

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 25th DAY OF MAY, AND

ENDING ON THE 14th DAY OF JUNE,

1814.

CHAP. I.

An Act in addition to an Act, entitled “ an Act to incorporate the President, Directors and Company of the Springfield Bank.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That so much of an act, entitled “ An act to incorporate the President, Directors and Company of the Springfield Bank,” as regards the times at which the Stockholders of said Bank are required to pay in their several instalments of the capital stock thereof, be, and hereby is repealed ; and that the Stockholders of said Bank be, and hereby are required to pay in the several instalments of the capital stock of said Bank at the following periods, to wit : the first instalment on the first day of October next ; the second on the first day of April next ; the third instalment on the first day of October next after, and the fourth instalment on the first day of April next after.

Act in part repealed.

[Approved by the Governor, June 2, 1814.]

CHAP. II.

An Act for the relief and to alter the name and stile of the third 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 an act, entitled “An act in addition to the several acts establishing and regulating the third Massachusetts Turnpike Corporation,” which was passed on the fifth day of February last, be, and the same hereby is repealed.

Act repealed.

SEC. 2. *Be it further enacted,* That the said Corporation shall henceforth be known and called by the name and stile of the Worthington Turnpike Corporation.

[Approved by the Governor, June 3, 1814.]

CHAP. III.

An Act establishing the Haverhill Cotton and Wool Manufactory.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Ebenezer Gage, James How, William Dole, Richard H. Kimball, Benjamin Clark, Edward Brown, Benjamin Emerson, Jun. and Solomon Nelson, Jun. with such other persons as already have, or hereafter may associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Haverhill Cotton and Wool Manufactory, for the purpose of manufacturing cotton and woollen yarn and cloth, within the town of Haverhill, and for such purposes, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled “An act defining the general powers and duties of Manufacturing Corporations.”

Persons incorporated.

SEC. 2. *Be it further enacted,* That said Coporation may be lawfully seized and possessed of such real estate not exceeding the value of thirty thousand dollars, and such personal estate not exceeding eighty thousand dollars, as may be necessary for the purposes aforesaid.

May hold real
and personal
estate.

[Approved by the Governor, June 7, 1814.]

CHAP. IV.

An Act to incorporate the Chester Glass 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 Jesse Farnam, Harvey Champion, John Dewey, Charles Douglas, Thomas Mather, David King, Leister King, Benjamin Hastings, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Chester Glass Company, for the purpose of manufacturing glass in the town of Chester, in the county of Hampden; and for the purpose aforesaid, shall have all the powers and privileges, and shall be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incor-
porated.

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 and fifty 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 7, 1814.]

CHAP. V.

An Act to incorporate the Ashburnham Cotton Factory Company.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That David Cushing, Jun. Josiah Lane, Benjamin Barrett and Charles Barrett, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Ashburnham Cotton Factory Company, for the purpose of manufacturing cotton yarn, thread, cloth and other cotton goods, in the town of Ashburnham, in the county of Worcester ; and by that name 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 personal
estate.

SEC. 2. *Be it further enacted*, That said Corporation may lawfully hold and possess, for the purposes aforesaid, real estate to the value of twenty thousand dollars, and personal estate to the value of sixty thousand dollars.

[Approved by the Governor, June 7, 1814.]

CHAP. VI.

An Act to establish the Free Christian Society in Berkley.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Zephaniah Jones, Edmund Burt, Henry Tew, Phillip Tew, Dan Tew, John Tew, Hathaway Tew, Darius Phillips, John Phillips, Joseph Dean, Aaron Nichols, Ebenezer Peirce, Jr. Marick Tew, Barnabas Cudworth, David Cudworth, Job Briggs, William Evans, John Goff, Avery Winslow, George Briggs,

Joseph Briggs, Sam'l Paull, Ebenezer Paull, 2d, Ahasuerus Paull, Ephraim Caswell, Phillip Caswell, John Burt, Venus Macomber, Elisha Peirce, Jun. William Harvey, Dean Jones, Joseph Atwood, Alanson Cummings, Hannah Burt, Joseph Burt, Weston Westcoat, with their families and estates, together with such others, as may hereafter associate with them and their successors, in the manner provided by this act, be, and they are hereby incorporated as a religious society, by the name of the Free Christian Society in Berkley, with all the powers and privileges exercised and enjoyed by other religious societies, according to the constitution and laws of this Commonwealth : *Provided*, That all such persons Provide, shall be holden to pay all monies granted and legally assessed in said town of Berkley, for parochial purposes, prior to the passing of this act.

SEC. 2. *Be it further enacted*, That any person, who may desire to become a member of the said Free Christian Society, shall declare such intention to the Clerk or Committee of said Society, fifteen days at least previous to their annual meeting ; and if such person do receive and can produce a certificate of admission, signed by the Clerk or Committee, that such person has united with and actually become a member of said Free Christian Society, and shall also leave an attested copy of the said certificate with the Clerk of the Parish or Society to which he or she formerly belonged, such person from the time of leaving a copy of said certificate with the Clerk of the Parish or Society to which he or she formerly belonged, shall be considered, with his or her polls and estate, a member of the said Free Christian Society ; *Provided, however*, That every such person Manner of becoming a member. Provide: shall be holden to pay his or her proportion of all parochial expences in the Society to which such person belonged, assessed, and not paid, previous to leaving such Society.

SEC. 3. *Be it further enacted*, That when any member of the said Free Christian Society may see cause to leave the same, and unite with any other religious Society, he or she shall give notice of such intention to the Clerk or Committee of such other Society, fifteen days at least previous to the annual meeting, and if such person

June 7, 1814.

receive and can produce a certificate of admission, signed by the Clerk or Committee of such other religious Society, that such person has united with and actually become a member of the said other Society, and shall also leave an attested copy of the said certificate with the Clerk of the said Free Christian Society, such person having paid his or her proportion of all monies voted to be raised in said Free Christian Society previous thereto, shall, from the time of leaving a copy of said certificate with the Clerk of said Free Christian Society, be considered with his or her polls and estate as a member of said other Society.

Justice to issue
warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Bristol be, and hereby is authorised to issue a warrant, directed to some member of said Free Christian Society, requiring him to notify and warn the members thereof to meet at such time and place as shall be appointed in said warrant, to choose all such officers as religious Societies have a right to choose at their annual meetings.

[Approved by the Governor, June 7, 1814.]

CHAP. VII.

An Act in addition to an act, entitled "An act to incorporate certain persons by the name of the Medford Wire Factory."

Powers enlarged.

Provided.

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 powers heretofore granted to the Medford Wire Factory be, and they hereby are so far enlarged, as that the said Corporation may hereafter carry on as well the manufacture of screws as of wire: *Provided however*, That the capital stock, vested in the said additional branch of manufacture, shall at no time exceed the sum of fifty thousand dollars.

SEC. 2. *Be it further enacted*, That the said Corporation shall henceforth be known and called by the name of the Medford Wire and Screw Factory.

[Approved by the Governor, June 7, 1814.]

CHAP. VIII.

An Act to incorporate the Athol 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 Ebenezer Nickerson, Am-^{Persons incor-}mi Cutter, Aaron Brigham and Adin Holbrook, their^{porated.} successors and assigns, be, and they hereby are made a Corporation, by the name of the Athol Manufacturing Company, for the purpose of spinning cotton and wool, and manufacturing cotton and woollen cloth and yarn, in the town of Athol, in the county of Worcester ; and for the purposes 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.

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

[Approved by the Governor, June 9, 1814.]

CHAP. IX.

An Act in addition to an act, entitled “ An act to incorporate William Gray, Jun. Esq. and others, into a Company, by the name of the Essex Fire and 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 the Essex Fire and Marine Insurance Company be, and they hereby are authorised ^{To invest real estate.}

and empowered to invest in real estate, the sum of one hundred thousand dollars of their capital stock, for the use of said Company, any thing contained in the act, entitled "An act to incorporate William Gray, Jun. Esq. and others, into a Company, by the name of the Essex Fire and Marine Insurance Company," to the contrary notwithstanding.

[Approved by the Governor, June 9, 1814.]

CHAP. X.

An Act to incorporate the Dalton Cotton and Paper Manufacturing Company.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Henry Marsh, Martin Chamberlain, Daniel Boardman, Dan Chamberlain, Zenas Crane, Thomas Holden, and Trumbull Dorrance, together with such others as have or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Dalton Cotton and Paper Manufacturing Company, for the purpose of manufacturing cotton yarn, cotton cloth, and paper, in the town of Dalton, in the county of Berkshire; and for the purposes 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."

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 the value of thirty thousand dollars, and such personal estate not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufactures aforesaid.

[Approved by the Governor, June 9, 1814.]

CHAP. XI.

An Act to incorporate the north part of the town of Dighton into a separate town by the name of Wellington.

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 limits of the following lines and boundaries in the town of Dighton, in the county of Bristol, with all the inhabitants dwelling therein, viz : on the south by Segreganset river, beginning at its mouth and ending at the second Bridge across the same, in the highway leading from the lower street, westerly by Thomas B. Richmond, Esq. on the north side of said highway to the upper street, then by the north side of the road running westerly from said upper street by Constant Simmonds and Samuel Briggs the first three rods west of Abizer Briggs' dwelling-house ; then northerly in a direct line three rods easterly of the dwelling-house of Peter W. Paul ; then in a direct line northerly six rods east of the dwelling-house lately owned by Jeremiah Bowen ; thence westerly on the south side of the road, leading by Daniel Witherell's in a direct course to Rehoboth line ; thence following the line of division between Dighton and Rehoboth until it reaches Taunton boundary line ; thence on the boundary line of Dighton and Taunton to its termination at Taunton great river ; thence by said river to the mouth of Segreganset, where the bounds began, be, and they hereby are incorporated into a town, by the name of Wellington, and vested with all the powers, privileges, and immunities, and subject to all the duties and requirements of other incorporated towns agreeable to the constitution and laws of this Commonwealth.

Boundaries described.

Town incorporated.

SEC. 2. *Be it further enacted,* That all the expenses arising for the support of the poor of said town of Dighton, with which it is now chargeable shall be equally divided between the towns of Dighton and Wellington, and all such poor as have removed out of said town of Dighton prior to this act of incorporation, but who may hereafter be lawfully returned to said town for support, shall

Support of the poor.

June 9, 1814.

be supported by the town of Dighton, or by the town of Wellington where their former inhabitancy will lawfully settle them; and when the said town of Wellington shall be organized, the paupers, whether the same be supported in whole or in part only, shall be divided as nearly as may be, and one half of the number delivered over to the Overseers of the poor of that town, to be by them supported.

SEC. 3. *Be it further enacted,* That the inhabitants of said town of Wellington shall be holden to pay all To pay arrears. arrears of taxes, which have been assessed upon them by said town of Dighton, and shall be entitled to receive, hold and enjoy, such proportion of all debts now due, and assessments already voted to said town of Dighton, and such proportion of all the privileges or property, real or personal, belonging to said town of Dighton, of what kind soever it may be, now owned in common by the inhabitants of said town, as the property of the inhabitants of said town of Wellington bears to the property of all the inhabitants of said town of Dighton, according to the last valuation thereof; and they shall be holden to pay their proportion, to be ascertained as aforesaid, of all the debts now due and owing from said town of Dighton.

