1813.]

CHAP. XIX.

An Act to incorporate The Wiscasset Marine Insurance Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That David Payson, Joseph T. Wood, Samuel Coney, Abiel Wood, William M. Boyd, John Dole, Samuel Millar, Moses Carleton, jun. Thomas M. Crate, William Nickels, James Kavanagh, Matthew Cottrill, John Boyinton, Benjamin Sewall, Henry Roby, Samuel E. Smith, Joshua Hilton, Ezekiel Cutter and Thomas Nickels, together with such persons as have already, or hereafter may become Stockholders in said Company, being citizens of the United States, be, and are hereby incorporated into a Company or body politic, by the name of The Wiscasset Marine Insurance Company, for and during the term of twenty years from the passing of this Act, and by that name may sue and be sued, plead or be impleaded, appear, prosecute and defend to final judgment and execution, and have a common seal which they may alter at pleasure, and may purchase, hold and convey any estate, real or personal, for the use of the said company, subject to the restrictions hereinafter mentioned. Persons incorporated.

SEC. 2. *Be it further enacted*, That a share in the capital stock of the said company shall be one hundred dollars, and the number of shares shall be one thousand, and if the said number of shares are not already filled, subscriptions shall be kept open under the inspection of the Name. Powers. Shares.

President and Directors of the said company, until the same shall be filled, and the whole capital stock, estate or property which the said company shall be authorised to hold shall never exceed one hundred thousand dollars, exclusive of premium notes, or profits arising from said business, of which capital stock or property, twenty thousand dollars only shall be invested in real estate.

Management of property. **SEC. 3.** *Be it further enacted,* That the stock, property, affairs and concerns of the said company shall be managed and conducted by nine Directors, one of whom shall be the President thereof, who shall hold their offices for one year, and until others shall be chosen, and no longer; which Directors shall, at the time of their election, be stockholders and citizens of this Commonwealth, and shall be elected on the first Tuesday in March in each and every year, at such times of the day, and at such place in the town of Wiscasset, as a majority of the Directors for the time being shall appoint; of which election public notice shall be given in at least two Newspapers, one printed at Portland, and one printed in some town adjoining Kennebeck River, and continued for the space of fifteen days immediately preceeding such election. And such election shall be holden under the inspection of three stockholders, not being Directors, to be appointed previous to every election by the Directors, and shall be made by ballot by a majority of votes of the stockholders present, allowing one vote to each share in the capital stock; *provided* that no stockholder shall be allowed more than twenty votes; and the Stockholders not present may vote by proxy, under such regulations as the said company shall prescribe. And if in case of any unavoidable accident the said Directors should on the said first Tuesday of March not be chosen as aforesaid, it shall be lawful to choose them on another day, in manner herein prescribed.

Proviso.

Election of President. **SEC. 4.** *Be it further enacted,* That the Directors, so chosen, shall meet as soon as may be after every election, and shall choose out of their body one person to be President, who shall preside for one year, and until another be chosen and qualified in his stead, and be sworn faithfully to discharge the duties of his office; and in case of the death, resignation, or inability to serve, of the President or any Director, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen,

by a special election for that purpose, to be held in the same manner as is herein before directed respecting annual elections for Directors and President.

SEC. 5. *Be it further enacted*, That the President and four of the Directors (or five of the Directors in the absence of the President) shall be a board competent to transact business, and all questions before them shall be decided by a majority of votes ; and they shall have power to make and prescribe such by-laws, rules, and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects of said Company, and the transfer of the shares, and touching the duties and conduct of the several officers, clerks and servants employed, and the election of Directors, and all such matters as appertain to the business of Insurance ; and shall also have power to appoint a Secretary, and so many clerks and servants for carrying on the said business, and with such salaries and allowances to them and to the President, as to the said board shall seem proper. *Provided* that such by-laws, rules, and regulations, shall not be repugnant to the constitution or laws of this Commonwealth.

By-laws,
Rules, &c.

SEC. 6. *Be it further enacted*, That there shall be stated meetings of the Directors at least once in every month, and as often within each month as the President and board of Directors shall deem proper. And the President and a Committee of three of the Directors, to be by him appointed in rotation, shall assemble daily, if need be, for the dispatch of business ; and the said board of Directors and the Committee aforesaid, at and during the pleasure of the said board, shall have power and authority, in behalf of said Company, to make insurance upon vessels, freight, money, goods and effects, and against captivity of persons, and on the life of any person during his absence at sea, and in cases of money lent upon bottomry and respondentia, and to fix the premiums and terms of payment ; and all policies of insurance by them made shall be subscribed by the President, or in case of his death, sickness, inability, or absence, by any two of the Directors, and countersigned by the Secretary, and shall be binding and obligatory upon the said Company, and have the like effect and force as if under the seal of said Company ; and the assured may thereupon maintain an action upon the

Meetings of
the Direc-
tors.

Provision in
case of ab-
sence or
death.

case against the said Company ; and all losses duly arising under any policy so subscribed, may be adjusted and settled by the President and board of Directors, and the same shall be binding on the said Company.

Duties of the
Directors.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors, on the first Tuesday of July and January, in every year, to make dividends of so much of the interest arising from the capital stock, and the profits of the said Company, as to them shall appear advisable ; but the monies received, and the notes taken for premiums on risks, which shall be undetermined and outstanding at the time of making such dividends, shall not be considered as part of the profits of the Company ; and in case of any loss or losses, whereby the capital stock of the Company shall be lessened, each proprietor's or stockholder's estate shall be held accountable for the deficiency that may be due on his share or shares at the time of said loss or losses taking place, to be paid into the said Company by assessments, or such other mode, and at such time or times as the Directors shall order ; and no subsequent dividend shall be made, until a sum equal to such diminution shall have been added to the capital. And that once in every two years, and oftener, if required by a majority of the votes of the stockholders, the Directors shall lay before the stockholders, at a general meeting, an exact and particular statement of the profits, if any there be, after deducting losses and dividends, and also a particular statement of the whole concerns of said Company.

Investment
of the funds
of the Com-
pany.

SEC. 8. *Be it further enacted*, That the said Company shall not directly or indirectly, deal or trade in buying or selling any goods, wares, merchandize, or commodities whatever ; and the capital stock of said Company, after being collected at each instalment, shall, within ninety days, be invested either in the funded debt of the United States, or of this Commonwealth, or in any stock of the United States, or of any incorporated bank in this Commonwealth, at the discretion of the President and Directors of said Company, or of other officers which the proprietors shall for such purpose appoint.

Monies due.

SEC. 9. *Be it further enacted*, That fifty dollars on each share in the said Company, shall be paid within six months after the first meeting of said Company, and the remaining sum due on each share, within twelve months from

the time of the first payment aforesaid, at such equal instalments, and under such penalties as the said Company shall direct ; and no transfer of any share in said Company shall be permitted or be valid, until all the instalments on such shares shall have been paid.

SEC. 10. *Be it further enacted*, That in case of any loss or losses taking place that shall be equal to the amount of the capital stock of the said Company, and the President or Directors, after knowing of such losses having taken place, shall subscribe to any policy of Insurance, their estates, jointly and severally, shall be accountable for the amount of any, and every loss that shall take place under policies thus subscribed ; and that no person, being a Director of any Company, carrying on the business of Marine Insurance, shall be eligible as a Director of the Company by this act established.

Officers' estates accountable for default.

SEC. 11. *Be it further enacted*, That the President and Directors of the said Company shall, previous to their subscribing to any policy, and once in every year after, publish in two Newspapers, one printed at Portland, and one printed in some town adjoining on Kennebeck river, the amount of their stock, against what risks they mean to insure, and the largest sum they mean to take on any one risk.—*Provided nevertheless*, That the said President and Directors shall not be allowed to take any more on any one risk, than ten per centum of the amount of the capital stock of said Corporation actually paid in.

Proviso.

SEC. 12. *Be it further enacted*, That the President and Directors of the said Company shall, when and so often as required by the Legislature of this Commonwealth, lay before them a statement of the affairs of said Company, and submit to an examination, concerning the same, under oath.

Statement of affairs to be rendered.

SEC. 13. *Be it further enacted*, That any four of the stockholders, are hereby authorized to call a meeting of the members of said Company as soon as may be, in Wiscasset, by advertising the same three weeks successively, in one Newspaper printed in Portland, and posting up advertisements thereof, in the town of Wiscasset, fourteen days previous to said meeting.

Stockholders authorized to call meeting.

[Approved by the Governor, June 11, 1813.]

CHAP. XX.

An Act to incorporate a Manufacturing Company in the town of Middleborough.

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 Abiel Washburn, George Leonard, Levi Pierce, Peter H. Pierce, William Bourne, Joseph Bourne, John Borden, jun. John Tinkham, Ephraim Leonard, Edward Sparrow, jun. Wilkes Wood, James Sprout, and Abraham Wilson, with such others as may hereafter be associated with them, their successors and assigns, be, and hereby are made a Corporation, by the name of The New-Market Manufacturing Company, for the purpose of manufacturing Iron, and also Cotton and Woollen Cloth, and Yarn, in the town of Middleborough, in the county of Plymouth; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed 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
real and per-
sonal estate.

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

[Approved by the Governor, June 11, 1813.]

CHAP. XXI.

An Act to incorporate The Holliston Cotton and Woollen 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 Elihu Cutler, James Wight, Oliver Leland, Timothy Fisk, Ancr. Fisk, James Cutler,

and Nathan Fairbanks, together with such other persons as already have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Holliston Cotton and Woollen Manufactory, for the purpose of manufacturing Cotton and Wool, at Holliston, in the county of Middlesex; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the Manufacture of Cotton and Wool, at Holliston aforesaid.

May hold
real and per-
sonal estate.

[Approved by the Governor, June 11, 1813.]

CHAP. XXII.

An Act to incorporate the plantation heretofore called Beaver Hill, into a town, by the name of Freedom.

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 Beaver Hill, in the county of Kennebeck, as described within the following boundaries, be, and the same is hereby incorporated into a town, by the name of *Freedom*, viz. Northerly on the town of Unity, easterly on the town of Montville, southerly on the town of Palermo, and westerly on the town of Fairfax; and the said town of Freedom is hereby vested with all the powers and privileges, and shall be also subject to the like duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Town incor-
porated.

Boundaries.

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Kennebeck, is hereby authorized

Justice to is-
sue Warrant. to issue a warrant, directed to a freeholder and inhabitant of the said town of Freedom, requiring him to notify and warn a meeting of the qualified voters therein, 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.

[Approved by the Governor, June 11, 1813.]

CHAP. XXIII.

An Act concerning Jurors.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the time for preparing a list of persons for one jury box, as provided for and required by an act, entitled "An act in addition to, and for repealing the first section of an act, entitled An act regulating the selection, impannelling, and the services of grand and petit juries, and repealing all laws or clauses of laws touching these subjects, so far as they are provided for by this act," passed on the twenty-seventh day of February, in the year one thousand eight hundred and thirteen, be, and the same hereby is extended to the first day of September, in the year last mentioned, any thing in said act to the contrary notwithstanding.*

[Approved by the Governor, June 12, 1813.]

CHAP. XXIV.

An act in addition to an act, entitled "An act subjecting the real estates of Banking Corporations to be taken and sold at public auction, for the payment of their debts."

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 first day of*

August next, all the right, title, claim, and interest of any Bank now incorporated, or which may be hereafter incorporated by law, in any lands, tenements, or hereditaments, which have been or shall be mortgaged for security of any debt due or assigned to such Bank, shall be liable to be seized and sold on any writ of execution issued on any judgment rendered, or which may hereafter be rendered by any Court of law within this Commonwealth, and sold at public auction, in the same manner as is prescribed for the sale and conveyance of the real estates of such Banks, in the act to which this is an addition.