SEC. 4. *Be it further enacted,* That in case the dividing line between said town of Dighton and said town of Wellington should happen to divide the farms of any of the inhabitants of either of said towns, the said inhabitants shall be taxed for the whole of their home farms in that town only where they may respectively dwell : Proviso, *Provided, also, and be it further enacted,* That nothing in this act shall be construed so as to alter any parochial boundary, ministerial fund, burying ground, or any religious institution connected with any of the inhabitants of said town of Dighton.

SEC. 5. *Be it further enacted,* That Thomas Baylies Justice to issue warrant. Richmond, Esq. one of the Justices of the Peace for the county of Bristol aforesaid, upon application therefor, be, and he hereby is authorised to issue his warrant directed to any freeholder of said town of Wellington, requiring him to notify and warn the inhabitants thereof to meet at such time and place as shall or may be appointed in said warrant for the election of all such town offi-

cers, as towns are by law authorised to choose at their annual town meetings.

[Approved by the Governor, June 9, 1814.]

CHAP. XII.

An Act to incorporate the Paris 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 Elias Stowell, Albion K. Parris, Daniel Stowell, Seth Morse, William Stowell, Levi Hubbard, Henry Rust, Nathiel Bennet, Joseph Rust, Alfred Gates, Caleb Swift, George King, John Valentine, Joshua Crockett, Russel Hubbard, Austin Buck, Daniel Stowell, Jr. Levi Bartlett, and Nicholas Chesley, Jr. together with such other persons as have or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Paris Manufacturing Company, for the purpose of manufacturing cotton and wool at Paris, in the county of Oxford; 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, eighteen 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 Paris aforesaid.

[Approved by the Governor, June 9, 1814.]

CHAP. XIII.

An Act to incorporate the Northbridge Cotton 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 Paul Whitin, James Fletcher, Samuel Fletcher, Pliny Earle, Jonah Earle, Silas Earle, Timothy Earle, Charles Sabin, John Sabin and Joel Lackey, with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Northbridge Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth, in the town of Northbridge ; 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, 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 fifty thousand dollars, and such personal estate not exceeding one hundred thousand dollars, as may be necessary and convenient for the carrying on the manufacture aforesaid.

May hold real and personal estate.

[Approved by the Governor, June 9, 1814.]

CHAP. XIV.

An Act to fix the times and place for holding the Circuit Court of Common Pleas, in the county of Oxford.

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 Circuit Court of Common Pleas, in and for the county of Oxford, shall be

holden at Paris, in said county, on the first Tuesday in May, and on the first Tuesday of September, and on the last Tuesday of December annually. Times and places for holding court.

SEC. 2. *Be it further enacted*, That so much of the act, fixing the times and places for holding the Circuit Court of Common Pleas, in and for the several counties in this Commonwealth, as relates to the county of Oxford, be, and the same hereby is repealed. Act in part repealed.

SEC. 3. *Be it further enacted*, That this act shall be in force from and after the first day of July next.

SEC. 4. *Be it further enacted*, That all actions pending at, and all writs, recognizances and processes now made, or which may be made returnable to any of the aforesaid Courts, which, before the operation of this act, should have been holden at any other time or place, than those in this act affixed for holding said Courts, shall be returnable to, entered, made, and determined at the Court next to be holden in the county of Oxford, after said first day of July next, agreeable to the true intent of such writ, process, recognizance or appeal. Actions pending.

[Approved by the Governor, June 9, 1814.]

CHAP. XV.

An Act to alter the name of the town of Stroudwater, in the county of Cumberland.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the name of the town of Stroudwater, in the county of Cumberland, be, and the same hereby is altered to the name of Westbrook ; and that said town shall henceforth be known and called by the said last mentioned name ; any thing in the act whereby the said town was incorporated notwithstanding. Name of the Town altered.

[Approved by the Governor, June 9, 1814.]

CHAP. XVI.

An Act to establish the Farmers' Glass Factory.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Daniel Aldrich, John Sherman, Isaac Sherman, Rufus Darling, Asa Southwick and Ebenezer Pratt, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Farmers' Glass Manufacturing Company, in Clarksburgh, in the county of Berkshire, for the purpose of manufacturing glass in said Clarksburgh; and for the purpose aforesaid, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act passed the third day of March, in the year of our Lord eighteen hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incor-
porated.

May hold real
and personal
estate.

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

[Approved by the Governor, June 9, 1814.]

CHAP. XVII.

An Act to alter and establish the boundary line between the towns of Tyngsborough and Dunstable, in 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, from and after the passing of this act, the boundary line between the towns of Tyngs-

borough and Dunstable, in the county of Middlesex, shall forever hereafter be known, fixed and established to be as follows, to wit : to begin at the Province line, Boundary line. at the westerly side of Cummings Pollard's land ; thence running southerly to a pine stump, known and called Well's corner, by the easterly side of Samuel Roby's land ; thence by said Roby's land to Isaac Wright's land ; thence by the easterly side of said Wright's land, and by the easterly side of Jonathan Procter's land, to a stake and stones, it being said Procter's southeasterly corner ; thence easterly to the present line between said towns ; thence southerly on the present line to Robert Brindley's land ; thence westerly by the northerly side of said Brindley's land to Massapog Pond ; the said town of Tyngsborough being on the easterly and southerly side of said line, and the said town of Dunstable being on the westerly and northerly side of said line : and the above described line shall forever hereafter be known, fixed and established to be the true boundary line between said towns, any law to the contrary notwithstanding.

[Approved by the Governor, June 10, 1844.]

CHAP. XVIII.

An Act to set off Joseph Robinson from New-Braintree to Hardwick.

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 Robinson, of New Braintree, in the county of Worcester, together with his family, and so much of his farm as now lies in New Braintree, and west of Ware River, be, and they are hereby set off from the said town of New-Braintree and annexed to the town of Hardwick ; and shall forever hereafter be subject to all the duties, and entitled to all the privileges of citizens and inhabitants of the town of Hardwick : *Provided however,* That the said Joseph

Persons set off from town of New-Braintree.

Proviso.

Robinson and his family, shall be liable to pay all taxes that have been lawfully assessed on him or them by the said town of New-Braintree.

SEC. 2. *Be it further enacted,* That the amount of the estate of the said Robinson, and the polls thereon returned by the assessors of the said town of New-Braintree, in the last valuation taken, as belonging to the said town of New-Braintree, be deducted from the return made by said assessors, and added to the return made by the assessors of the town of Hardwick.

[Approved by the Governor, June 10, 1814.]

CHAP. XIX.

An Act to incorporate the Hampshire Agricultural Society.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Robert Cutler, Calvin Merrill, Rufus Cowles, Samuel F. Dickinson, Hezekiah W. Strong, Enos Baker, John Strong, Elijah Boltwood, Simeon Strong, Giles C. Kellogg, Horace Merrill, Charles Phelps, and Isaac Abercrombie, their associates and successors, be, and they are hereby made a Corporation, by the name of the Hampshire Agricultural Society, for the purpose of promoting agriculture; and for this purpose shall have the same powers and privileges, and be subject to the like duties and restrictions, as the other incorporated Agricultural Societies in this Commonwealth; and the Corporation may hold and possess real estate, not exceeding the value of five thousand dollars, and the annual income of its personal estate shall not exceed the value of three thousand dollars.

SEC. 2. *Be it further enacted,* That any Justice of the Peace for the county of Hampshire, is hereby authorized to issue a warrant, directed to one of the members before named, requiring him to notify and warn the first meeting of said Society, to be held in Amherst, in said county, at such convenient time and place in said town as may be appointed in said warrant, to organ-

ize the said Society, by electing the necessary officers, and forming rules and regulations for the government of the Society.

[Approved by the Governor, June 11, 1814.]

CHAP. XX.

An Act in addition to an act, entitled an act to establish a Circuit Court of Common Pleas within this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, the counties of Nantucket and Dukes' county shall be annexed to the Southern Circuit, and that a Circuit Court of Common Pleas shall be holden by one or more of the Justices of said Court for the Southern Circuit, at Nantucket, within and for the county of Nantucket, on the second Monday of May and the first Monday of November annually; and at Edgarton, within and for the county of Dukes' county, on the third Monday of May and the second Monday of November annually. And all actions, suits, matters and things whatsoever, now pending in the Courts of Common Pleas, within and for the counties of Nantucket and Dukes' county, and all writs and processes of every kind whatsoever, returnable to said Courts of Common Pleas, and which would have had day therein if this act had not been passed, shall be sustained, returnable to, and have day in and be acted upon by said Circuit Court of Common Pleas, at the first term thereof, in each of the counties aforesaid; and all parties, jurors, witnesses and other persons, in any manner bound or held to appear in the Courts of Common Pleas, which would have been holden within and for the county of Nantucket, on the first Monday of October next, and within and for the county of Dukes' county, on the first Monday of November next, if this act had not been passed, shall be held and bound, under the same penalties, to appear in the said Circuit Court

Power of the
Judge.

of Common Pleas, in each of the counties aforesaid, at the times appointed by this act. And the said Circuit Court of Common Pleas shall grant execution, to carry into effect any judgment heretofore rendered in either of the Courts of Common Pleas, within and for the counties of Nantucket and Dukes' county aforesaid, in the same manner as the said Courts of Common Pleas might and ought to have done, if this act had not been passed ; and one Justice of said Circuit Court of Common Pleas shall have all the power and authority for transacting the business of said Court, in the counties of Nantucket and Dukes' county, as a majority of said Court have and exercise in either of the counties of the Southern Circuit.

Power of the
Sheriff.

SEC. 2. *Be it further enacted*, That the several Sheriffs of the counties aforesaid, or their Deputies, or either of the Clerks of said Courts, in the counties aforesaid, in the absence of the Sheriffs aforesaid, shall respectively have power, by proclamation, to adjourn either of the Courts aforesaid from day to day, provided a Justice of said Court shall not arrive in season for holding the same ; and immediately on adjourning either of said Courts, by proclamation aforesaid, it shall be the duty of the Sheriffs or their Deputies, or the Clerks of said counties, to post up notifications of such adjournments, in two of the most public places in the towns of Nantucket and Edgarton, in the counties aforesaid.

Acts repealed.

SEC. 3. *Be it further enacted*, That all acts and parts of acts, establishing Courts of Common Pleas within and for the counties of Nantucket and Dukes' county, be, and the same are hereby repealed.

[Approved by the Governor, June 13, 1814.]

CHAP. XXI.

An Act in addition to an act, entitled an act to establish a fund for the support of the Gospel Ministry in the first Parish of the town of Groton, in the county of Middlesex, and to appoint Trustees for the management thereof.

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 Groton be, and they are hereby authorised and empowered to sell, and execute a deed or deeds (by Luther Lawrence, Joseph Moors, and James Lewis, all of said Groton, or any two of them, a committee for that purpose) to convey the whole of the real estate devised to said town in and by the last will and testament of Josiah Sawtell, Esq. late of said Groton, deceased, for the support of a woman's school in said town, as expressed in said will ; and such deed or deeds, executed in due form of law, shall be valid and effectual to convey such real estate ; and the proceeds of such sale, deducting therefrom the expences thereof, shall be paid by said committee to the trustees of Groton ministerial fund ; and the same shall be denominated the "Sawtell School Fund."

Inhabitants empowered to sell and execute a deed.