Property liable to be taken to satisfy executions.

SEC. 2. *Be it further enacted*, That any debt secured by such mortgage, and due to such Bank at the time of the sale of such mortgage, shall pass by the deed of conveyance executed by the officer who shall serve such writ of execution, and be completely, and to all intents and purposes transferred to, and vested in such purchaser; and such purchaser, or his legal representatives, may, in his own name, maintain any action proper to recover such debt, or to obtain possession of such lands, tenements, or hereditaments, which might have been maintained in the name of such Bank, had no such sale been had; and the copy of such mortgage deed, duly certified by the Register of Deeds for the county or district where such lands are situated, and where such mortgage deed shall be recorded, shall be considered *prima facie* evidence of such mortgage deed, and of the note or other obligation on which such mortgage is founded, and that the same were remaining due and unsatisfied at the time of the trial of such action; and it shall be the duty of the Cashier or Clerk of such Bank, on reasonable request, to furnish such officer, who shall serve such execution, or the judgment creditor, with a certified copy of such note or other obligation, together with a copy of all the endorsements thereon, and a statement of all such payments as shall have been made thereon by such debtor; and whenever such debtor shall have paid to such purchaser the amount due on such note or obligation, he shall be forever discharged from such note or obligation.

Duty of Cashier or Clerk.

SEC. 3. *Be it further enacted*, That no gift, sale, transfer, conveyance or endorsement of such note or mortgage, made by such Bank, after notice to such Bank and such debtor of the seizure thereof, on execution by such officer

Gift or sale by the Bank not valid.

for purpose of sale under this act, shall have any validity, force, or effect against such purchaser under such sale at auction, but the same shall be adjudged null and void, except only between such Bank and such person to whom such Bank shall make such gift, sale, transfer, conveyance, or endorsement, their heirs, executors, administrators, and assigns.

[Approved by the Governor, June 12, 1813.]

CHAP. XXV.

An Act to set off Silas Atkins, jun. and others from the town of Truro, and annex them to the town of Provincetown.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Silas Atkins, jun. Henry Dyer, Joshua Atkins Mayo, Charles Parker, Isaiah Atkins, Samuel W. Atkins, Nathaniel Atkins, Conrad Disher, John Stone, and Job Dyer Hill, with their families and estates, together with all other persons living on the first and second lots in Truro, adjoining said Provincetown, shall be, and they hereby are set off from said town of Truro, and annexed to said town of Provincetown, and shall forever hereafter be subject to all the duties, and entitled to all the privileges of citizens and inhabitants of Provincetown.

Persons set off from the town Truro. *Provided however,* That said persons so set off, shall be liable to pay all taxes that have been legally assessed on them by said town of Truro, in the same manner as if this act had not passed. *And provided further,* That until a new valuation of polls and estates shall be taken and made, the said town of Provincetown shall be liable to pay over to the town of Truro, all such sums of money as shall be levied and collected from the persons set off as aforesaid, as their proportion of the state and county taxes.

Proviso.

SEC. 2. *Be it further enacted,* That the dividing line between the town of Truro and the town of Provincetown, shall in future be the line between the second and third lots of said town of Truro as they have been heretofore known, and as the said line now runs across the Cape

Boundaries.

from the waters of the harbour, upon the south, inside, to the sea, upon the north or back side.

[Approved by the Governor, June 12, 1813.]

CHAP. XXVI.

An Act extending the time for paying the instalments of the capital stock of The Mechanics' Bank in Newburyport.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the first instalment of the said Capital stock shall be paid on or before the first day of July next, the second on or before the first day of October next, the third on or before the first day of January next, and the fourth on or before the first day of April next; and such payments shall, in all respects, be as valid, as if they had been made agreeably to the second section of the act of their incorporation, any thing in the said act to the contrary notwithstanding.

Further time
allowed to
pay instal-
ments.

[Approved by the Governor, June 12, 1813.]

CHAP. XXVII.

An Act to incorporate the inhabitants of Plantation numbered two, in the third range of townships, north of the Waldo Patent, in the county of Hancock, into a town, by the name of Levant.

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 numbered two, in the third range, north of the Waldo Patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is established a town, by the name of Levant, viz. east by township numbered one, in the third range; north by township numbered two, in the fourth range, (now Corinth;) south by

Town incor-
porated.

Boundaries.

townships numbered two and three in the second range ; and west by the township granted to Leicester Academy. And the inhabitants of the said town of Levant are hereby vested with all the powers and privileges, and shall also be subject to all the 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 upon application therefor, any Justice of the Peace for the county of Hancock is hereby authorised to issue a warrant, directed to a freeholder and inhabitant of the said town of Levant, requiring him to notify and warn a meeting of 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.

[Approved by the Governor, June 14, 1813.]

CHAP. XXVIII.

An Act to establish part of the line between the towns of Duxborough and Marshfield, in the county of Plymouth.

Boundary
line estab-
lished.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That that part of the dividing line between the north-east corner of Duxboro' and the south-east corner of Marshfield, namely, beginning at a heap of stones on the top of Duck hill, and running north, sixty-six and an half degrees east, to the sea shore, shall, from and after the passing of this act, be the boundary line between the two towns, any law, usage, or custom to the contrary, notwithstanding.

[Approved by the Governor, June 14, 1813.]

CHAP. XXIX.

An Act to repeal an act, entitled “An act to provide for, and direct the manner of paying the members of the House of Representatives, in future, out of the publick Treasury.”

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 third day of February eighteen hundred and twelve, entitled “An act to repeal an act, entitled 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,” shall be, and the same is hereby repealed, from and after the last day of the present session of the General Court. Act repealed

[Approved by the Governor, June 14, 1813.]

CHAP. XXX.

An Act for altering the times and places of holding the Court of Probate, within and for the county of Middlesex.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That instead of the times and places already appointed therefor, the Court of Probate, within and for the county of Middlesex, from and after the first day of July next, shall be holden at the several times and places hereinafter mentioned: that is to say, at Cambridge on the second Tuesday in January, February, and November, on the last Tuesday in May and August, and on the Tuesday next preceding the second Monday in December; at Concord on the last Tuesday in February, on the first Tuesday in April, on the Tuesday next preceding the second Monday in June and September, and on the third Tuesday in November; at Groton on the first Tuesday in March, on the second Tuesday in May, and on the third Tuesday in October; at Framingham on the

Times and
places for
holding
court.

fourth Tuesday in June, and on the second Tuesday in October; at Charlestown on the Tuesday next preceding the last Tuesday in August; at Woburn on the fourth Tuesday in April; and at Chelmsford on the first Tuesday in October, annually—unless the said times and places shall be altered on special occasions, as by law heretofore provided.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXI.

An Act to incorporate The Bath Fire and Marine Insurance Company.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Peleg Talkman, David Trufant, Samuel Davis, John Richardson, Jerom Loring, Jonathan Hyde, Charles Clap, David Dunlap, Nathaniel Dummer, Thomas Agry, Peter Grant, and all such persons as have already, or hereafter shall become Stockholders in said Company, being citizens of the United States, be, and hereby are incorporated into a Company and body politic, by the name of The Bath Fire and Marine Insurance Company, for and during the term of twenty years after the passing of this Act, and by that name may sue and be sued, plead or be impleaded, appear, prosecute and defend to final judgment and execution, and have a common seal which they may alter at pleasure, and may purchase, hold and convey any estate, real or personal, for the use of said company, subject to the restrictions hereinafter mentioned.

Persons in-
corporated.

Name.

Powers.

SEC. 2. *Be it further enacted,* That a share in the capital stock of the said company shall be one hundred dollars, and the number of shares shall not be less than one thousand, nor more than two thousand; and if the said number of shares are not already filled, subscriptions shall be kept open, under the inspection of the President and Directors of the said company, until the same shall be filled, and the whole capital stock, estate or property, which the said company shall be authorised to hold, shall never exceed two hundred thousand dollars, exclusive of pre-

Shares.

mium notes, or profits arising from said business, of which capital stock or property, twenty thousand dollars only shall be invested in real estate.

SEC. 3. *Be it further enacted*, That the stock, property, affairs and concerns of the said company shall be managed and conducted by seven Directors, one of whom shall be the President thereof, who shall hold their offices for one year, and until others shall be chosen, and no longer; which Directors shall, at the time of their election, be stockholders and citizens of this Commonwealth, and shall be elected on the first Monday in January in each and every year, at such times of the day, and at such place in the town of Bath, as a majority of the Directors for the time being shall appoint; of which election public notice shall be given in the Portland Gazette, and posted in the Post office in the town of Bath, twenty days immediately preceding such election. And such election shall be holden under the inspection of three stockholders, not being Directors, to be appointed previous to every election, by the Directors, and shall be made by ballot by a majority of votes of the stockholders present, allowing one vote to each share in the capital stock; *provided* that no stockholder shall be allowed more than twenty votes; and the Stockholders not present may vote by proxy, under such regulations as the said company shall prescribe. And if, in case of any unavoidable accident, the said Directors should not be chosen on the said first Monday in January, as aforesaid, it shall be lawful to choose them on another day, in manner herein prescribed.

Management
of property.

Proviso.

SEC. 4. *Be it further enacted*, That the Directors, so chosen, shall meet as soon as may be after every election, and shall choose out of their body one person to be President, who shall preside for one year, and be sworn faithfully to discharge the duties of his office; and in case of the death, resignation, or inability to serve, of the President or any Director, such vacancy or vacancies shall be filled, for the remainder of the year in which they may have happened, by a special election for that purpose, notified by posting notice ten days before, in the Post office in the said town of Bath.

Election of
President.

SEC. 5. *Be it further enacted*, That the President and four of the Directors (or five of the Directors in the absence of the President) shall be a board competent to trans-

By-laws,
Rules, &c.

act business, and all questions before them shall be decided by a majority of votes ; and they shall have power to make and prescribe such by-laws, rules, and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects of said Company, and the transfer of the shares, and touching the duties and conduct of the several officers, clerks and servants employed, and the election of Directors, and all such matters as appertain to the business of Insurance ; and shall also have power to appoint a Secretary, and so many clerks and servants for carrying on the said business, and with such salaries and allowances to them and to the President, as to the said board shall seem meet. *Provided* that such by-laws, rules, and regulations, shall not be repugnant to the constitution or laws of this Commonwealth.

Proviso.

Meetings of
the Directors.

SEC. 6. *Be it further enacted*, That there shall be stated meetings of the Directors at least once in every month, and as often within each month as the President and board of Directors shall deem proper. And the President and a Committee of three of the Directors, to be by him appointed in rotation, shall assemble daily, if need be, for the dispatch of business ; and the said board of Directors and the Committee aforesaid, at and during the pleasure of the said board, shall have power and authority, on behalf of the Company, to make insurance upon vessels, freight, money, goods and effects, and against captivity of persons, and on the life of any person during his absence by sea, and in cases of money lent upon bottomry and respondentia, and on any mansion house or other building, and on the goods and property therein contained, against damage arising to the same by fire, originating in any cause, except that of design in the assured, and to fix the premiums and terms of payment ; and all policies of insurance by them made shall be subscribed by the President, or in case of his death, sickness, inability, or absence, by any two of the Directors, and countersigned by the Secretary, and shall be binding and obligatory upon the said Company, and have the like effect and force as if under the seal of the said Company ; and the assured may thereupon maintain an action of the case against the said Company ; and all losses duly arising under any policy so subscribed, may be adjusted and settled by the President and board

Provision in
case of ab-
sence or
death.

of Directors, and the same shall be binding on the Company.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors, on the first Monday of January and July, in every year, to make dividends of so much of the interest arising from the capital stock, and the profits of the said Company, as to them shall appear advisable; but the monies received, and the notes taken for premiums on risks, which shall be undetermined and outstanding at the time of making such dividends, shall not be considered as part of the profits of the Company; and in case of any loss or losses, whereby the capital stock of the Company shall be lessened, each proprietor's or stockholder's estate shall be held accountable for the deficiency that may be due on his share or shares at the time of said loss or losses taking place, to be paid into the said Company by assessments, or such other mode, and at such time or times as the Directors shall order; and no subsequent dividend shall be made, until a sum equal to such diminution shall have been added to the capital. And that once in every two years, and oftener, if required by a majority of the votes of the stockholders, the Directors shall lay before the stockholders, at a general meeting, an exact and particular statement of the profits, if any there be, after deducting losses and dividends.