SEC. 2. *Be it further enacted*, That it shall be the duty of said trustees to receive the proceeds of said sale from said committee ; and the said trustees shall loan, secure and preserve the same, in the same way and manner as is provided in an act, entitled an act to establish a fund for the support of the Gospel Ministry in the first Parish in the town of Groton, in the county of Middlesex, and to appoint trustees for the management thereof, to loan, secure and preserve the Groton ministerial fund.

Duty of Trustees.

SEC. 3. *Be it further enacted*, That the said trustees shall annually, forever hereafter, appropriate the income of the Sawtell school fund for the support of a woman's school in the district in which said real estate is situated, according to the intention of the donor, as expressed in said will.

Appropriation of income for the support of a school.

SEC. 4. *Be it further enacted*, That the said trustees shall cause to be recorded in a book to be kept for that purpose by their clerk, a statement of the Sawtell school fund, and the said trustees shall make a report in writing, of such statement, to said inhabitants at their meeting in the month of March or April annually.

Statement of the fund.

SEC. 5. *Be it further enacted*, That the said trustees shall be liable to the same penalties and forfeitures for negligence or misconduct in the management or disposition of the Sawtell school fund, to which they are liable for negligence or misconduct in the management or disposition of the Groton ministerial fund, by virtue of the act last mentioned.

Penalties and forfeitures.

To recover
penalties and
forfeitures.

SEC. 6. *Be it further enacted*, That the inhabitants of said town may sue for and recover, in an action of debt against the said trustees, the penalties and forfeitures, which the said trustees may incur by reason of their negligence or misconduct in the management or disposition of the Sawtell school fund; and the penalties and forfeitures, recovered as aforesaid, shall enure to, and be for the benefit of the Sawtell school fund.

[Approved by the Governor, June 13, 1814.]

CHAP. XXII.

An Act in addition to an act, entitled an act to prevent the destruction of Alewives and other fish in Ipswich river, and to encourage the increase of the same, passed the twenty eighth day of March, in the year of our Lord one thousand seven hundred and eighty eight.

Taking of Ale-
wives unlawful.

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 any of the fish called Shad or Alewives, within four rods next below the foot of a sluiceway, nor within two rods of the side of a sluiceway of any mill dam or dams, now erected, or hereafter to be erected, on that part of said Ipswich river, which lies below Flint's or Merriam's mills, (except Burnham's mills, so called) or any stream or streams running from any natural pond into said river, (except Mile's river, so called); and any and every person so offending, shall forfeit and pay a fine of five dollars.

Fine and for-
feiture.

Shall not place
obstructions in
the river.

SEC. 2. *Be it further enacted*, That each and every person who, after the passing of this act, shall make any wear, or place any other obstruction in said river, or in the flooms of any mills, for the purpose of hindering or

retarding the passage of said fish, shall forfeit and pay for each and every such offence, a fine not exceeding twenty dollars, nor less than ten dollars.

SEC. 3. *Be it further enacted*, That no person shall be allowed to use any machinery for taking said fish, other than dip or drag nets and seines (nor in any place in the aforesaid river and streams, excepting such places as are appointed and allowed by the fish committee of the respective towns bordering upon said river) nor shall any person take any of said fish with seines or drag nets in said river and streams, between eight of the clock in the evening and sun rising; and every person who shall offend, in either of the above particulars shall, for each and every such offence, forfeit and pay a sum not exceeding twenty dollars, nor less than ten dollars.

SEC. 4. *Be it further enacted*, That all fines and forfeitures, which may be incurred by any breach of this act, shall be recovered and disposed of, in the same manner as is provided in the act, to which this is in an addition, and that it shall be the duty of the fish committees in the several towns bordering upon Ipswich river, jointly or severally, to cause this act to be duly observed, and to inform against any person or persons, who may offend against the said act.

[Approved by the Governor, June 13, 1814.]

CHAP. XXIII.

An Act to incorporate the President, Directors and Company of the Pawtucket 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 Oliver Starkweather, Benjamin S. Wolcot, James Ellis, Eliphalet Slack, Lemuel Bishop, Remember Kent, Elijah Ingraham, David Bucklin, Abiathar Richardson, jun. Jubel Ingraham and Jesse May, their associates, successors and assigns, shall be, and hereby are created a Corporation, by the name of the President, Directors and Company of the

Time incorporated for.

Proviso.

Amount of capital stock and of each share.

Proviso.

Pawtucket 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 bye-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of the said Corporation, and the prudent management of their affairs: *Provided*, Such bye-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.

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 November next; the second on the first day of June next after; the third on the first day of December next after, and the fourth on the first day of June 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 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, and the number of Directors to be annually chosen shall be nine, five of whom at least shall be inhabitants of and residents in this Commonwealth, and accountable for the doings of the whole board, and five also may constitute a quorum for the transacting of business; *and provided also*, That the amount of debts at any time due from said Bank, shall not exceed double the amount of their capital stock actually paid in.

Proviso.

Debts not to exceed double the amount of capital stock.

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

SEC. 5. *Be it further enacted*, That whenever the Commonwealth may 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 centum per annum: *Provided* however, That the Commonwealth shall never, at any one time, stand indebted to the said 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

Legislative committee may examine books, &c.

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.

May call a meeting.

SEC. 7. *Be it further enacted*, That the persons here-in before named, or a majority 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, by advertising the same three weeks successively in the New-Bedford Mercury, printed in New-Bedford, and by posting notifications in one or more public places in the town of Seekonk, for the purpose of making, ordaining and establishing such bye laws, ordinances and regulations for the orderly conducting 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.

Shall transmit statement of accounts.

SEC. 8. *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 the debts due the same, of the monies deposited therein, and 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.

Commonwealth may subscribe.

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 counterfeited notes.

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.

SEC. 11. *Be it further enacted*, That the said Corporation, from and after the first day of April next, shall pay, by way of tax, to the Treasurer of this Commonwealth, for the use of the same, within ten days after the first Mondays of April and October annually, the half of one per cent on the amount of the original stock which shall have actually been paid in : *Provided how-* Proviso.
ever, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all Banks hereafter incorporated within this Commonwealth ; *and provided further*, That nothing herein contained shall be construed to impair the rights of the Legislature, to lay a tax or exercise upon any Bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

SEC. 12. *Be it further enacted*, That one tenth part Amount to be appropriated to loans.
of the whole fund of said Bank shall always be appropriated to loans, to be made to the 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 Security.
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 right of redemption as is by law provided in other cases.

[Approved by the Governor, June 13, 1814.]

CHAP. XXIV.

An Act to establish a Corporation by the name of the Granville and Tolland 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 Gad Hamilton, Allen Bid-

Persons incor-
porated.

well, Jonathan Hamilton and Perry Babcock, together with such other persons as shall associate with them, their successors and assigns, be, and they hereby are made a Corporation and body politic, by the name of the Granville and Tolland Turnpike Corporation, for the purpose of making a turnpike road on the route, which the sixteenth Massachusetts Turnpike Corporation contemplated from the west line of West Springfield to Southwick Meeting-House; thence westward to Tolland by the east and west Meeting-Houses in Granville; thence by Tolland Meeting-House to the turnpike road in Sandersfield, leading from Hartford to Albany, with such alterations from the former laying of said road as the Corporation may agree to, and for keeping the same in repair; and for this purpose, shall have all the powers and privileges, and be subject to all the duties, requirements and penalties contained in an act, entitled "An act defining the general powers and duties of Turnpike Corporations," made and passed on the sixteenth day of March, in the year of our Lord one thousand eight hundred and five, and any acts which have been made in addition thereto: *Provided*, That the said Corporation may, and they hereby are authorised to make the travelled part of said road only eighteen feet in width, any thing in the said general Turnpike Act to the contrary notwithstanding.

Proviso.

[Approved by the Governor, June 13, 1814.]

CHAP. XXV.

An Act to establish the town of Sangerville in the county of Hancock.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the township numbered four, in the sixth range of townships north of the Waldo Patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is

Name of town. established as a town, by the name of Sangerville, viz.:

north by a line drawn on the middle of the river Piscataquis ; east by the township numbered three, in the sixth range ; south by the township numbered four, in the fifth range ; and west by the township numbered five, in the sixth range of townships : And the inhabitants of the said town of Sangerville are hereby vested with all the corporate powers and privileges, and shall also be subject to the same duties and requisitions as other corporate towns, according to the constitution and laws of this Commonwealth.

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

[Approved by the Governor, June 13, 1814.]

CHAP. XXVI.

An Act to incorporate the Proprietors of the Bangor Athenæum.

WHEREAS the persons herein after named, have associated for the purpose of collecting a Library of rare and valuable books ; of establishing a Reading-room in the town of Bangor, for the deposit of the principal newspapers, periodical works, charts and maps, published in this and other countries ; and whereas it is the further design of said associates, as far as their funds from time to time shall admit, to form a collection of all the various fossils, plants and other natural and artificial curiosities and productions which are to be found in that part of the country : Therefore,

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 Whipple, Samuel K.

Persons incor-
porated.

Whiting, James B. Fiske, William D. Williamson, Samuel E. Dutton, Amos Patten, Thomas A. Hill, Charles Hammond, John Emerson and William Emerson, together with such other person or persons as shall from time to time be admitted members of the said Association, according to the rules, orders and conditions which shall or may from time to time be established by the bye-laws or regulations of the Corporation herein created, shall forever hereafter be, and they hereby are created a body politic and corporate, by the name of the Proprietors of the Bangor Athenæum ; and by the said name shall and may sue and be sued, plead and be impleaded, defend and be defended in all and any Court or Courts of law or elsewhere, in all manner of actions, suits, pleas or controversies whatsoever, and in their said corporate capacity and by their said name, they and their successors shall be capable in law to purchase, receive, have, hold, take, possess and enjoy in fee simple or otherwise, lands, tenements, rents and hereditaments, not exceeding in the whole the yearly value of one thousand dollars, exclusive of the building or buildings which may be actually occupied or used for the literary purposes aforesaid ; and the said Corporation shall be capable of taking, receiving and holding by donation, subscription, bequest or otherwise, money, goods, chattels, effects and credits, to an amount, the yearly value of which shall not exceed two thousand dollars, so as that the estate aforesaid be appropriated for the purposes aforesaid, and for the promotion of literature, of the arts and sciences, and not otherwise : and moreover, the said Corporation shall have power to give, grant, sell, alien, convey, exchange or lease all or any part of their lands, tenements and other property whatsoever, for the benefit and advantage of said Corporation.

May hold pro-
perty and a-
mount.

May hold by
donation, goods
and effects.

May sell estate
and other ef-
fects.

Powers.

SEC. 2. *Be it further enacted*, That it shall and may be lawful for the said Corporation to have a common seal for their use and benefit, with full power to alter, change and renew it, whenever they shall think the same expedient.

SEC. 3. *Be it further enacted*, That the said Corporation shall have full power and authority to determine at what times and places their meetings shall be

holden, and on the manner of notifying the associates or proprietors to convene at such meetings ; and they shall have power to elect once in every year or oftener, from amongst the said proprietors, such officers, with such powers, as they shall judge expedient ; and also further to ordain and enact any bye-laws for the due govern-^{Bye-laws.}ment of the said Corporation, and for the due and orderly conducting of the affairs thereof ; and for and concerning all matters and things relating to said Corporation, and the same at pleasure to alter, amend, or repeal : *Provided however,* That the powers vested in^{Proviso.} their said officers and the said bye-laws shall not be repugnant to the constitution and laws of this Commonwealth.

SEC. 4. *Be it further enacted,* That for the giving the more effectual sanction to the said bye-laws, the said proprietors shall have power to impose suitable fines,^{Fines.} not exceeding five dollars for any one offence, for the non-fulfilment, or breach of the same ; and that for the recovery thereof the said Corporation shall have a suitable remedy by action at law, in any court of law within this Commonwealth proper to try the same.

SEC. 5. *Be it further enacted,* That whenever any proprietor shall neglect or refuse to pay any assessment duly imposed upon his share or shares, in said Corporation, for the space of sixty days after the time set for the payment thereof, the Treasurer of the said Corporation is hereby authorised to sell, at public vendue, the share or shares of such delinquent proprietor, after duly notifying, in two or more public places in the said town of Bangor, or in any newspaper which may be printed in said town of Bangor, the sum due on such share or shares, and the time and place of sale, at least fourteen days before the time of sale ; and such sale shall be a sufficient transfer of the share or shares so sold, to the person purchasing, and upon producing a certificate of such sale, from such Treasurer, such purchaser shall be entitled to a transfer of the share or shares so sold, on the book of the Corporation, and shall be considered to all intents and purposes the proprietor thereof ; and the overplus of such sale, if any there be after payment of such assessment and incidental charges, shall be

^{Treasurer empowered to sell shares.}

paid on demand, by such Treasurer, to the person whose share or shares were so sold as is before provided.

May call meet-
ing.

SEC. 6. *Be it further enacted*, That the said trustees before named, or any three of them, shall have power to call the first meeting of the said proprietors, by advertising the same seven days before the time of such meeting, in two or more public places in said town of Bangor; and that at the said meeting, the said proprietors may proceed to execute any or all the powers vested in them by this act.

[Approved by the Governor, June 13, 1814.]

CHAP. XXVII.

An Act to incorporate the Union Religious Society in
Hallowell and Augusta.

Persons incor-
porated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That John Davis, Joseph Chandler, Joel K. Ellis, Samuel Titcomb, John S. Kimball, Benjamin Ross, Robert C. Vose, Phillip W. Peck, Alexander Orrok, Jesse Robinson, Joshua Gage, James Burton, John Means, Shubael Pitts, Jonathan Prescott, Chase Avery, George Haslet, Ebenezer Tucker Warren, Gideon Farrell, Ariel Mann, William Clark, Ichabod Nutter, William A. Wingate, Benjamin Davenport, Moses H. Rollins, Joshua Carr, William Morse, Ebenezer White, Benjamin Darbon, William West, Lewis Sargent, Joshua Wingate, Benjamin Plummer, Arthur Lithgow, Cyrus Guild, Samuel Livermore, Aaron Healy, Isaac Carter, Nathaniel Cheever, Thomas B. Coolidge, Ephraim Mayo, Simeon Norris, Samuel Carr, John Dunn, Thomas Metcalf, James Smiley, Stephen Tuckerman, Francis Norris, James Burton, jr. Thomas Fillebrown, jr. Benjamin Haslet, and Peletiah Morrill, together with such others as have, or may hereafter join said 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 Union

Religious Society in Hallowell and Augusta ; and the said 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 persons may hereafter incline to join said Union Religious Society, in either of the towns of Hallowell or Augusta aforesaid, and shall leave a certificate of the same, signed by the Clerk 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 Union Religious Society, 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 Union Religious Society shall see cause to leave the same, and unite with any other religious parish or society, and shall leave with the Clerk of said Union Religious Society a certificate of the same, signed by the 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 Union Religious Society, and annexed to the parish or society to which he or they may have joined themselves.

Manner of becoming a member.

Manner of leaving the Society.

SEC. 3. *Be it further enacted*, That the said Union Religious Society 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 minister of the gospel.

Power to establish a fund for support of Minister.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Kennebeck, upon application

Justice to issue warrant.

therefor, may issue his warrant, directed to some member of said Union Religious Society, requiring him to notify and warn the members of said Society to meet at such convenient time and place as shall be appointed in said warrant, to choose such officers as parishes are by law required to choose at their annual parish meetings; and all acts and doings of all such officers so chosen, shall be legal and binding until others are chosen in their stead, as if they were chosen at any annual meeting of said parish or religious society, any law to the contrary notwithstanding.

[Approved by the Governor, June 13, 1814.]

CHAP. XXVIII.

An Act to annex Joseph Wingate, jun. with his family and estate, and certain land of Wingate Carr, to the town of Hallowell.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Joseph Wingate, jun. of Winthrop, in the county of Kennebeck, with his family, and the lot of land on which he now lives, together with the land of Wingate Carr, of Hallowell, adjoining the said Joseph Wingate's lot, in the said town of Winthrop, be, and the same are hereby set off from the town of Winthrop, and annexed to the town of Hallowell in the same county, and shall hereafter be considered a part of the same; the said Joseph Wingate, jun. there to do the duties and enjoy the privileges thereof, as the other inhabitants of the said town of Hallowell. *Provided nevertheless*, That the said Joseph Wingate, jun. and Wingate Carr, shall be holden to pay all taxes which have been legally assessed on them by the said town of Winthrop, prior to the passing of this act, in the same manner as if it had not been made.

[Approved by the Governor, June 13, 1814.]

Persons set off
from town of
Winthrop.

Proviso.

CHAP. XXIX.

An Act to alter the times of holding the Circuit Court of Common Pleas and 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 the Circuit Court of Common Pleas, and the Court of Sessions, to be respectively holden within and for the county of Washington in this Commonwealth, shall each be holden at Machias, in said county, from and after the time of passing this act, on the first Tuesdays of September and March annually, instead of the times heretofore established by law; and that all actions and matters whatsoever pending at, and all writs, recognizances, petitions, warrants, reports, appeals, and processes whatever, now made, and which may be made returnable to either of the Courts aforesaid, which but for the operation of this act should have been holden at any other times than those hereby appointed for holding such Courts, shall be returned to, be entered and have day in, be proceeded upon and determined by said Courts, respectively, according to their respective jurisdictions, and agreeable to the true intent thereof, at their respective sessions to be holden according to the provisions of this act, any law to the contrary notwithstanding.

Times and places for holding court.

[Approved by the Governor, June 13, 1814.]

CHAP. XXX.

An Act to annex David McGaffey and others, with their estates, to the town of Mount Vernon.

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 McGaffey, James

To annex persons to the town of Mount Vernon.

Envisos:

McGaffey, Moses Robinson and James Robinson, with their families and estates, being on the lots numbered nineteen, twenty and twenty-one, in the town of Rome, and bounded on the north line of the town of Mount Vernon, be, and they are hereby annexed to the said town of Mount Vernon; and the persons before named, shall there have right to exercise and enjoy all the rights and privileges, and shall also be subject to all the duties and requisitions, as the other inhabitants of the said town of Mount Vernon: *Provided however, That the said David McGaffey, James McGaffey, Moses Robinson and James Robinson, shall be holden to pay all taxes which have been or may be legally assessed upon them the present year.*

[Approved by the Governor, June 14, 1814.]

CHAP. XXXI.

An Act making further provision for apportioning county Taxes, which have been granted for the year eighteen hundred and fourteen.

Clerks to apportion and assess taxes.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the several Clerks of the Judicial Courts resident in each county in the Commonwealth, are hereby authorised, at any time in the month of June or July, in the year of our Lord one thousand eight hundred and fourteen, to apportion and assess the county taxes that have been granted for the year aforesaid for their respective counties, according to the apportionment for the last year, and they are hereby severally authorised to issue their warrants therefor accordingly, returnable in ninety days from the time of such apportionment.*

[Approved by the Governor, June 14, 1814.]

CHAP. XXXII.

An Act authorising the sale of the School lands, in the town of Raymond.

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 Swett, Esq. Samuel Leach, Daniel Small, Joseph Wight, and William Dingley be, and they are hereby appointed Trustees to sell the School lands in the town of Raymond, and to put out at interest the monies arising from such sale, in manner hereinafter mentioned ; and for that purpose,

SEC. 2. *Be it further enacted*, That the said Trustees be, and they are hereby incorporated into a body politic, by the name of The Trustees of the School Fund in the town of Raymond, in the county of Cumberland, and they and their successors shall be and continue a body politic and corporate by that name forever, and they may sue and be sued, in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution, by the name aforesaid.

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

SEC. 4. *Be it further enacted*, That the number of Trustees shall not at any one time be more than five nor less than three, any three of their number to constitute a quorum for transacting business ; and they shall and may, from time to time, fill up vacancies in their number, which may happen by death, resignation or otherwise, from the inhabitants of said town ; and shall also have power to remove any of their number, who may become unfit and incapable, from age, infirmity, misconduct or any other cause, of discharging their duty, and to supply a vacancy so made by a new choice from the town aforesaid : and the said Trustees shall annually

Annual meet-
ing of Trustees.

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

Authorised to
sell lands.

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

Duty of Trustees.

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

Interest, how
applied.

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

Duties of the
Treasurer.

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

Compensation
of Trustees.

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

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

Trustees to exhibit a statement of their doings.

SEC. 11. *Be it further enacted*, That Stephen Sweet, Esq. be, and he hereby is authorised to fix the time and place for holding the first meeting of said Trustees, and to notify each Trustee thereof.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXIII.

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

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the township numbered two in the second range of townships north of the Waldo patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is established as a town, by the name of Hermon, viz. : East by the town of Bangor; south by the town of Hampden; west by the town of Carmel; and north, partly by the town of Levant, and partly by the township numbered one in the third range of townships; and the inhabitants of said town of Hermon, are hereby vested with all the corporate powers and privileges, and shall also be subject to the same duties and requisitions, as other corporate towns, according to the constitution and laws of this Commonwealth.

Town incorporated.

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Hancock, is hereby empowered upon application therefor, to issue a warrant directed to a freehold inhabitant of the said town of Hermon, re-

Justice to issue warrant.

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

[Approved by the Governor, June 13, 1814.]

CHAP. XXXIV.

An Act to alter the time of holding the Circuit Court of Common Pleas within and for the county of Berkshire.

Time and place
for holding
court.

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 Circuit Court of Common Pleas, now appointed by law to be holden at Lenox, within and for the county of Berkshire, on the third Monday of September annually, shall, from and after passing this act, be holden at Lenox, within and for the said county, on the fourth Monday of September annually.

Petitions, re-
cognizances,
&c.

SEC. 2. *Be it further enacted,* That all recognizances, warrants, complaints, and every other process, precept, matter and thing returnable to said Court, on the third Monday of September next, and all parties and persons, that have been, or may be required or directed to appear and attend at the time and place first above-mentioned, and all actions, indictments, suits, matters and things, now pending in said Court, in said county, shall be returned to, entered, appear, and attend, have day, be heard, tried and determined at the term thereof, appointed by this act to be holden on the fourth Monday in September next.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXV.

An Act to annex William Fairbanks, Jesse Gay and Aaron Hiscock, with their families and estates to the third Parish in Dedham.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That William Fairbanks, Jesse Gay, and Aaron Hiscock, with their families and estates, be and hereby are set off from the second to the third Parish in Dedham, and shall hereafter be considered as a part of the same: *Provided nevertheless*, That the said Fairbanks, Gay and Hiscock, shall be holden to pay their proportionable part of all taxes, which, prior to the passing of this act, have been assessed and remain unpaid.