Duties of the Directors.

SEC. 8. *Be it further enacted*, That the said Company shall not directly or indirectly, deal or trade in buying or selling any goods, wares, merchandize, or commodities whatsoever; and the capital stock of the said Company, after being collected at each instalment, shall, within ninety days, be invested either in the funded debt of the United States, or of this Commonwealth, or in the stock of any incorporated bank in this Commonwealth, at the discretion of the President and Directors of the said Company, or of other officers which the proprietors shall for such purpose appoint.

Investment of the funds of the Company.

SEC. 9. *Be it further enacted*, That fifty dollars on each share in the said Company, shall be paid within ninety days after the first meeting of the said Company, and the remaining sum due on each share, within one year afterwards, at such equal instalments, and under such penalties, as the said Company shall direct; and no transfer of any share

Monies due.

in said Company shall be permitted, or be valid, until all the instalments on such shares shall have been paid.

Officers' estate account-
able for de-
fault.

SEC. 10. *Be it further enacted*, That in case of any loss or losses taking place that shall be equal to the amount of the capital stock of the said Company, and the President or Directors, after knowing of such loss or losses taking place, shall subscribe to any policy of Insurance, their estates, jointly and severally, shall be accountable for the amount of any and every loss that shall take place under policies thus subscribed; and that no person, being a Director of any Company, carrying on the business of Marine Insurance, shall be eligible as a Director of the Company by this act established.

Proviso.

SEC. 11. *Be it further enacted*, That the President and Directors of the said Company shall, previous to their subscribing to any policy, and once in every year after, publish in a Newspaper printed at Portland, and at the Post office in Bath, the amount of their stock, against what risks they mean to insure, and the largest sum they will take on any one risk. *Provided nevertheless*, That the said President and Directors shall not be allowed to take more, on any one risk, than ten per centum of the amount of the capital stock of said Corporation actually paid in. And the President and Directors of the said Company shall, when and as often as required by the Legislature of this Commonwealth, lay before them a statement of the affairs of said Company, and submit to an examination, concerning the same, under oath.

Stockhold-
ers author-
ized to call
meeting.

SEC. 12. *Be it further enacted*, That any three of the persons herein named are hereby authorised to call a meeting of the members of said Company, as soon as they shall think fit, in Bath; by advertising the same in the Portland Gazette, printed in Portland, and at the Post office in Bath, three weeks previous to said meeting.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXII.

An Act to incorporate the township numbered five, in the fourth range of townships north of the Waldo patent, in the county of Somerset, as a town, by the name of St. Albans.

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 fourth range of townships north of the Waldo patent, in the county of Somerset, as contained within the following described boundaries, be, and the same is hereby incorporated as a town, by the name of St. Albans, viz.—North, by the township numbered five, in the fifth range; east, by the township numbered four, in the fourth range; south, by the township numbered five, in the third range; and west, partly by the town of Harmony, and partly by the township numbered three, in the first range of townships east of Kennebeck River. And the said town of St. Albans is hereby vested with all the corporate powers and privileges, and shall be also subject to the duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Town incorporated, and boundaries.

SEC. 2. *Be it further enacted,* That any Justice of the Peace for the county of Somerset, upon application therefor, is hereby authorized to issue a warrant, directed to a freeholder and inhabitant of the said town of St. Albans, requiring him to notify and warn the first meeting of the qualified freeholders and voters 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.

Justice to issue warrant.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXIII.

An Act to prevent damage to the Bridges and Mill Dams, erected across Miller's river, and for the preservation of Pine timber in that neighbourhood.

LOGS NOT TO BE PLACED ON THE ICE, &c.

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 first day of October next, no person or persons be allowed to lay, pile, or heap up any log or logs upon the ice in Miller's river, with intent of floating down the same with the ice at the breaking up thereof, or to put or draw any log or logs into the said river, at any season, to float down promiscuously.

LOGS FORFEITED, IF FOUND ON THE ICE.

SEC. 2. *Be it further enacted,* That all logs found so heaped upon the ice as aforesaid, or floating in the said river as aforesaid, unless they are formed and bound into rafts, and under the immediate care of the owner, or his agent, shall be forfeited to any person who shall take up and secure the same; and any person finding logs so heaped upon the ice as aforesaid, or floating in the said river as aforesaid, unless they are so formed and bound into rafts, and under the immediate care of the owner or his agent, shall have full right to take the same and convert them to his own use; and in case any person may be prosecuted or sued for any act done by him under the provisions of this act, he may in such action or suit plead the general issue, and give this act with his proceedings under it, in evidence in his defence or justification.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXIV.

An Act to incorporate The Bangor Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Samuel E. Dutton, Thomas

A. Hill, Amos Patten, Moses Patten, Abner Taylor, and Joseph Leavett, with such others as already have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Bangor Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Bangor; and for that purpose, shall have all the powers and privilèges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incorporated.

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

May hold real and personal estate.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXV.

An Act in addition to an act, entitled "An act for incorporating certain persons therein named, for the purpose of supporting a Bridge over Chicapee river, at a place called Wallomonumps.

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 town of Ludlow, in the county of Hampden, be, and they are hereby authorized to call a meeting of The Proprietors of Wallomonumps Bridge, by giving notice of the time and place appointed for meeting, under the hand of the town clerk of said town, or any person or persons by said town for that purpose appointed, in a Newspaper printed in Springfield; said meeting to be holden not less than seven days after such notice shall be published; and said proprietors may, at such meeting, choose a clerk, who shall be sworn to the faithful performance of his duty, and

Authorized to call a meeting.

all other necessary officers, and make such by-laws and regulations as they may judge proper, not repugnant to the laws and constitution of this Commonwealth.

Proceedings
to be valid.

SEC. 2. *Be it further enacted*, That the doings and proceedings of said Corporation at such meeting, shall, so far as respects their future transactions only, be, to all intents and purposes valid, as if, pursuant to the said act to which this is in addition, a clerk and other officers had been duly chosen and sworn by said Corporation, and they had then agreed upon a mode of calling future meetings.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXVI.

An Act in further addition to an act, entitled “An act to incorporate sundry persons into a Company, by the name of The Proprietors of the Exchange Coffee-House.”

May pur-
chase land.

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 Exchange Coffee-House, in Boston, in their corporate capacity shall be, and are hereby declared capable to purchase, have, hold, and possess all parts and any part of the lands and tenements, lying, and being on the southwesterly side of said Exchange Coffee-House, and extending as far from the present southwesterly boundary of said proprietors' land, as the boundary line of the Quaker meeting-house and burying ground, so called; and the same, or any part thereof, to grant, sell, alien, lease, exchange, manage and improve in such mode as they are, or may be, by law, authorized to do with respect to the land and property described in the original act, to which this is in further addition.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXVII.

An Act to incorporate The Bridgewater Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Abel Kingman, Thomas Thompson, Isaiah Packard, Perez Crocker, Micah Shaw, Ichabod Howard, and Samuel Battles, together with such others as have, or may hereafter associate with them, their successors or assigns, be, and they are hereby made a Corporation, by the name of The Bridgewater Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Bridgewater, in the county of Plymouth; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons in-
corporated.

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

May hold
real and per-
sonal estate.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXVIII.

An Act to incorporate The Franklin Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Joseph Allen, Nathaniel Miller, Eli Richardson, Bethuel Boyd, Harlous Whiting, Levi Fisher, Asa Thayer, Davis Thayer, John French, and Otis Everett, together with such other persons as already have,

Persons in-
corporated.

or hereafter may associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Franklin Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Franklin, in the county of Norfolk; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold real and personal estate.

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

[Approved by the Governor, June 14, 1813.]

CHAP. XXXIX.

An Act to annex Nathaniel Wing, with his family and estate, to the town of Hallowell.

Annexed to other town.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Nathaniel Wing, with his family, and so much of his estate, (being a lot numbered forty-one,) as lies in the town of Winthrop, southwest of a county road, leading from Hallowell to Readfield, be, and the same is hereby annexed to the town of Hallowell; and the said Nathaniel Wing, shall hereafter be considered an inhabitant of the said town of Hallowell, and shall there exercise and enjoy all the rights and privileges, and shall also be subject to the like duties and requisitions as the other inhabitants of said Hallowell. *Provided*, That the said Nathaniel Wing shall be holden to pay all taxes assessed on him by the town of Winthrop, due and unpaid before the passing of this act, and also all such taxes as may be assessed on him by the said town of Winthrop the present year, and also his proportionate part of all

state and county taxes, which shall be laid upon the said town of Winthrop, until another general valuation shall be made.

[Approved by the Governor, June 14, 1813.]

CHAP. XL.

An Act to set off Isaac Alden the second, and others, from The Union Calvinistic Society in Abington, and annex them and their estates to the East Parish in Bridgewater.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Isaac Alden the second, ^{Persons set off.} Hiram Washburn, Ezra Alden, Isaac Allen, Christopher Sever, and Sampson Washburn, all of Bridgewater, in the county of Plymouth, with their families and estates, be, and they hereby are set off from the Union Calvinistic Society, in the town of Abington, in said county, and annexed to the East Parish of Bridgewater aforesaid; and shall hereafter be liable to all the duties, and entitled to all the privileges in said Parish they would have been, had they never belonged to the said Union Calvinistic Society. *Provided nevertheless,* That they be held to pay all legal ^{Proviso.} taxes and arrearages of taxes, already assessed upon them by said Society.

[Approved by the Governor, June 14, 1813.]

CHAP. XLI.

An Act in addition to the several acts, establishing and regulating the First 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 the First Massachusetts Turnpike Corporation be authorized to purchase and hold such ^{May purchase and hold estate.} real estate, adjoining to their turnpike roads, as may be

convenient and necessary for the accommodation of their toll gatherers, and may from time to time sell or exchange the same when in their judgment it shall be necessary.

Rates of toll.

Proviso.

SEC. 2. *Be it further enacted*, That the said corporation be, and they hereby are authorized to demand and receive of each passenger, at the most eastern gate erected on said roads, for every cart, waggon, or truck, drawn by one horse, six cents and one quarter of a cent, and for each sleigh or sled, drawn by one horse, five cents; and to demand and receive of each passenger at the west gate on said roads, for every cart, waggon, or truck, drawn by one horse, five cents, and for every sleigh or sled, drawn by one horse, four cents. *Provided however*, That nothing herein contained shall extend to entitle said Corporation to demand or receive toll from any person passing to or from his usual place of public worship, or from any person residing in the town where the gate may be placed, unless they are going or returning from beyond the limits of said town, or from any person going to or from any grist mill, or on the common and ordinary business of family concerns.

[Approved by the Governor, June 14, 1813.]

CHAP. XLII.