To annex persons to the second parish in Dedham.

Proviso.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXVI.

An Act providing compensation for the Register of Probate for the county of Cumberland.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Treasurer of the county of Cumberland, be, and he is hereby authorised and directed to pay to the Register of Probate, for the time being, of said county, such sum, which, together with the legal fees which the said Register may have received or been entitled to receive, shall amount to three hundred and fifty dollars annually, from and after the first day of January last: *Provided however*, The said Register shall keep an exact account of all the fees he may have received, or have been entitled to receive for his services in said office, and shall present such account, attested by the Judge of Probate for said county, to the said Treas-

Pay to Register of Probate.

Proviso.

surer, for his information, at the end of each year, and previous to the payment of the sum aforesaid.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXVII.

An Act in addition to an act, entitled “An act, establishing the tenth 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 tenth Massachusetts Turnpike Corporation be, and they hereby are authorised to remove their gate, standing near the house of Augustus Staunton in Hancock, in the county of Berkshire, west, to or near the Cold Spring, so called, in said Hancock, and when so removed, said Corporation are authorised to demand and receive the same rate of toll at said gate, as by law they may now receive at their other gates : Provided however, That the inhabitants of Pittsfield, Hancock, and Richmond, the Shakers at New-Lebanon, in the State of New-York, and also, all persons passing said gate who have travelled through the Shaker Village, in said Hancock, or from West-Stockbridge through Richmond, or who may be passing from New-Lebanon through Richmond to West-Stockbridge, or through the Shaker Village in Hancock, shall be wholly exempt from paying toll at said gate.*

Authorised to
remove their
gate.

Proviso.

SEC. 2. *Be it further enacted, That it shall be the duty of said Corporation, to erect in a conspicuous place at their gate aforesaid, a board with these words thereon, in large and legible characters, “persons passing through West-Stockbridge or the Hancock Shaker Village, pay no toll.”*

Toll Free.

SEC. 3. *Be it further enacted, That every traveller being about to pass said gate, and claiming to be exempt by the provisions of this act from the payment of toll, shall, if required by the toll gatherer, state the road he has travelled or is travelling ; and whoever shall, for the purpose of avoiding the payment of toll at said gate,*

Fine and for-
feiture.

willfully give a false account to said toll gatherer, and thereby pass the gate toll free, shall forfeit and pay to the use of said Corporation, for every such offence, the sum of ten dollars, to be recovered by the Treasurer of said Corporation by action of debt.

SEC. 4. *Be it further enacted*, That said Corporation may purchase and hold real estate to the value of three thousand dollars, in addition to the sum they are now by law authorised to hold. May hold real estate.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXVIII.

An Act to regulate the taking of the fish called English Herring.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall not be lawful for any person or persons between the easterly side of Damascotta river, and the westerly side of New Meadows river, or on the sea-shore or islands between those two rivers, to take the fish called English Herring, in any other way than by set nets, excepting what may be caught in wears and hedges, before the first day of September, in each year. Shall not take fish any other way than by net.

SEC. 2. *Be it further enacted*, That if any person shall practice driving with torches, or other lights, or making use of dip nets, for the purpose of taking said fish, within the limits aforementioned, every such person shall forfeit and pay the sum of twenty dollars, to be recovered by action of debt, in any court proper to try the same; one half thereof to be paid to the informer or prosecutor, and the other half to the town within whose jurisdiction the offence may be committed, Fine and forfeiture.

SEC. 3. *Be it further enacted*, That the inhabitants of any town within the limits aforesaid, at their annual meetings in March or April, be, and hereby are empowered to choose a Committee of three or more persons, whose duty it shall be, to see that this law be observed Power and duty of Committee.

and kept, and each person so chosen shall take an oath, faithfully to discharge the duty required of him ; and if the inhabitants of any town within the limits aforesaid, at one of the meetings aforesaid, in each year, shall neglect to choose such Committee, the town thus neglecting, shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt, in any Court proper to try the same, one half thereof to the use of the prosecutor, and the other half to the use of the county in which such town shall lie.

Shall not set
net where the
river is not
more than half
mile wide.

SEC. 4. *Be it further enacted*, That from and after the passing of this act, it shall not be lawful for any person, within the limits aforesaid, to set a net across the mouth of any harbor, creek, or inlet, where the same is not more than half a mile wide, under the penalty of ten dollars, for each offence, to be recovered by action of debt, and disposed of as aforesaid.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXIX.

An Act to establish The Boston and Roxbury Mill Corporation.

Persons incor-
porated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Isaac P. Davis, Uriah Cotting, and William Brown, their associates, successors and assigns, be, and they are hereby made a body politic and corporate, by the name of The Boston and Roxbury Mill Corporation ; and by that name may sue and be sued, prosecute and be prosecuted to final judgment and execution : And said Corporation shall have power to make and use a common seal, and the same to break and alter at pleasure, and may from time to time make by-laws for the regulation of the affairs of the corporation ; *Provided*, The same be not repugnant to the laws of the Commonwealth ; may purchase and hold real and personal estate, (not exceeding in value two millions of dollars,) necessary to promote the objects of the corpo-

Proviso.

May hold real
and personal
estate.

ration; and in general, may do and suffer all other acts and things, which bodies corporate may or ought to do and suffer.

SEC. 2. *Be it further enacted,* That said corporation ^{May build a Dam.} shall have power to build a Dam from Charles-Street, at the westerly end of Bacon-Street in Boston, to the upland at Sewall's point, so called, in Brookline, and as near as may be to the north side of tide-mill creek, which Dam shall not be less than forty-two feet wide on the top, and made so as effectually to exclude the tide water, and to form a reservoir or empty basin of the space between said Dam and Boston neck; and said Corporation shall have power to build a Dam from Boston to South Boston, not northerly or easterly of South Boston bridge, with gates, sluiceways, and other things necessary to admit and detain the tide water between said Dam and Boston neck, at the height of common tides; and shall make in said Dam a good and sufficient lock, for the passage of rafts containing not less than ten thousand feet of timber or boards, of vessels and boats, burthen from ten to one hundred and fifty tons, and boats and barges of any dimensions, loaded with powder, to and from said basin, free of toll: *Provided,* ^{Provide,} That no vessel of less than fifty tons burthen, shall have a right to pass said lock, at any other time than at or near high water; all vessels however lying in said basin, paying to said Corporation the customary dockage of the town of Boston, excepting where they shall lay at the wharves of any person, who in such case may charge and receive the same to their own account. And the said Corporation may run a Dam from Gravelly point in said Roxbury, to the Dam first above described, so as to inclose the tide water within tide-mill creek, and may connect the same with the full basin on the east, by a canal, of at least one hundred feet wide, to be cut in some convenient place from said creek to the canal by Davis' works in said Roxbury, and may raise the banks of said canal and dike, the borders of the marshes on the easterly bank of said creek, so as to prevent the tide from flowing at any time into the empty basin, and boats ^{Boats may pass free of toll.} and other things may pass and repass in said Canal at all time free of toll. And if said Corporation shall fail

Penalties and
forfeitures.

May lease and
sell the right of
using the wa-
ters.

May make a
road.

Proviso.

for the space of three years, from the passing of this act, to secure the tide waters as aforesaid, within said tide mill creek, and to connect said creek to the said full basin on the east as is above described, then the Legislature may compel the execution thereof, upon such terms, and under such penalties and forfeitures, as it may think proper to impose. And the said Corporation may cut any number of convenient race ways, from the full basin to the empty basin aforesaid, may maintain and keep up all their said works forever, and may lease or sell the right of using the water, and upon any terms, and in any manner they may think proper ; and no person shall have a right to dispose of said water, without the consent of said Corporation.

SEC. 3. *Be it further enacted*, That the said Corporation shall have power to make and finish the Dam, in this act first mentioned, and connect the different parts thereof by bridges and causeways, so as to render the same a good and substantial road, suitable for the passing of men, loaded teams, carts, and carriages of all kinds, and shall open a road not more than eighty feet and not less than forty-two feet wide, from some point of said Dam, where it crosses the marshes in Brookline, to the end of the Worcester Turnpike, near the Punch-bowl tavern, so called, in said Brookline, which road shall be made in a straight line, as nearly as can be done with convenience ; and when the road on said Dam shall be finished, railed at the sides, and furnished with lamps to the satisfaction of the Selectmen of Boston, the said Corporation may receive toll for passing over the same, at the same rate as is now granted to the Proprietors of the West Boston Bridge : *Provided*, That no toll shall be received as aforesaid, until said Dam, and the Dam from Boston to South Boston, with the lock therein shall be completed, in a substantial manner, so as effectually to answer the purposes intended and set forth in the second section of this act. And if said Corporation or some person under them, shall not, within five years from the passing of this act, establish mills, employing a power equal to turning twenty pair of common mill stones, the Legislature may suspend, as long as it shall think proper, the right of said Corporation to take any

toll as aforesaid. And the proprietors of the marshes in Brookline shall have the privilege of passing free of toll to and from their marshes, from and to the upland in Brookline, over said road or Dam, and the said Corporation shall make and maintain, at its own expense, a suitable number of sloping bridges, leading from the sides of said road and Dam to the surface of the marsh land, and convenient to carry off the hay.

Toll free to the proprietors of marshes in Brookline.

SEC. 4. *Be it further enacted,* That the said Corporation shall be entitled to all the advantages and benefits of the engagements of the town of Boston with the petitioners for this present act, as the same are expressed in the doings of said town at its meetings of the eleventh of June and twentieth of October last past; but shall have and enjoy the same however, upon the same terms and conditions, and subject to all the restrictions, expressed in the report of said town Committee, and accepted and recorded by the said town, at its meeting last above-mentioned.

Rights and privileges.

SEC. 5. *Be it further enacted,* That the Board of Health of the town of Boston, be, and hereby is authorised and empowered to cause the flats, on the westerly side of Boston, within said empty basin, or any portion of them, to be kept constantly covered with water, if in the opinion of said Board, it shall be necessary to the health of the inhabitants of said town; and for that purpose to cause a Dam of a suitable height, at their discretion, to be placed and kept at the sluice gate or gates in the principal Dam of said empty basin, in order to retain the water therein, at the sole expense of said Corporation.

Board of Health authorised to cover flats with water.