An Act in addition to an act, entitled "An act to incorporate certain persons, by the name of The Massachusetts General Hospital," passed February 25th, A.D. 1811.

Section repealed.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the third section of the act, incorporating certain persons by the name of the Massachusetts General Hospital be, and the same hereby is repealed; and that in lieu of the obligation therein imposed, the said Corporation shall be held and obliged to appropriate out of its funds, annually forever, to the support and maintenance of such sick poor, and lunatic persons, as may be received into said Hospital at the request of the legislature, or of any committee or officer appointed as the legislature may hereafter provide for the purpose, a sum

equal to simple interest on the money, for which the Province-House estate shall be sold; and until the sale thereof, the said Corporation shall be held to keep a correct account of the rents received, to be applied to the maintenance of sick poor, and lunatic persons, who would otherwise be chargeable to the Commonwealth, as soon as the Hospital shall be erected. And in case the said estate shall revert to the Commonwealth, as by the former and present acts is provided, the amount of said rents shall be paid into the Treasury of the Commonwealth.

SEC. 2. *Be it further enacted*, That a further time of five years, from the twenty-fifth day of February eighteen hundred and sixteen, be allowed and granted to said Corporation, to raise, by private subscriptions or donations, the sum of one hundred thousand dollars for the purposes of their institution, without prejudice to the grant contained in the fourth section of said act. Further time allowed.

SEC. 3. *Be it further enacted*, That so much of the seventh section of said act, as empowers the board of visitors of said Hospital to disallow and annul the by-laws of said Corporation, be, and the same is hereby repealed. Sections repealed.

SEC. 4. *Be it further enacted*, That the eleventh and twelfth sections of said act be, and the same hereby are repealed.

[Approved by the Governor, June 14, 1813.]

CHAP. XLIII.

An Act authorizing Stephen King and his associates, to establish a Dam across Taunton Great-River.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Stephen King and his associates be, and they are hereby authorized to build and maintain a Dam across Taunton Great-River, so called, on the land of the said Stephen King, in Taunton and Raynham, at a place about one quarter of a mile above King's bridge on said river, for the purpose of establishing and carrying on Mills and Manufactories. *Provided*, That such Dam shall not be erected in such manner as to flow the water Authorized to build a Dam.
Proviso.

back to the injury of the works on Pratt's dam in Middleborough, situated on the same river.

Sluice-way
to be built.

SEC. 2. *Be it further enacted*, That a proper and sufficient sluice-way, shall be constructed in the Dam hereby authorized to be built, and such sluice-way shall, at all times, be kept in repair, and ready to be opened for the free passage of boats and rafts, as well as all kinds of lumber, which have usually been floated on said river, and also a convenient way to be constructed and kept open according to law, for the passage of such fish as usually pass up the same river in their proper season; and if such sluice-ways and fish ways shall not be sufficient, the same Dam, or such part thereof as may be necessary, may be removed or abated as a nuisance, in the same manner as other nuisances may, by law, be removed or abated.

[Approved by the Governor, June 14, 1813.]

CHAP. XLIV.

An Act to appropriate certain lands lying within the plantation of Marshpee, in the county of Barnstable, as a parsonage for the use of the missionary on said plantation.

Preamble.

WHEREAS the permanent establishment of the public worship of God among the native proprietors and inhabitants of the plantation of Marshpee, in the county of Barnstable, is eminently conducive to the religious improvement and well being of said proprietors and inhabitants, the practice of which is sanctioned by the wisdom and policy of our venerable ancestors:

Land appropriated for missionary.

BE it, therefore, enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the lands hereinafter described and bounded, situate in the plantation of Marshpee, in the county of Barnstable, be, and they are hereby appropriated and set apart as a parsonage, for the exclusive use and occupation of such teacher of piety, religion and morality, as now is, or may be in future regularly ordained as missionary over said plantation, to wit: a parcel of pasture land containing about thirty acres, known

by the name of Santuct field, and is bounded west and north-westerly by Santuct river and pond, so called ; north and north-easterly by a swamp separating said land from Wright's field, so called ; south and south-easterly by a fence, making a boundary line between said land and the land of Alvan Crocker and sons : also a parcel of meadow land lying round a small island, called Daniel's island, in Great Neck, producing about six tons of salt hay, and is separated from the other Indian meadow by an ancient range, on the westerly side of said island, connecting the same with the main land.

Boundaries.

[Approved by the Governor, June 14, 1813.]

CHAP. XLV.

An Act to incorporate The Protestant Episcopal Parish of St. James' Church in Greenfield.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Thomas Chapman and Oliver Page, church wardens, and John E. Hall, Alpheus F. Stone, Chester Gunn, Samuel Pierce and Daniel Clay,* Persons in- vestrymen, together with such others as have, or may corporated. hereafter join said Parish or Society, and their successors, together with their polls and estates, be, and they hereby are incorporated into a society or body politic, by the name of 'The Protestant Episcopal Parish of St. James' Church, in Greenfield ; and the said parish or society are hereby invested with full power and authority to assess and collect of the members belonging to said parish, for the purpose of maintaining the public worship of God therein, and for maintaining their instructor of piety, religion and morality, and for erecting a house of public worship, and repairing the same from time to time, such monies as are or may be necessary for those purposes ; and they are hereby vested with such powers, privileges and immunities, as any other religious society does or may enjoy by the laws of this Commonwealth.

SEC. 2. *Be it further enacted, That if any other person or persons may hereafter incline to join said Episcopal*

Manner of
becoming a
member.

Manner of
leaving the
society.

Parish, in Greenfield aforesaid, and shall leave a certificate of the same, signed by the Rector, Clerk or Committee of said parish, with the Clerk of the town to which he or they may respectively belong, he or they, with his or their polls and estates, shall be considered as belonging to said Episcopal Parish, in the same manner as though he or they were incorporated by name in this act. And whenever any person or persons belonging to said Episcopal Parish, shall see cause to leave the same, and unite with any other religious parish or society, and shall leave with the Rector or Clerk of said Episcopal Parish, a certificate of the same, signed by the Minister or Clerk of the Parish or other religious Society, with which he or they may have united, he or they, with his or their polls and estates, shall be discharged from said Episcopal Parish, and annexed to the parish or society to which he or they may have joined themselves.

Interest,
how appro-
priated.

SEC. 3. *Be it further enacted*, That the said Protestant Episcopal Parish be, and they hereby are empowered to raise and establish a fund, in such way and manner as they may see fit, the annual income or interest of which shall not exceed the sum of two thousand dollars, the said income or interest, or so much thereof as shall be necessary, to be appropriated to the support of a Protestant Episcopal Priest or Priests in said Parish.

[Approved by the Governor, June 16, 1813.]

CHAP. XLVI.

An Act to incorporate the President, Directors and Company of the New-England Bank.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That John Gore, Samuel May, Robert G. Shaw, Edward Blake, jun. Samuel Dorr, Nathaniel R. Sturgis, George Lyman, David Greenough, Samuel Cabot, jun. Francis Lee, Allan Melvill, Edward Motley, Eben Appleton, David Hinckley, John Wood, Samuel G. Williams, Daniel P. Parker, James S. Colburn, Israel Munson, Thomas K. Thomas, John Bum-

stead, William Gill, Henry Gassett, jun. Benjamin Rich, John Bryant, Henry G. Rice, Enoch Bartlett, William S. Shaw, Thomas Cushing, Richard D. Tucker, William Sturgis, Patrick T. Jackson, Francis C. Lowell, William Ropes, Francis Welch, Asaph Stone, Thomas Cordis, Phineas Upham, Charles Barrett, and Benjamin M. Watson, and their associates, successors and assigns, shall be, and are hereby created a Corporation, by the name of The President, Directors, and Company of the New-England Bank, and shall so continue from the first Monday in October next, until the first Monday in October, which will be in the year of our Lord, one thousand eight hundred and thirty-one; and the said Corporation shall always be subject to the rules, restrictions, limitations, taxes and provisions, and be entitled to the same rights, privileges and immunities, which are contained in an Act, entitled, "An act to incorporate the President, Directors, and Company of the State Bank," except in so far as the same are modified or altered by this Act, as fully and effectually as if the several sections of said Act were herein specially recited and enacted.

Time incor-
porated for.

SEC. 2. *Be it further enacted*, That the capital stock of said Corporation shall consist of a sum not exceeding one million of dollars, in gold or silver, to be, besides such part as this Commonwealth may subscribe, in manner hereinafter mentioned, divided into shares of one hundred dollars each, which shall be paid in manner following: that is to say, one fourth part thereof on or before the first day of October next, one fourth part thereof on or before the first day of January next, and the residue at such time as the stockholders, at any meeting called for that purpose, shall direct. And the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock, and the profits thereof; which, being entered in the books of said Corporation, shall be binding on the stockholders, their successors and assigns, until they shall otherwise determine. And the said Corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain, to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of fifty thousand dollars, and no more, at any one time; with power to bargain, sell and dispose of the same, and to

Amount of
capital stock,
and of each
share.

Payment
of shares.

May hold
real estate,
and amount.

Proviso.

loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable : *Provided however*, that nothing herein contained, shall restrain or prevent said Corporation from taking and holding real estate in mortgage, or on executions, to any amount, as security for, or in payment of any debts due to the said Corporation : *And provided further*, that no monies shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and paid in, and existing in gold or silver in their vaults, shall amount to two hundred and fifty thousand dollars, nor until said capital stock, actually in said vaults, shall have been inspected and examined by three Commissioners, to be appointed by the Governor for that purpose, whose duty it shall be, at the expense of said Corporation, to examine and count the monies actually existing in said vaults, and to ascertain, by the oath of the Directors of said bank, or some of them, that said capital stock hath been *bona fide* paid in by the stockholders of said bank, and towards payment of their respective shares, and not for any other purpose ; and that it is intended therein to remain as part of said capital, and to return a certificate thereof to the Governor.

Governor to appoint Commissioners, and duty of.

Bank, where established.

SEC. 3. *Be it further enacted*, That the said bank shall be established and kept in the town of Boston.

Money to be loaned the State.

SEC. 4. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding *ten per centum* of the capital stock then actually paid in, at any one time—reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum : *Provided however*, That the Commonwealth shall never stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum of their capital then paid in.

Proviso.

Calling first meeting of Stockholders.

SEC. 5. *Be it further enacted*, That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said Corporation as soon as may be, at such time and place as they may see fit to appoint, by advertising the same in

any two Newspapers printed in the town of Boston, for the purpose of making, ordaining and establishing such by-laws and regulations, for the orderly conducting of the affairs of said Corporation, as the stockholders shall deem necessary, and for the choice of the first Board of Directors, and such other officers as they shall see fit to choose.

SEC. 6. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision therefor by law, to subscribe, on account of the Commonwealth, a sum not exceeding five hundred thousand dollars, to be added to the capital stock of said Corporation, subject to such rules, regulations and provisions, as to the management thereof, as shall be by the Legislature made and established.

State may
subscribe
\$500,000.

SEC. 7. *Be it further enacted*, That whenever the Commonwealth shall subscribe to the capital stock of said Corporation, in manner herein before provided for, in addition to the Directors by law to be chosen by the stockholders, the Legislature shall have a right, from time to time, to appoint a number of Directors of said bank, in proportion as the sums paid from the Treasury of the Commonwealth, shall bear to the whole amount of stock actually paid into the said bank, if at any time hereafter they shall judge fit to exercise that right.

Legislature
may appoint
Directors.

[Approved by the Governor, June 16, 1813.]

CHAP. XLVII.

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

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That all contracts relative to the employment of the convicts within the said Prison, and for the supply of any articles of food or manufacture within the same, shall, with the approbation of the Directors, be made by and with the warden of said Prison for the time being, and with his successors in office, and any such contract may be prosecuted to final judgment and execution, in the name of said warden; and if, during the

Contracts to
be made.

pendancy of any such suit, the warden should die or be removed from office, the successor of said warden may be admitted to prosecute the same, and such suit shall not, by such death or removal, abate.

SEC. 2. *Be it further enacted,* That the accounts of the warden of said Prison, which, by law, he is now required to make out and render to the General Court twice in each year, and at the commencement of every session, shall be made out and closed on the last day of March, and on the last day of September of each year, and presented to the Treasurer of the Commonwealth, after the same have been examined and approved by the Directors; and it shall be the duty of the Treasurer to examine and settle the same, and keep a distinct account thereof in his office for the inspection of the Legislature; and in addition to the other vouchers now required, the said warden shall exhibit the receipt of the commissary of said Prison, for all articles purchased for manufacture or consumption in the Prison, before the charges for the same are allowed.

SEC. 3. *Be it further enacted,* That the commissary of said Prison shall, conformably to such instructions as he may from time to time receive from the Directors, receive, take care of, and account for all provisions, stores, clothing, raw materials, manufactures, and every other species of property belonging to the institution, the furniture of the house, cells and kitchen excepted, and enter the same in books, to be kept for that purpose, in such form and under such regulations as the Directors may prescribe; and shall issue out the same, on the warrant of the keeper of said Prison, to the several departments, and shall deliver out to the Overseers of the workshops the raw materials to be manufactured, open accounts with each of them for the same, and receive back the articles manufactured; and it shall be his duty to inventory, weigh, mark, arrange, and have in marketable readiness the property manufactured, to receive in charge the clothing and bedding of convicts discharged from the Prison, after the same have been cleansed and made ready for future use, and generally to take the special charge of reception and delivery of all articles purchased for or used in the Prison; and on the last day of March, and on the last day of September of each year, the said commissary shall present abstracts of his receipts and expenditures, examined and approved by

Accounts to
be made out

Commissary
to give an ac-
count.

the Directors, to the Treasurer of this Commonwealth; whose duty it shall be to audit the same, and if correct, to approve thereof, and keep the said abstracts in his office, for the inspection of the Legislature.

SEC. 4. *Be it further enacted*, That when any female prisoner shall be duly convicted of any larceny or other crime or crimes, on which conviction, such female prisoner might now, by law, be adjudged to suffer solitary imprisonment, and confinement afterwards to hard labour in said Prison, every such female convict may be sentenced to suffer solitary imprisonment only, at the discretion of the Court before which such conviction shall be had, any law to the contrary notwithstanding.

Females to suffer at the discretion of Court

SEC. 5. *Be it further enacted*, That respecting all crimes and offences committed within the State-Prison aforesaid, and the precincts thereof, the said Prison and precincts shall, in all judicial proceedings, be deemed and taken to be, as well within the county of Suffolk as the county of Middlesex; and the several Courts of the said counties respectively, shall have concurrent jurisdiction over the same, and of all crimes and offences therein committed.

Courts to have jurisdiction over.

[Approved by the Governor, June 16, 1813.]

CHAP. XLVIII.

An Act to incorporate The President, Directors, and Company of the Kennebunk Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Eliphalet Perkins, Tobias Lord, Hugh McCulloch, John Bourne, Joseph Moody, John U. Parsons, and John Low, their associates, successors and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors, and Company of the Kennebunk Bank, and shall so continue until the first day of October, which will be in the year of our Lord, one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended in any Courts of Record, or any other

Persons incorporated.

Time incorporated for.

place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations as to them may appear necessary and convenient for the government of said Corporation, and the prudent management of their affairs.

Proviso.

Provided, Such by-laws, ordinances, and regulations shall, in no wise, be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Amount of
capital stock
and of each
share.

SEC. 2. *Be it further enacted*, That the capital stock of the said Corporation, shall consist of the sum of one hundred and twenty thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments: the first, on the first day of April next; the second, on the first day of October next, after; the third, on the first day of April next, after; the fourth, on the first day of October next, after, or at such earlier time as the stockholders, at any meeting thereof, may order. And the stockholders, at their first meeting, by a majority of votes, may determine the mode of transferring and disposing of said stock and the profits thereof, which, being entered on the books of said Corporation, shall be binding on the stockholders, their successors, and assigns, until they shall otherwise determine; and the said Corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of ten thousand dollars, and no more at any one time; with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable.

May hold
real estate,
and amount.

Proviso.

Provided however, That nothing herein contained, shall restrain or prevent said Corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to said Corporation. *Provided further*, That no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to thirty thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations, and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the Bank hereby established: *Provided*, That the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars; that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. *And provided also*, That the amount of debts, at any time due from said Bank, shall not exceed fifty per cent beyond their capital stock actually paid in. Proviso.
Debts not to
exceed fifty
per cent.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Arundel.

SEC. 5. *Be it further enacted*, That any Committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of the said Corporation, and shall have free access to all their books and vaults; and if, upon such an examination, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void. Legislature
shall have
access to
vaults, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorized to call a meeting of the members and stockholders of said Corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in the Weekly Visitor, printed in the town of Wells, for the purpose of making, ordaining, and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they may see fit to choose. Authorized
to call a
meeting.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the Shall exhibit
a statement
of accounts.

amount of the capital stock of the said Corporation, and of debts due to the same ; of the monies deposited therein ; of the notes in circulation ; and of the gold, silver, and copper coin, and the bills of other banks on hand ; which statements shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall pay
their notes,
if counter-
feited.

SEC. 8. *Be it further enacted*, That the said Corporation shall be liable to pay, to any bona fide holder, the original amount of any note of said bank counterfeited or altered, in the course of its circulation, to a larger amount, notwithstanding such alteration.

Shall pay a
tax to the
Treasurer of
State.

Proviso.

SEC. 9. *Be it further enacted*, That the said Corporation, from and after the first Monday of October next, shall pay, by way of tax, to the Treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in : *Provided however*, that the same tax, payable in manner aforesaid, shall be required by the Legislature, of all banks that shall be hereafter incorporated within this Commonwealth. *And provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, when they may see fit so to do.

Amount to
be appropri-
ated to loans.

Amount of
loans.

Security for
loans.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which loans shall be made in sums not less than one hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law provided in other cases.

Shall loan to
the Common-
wealth.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reim-

bursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payments of interest, at the rate of five per centum per annum : *Provided however*, that the Commonwealth shall Proviso. never at any one time stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

[Approved by the Governor, June 16, 1813.]

CHAP. XLIX.

An Act relating to the office of the Secretary of the Commonwealth.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That whenever the Secretary of the Commonwealth, shall, by reason of sickness, necessary absence, inability, resignation or death, be prevented from executing the duties of his office, the Deputies of the Secretary, and every of them lawfully appointed under his hand and seal, shall be, and are hereby authorised and empowered to execute all the duties which the Secretary could have lawfully executed in person, until such disability shall be removed, or a new choice shall be made by the Legislature. Deputy Secretaries authorised.

[Approved by the Governor, June 16, 1813.]

CHAP. L.

An Act establishing a salary for the Adjutant General.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That there shall be allowed and paid out of the Treasury of this Commonwealth, the sum of two thousand dollars annually, to continue until the end of the war, and no longer, to the Adjutant General, in full for his services, to be paid in equal quarterly payments. Salary.

[Approved by the Governor, June 16, 1813.]

CHAP. LI.

An Act regulating the sale of Indian and Rye Meal.

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 first day of July next, no person shall sell within this Commonwealth, any Indian meal, rye meal, or any other sort or kind of meal, except oat meal, unless the quantity so sold be first weighed; and instead of the usual method of selling by the bushel, and the aliquot parts of a bushel, every vender, retailer or trader, who shall sell any quantity of Indian meal, rye meal, or other sort or kind of meal, except oat meal, within this Commonwealth, shall sell the same by weight, and one hundred net pounds shall be the standard for the hundred weight, by which such meal shall be sold. And any person or persons, who shall, after the said first day of July next, vend or sell within this Commonwealth, any quantity of Indian meal, rye meal, or other meal, except oat meal, unless the same be first weighed, and sold by weight, shall forfeit five dollars per hundred weight, and after the same rate for any greater or less quantity so sold; such forfeiture to be recovered by an action of the case by the person, for his sole benefit, who shall first sue therefor, before any Court proper to try the same.

Shall sell by weight.

Forfeit.

[Approved by the Governor, June 16, 1813.]

CHAP. LII.

An Act to alter and amend an act establishing The Fryeburgh Academy.

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 fifth section of an act for establishing an Academy in the town of Fryeburgh, by the

name of Fryeburgh Academy, as provides and requires that a major part of the Trustees of said Academy shall consist of men, who are not inhabitants of the town where the said seminary is situated, be, and the same is hereby repealed. Act in part repealed.

[Approved by the Governor, June 16, 1813.]

CHAP. LIII.

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

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the boundary lines of the said town of Belfast be, and they are hereby established as follows: beginning at the northerly corner of lot numbered fifty-four, in the fourth division of lots in said town, at a marked hemlock tree; thence running south by the town of Prospect one mile, one quarter and twenty-one rods, to Half-way creek; thence following the course of the channel of said Half-way creek, to a ledge of rocks, projecting from the side of Prospect, at the tide waters of Belfast bay; thence running south into said bay until said course intersects a line running due east from the mouth of Little river; thence running west to the said mouth of Little river; thence by the town of Northport, up said Little river, following the course of its ancient channel, which includes the island in said river, within the town of Belfast, to a marked yellow birch tree, standing on the west bank of said river, and at the south-easterly corner of lot numbered one hundred and two, in the third division of lots, in said town of Belfast; thence by the town of Northport, running south sixty-eight degrees west, three miles, one quarter and four rods, to a marked yellow birch tree, at the south-westerly corner of lot numbered one, in the fourth division of lots, in said town of Belfast, and commonly known by the name of Chadwick's corner; thence running north twenty-two degrees west, by the unincorporated plantation of Green, four miles, three quarters and fifty-two rods, to a marked maple tree, at the north-westerly corner of lot numbered twenty-six, in the fourth di-

Boundary
line estab-
lished.

Proviso.

vision of lots, in said town of Belfast ; thence by unincorporated lands running north sixty-eight degrees east, eight miles, one quarter and fifteen rods, to the hemlock tree first mentioned : *Provided however*, that nothing contained in this act shall be so construed as to affect the claims of individuals to the right of soil within said boundaries.

[Approved by the Governor, June 16, 1813.]

CHAP. LIV.

An Act to annex Henry Smith, James Gower and Rufus Davis, with their families and estates, to the town of Industry.

Persons set off.

Boundaries.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Henry Smith, James Gower and Rufus Davis, with their families and estates, as contained within the following described limits, lying in the town of New Sharon, in the county of Kennebeck, be, and they are hereby set off from the said town of New Sharon, and annexed to the town of Industry, in the county of Somerset; viz. beginning at the east corner of lot number eighty-four, in New Sharon, on the westerly line of Industry, thence south forty-five degrees west, about three-fourths of a mile, to the east line of the town of Farmington, so as to include all that part of New Sharon which lies north-west of said line, being the lots numbered eighty-four, and eighty-five, containing together about one hundred and seventy acres. And the said Smith, Gower and Davis, with their estates hereby annexed to the town of Industry, shall therein exercise and enjoy all the privileges, and be subject to the like duties and obligations as the other inhabitants of the said town, as fully and completely, as if they had been originally incorporated therewith.

[Approved by the Governor, June 16, 1813.]