SEC. 6. *Be it further enacted,* That any person or Corporation, sustaining any damage by the building of said Dams, bridges or causeways, or from cutting said canal or race ways, or from the exercise of any of the rights and powers, herein given to said Corporation, may apply (if within one year from the time any such damage may have happened) to the Court of Common Pleas for the county in which the land lies, for a Committee to be appointed to estimate the damage, and upon such application, the Court after thirty days notice to said Corporation to appear, and shew cause why such Committee

May appoint a committee to estimate damage.

should not be appointed, shall, if no good cause be shewn to the contrary, appoint three or five disinterested freeholders within the same county, at the expence of said Corporation, which Committee being first duly sworn before some Justice of the Peace, to be nominated by said Court, and giving due notice to both parties to appear, if they see fit, for a hearing before them, shall proceed to the duties of their appointment ; and they shall first inquire, whether any damage has been sustained from the causes aforesaid, and if any, they shall estimate the same, and where the damage is annual, they shall so declare the same in their report, and shall make return of their doings as soon as may be, into the said Court, and upon the acceptance of said report, judgment may be given thereon, with reasonable costs to the party prevailing : *Provided however,* That either party after the return of said report, may claim a trial by jury, and the Court shall thereupon stay judgment on said report ; and upon such application for a jury, the Court shall issue a warrant to the Sheriff of the same county, or if the Sheriff shall be interested, then to some Coroner, by name, who is not interested, directing him to summon a jury of twelve good and lawful men, which jury shall be sworn, and in all things shall proceed as is above directed, as to said Committee, due notice to the parties being first given by the officer, of the time and place of their meeting ; and their verdict shall be sealed up, and the officer shall return the same into Court, and judgment may be entered thereon : And if the party applying for a jury shall not obtain, in case it be the original applicant, an increase of damages, or in case it be the original respondent, a decrease of the damages awarded by the Committee, such party shall pay reasonable costs of such trial by jury, otherwise shall recover reasonable costs ; and upon any judgment rendered upon the report of such Committee on the verdict of such jury, the Court may issue its execution accordingly, and also from year to year where the damages awarded are annual, on motion of the party entitled thereto, and an action of debt may be maintained on such judgment ; and if upon notice to said Corporation as aforesaid, to shew cause why such Committee should not be appointed, said Corporation

Proviso,

Costs, &c.

shall appear and deny the applicants title to the land damaged, or claim a title to do what is complained of, without the payment of damages, or for an agreed composition, the Court shall first order a trial of the issue at the bar of said Court, or if there be an issue in law, shall try it themselves; and in either case, either party may appeal to the Supreme Judicial Court, as in other cases; and a certificate of the determination of the Supreme Judicial Court on such appeal, in favor of the original applicant, shall be filed in said Court of Common Pleas, before such Committee shall be appointed; and where annual damages are awarded by said Committee, or said Jury, and judgment had accordingly, each party shall be entitled, after two years, to apply to said Court of Common Pleas, for an increase or decrease of said damages; and thereupon the same proceedings shall be had, as upon the original application.

SEC. 7. *Be it further enacted,* That the stock and property of said Corporation shall be divided into three thousand five hundred shares, certificates of which shall issue under the seal of the said Corporation, and be signed by the President and Treasurer thereof, and said shares shall be deemed and taken to be personal estate, and may be transferred by deed acknowledged before some Justice of the Peace, and recorded by the Clerk of said Corporation in a book to be kept for that purpose; and the original subscription, for at least fifteen hundred shares, shall be public, and continue open at least ten days, or until the whole shall be subscribed for, the time and place for which shall be regulated as hereafter provided.

Capital stock
and and num-
ber of shares.

SEC. 8. *Be it further enacted,* That Isaac P. Davis, Uriah Cotting and William Brown, or the major part of them, may call the first meeting of said Corporation, by giving seasonable notice of the time and place for the same, in the Columbian Centinel and Independent Chronicle, printed in Boston; and at the said meeting there shall be appointed, by a majority of votes, a Clerk, who shall be duly sworn to record the doings thereof; and also a Committee of five persons, who shall direct the time and place for opening the public subscriptions

May call a
meeting.

Proviso:

for at least fifteen hundred shares as abovementioned, and shall appoint some person or persons to superintend the same ; and shall also direct the manner in which the other shares may be subscribed for : *Provided*, That no person, in any case, shall subscribe for more than fifty shares ; and when two thousand shares shall be subscribed for, the said Committee shall notify the subscribers to meet at some convenient time and place for the purpose of more fully organizing and arranging the affairs of said Corporation, at which meeting every person shall be entitled to a number of votes equal to his number of shares ; and the powers and duties of the President and other officers and servants of the Corporation, together with the time and manner of choosing, and the number of the same may be regulated by the bye-laws of the Corporation.

May make assessments on shares subscribed for.

Proviso.

SEC. 9. *Be it further enacted*, That the said Corporation, or its officers, duly authorised, by its bye-laws may make assessments upon the shares subscribed for, for the purpose of effecting the objects of the Corporation, and for any other necessary purpose ; *Provided however*, That the whole amount of the assessments on each share shall not exceed the sum of one hundred dollars, after deducting the amount of any dividends previously declared thereon ; and in case the amount of one hundred dollars, so assessed upon each share, will not supply the necessary funds, the Corporation or its officers duly authorised, may raise the funds required by selling any shares not subscribed for, or by creating and selling any number of shares over and above the said three thousand five hundred : And if the proprietor of any share shall neglect or refuse to pay any assessment for the term of thirty days from the time appointed therefor, the share or shares of such proprietor may be sold at public auction, notice of the time and place of such sale being given by the Treasurer of said Corporation, in some public news-paper printed in Boston, three weeks at least previous to the time appointed therefor ; and the proceeds of the sale shall be applied to the payment of the assessments due on the share or shares so sold, with incidental charges ; and the surplus, if any, shall be paid

by said Treasurer to the former owner, or his legal representatives on demand ; and such sale shall give a good and complete title to the purchaser of such share or shares, and he shall receive a new certificate therefor : *Provided however*, That if before the actual sale of any such share or shares, the proprietor thereof will pay the assessments due thereon, with interest from the time they became due, and all necessary and reasonable charges, the sale shall not proceed. Proviso.

[Approved by the Governor, June 14, 1814.]

CHAP. XL.

An Act to authorise the Boston Manufacturing Company to shut the Fish Gate in their Dam across Charles River.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Boston Manufacturing Company have the liberty of closing the Fish Gate in their Dam across Charles River, at their works in Newton and Waltham, being the same Mill Dam which formerly was owned and occupied by John Boies ; and may keep the same shut forever : *Provided*, May close gate. That said Company, their successors and assigns shall make, and continue in good repair, a Fish way over said Dam, of the same inclination and width, and admitting the same depth of water, as that now made over the lower Dam across said river in Watertown, near Watertown bridge, and shall keep the same open from the first day of April to the first day of June annually. Proviso.

[Approved by the Governor, June 14, 1814.]

CHAP. XLI.

An Act to repeal in part an act, entitled an act to incorporate the Plantation of Hiram into a District, by the name of Hiram, in the county of Oxford, and for other purposes.

Act in part re-
pealed.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of the act passed on the twenty-seventh day of February, in the year of our Lord one thousand eight hundred and seven, entitled "An act to incorporate the Plantation of Hiram into a District, by the name of Hiram, in the county of Oxford," as empowers the District of Hiram to unite with the town of Brownfield, in choosing a Representative, be, and the same is hereby repealed.

Town incorpo-
rated.

SEC. 2. *Be it further enacted,* That the District of Hiram, in the county of Oxford, be, and hereby is incorporated into a town, by the name of Hiram, and vested with all the powers, privileges, and immunities, which other towns in this Commonwealth do, or may enjoy.

[Approved by the Governor, June 14, 1814.]

CHAP. XLII.

An Act to establish the Amherst Cotton Factory.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Levi Collens, Ebenezer Mattoon, Samuel F. Dickinson, Elijah Eastman, Robert Douglas, Nathan Gilson, Asa Adams, and Samuel Perrin, 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 Amherst Cotton Factory, for the purpose of manufacturing cotton yarn and cloth, in the town of

Amherst, in the county of Hampshire ; and for that 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.”

SEC. 2. *Be it further enacted*, That the 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 fifty thousand dollars, as may be necessary and convenient for carrying on the manufacturing of cotton yarn and cloth, in said town of Amherst.

May hold real
and personal
estate.

[Approved by the Governor, June 14, 1814.]

CHAP. XLIII.

An Act to establish the Northbridge Cloth 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 Levi Lincoln, Antipas Earle, Jesse Eddy, Amasa Roberts, Timothy Earle, William Hendrick, Silas Earle, and Daniel Waldo, with such others as may hereafter associate with them, their successors and assigns, be, and hereby are, made a Corporation, by the name of the Northbridge Cloth Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth, in the town of Northbridge ; and for this purpose, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act passed the third day of March, eighteen hundred and nine, entitled “ An act defining the general powers and duties of Manufacturing Corporations.”

Persons incor-
porated.

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

May hold real
and personal
estate.

convenient for carrying on the manufacture of cotton and woollen cloth, in the said town of Northbridge.

[Approved by the Governor, June 14, 1814.]

CHAP. XLIV.

An Act to incorporate a number of inhabitants of the town of Northbridge, in the county of Worcester, into a Society for Religious purposes.

Persons incor-
porated.

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 John Crane, James Fletcher, Paul Whitin, Israel Taft, Elzaphan Taft, Levi Rist, Keith Taft, Abner Adams, Arnold Adams, Benjamin Basset, Joel Batchellor, Moruel Taft, Cheney Taft, William Slocum, jun. Joshua Slocum, Benjamin Morse, John Adams, Thomas Goldthwait, Joseph White, Henry Chapin, Simeon Batchellor, Obed Goldthwaite, Ebenezer Baker, Amaria Preston, Joel White, Solomon Nelson, Henry Dunn, jun. David Dunn, Frebun White, Samuel Fletcher, James Fletcher, jun. and Adolphus Spring, members of the Congregational Society, in the town of Northbridge, (whereof the Rev. John Crane is the present Pastor,) with their polls and estates be, and they hereby are incorporated into a Society, by the name of The Congregational Society in Northbridge; and that they be, and are hereby invested with all the powers, privileges, and immunities, which other parishes in this Commonwealth are entitled to by law.

Other inhabi-
tants consid-
ered as belong-
ing to the Society.

SEC. 2. *Be it further enacted*, That such other inhabitants of said town of Northbridge, as have hitherto been considered by said town, as belonging to the Congregational Society therein, or who shall hereafter usually attend public worship with said incorporated Society, shall be deemed and taken with their polls and estates, as belonging to, and making part of said incorporation, to all intents and purposes, as though particularly named in this act: *Provided notwithstanding,*

Proviso.

That nothing in this Act shall effect the right of any of the members of said Society withdrawing his relations therefrom, and becoming a member of, and uniting with some other religious Society; and in case any person or persons belonging to said incorporated Society, shall hereafter signify to the Clerk thereof, his or their desire of becoming united with some other religious Society, and shall produce and lodge with the clerk of said incorporated Society, a certificate, signed by the minister or clerk of such other religious Society, of such person or persons having usually attended public worship therein, and of having actually become united thereto, he or they shall from and after lodging such certificate as aforesaid, be considered as belonging to such other society : *Provided however,* That such person or persons shall be holden to pay his or their proportion of all taxes legally assessed, or monies voted to be raised in said incorporated Society, previous to withdrawing his or their relation therefrom. Proviso.

SEC. 3. *Be it further enacted,* That the said incorporated Society, from and after the passing of this act, be, and it hereby is invested with the privilege of improving Privileges. and enjoying the Congregational Meeting-house, in said town, (so called,) for the purpose of assembling therein for public worship, in the same manner as the Congregational Society in said town, hitherto has done, and of receiving and holding all such securities and monies as heretofore belonged to the said Congregational Society, in said Northbridge, and of receiving and holding all such donations and bequests as may from time to time be given to the said incorporated Society, and of improving the same, by appropriating the annual interest arising therefrom, to the support of a Public Teacher of piety, religion, and morality, in said Society, so long as it shall remain a corporate body, and support public worship therein.

SEC. 4. *Be it further enacted,* That Adolphus Spring, Esquire, be, and he hereby is, authorized and directed to issue his warrant, directed to some principal inhabitant of said Society, requiring him to give notice to the members thereof, qualified to vote in parish affairs, to assemble and meet at some convenient place May call meeting.

in said town, for the purpose of choosing all such officers, as parishes are by law required to choose in the months of March or April annually, and to transact all such matters and things as may be necessary to be done in said Society.

[Approved by the Governor, June 14, 1814.]

CHAP. XLV.

An Act to establish the town of Newport in the county of Hancock.

Town incor-
porated.

Boundaries de-
scribed.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the township numbered four in the third range of townships north of the Waldo patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is made and established a town, by the name of Newport, viz. : North by the township numbered four in the fourth range ; east by the township numbered three in the third range ; west by the town of Palmyra ; and south, partly by the townships numbered four, and five in the second range : And the Inhabitants of the said town of Newport, are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions, to which other towns are entitled and subjected, according to the constitution and laws of this Commonwealth.—And the whole of the said township shall be, and hereby is annexed to the county of Hancock.

Justice to issue
warrant.

Sec. 2, *Be it further enacted*, That any Justice of the Peace for the county of Hancock, is hereby empowered to issue a warrant, directed to a freehold inhabitant of the said town of Newport, requiring him to notify and warn the inhabitants thereof to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers, as towns within this Commonwealth are entitled to choose and appoint at their annual town meetings.

[Approved by the Governor, June 14, 1814.]

CHAP. XLVI.

An Act in addition to an act to regulate the sale of goods at Public vendue.

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 penalties incurred under an act entitled “An act to regulate the sale of goods at public vendue, and to repeal all laws heretofore made for that purpose,” and all offences against the same may be prosecuted by indictment or information, in any Court of Record competent to try the same. May prosecute by indictment.

SEC. 2. *Be it further enacted,* That the tenants, or occupants of any house or store, having the actual possession and control of the same, who shall knowingly permit or allow any person or persons, not being licensed as in the said act prescribed, to sell any goods or chattels at Public Vendue, or outcry in his said house or store, or in any apartment or yard appurtenance to the same, shall forfeit and pay a sum not exceeding six hundred dollars, nor less than one hundred dollars, to be recovered in an action of debt, or by indictment or information, in any Court of Record competent to try the same, and to be appropriated to the use of the complainant. Penalty and forfeiture.

[Approved by the Governor, June 14, 1814.]

CHAP. XLVII.

An Act to provide for the safe keeping of Gun-powder in the town of Roxbury.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the first day of August next, no person or persons (not on military duty,) shall keep, have or possess, in any store, barn, house, or other building, or in, or upon any place or Place where kept.

Proviso.

thing whatever, within the town of Roxbury, except in a public powder-house in said town, Gun-powder in any quantity exceeding five pounds, in any way or manner, otherwise than as by this act is permitted : *Provided nevertheless*, That nothing in this act shall be construed to operate as a prohibition to the transporting of Gun-powder through the town of Roxbury aforesaid, or to, or from the public magazine in said town, from or into any part of this Commonwealth.

Vessels shall not lay within two hundred yards of any wharf.

SEC. 2. *Be it further enacted*, That no merchant or private armed vessel, on board of which Gun-powder shall be laden in quantity exceeding twenty-five pounds, shall lay within two hundred yards of any wharf within said town.

May be seized.

SEC. 3. *Be it further enacted*, That all Gun-powder found within the said town of Roxbury, contrary to the provision of this act, shall be forfeited, and may be seized by any one or more of the fire-wards of said town ; and it shall be the duty of such fire-ward or fire-wards, within twenty days after such seizure, to file a libel in the Clerk's Office of the Circuit Court of Common Pleas, for the Southern Circuit, in the county of Norfolk, stating the case of such seizure, and praying for a decree of forfeiture ; and the Judges of said Court shall have power to hear and determine the cause by a jury, where there is a claimant, but without a jury, if upon proclamation no claimant appear, and to decree the forfeiture and disposition of such property according to law ; and may decree a sale and distribution of the proceeds, first deducting all charges ; and if such libels be not supported, restitution of the property shall be decreed without costs ; but if a claimant appear, and disputes the forfeiture, and said Gun-powder shall be finally decreed forfeited, such claimant shall pay all costs of prosecution, which may have legally arisen thereon.

Quantity allowed to be kept.

SEC. 4. *Be it further enacted*, That all such Gun-powder so forfeited, shall be forfeited one third part thereof to the use of the Commonwealth, one third part to the use of the fire-ward or fire-wards making such seizure, and one third part to the use of the poor of the said town of Roxbury : *Provided always*, That it shall and may be lawful for any person or persons, to keep in

his or their house, ware-house or shop, for sale by retail, any quantity of Gun-powder, not exceeding twenty-five pounds in the whole ; *Provided*, The same be constantly kept in copper, brass, or tin cannisters, closely covered with copper, brass, or tin, and not otherwise. Proviso.

SEC. 5. *Be it further enacted*, That if any Gun-powder shall be found in the town of Roxbury aforesaid, contrary to the provisions of this act, the owner or owners of the same, or other person or persons in whose possession it shall be found, besides the forfeiture aforesaid, shall forfeit and pay forty cents for every pound of such Gun-powder, one moiety thereof to the use of the poor of said town of Roxbury, and the other moiety to the use of him or them who shall sue for the same ; which forfeiture of forty cents may be recovered by action of the case, in any Court proper to try the same. Penalty for breach of act.

SEC. 6. *Be it further enacted*, That it shall and may be lawful for any one or more of the fire-wards of said town of Roxbury, to enter any building or other place in said town of Roxbury, in the day time, to search for Gun-powder, which they may have reason to suppose to be concealed or kept contrary to the provisions of this act, having first obtained a search warrant therefor, according to law. Firewards may enter buildings.

[Approved by the Governor, June 14, 1814.]

CHAP. XLVIII.

An Act fixing the times and places for holding the Courts of Sessions in the county of York.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, the Court of Sessions within and for the county of York, shall be holden at Alfred, on the Monday next preceding the second Tuesday in September, and at York on the Monday next preceding the third Tuesday in April annually ; and that all Actions, Suits, Bills, Appeals, Plaints, Informations, Recognizances, Times and places for holding court.

and other things whatsoever, now pending by continuance, appeal or otherwise, or which may be hereafter commenced to be heard at said Court, shall have day in, be acted upon, heard and tried at the times and places aforesaid, and not otherwise.

Acts repealed.

SEC. 2. *Be it further enacted*, That all laws heretofore made, fixing the times and places for holding the Courts of Sessions, in the County of York, inconsistent with the provisions of this act, be, and the same are hereby repealed.

[Approved by the Governor, June 14, 1814.]

CHAP. XLIX.

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

Persons' names altered.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, Charles Adams of Boston in the county of Suffolk, son of Elijah Adams, of Medfield, in the county of Norfolk, shall be allowed to take the name of Charles Jeremiah Adams; that Welcome Eager of Boston aforesaid, merchant, shall be allowed to take the name of William Eager; that John Bradford of said Boston, son of William B. Bradford of the same place, shall be allowed to take the name of John Rufus Bradford; that George Doane of the same Boston, shall be allowed to take the name of George Bartlett Doane; that William Couillard Stodderd of Salem, in the county of Essex, trader, son of Ebed Stodderd, of the same Salem, shall be allowed to take the name of Ebenezer Couillard Stodderd; that John Babbidge, Jun. of Salem aforesaid, mariner, shall be allowed to take the name of John Laurens Babbidge; that John Osgood, Jun. of the same Salem, mariner, shall be allowed to take the name of John Babbidge Osgood; that William Low of Salem aforesaid, a minor, and son of David Low, late of Haverhill, in said county, deceased, shall be allowed to take the name

of William Henry Low ; that Jonn Browne, the sixth, of said Salem, son of Edward Browne of the same place, shall be allowed to take the name of Edward John Browne ; that John Clarke, of Wartertown, in the county of Middlesex, son of Thomas Clarke, Esq. of the same town, shall be allowed to take the name of John Henry Clarke ; that Joseph Tufts, the third of Charlestown, in said county of Middlesex, son of Deacon Amos Tufts of the same place, shall be allowed to take the name of Joseph Frothingham Tufts ; that Jesse Harlow Torrey, of Plymouth, in the county of Plymouth, merchant, shall be allowed to take the name of Harlow J. Torrey ; that Thomas Damon of Truro, in the county of Barnstable, shall be allowed to take the name of William Frederick Josiah Damon ; that Walter Johnson, 2d, of Leominster, in the county of Worcester, shall be allowed to take the name of Walter Rogers Johnson ; that Obadiah Burnham, a minor, and son of Josiah Burnham, of Durham, in the county of Cumberland, shall be allowed to take the name of George Burnham ; that Scott Wilkinson, of Thomastown, in the county of Lincoln, attorney at law, shall be allowed to take the name of Samuel Scott Wilkinson. 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 14, 1814.]

CHAP. L.

An Act in addition to the several acts imposing a tax on Banks.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whereas by an act passed on the twenty-eighth day of February last, all Banking Corporations then in operation, or which should thereafter come into operation, were required to pay a ^{Tax altered.}

tax to this Commonwealth of one half of one per cent, within ten days after the first Mondays of April and October annually, on the amount of the capital stock actually paid in on the said days, although said amount should not have been paid in for the full term of six months then next preceding ; in lieu thereof said Banking Corporations are hereby required to pay such portion of said sum of one half of one per cent. on such proportion of capital stock as shall not have been paid in for the full term of six months next preceding ; as the time from the payment of such portion of such capital stock, to the day when such payment of such tax shall become due, may bear to the term of six months. And such Corporations as shall have been required to pay, and shall have actually paid the full amount of one half of one per cent, which they would not have been required to pay by the provisions of this act, shall have credit for such excess, and the Treasurer of the Commonwealth is hereby authorised and required to credit the same to said Corporations in the next payments of their said tax which may become due, and deduct such excess from said payments : *Provided*, That such Corporations shall have paid the in several instalments of capital stock, at the times required by their several acts of incorporation ; *And provided further*, That such Corporations shall furnish the said Treasurer with true abstracts of the amount of their capital stock actually paid, and the times when the several instalments were paid in, authenticated by the oaths of their several Presidents, and a majority of their respective Directors.

Proviso.

Proviso.

Statement.

SEC. 2. Whereas by an act passed on the twenty third of June, in the year of our Lord eighteen hundred and twelve, all Banks within this Commonwealth, which should be in operation on the first day of October then next ensuing, or which should thereafter come into operation, were required to pay a tax of one half of one per cent. on the amount of the capital stock actually paid in, such tax to be paid within ten days next after each semi-annual dividend, which should be made after said first day of October ; by means whereof it was the true intent and meaning of the said act, that said tax should attach

on such Banks, on the said first day of October, and the first payment become due and payable on the first day of April next following ; and whereas several Banks then in operation, by their bye-laws made semi-annual dividends at other times than the first day of April and October, by means whereof the said payment of said tax was made at a time earlier than was contemplated by the Legislature, and whereas by the force and effect of the act abovementioned, passed in February last, said Banks were again required to pay said tax within ten days after the first Mondays of April and October annually, although by force of the previous act aforesaid, and the operation of their bye-laws, the like tax has been paid by said Banks within a period of six months next preceding, by means whereof the said Banks have been required to pay said semi-annual tax twice, contrary to the true intent and meaning of the Legislature. *Be it therefore enacted*, That the Treasurer of this Commonwealth be, and he is hereby authorized and required to credit to any such Bank or Banks the amount of tax thus paid over and above what they would have been required to pay by the provisions of this act, and to allow the sum in the next payment or payments of said tax, which may become due from such Banks by the existing laws.