CHAP. LV.

An Act to repeal an act, entitled, "An act to limit the Tenure in Office of Sheriffs.

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 limit the tenure in office of Sheriff," passed the twenty-fifth day of June, in the year of our Lord one thousand eight hundred and eleven, be, and the same is hereby repealed; and that the office of Sheriff shall hereafter be held by the same tenure as if the act, hereby repealed, had never been passed. Act repealed

[Approved by the Governor, June 16, 1813.]

CHAP. LVI.

An Act to prevent the destruction of Quahaugs in the plantation of Marshpee.

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 first day of April next, if any person or persons shall take, rake and carry away more than two bushels of quahaugs, including the shells, at any one time, and being duly convicted thereof, in manner hereinafter prescribed, shall forfeit and pay not less than three dollars, nor more than eight dollars, unless liberty for taking said fish be first had and obtained from the guardian or treasurer of said plantation. Penalty for breach of act

SEC. 2. Be it further enacted, That if any Indian or other inhabitant of said plantation, shall aid or assist any person or persons belonging to any other town or place, in the taking or carrying away of the fish aforesaid, or shall supply him or them therewith, he shall forfeit and pay not less than one dollar, or more than three dollars, for every such offence.

SEC. 3. Be it further enacted, That if any vessel or boat, not belonging to any inhabitant of this Common-

Boats may
be seized.

wealth, shall be found within three miles of bays, harbour, and shores of said plantation, having on board more than two bushels of said fish, including the shells, taken within the same, and not having a permit, in writing, from the Guardian and Treasurer as aforesaid, it shall and may be lawful for any person or persons to detain such vessel or boat, until the master or owner thereof shall pay the forfeiture ordered by the Court that shall try the same, and the legal costs arising thereon.

Breaches to
be tried,

SEC. 4. *Be it further enacted*, That all breaches of this act, shall be heard and determined by any Justice of the Peace in the county of Barnstable, who, on complaint of any breach of this act, made to him in writing and on oath, shall issue his warrant for apprehending and bringing before him the person or persons thereof accused; and all the forfeitures which may arise as aforesaid, shall accrue and be appropriated, one moiety to him or them who shall complain as aforesaid, and the other moiety to the use of said plantation.

[Approved by the Governor, June 16, 1813.]

CHAP. LVII.

An Act in addition to an act, entitled "An act to prevent the destruction, and to regulate the catching of the fish, called Alewives, in their passage up the rivers and streams, in the town of Harwich, in the county of Barnstable."

Empowered
to dispose of
Alewives.

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 town of Harwich be, and they are hereby authorized and empowered by their committee, annually chosen in the month of March or April, to dispose of the fish called Alewives as they may think proper.

Committee
to pay over
to Treasurer.

SEC. 2. *Be it further enacted*, That the Committee aforesaid, shall pay over to the Treasurer of the said town of Harwich, on or before the first day of January annually, all the net proceeds of the sale of said fish, for the use of said town; and any Committee appointed as aforesaid,

that shall neglect or refuse to pay over as aforesaid, all the monies they shall have received as aforesaid, shall forfeit and pay for each offence a sum, not exceeding two hundred dollars, nor less than fifty dollars, to be recovered by their Treasurer for the use of the inhabitants of said town, by action of debt, in any Court proper to try the same.

[Approved by the Governor, June 16, 1813.]

CHAP. LVIII.

An Act for building a Wharf in the town of New-Castle.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Nathaniel Bryant, his heirs, executors, administrators, and assigns, be, and they are hereby authorized to build, erect, and maintain at Jack's Point, so called, on Damariscotta river, in the town of New-Castle, in the county of Lincoln, a Wharf, in manner and of dimensions following, to wit:—To extend from said point at low water mark northwardly and north-eastwardly eighty feet; eastwardly and south-eastwardly from the end of said point at low water mark, ten feet; making the front of said Wharf a straight line of one hundred and twenty feet, the north-eastern side a straight line of one hundred feet, and from the extremities of the two sides aforesaid, at right angles, to the main land of said point.

Authorized
to build a
Wharf,

Manner and
dimensions.

[Approved by the Governor, June 16, 1813.]

CHAP. LIX.

An Act to incorporate The President, Directors, and Company of the Hampshire Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Joseph Lyman, Oliver Smith, Ebenezer Mattoon, Benjamin Smith, Seth Wright, Nathaniel Smith, Ebenezer Hunt, jun. and Theodore Wright,

Persons in-
corporated.

their associates, successors, and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors, and Company of the Hampshire Bank, and shall so continue until the first day of October, which will be in the year of our Lord, one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended in any Courts of Record, or any place whatever; and also to make, have, and use a common seal; and to ordain, establish, and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of said Corporation, and the prudent management of their affairs. *Provided*, Such by-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Proviso.

Amount of stock.

SEC. 2. *Be it further enacted*, That the capital stock of said Corporation shall consist of the sum of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in four equal instalments: the first, on the first day of September next; the second, on the first day of March next; the third, on the first day of September next, after; and the fourth, on the first day of March next, after. And the stockholders at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits thereof, which, being entered on the books of said Corporation, shall be binding on the stockholders, their successors and assigns; and the said Corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of thirty thousand dollars, and no more at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think proper: *Provided however*, That nothing herein contained, shall restrain or prevent the said Corporation from taking and holding real estate in mortgage, or on execution to any amount, as security for, or in payment for any debt due to the said

May hold estate.

Proviso.

Corporation. *And provided further*, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing, in gold and silver, in their vaults, shall amount to twenty-five thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations, and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the Bank hereby established. *Provided*, That the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars; that the number of Directors to be annually chosen shall be five, and three may constitute a quorum for the transaction of business. *And provided also*, That the amount of debts, at any time due from said Bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Rules, &c. to be binding.
Proviso.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Northampton.

SEC. 5. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding twenty thousand dollars at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per cent per annum. *Provided however*, That the Commonwealth shall never, at any one time, stand indebted to the Corporation without their consent, for a larger sum than thirty thousand dollars.

Shall loan to the Commonwealth.
Proviso.

SEC. 6. *Be it further enacted*, That any Committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said Corporation, and shall have free access to all their books and vaults; and if, upon such examination, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions or conditions in this act provided, the Incorporation shall thereupon be declared forfeited and void.

To have access to books and vaults.

Authorized
to call a
meeting.

SEC. 7. *Be it further enacted*, That the persons herein before named, or a majority of them, are authorized to call a meeting of the members and stockholders of said Corporation, as soon as may be, at such time and place as they may see fit, by advertising the same three weeks successively in the Hampshire Gazette, printed at Northampton, for the purpose of making, ordaining and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Shall exhibit
a statement
of accounts.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Directors of the said Bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said Corporation, and of debts due the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver, and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath before some person competent to administer the same.

Common-
wealth may
hold stock.

SEC. 9. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said Company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Shall pay
their notes,
if counter-
acted.

SEC. 10. *Be it further enacted*, That the said Corporation shall be liable to pay to any bona fide holder, the original amount on any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay a
tax to the
Treasurer of
State.

SEC. 11. *Be it further enacted*, That the said Corporation, from and after the first day of September next, shall pay by way of a tax to the Treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of

said dividend have been actually paid in : *Provided however*, that the same tax, payable in manner aforesaid, shall be required by the Legislature, of all banks that are now or shall be hereafter incorporated within this Commonwealth : *And provided further*, that nothing herein contained shall be construed to impair the right of the Legislature, to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

Proviso.

Amount to be appropriated to loans.

SEC. 12. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of the said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is by law provided in other cases.

Amount of loans.

Security for loans.

[Approved by the Governor, June 16, 1813.]

CHAP. LX.

An Act to annex Aribert Leonard and Martin Wilson to the Second Parish in West Springfield.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Aribert Leonard and Martin Wilson of West Springfield, with their families and estates, be, and they are hereby set off from the First, and annexed to the Second Parish in West Springfield : *Provided*, that each of the said persons shall be holden to pay his respective proportion of all taxes which have been assessed upon his poll and estate, and due to the said First Parish prior to the passing of this act.

Persons set off.

[Approved by the Governor, June 16, 1813.]

CHAP. LXI.

An Act to incorporate The Episcopal Society of St. Mary's Church, in Newton.

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 Solomon Curtis and Thomas Durant, Church Wardens, Nathaniel Wales, Ephraim Jackson, 2d. and Isaac Hagar, Vestrymen, with such other persons residing in Newton, Needham, and in towns and places adjacent, as now are, or hereafter may be associated with them and their successors, together with their polls and estates, be, and they are incorporated into a society or body politic, by the name of The Episcopal Society of St. Mary's Church in Newton, with all the privileges, powers and immunities, which parishes do or may enjoy by the laws of this Commonwealth.

Manner of
becoming a
member.

SEC. 2. *Be it further enacted,* That each and every person, who is, or shall become a proprietor, or interested by subscription, purchase or otherwise, in the house of public worship, to be erected by the said society in Newton aforesaid, and any person proposing to attend public worship there, not being heretofore a member of the said society, who shall enter his or her name and request to become a member, with the Warden and Vestry, or with the Clerk of the said society, shall be deemed, taken and entitled, and they with their estates shall be liable to all lawful taxes and assessments as members of the said Episcopal Society; and the members of the said Episcopal Society shall be, and they, with their estates, hereby are exempted from all other taxes and assessments for the support of public worship, in the town or parish where they may respectively reside: *Provided*, that persons hereafter becoming members shall give notice thereof in writing to the Assessors or Clerk of the parish or town where they reside, and until such notice, shall not be entitled to the exemption aforesaid. *And provided*, That persons withdrawing from the said Episcopal Society, who shall give notice thereof in writing, to the Wardens and Vestry, or Clerk for the time being, shall be no longer

Proviso.

liable to any taxes or assessments, afterwards granted and voted therein; and they, with their estates, shall become again liable to all other taxes and duties for the support of public worship, in the parish or town where they may respectively reside, and as other inhabitants there, not entitled to any special exemption, are or shall be by law liable.

SEC. 3. *Be it further enacted*, That the said Episcopal Society shall be capable to take and hold, by gift, grant or purchase, any real or personal estate, and to manage, sell and dispose of the same, and for that purpose shall have a common seal, to be established, altered and renewed at their pleasure: *Provided*, that the real estate holden by them at any one time shall not exceed in annual value, the sum of four thousand dollars; *And provided*, that no sale thereof shall be valid and effectual, unless the same shall be made with the concurrence of their Minister, if any, and of two thirds at least of the proprietors of pews, being members of the said society.

May hold
real and per-
sonal estate.

Proviso.

SEC. 4. *Be it further enacted*, That the said Episcopal Society shall have the same authorities and powers, in granting, voting, assessing and collecting taxes for the maintenance of a Minister, and the support of public worship, which Congregational Parishes have or may enjoy, by virtue of any general statute of this Commonwealth. And assessments of taxes lawfully granted and made for the said Episcopal Society, remaining due and unpaid after six months' notice thereof, shall be recoverable by an action at law, in their name to be brought, as for sums of money due and owing to the said Society, against the parties liable therefor, their executors or administrators.

Taxes, how
recovered.

SEC. 5. *Be it further enacted*, That the meeting of the said Episcopal Society shall be holden on Easter Monday annually, at their said house for public worship, in Newton, or such other place, and at such hour of the day, as their Wardens and Vestry may appoint; and at such annual meeting or meetings, or at some adjournment thereof, the members of the said Episcopal Society there assembled, shall choose their Wardens and Vestry, Clerk, Treasurer, and any other suitable officer or officers, for the management of the affairs of the said Corporation; and the annual taxes and assessments of the said society shall and

Annual
meeting of
the Society.

Choice of
Officers.

may be voted and granted, and by standing rules or otherwise, in the mode of assessing and collecting taxes, of calling and notifying meetings, and the duties and authorities of the Wardens and Vestry, and other officers of the said Corporation, and the manner in which vacancies happening by death, resignation or otherwise, shall be supplied, shall and may be agreed upon and determined.

[Approved by the Governor, June 16, 1813.]

CHAP. LXII.

An Act providing for the appointment of a Town Treasurer, and Collectors of taxes, 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 from and after the passing of this act, the Selectmen, the Overseers of the poor, and the Board of Health of the town of Boston, shall annually, in the months of June or July, meet in convention in the town of Boston, and appoint some suitable person as Treasurer of said town, and also one or more suitable person or persons as Collectors of taxes in said town, who, when appointed as aforesaid, shall have like powers, and be subject to like duties, in the discharge and execution of their said several offices, as other town Treasurers and Collectors of taxes have and are subject to, in this Commonwealth. And the said town Treasurer and Collectors, so as aforesaid appointed, shall continue in office for one year, and until others are appointed in manner aforesaid, and qualified to execute their said offices; and a record of the appointment as aforesaid, of said town Treasurer and Collectors, shall be made by the town Clerk of the town of Boston, in the records of said town, kept by him. And the said town Treasurer and Collectors, to be appointed as aforesaid, shall be sworn to the faithful discharge of their said several trusts, and give such bonds to the said town of Boston, conditioned for the faithful execution of the duties of their said offices, as the said Selectmen, Overseers of the poor, and Board of Health, met in convention as aforesaid, shall direct, previous to their entering on the

Treasurer
and Collect-
ors, how ap-
pointed.

To be sworn

duties of their said several offices aforesaid. *Provided* ^{Proviso.} *however*, That the said Selectmen, Overseers of the poor, and the said Board of Health, shall never reappoint any person to said office of town Treasurer, or Collector of taxes as aforesaid, until such person shall have faithfully and fully completed the execution of his duty in said office, to which he was appointed the year preceding, and a full and complete settlement of the taxes by him to have been received or collected, according to law, shall have been made, or he shall have been excused therefrom by a vote of the said town of Boston. And whenever by death, resignation, or otherwise, the said office of town Treasurer or Collector shall be vacant, the aforesaid Selectmen, Overseers of the poor, and Board of Health, shall be, as aforesaid, authorised to fill such vacancy, by a new appointment in manner aforesaid. ^{Vacancy, how filled.} And all laws heretofore made respecting either of the aforesaid offices of town Treasurer and Collector of taxes in the town of Boston, that are inconsistent with the provisions of this act, be, and the same hereby are repealed, from and after the fourth day of July next.

[Approved by the Governor, June 16, 1813.]

CHAP. LXIII.

An Act to incorporate sundry persons in Charlestown, in the county of Middlesex, by the name of The Washington Hall 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 Joseph Hurd, Josiah Bartlett, ^{Persons in-} David Stetson, Timothy Walker, and Benjamin Swift, ^{corporated.} with such others as have associated and purchased a lot of land, bounded thirty feet on the main street in said Charlestown, running back about one hundred and fifty feet, and are erecting a building thereon, by the name of Washington Hall, for offices, reading rooms and other purposes, be, and they are hereby incorporated for holding in fee simple, and managing the affairs of the said estate, which is divided into fifty shares. And they are author-

ized to use a common seal, and to establish such by-laws, relating to the said Corporation, as are not repugnant to the constitution and laws of this Commonwealth; *provided* the annual income of said Corporation shall not exceed the sum of fifteen hundred dollars.

Authorized
to call a
meeting.

SEC. 2. *Be it further enacted*, That said Joseph Hurd be authorised to call the first meeting of the said Corporation, by a written notification to each member, at least three days before the time of meeting.

[Approved by the Governor, June 16, 1813.]

CHAP. LXIV.

An Act in addition to an act, entitled “An act to incorporate certain Proprietors of Fresh Pond Meadows, in the town of Cambridge, in the county of Middlesex, for the purpose of draining said meadows.”

Justice to is-
sue Warrant

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That upon the application of six or more of the Proprietors of Fresh Pond Meadows, to any Justice of the Peace in the said county of Middlesex, said Justice is hereby authorised to issue his warrant, directed to one of said Proprietors, to notify a meeting of said Proprietors at such time and place, and for such purposes, as shall be expressed in said warrant; which warrant, and the notification thereon, shall be published in one of the Boston newspapers, and shall also be posted in some public place in each of the towns of Cambridge, Charlestown, and Watertown, such publication to be ten days at least before the time of meeting; and any future meeting may be called in like manner at any time, on the application as aforesaid of six or more of the said proprietors, and proceedings had as aforesaid.

[Approved by the Governor, June 16, 1813.]

CHAP. LXV.

An Act to repeal an act, entitled “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 an act, entitled “An act, dividing the Commonwealth into Districts, for the choice of Counsellors and Senators,” passed on the eleventh day of February, in the year of our Lord one thousand eight hundred and twelve, be, and the same is hereby repealed.” Act repealed
 [Approved by the Governor, June 16, 1813.]

CHAP. LXVI.

An Act in addition to an act, for the better regulation of the Indian, Mulatto, and Negro proprietors of Gayhead, in the county of Dukes’ County.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Guardians to the Indian, Mulatto and Negro proprietors of Gayhead, shall have alien on the stock pastured on said Proprietary, for the payment of rent of said pasturage; and are hereby vested with all the powers of Collectors of taxes, to distrain the stock actually depastured for rents in arrears. Guardians to have alien.
 [Approved by the Governor, June 16, 1813.]

CHAP. LXVII.

An Act to alter and change the names of certain persons therein mentioned.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of

Names altered.

this act, Samuel Torrey of Boston, in the county of Suffolk, son of William Torrey of Mendon, in the county of Worcester, shall be allowed to take the name of Samuel Davenport Torrey ; that Joseph Smith of Salem, in the county of Essex, son of Joseph Smith of Rowley, in said county, shall be allowed to take the name of Joseph Baker Smith ; that Chauncey Whittlesey Coats of Middlefield, in the county of Hampshire, shall be allowed to take the name of Chauncey Coats ; that Zebedee Macomber, 2d, of Westport, in the county of Bristol, shall be allowed to take the name of Zebedee Augustus Macomber ; that William Woodbury of Hallowell, in the county of Kennebeck, Printer, shall be allowed to take the name of William Augustus Woodbury ; that James Bowdoin Winthrop, son of Thomas L. Winthrop, Esq. of Boston, in the county of Suffolk, a minor, shall be allowed to take the name of James Bowdoin. And the several persons before named, from the time of the passing of this act, shall be called and known by the names, which by this act they are respectively allowed to take and assume, as aforesaid ; and the said names shall forever hereafter be considered as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, June 16, 1813.]

CHAP. LXVIII.

An Act more effectually to secure the Rights of Suffrage.

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 Duty of the Assessors. Assessors of each town and district within this Commonwealth, on or before the twentieth day of February annually, to make out a correct and alphabetical list of all such inhabitants of their respective towns and districts, as may be qualified by law to vote in the choice of town officers ; which list shall be published within the respective towns and districts, by posting up true copies thereof, at two or more public places, seven days at least before the first day of March annually. And it shall be the duty of said As-

sessors to be in session at some convenient place, to be by them notified on said lists, on the day next preceding the day of the annual election of town officers, in the month of March or April annually, unless the same happen on the Lord's day, in which case the Assessors shall be in session on the Saturday preceding, or on the morning of the day of election as aforesaid, as the Assessors think proper, for so long time as they shall judge necessary, to receive evidence of the qualifications of persons whose names have not been entered on said lists.

SEC. 2. *Be it further enacted*, That if any person, at any meeting for the choice of town officers, shall knowingly give in more than one vote or list, for any officer or list of officers then voted for at any such meeting, he shall forfeit and pay a fine not exceeding one hundred dollars.

Fine for
more than
one vote.

SEC. 3. *Be it further enacted*, That if any person, knowing himself to be not legally qualified to vote at any meeting for the choice of town officers, or at any meeting for the choice of Governor, Lieutenant Governor, Senators and Counsellors, Representatives to the General Court, or the Representatives to Congress, shall wilfully give in, or attempt to give in a vote or ballot for any of the same then voted for, at any such meeting, every such person, so offending, shall forfeit and pay a fine therefor, not exceeding the sum of fifty dollars; and any person who shall wilfully aid or abet any person, not legally qualified as aforesaid, in voting, or attempting to vote contrary to the provisions of this act, shall forfeit and pay a fine not exceeding thirty dollars, for each and every such offence.

Penalty for
persons vot-
ing who are
unqualified.

SEC. 4. *Be it further enacted*, That no person shall be permitted to give in his vote or ballot, at any meeting for the choice of town officers, or other officers as aforesaid, until the person presiding at such meeting shall have had opportunity to enquire his name, and shall have ascertained that the same is in the list aforesaid, and shall have had time to check the same; and any person wilfully voting contrary to the provisions of this act, or who shall give any false answer or false name to the Assessors, when receiving evidence of the qualifications as aforesaid, or to the person presiding in such town or district meeting, shall forfeit and pay a fine, not exceeding thirty dollars, for each and every such offence.

Penalty for
breach of act

Penalty for
neglect.

Fines, how
recovered.

SEC. 5. *Be it further enacted*, That the Selectmen or Assessors of any town or district aforesaid, who shall refuse or neglect to do and perform all or any of the duties prescribed to them by this act, shall forfeit and pay for each and every such offence, a fine not exceeding two hundred dollars; and all the fines and forfeitures accruing in consequence of a violation of this act, shall be recovered by indictment in any Court proper to try the same; one half to the use of the Commonwealth, and the other half to the use of the complainant.

SEC. 6. *Be it further enacted*, That the qualification of voters in any town, on any question, whether such town will send a Representative to the General Court, and on all questions involving the number of Representatives such town will send, shall be the same, in all respects, as are required by the constitution, to entitle a person to vote in the choice of any individual or individuals to be Representative or Representatives in the General Court of this Commonwealth.

[Approved by the Governor, June 16, 1813.]

CHAP. LXIX.

An Act in addition to an act, regulating the taking of fish in the town of Machias.

Not to catch
salmon, &c.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall not be lawful for any person to take or catch any Salmon in any part of the rivers, or in any of the streams, bays, or coves described in an act, entitled "An act to regulate the taking of Salmon, Shad, and Alewives in the town of Machias," passed the twenty-seventh day of February, in the year of our Lord, one thousand eight hundred and ten, at any time between the nineteenth day of August and the second day of May ensuing.

SEC. 2. *Be it further enacted*, That the provisions in the fifth section of said act, relative to the distance from any sluice or passage-way for the fish, within which per-

sons are prohibited to catch any fish, or set any seine, net, pot, or other machine, for the purpose of taking or catching any of the said fish, shall be applied to the distance of six rods, in the same manner as if that distance was specified in the said act, and that the penalties provided for a breach of the provisions of the said act, shall be extended to a like breach of this act.

[Approved by the Governor, June 16, 1813.]

CHAP. LXX.

An Act to incorporate The Proprietors of Kennebunk Bridge.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Tobias Lord, Simon Nowell, Eliphalet Perkins, Nathaniel Lord, Richard Gillpatrick, Ephraim Perkins, Silas Moody, Francis Watts, Henry Clark, Michael Wise, Isaac Emery, Jedediah Gooch, and Job Emery, with their associates, be, and they are hereby created a Corporation, by the name of The Proprietors of Kennebunk Bridge; and by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution; may keep and use a common seal, and may exercise and enjoy the powers and privileges incident and belonging to similar Corporations, and do and suffer all other acts and things, which like bodies corporate may or ought to do and suffer.

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That the said Bridge shall be kept in good, safe, and passable repair, by said proprietors, and be provided with sufficient railing on each side for the safety of passengers; and there shall always be a draw over the channel thirty-four feet wide, for vessels to pass through, which shall be raised for that purpose at the expense of said proprietors.

Bridge to be
kept in good
repair, &c.

SEC. 3. *Be it further enacted,* That for the purpose of reimbursing to the said proprietors the money expended in building said Bridge, and keeping the same in repair, a toll be, and is hereby granted and established, for the sole use and benefit of said Corporation, according to the

rates following, viz :—For each foot passenger, one cent ; one person and horse, three cents ; each horse and chaise, sulkey, or riding chair, ten cents ; each coach, chariot, phaeton, or other four wheeled carriage, twenty cents ; each cart, waggon, sled, sleigh or other carriage of burden, drawn by one beast, six cents ; if drawn by more than one, and not exceeding four beasts, ten cents ; neat cattle and horses, one cent each ; sheep and swine, six cents per dozen : and one person, and no more, shall be allowed to each team as a driver, to pass free of toll ; and the said toll shall commence from the passing of this act : *Provided however,* That nothing herein contained shall be construed to prevent the Legislature from reducing the rates of toll hereby established, whenever they shall deem it reasonable so to do.

SEC. 4. Be it further enacted, That any three of the proprietors before named, may, by posting up notifications in some public place in the towns of Wells and Arundel, call a meeting of said proprietors, at such time and place as shall be specified in such notification, ten days at least before the time of meeting ; and the said proprietors being then met, shall proceed to choose a clerk, who shall be sworn to the faithful discharge of said office ; and in voting for said clerk, and in all other cases, one vote shall be allowed to one share, and one vote for every two shares above one, provided no one member shall have more than ten votes ; and the said proprietors may at the same or subsequent meetings, appoint such other officers, and ordain and establish such rules and regulations as they may judge necessary, for the orderly conducting of their affairs, which they may enforce by fines, which shall in no case exceed five dollars : *Provided,* That such rules and regulations shall not be repugnant to the laws of the Commonwealth.

[Approved by the Governor, June 16, 1813.]

CHAP. LXXI.

An Act to set off the Eaton farms, so called, with the inhabitants thereof, from the First Parish of South Reading, and to annex the same to the Second Parish in Reading.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, all the parts and parcels of lands, formerly belonging to the Eaton farms, so called, lying within the town of Reading, and all persons residing thereon, be, and the same are hereby set off from the first parish, or the parish in South-Reading, and annexed to the second or west parish in Reading, to all intents and purposes.
 [Approved by the Governor, June 16, 1813.]

Lands set off
from first
Parish.

CHAP. LXXII.

An Act to authorize the sale of certain School lands, in the town of Blue-Hill.

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. Jonathan Fisher, John Peters, Robert Parker, Reuben Dodge, Esquires, Messrs. Theodore Stephens, Nathan Ellis, and Seth Hewings, all of said Blue-Hill, be, and they are hereby appointed Trustees to sell the School lands in said town of Blue-Hill, and to put at interest the monies arising from such sale, in manner hereinafter mentioned.

Persons ap-
pointed
Trustees.

SEC. 2. *Be it further enacted,* That the said Trustees be, and they hereby are incorporated by the name of The Trustees of the School Fund in Blue-Hill; and they, and their successors, shall be and continue a body corporate and politic by that name forever; and they shall have a common seal, subject to alteration at their pleasure, and they may sue and be sued in all actions whatsoever, and prosecute and defend the same to final judgment and execution, by their corporate name aforesaid.

Trustees in-
corporated.

Shall choose
officers.

SEC. 3. *Be it further enacted*, That the said Trustees and their successors shall annually elect, by written ballot, a President, and a Clerk to record the doings of said Trustees at their meetings, which Clerk shall be sworn by the President to the faithful discharge of the duties of his office ; also a Treasurer to receive and apply the monies herein after mentioned, as hereinafter directed ; and the said Trustees may also elect in any other manner, at any legal meeting, any other officers needful for the better managing their business.

Five to con-
stitute a
quorum.

SEC. 4. *Be it further enacted*, That the number of Trustees shall not, at one time, be less than five, nor more than seven ; any five of their number to constitute a quorum for transacting business ; and they shall and may from time to time fill up from the inhabitants of said town, such vacancies in their number as may happen by death, resignation, or otherwise ; and they shall have power to remove any of their number, who may become unfit from age, infirmity or misconduct to discharge their duties, and to supply the vacancies, so made, by a new choice as aforesaid ; and the said Trustees shall annually hold a meeting in March or April, and as much oftener as may be necessary to transact their business, which meetings, after the first, shall be called in such way and manner as the Trustees may hereafter direct.

Justice to
appoint a
meeting.

SEC. 5. *Be it further enacted*, That any Justice of the Peace in the county of Hancock, be, and he hereby is authorized to fix the time and place for holding the first meeting of said Trustees, and to notify each Trustee of the same, seven days at least before the time of said meeting.

Trustees
authorised.

SEC. 6. *Be it further enacted*, That said Trustees be, and they hereby are authorised to sell and convey, in fee simple, all the school lands belonging to said town, and to make and execute a good and sufficient deed or deeds thereof, which deed or deeds being signed, acknowledged and delivered by the Treasurer, by direction of the Trustees, with their seal affixed thereto, shall be good and effectual in law, to pass and convey the fee simple from said town to the purchaser, to all intents whatever.

SEC. 7. *Be it further enacted*, That the monies arising from the sale of said lands, together with all donations or grants, that may hereafter be made to said Corporation,

for the use of schools in said town, shall be put to use as soon as may be, and secured by mortgage of 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 same in some public securities, or in bank stock. Appropriation of the monies.

SEC. 8. *Be it further enacted*, That the interest and profits only, arising from said funds shall be appropriated for the use of public schools in said town, and it shall never be in the power of said town, to alter, vary or alienate the appropriation of said funds: *Provided always*, that said Trustees shall have power from time to time, as they see fit, to incorporate such interest or profits with said funds, to be afterwards treated as a part thereof. Interest, how appropriated. Proviso.

SEC. 9. *Be it further enacted*, That the Treasurer of the Trustees shall give bond, with two sufficient bondsmen, to the Trustees, faithfully to perform his duty, and shall at all times be responsible for the faithful application and appropriation of the monies which may come into his hands, conformably to the intent and meaning of this act, and for all neglect or misconduct of any kind in his office. Treasurer to give bond.

SEC. 10. *Be it further enacted*, That the Trustees and their officers, for the services they may perform, shall receive no compensation out of the funds, interest or profits aforesaid, but a reasonable compensation for their services shall be paid to them by said town. Compensation for services.

SEC. 11. *Be it further enacted*, That at every annual meeting of said town, in March or April, the Trustees shall exhibit to the town a fair and true statement of their doings, and of the condition of said fund.

SEC. 12. *Be it further enacted*, That the said Trustees, and each of them, shall be responsible to the town for their personal negligence or misconduct, whether they be officers or not, the damage or loss arising thereby, to be recovered by action, at the suit of the town, in any Court proper to try the same, and the sum so recovered to enure and be for the use aforesaid. Trustees accountable.

[Approved by the Governor, June 16, 1813.]

CHAP. LXXIII.

An Act to incorporate The President, Directors, and Company of the Lincoln Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That David Trufant, Peleg Tallman, Samuel Davis, Jerom Loring, Charles Clapp, John Dunlap, Actor Patten the 3d, John Richardson, and Jonathan Hyde, their associates, successors and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors, and Company of the Lincoln Bank, and shall so continue from the first day of January next, for the term of nineteen years next ensuing; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended in any Courts of Record, or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations as to them may appear necessary and convenient for the government of the said Corporation, and the prudent management of their affairs. *Provided,* Such by-laws, ordinances, and regulations shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall always be subject to the rules, restrictions, limitations and provisions herein prescribed.

Persons incorporated.

Time incorporated for.

Proviso.

Amount of capital stock and of each share.

SEC. 2. *Be it further enacted,* That the capital stock of said Corporation, shall consist of one hundred thousand dollars, in gold or silver, divided into shares of one hundred dollars each—the one hundred thousand dollars shall be paid in the following manner, to wit: twenty-five thousand dollars shall be paid in, on or before the first day of January next, and the remaining seventy-five thousand dollars, on or before the first day of January, which will be in the year of our Lord one thousand eight hundred and fifteen, or by instalments, in such sums and at such earlier periods as the stockholders may direct. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring

and disposing of said stock and the profits thereof, which, being entered on the books of said Corporation, shall be binding on the stockholders, their successors, and assigns. And the said Corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of twenty thousand dollars, and no more at any one time; with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable. *Provided however*, That nothing herein contained, shall restrain or prevent the said Corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to the said Corporation. *And provided further*, That no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

May hold
real estate,
and amount.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, limitations, provisions, restrictions and reservations, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the Bank hereby established: *Provided*, That the bond required to be given by the Cashier, shall be in the penalty of ten thousand dollars; that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for transacting business. *And provided also*, That the amount of bills, at any one time issued from said Bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Proviso.

Debts not to
exceed fifty
per cent.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Bath.

SEC. 5. *Be it further enacted*, That any Committee, specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said Corporation, and shall have free access to all their books and vaults; and if, upon such an examination, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation

Legislature
shall have
access to
vaults, &c.

have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Authorized
to call a
meeting.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorized to call a meeting of the members and stockholders of said Corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in the Portland Gazette, printed in Portland, for the purpose of making, ordaining, and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Shall exhibit
a statement
of accounts.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said Corporation, and of debts due to the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver, and copper coin, and bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall pay
their notes,
if counter-
feited.

SEC. 8. *Be it further enacted*, That said Corporation shall be liable to pay, any bona fide holder, the original amount of any note of said bank counterfeited or altered, in the course of its circulation, to a larger amount, notwithstanding such alteration.

Shall pay
tax to the
Treasurer of
State.

SEC. 9. *Be it further enacted*, That the said Corporation from and after the first Monday of January, eighteen hundred and fourteen, shall pay, by way of tax, to the Treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in: *Provided however*, that the same tax, payable in manner aforesaid, shall be required by the Legislature, of all banks that shall be hereafter incorporated within this Commonwealth. *And*

Proviso.

provided further, that nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of the said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which loans shall be made in sums not less than one hundred dollars, nor more than five-hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law provided in other cases.

Amount to be appropriated to loans.
Amount of loans.
Security for loans.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any other shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: *Provided however*, that the Commonwealth shall never at any one time stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum on the capital stock actually paid in.

Shall loan to the Commonwealth.
Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said Company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Commonwealth may hold stock.

[Approved by the Governor, June 16, 1813.]

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, August 12, 1813.

By this I certify, that the Acts and Laws contained in this pamphlet, which were passed by the Legislature at their June Session, the present year, have been examined, and compared in the office with the originals, and appear to be correct, excepting in the following instances, viz. page 231, chapter viii, *TITLE*,—read, “An Act in addition to an act, entitled An act in addition to an act, entitled An act to incorporate Isaac Story and others, by the name, &c.” page 251, chapter xxvii. 3d line of 1st Section, for “plantation,” read *township*; page 295, chapter lxvi, 5th line, for “alien,” read *a lien*.

ALDEN BRADFORD, { *Secretary of the*
 { *Commonwealth.*