Treasurer may give credit for tax.

[Approved by the Governor, June 14, 1814.]

CHAP. LI.

An Act to establish the Wrentham and Attleborough 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 David Fisher, jun. Samuel Day, Timothy Whiting, John Fales, Royal Peck, Elikanah Whiting, Paul Fisher and Cornelius Kollock, together with such others as may associate with them, their successors and assigns, shall be a Corporation, by the name of The Wrentham and Attleborough Turnpike

Persons incorporated:

Proviso.

Corporation, for the purpose of making a Turnpike-road from the meeting house in the first parish in Wrentham, to the line of Cumberland, in the state of Rhode-Island, in the most convenient place for the public accommodation, as near a straight line as is practicable : *Provided however,* That it shall not be made in any place east of an air line from the meeting-house in said first parish in Wrentham, to the west side of the dwelling house of John Fales, in the west corner of Attleborough ; and for this purpose shall have all the powers and privileges, and be subject to all the duties, requirements and penalties contained in an act, entitled “ An act defining the general powers and duties of Turnpike Corporations,” passed on the sixteenth day of March, in the year of our Lord one thousand eight hundred and five.

[Approved by the Governor, June 14, 1814.]

CHAP. LII.

An Act to incorporate the Holliston Cloth Manufactory.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Elihu Cutler, Abner Morse, Timothy Fisk, Uriel Cutler, David Fish, jun. James Wight, Joseph P. Leland, Nathan Fairbanks and Ebenezer P. Wood, 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 Cloth Manufactory, for the purpose of manufacturing cloth 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 ex-

ceeding 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 cloth at Holliston aforesaid.

May hold real and personal estate.

[Approved by the Governor, June 14, 1814.]

CHAP. LIII.

An Act to incorporate the President, Directors and Company of the Merrimack 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 Charles White, David Howe, jr. Leonard White, Daniel Haddock, Robert B. Willis, Bailey Bartlett, James How, James Duncan, jun. Peter Osgood, Thomas R. Appleton, Moses Gale, jun. John Dow and Ebenezer Gage, their associates, successors and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors and Company of the Merrimack 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 place whatever ; and also to make, have, and use a common seal, and to ordain, establish and put in execution, such bye-laws, ordinances and regulations, as to them may appear necessary and convenient for the government of said Coporation, and the prudent management of their affairs : *Provided*, Such bye-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.

Persons incorporated

Time incorporated for.

Proviso.

SEC. 2. *Be it futher enacted*, That the capital stock of said Corporation shall consist of the sum of one hun-

Amount of capital stock and of each share.

dred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid at four equal instalments ; the first on the fifteenth day of October next ; the second on the fifteenth day of April next after ; the third on the fifteenth day of October next after ; and the fourth on the fifteenth day of April, which will be in the year of our Lord one thousand eight hundred and sixteen ; 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 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 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 : *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 the said Corporation : *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 actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

Proviso.

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 ten 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*

Proviso.

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.

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

SEC. 5. *Be it further enacted*, That any Committee especially 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 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.

Legislative
committee may
examine books,
&c.

SEC. 6. *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 for three weeks successively in the Merrimack Intelligencer, printed in the town of Haverhill, for the purpose of making, ordaining and establishing such bye-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.

May call meet-
ing.

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 coins, and of 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 transmit
statement of
accounts.

Shall pay counterfeited notes.

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 tax to the Treasurer.

SEC. 9. *Be it further enacted*, That the said Corporation shall within ten days after the first Mondays of October and April annually, pay to the Treasurer of this Commonwealth, for the use of the same, a tax of one half of one per cent, on the amount of such part of their stock as shall have been actually paid in by the Stockholders : *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 shall be construed to impair the right of the Legislature to lay a tax on any Bank already incorporated under the authority of this Commonwealth, when they may see fit so to do.

Proviso.

Amount to be appropriated to 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 not 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.

Shall loan to the Commonwealth.

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 shorter period at the election of the Commonwealth, with the annual payment of interest at the rate of five per centum per annum : *Provided however*, That the Com-

monwealth shall never 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 14, 1814.]

CHAP. LIV.

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

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

SEC. 2. *Be it further enacted, That the said Twenty Districts shall be formed and limited in manner following—That is to say :*

The towns in the county of Suffolk, together with the towns of Malden and Stoneham in the county of Middlesex, shall constitute one District, to be called Suffolk District. Towns forming districts.

The towns of Salem, Beverly, Wenham, Gloucester, Manchester, Danvers, Marblehead, Lynn and Lynnfield in the county of Essex, shall form one district, to be called Essex South District.

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

The towns and districts in the county of Middlesex, excepting the towns of Ashby, Townsend, Shirley, Pep-

Towns forming
districts,

perell, Stow, Boxborough, South Reading, Malden, Stoneham, Holliston, Sherburne, Natick, Newton, Framingham, Brighton and Hopkinton, shall constitute one district, to be called Middlesex District.

The towns and districts in the county of Hampden, together with the towns of Ware, Belchertown, Granby, South Hadley, Hadley, North Hampton, West Hampton, South Hampton, East Hampton, Norwich, and Worthington in the county of Hampshire, shall constitute one district, to be called Hampshire South District.

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

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

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

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

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

The following towns and districts in the county of Worcester, viz. : Northborough, Worcester, Shrewsbury, Paxton, Oakham, New-Braintree and Hardwick, and all the towns south of them in the county of Worcester, together with the town of Hopkinton in the county of Middlesex, shall form one district, to be called Worcester South District.

The towns and districts in the county of Worcester, not included in Worcester South District, together with the towns of Ashby, Townsend, Shirley, Pepperell,

Stow, and Boxborough in the county of Middlesex, shall form one district, to be called Worcester North District.

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

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

The following towns, districts and plantations in the county of Cumberland, to wit, Portland, Falmouth, Westbrook, North-Yarmouth, Scarborough, Cape-Elizabeth, Gorham, Gray, Windham, New-Gloucester, Pejepscot, Freeport, Pownal, Brunswick, Durham and Harpswell, shall constitute one district, to be called the Second Eastern District.

The following towns in the county of Lincoln, to wit, Topsham, Bath, Georgetown, Phippsburg, Boothbay, Woolwich, Wiscasset, Edgcomb, New-Castle, Nobleborough, Alna, Bristol, Waldoborough, Warren, Thomastown, Cushing, Friendship, St. George and Camden, together with the towns of Isleborough, Vinalhaven, Deer-Isle, Northport, and Lincolnville in the county of Hancock, shall constitute one district, to be called the Third Eastern District.

The counties of Washington and Hancock, excepting the towns of Isleborough, Vinalhaven, Deer-Isle, Northport, and Lincolnville in the county of Hancock, shall form one district, to be called the Fourth Eastern District.

Those towns and plantations in the county of Lincoln, which are not included in the Third Eastern District, together with the towns of Pittston, Gardiner, Hallowell, Augusta, Green, Leeds, Monmouth, Winthrop, Readfield, Wayne, Fayette, and Malta in the county of Kennebeck, shall form one district, to be called the Fifth Eastern District.

Those towns and plantations in the county of Kennebeck, which are not included in the Fifth Eastern District, together with the towns and districts in the county of Somerset, shall form one district, to be called the Sixth Eastern District.

The towns, districts and plantations in the counties of York and Cumberland, which are not included in the First and Second Eastern Districts, together with the towns, districts and plantations in the county of Oxford, shall form one district, to be called the Seventh Eastern District.

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

Selectmen empowered to call town meetings

Duty of Selectmen.

such choice, signed by the Governor and countersigned by the Secretary: And the Selectmen of such towns and districts as lie within any county in which there may be no Sheriff, shall return such list to the Secretary's office, within the same term of time as Sheriffs are required to do.

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

SEC. 5. *Be it further enacted*, That whenever any vacancies shall happen in the representation of this Commonwealth in the Congress of the United States, the Governor shall cause precepts to issue to the Se-

Governor to issue precepts.

Sheriff shall return lists.

Vacancy to be filled.

lectmen of the several towns and districts, within any district in which such vacancy may happen, directing and requiring them to cause the inhabitants of their respective towns and districts to assemble, on a day in such precept to be appointed, to give in their votes for a Representative to supply such vacancy; and like proceedings shall from time to time in all respects be had, as are herein before provided.

Duty of Sher-
iffs.

Proviso:

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

Fine and for-
feiture.

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

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

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

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

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

SEC. 11. *Be it further enacted*, That an act, entitled "An act to divide the Commonwealth into Districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of Election," passed on the twenty-eighth day of February, in the year eighteen hundred and twelve, be, and the same hereby is repealed, excepting so far as said act provides for the choice of any Representative or Representatives to fill any vacancy or vacancies which may occur before the end of the present Congress, and no further. Act repealed.

[Approved by the Governor, June 14, 1814.]

CHAP. LV.

An Act to incorporate Trustees of the Ministerial Fund of the first Parish in York.

Persons incor-
porated.Shall make a
new choice of
Trustees.Shall keep re-
cord of pro-
ceedings.

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 Sewall, Joseph Bragdon and Daniel Sewall, Esquires, inhabitants and freeholders in the first parish in York, be, and hereby are made a body corporate, with perpetual succession, by the name and stile of "The Trustees of York first parish Ministerial Fund;" and the said Trustees and their successors in office, shall have the care and superintendence of the said fund, which was voted and agreed upon by the said parish, at a legal meeting of the qualified voters thereof, on the first day of December, 1797; the said Trustees to give bond in double the amount of the capital sum of said fund, at the time of their appointment, and to continue in office for the term of five years from the commencement of the term for which they were last appointed, and until others shall be chosen in their stead, and give bond as aforesaid: At the expiration of five years from the last appointment, and so successively every five years, the legal voters of said parish by ballot, to make a new choice of three Trustees, who shall be inhabitants and freeholders in said parish; And in case of a vacancy by death or otherwise within the said five years, the survivor or survivors, together with the Assessors of the said parish for the time being, to supply the vacancy for the remainder of the term: And the said Trustees shall keep a record of their proceedings, (which are to be open to the inspection and examination of the Assessors at all reasonable and convenient times) wherein all donations to the said fund are to be entered and credited: And the capital of said fund shall be put and placed at interest, and the interest annually accruing, together with all donations and additions to be added to the principal, until the interest annually arising from the capital thus accumulated,

shall amount to two hundred and fifty dollars. And when the said fund shall be thus productive, the interest thereof shall be annually appropriated towards the support of a Congregational Minister in said parish, and for no other purpose whatever : *Provided nevertheless*, Proviso. That when the interest of said capital shall amount to the annual sum of two hundred and fifty dollars aforesaid, if the said parishioners shall think proper, at a legal meeting called for that purpose, to increase the capital sum of said fund still further, before the interest shall be applied for the purpose aforesaid, they shall have power so to do.

SEC. 2. *Be it further enacted*, That the said Trustees may sue and be sued in their corporate capacity by the name and stile aforesaid ; and shall be liable to all the duties and obligations expressed by the parishioners, in their votes and agreements aforesaid : And for neglect of the duties of their appointment, or malefeasance therein, may be jointly or severally removed therefrom, by the Supreme Judicial Court of this Commonwealth. May be sued, &c.

SEC. 3. *Be it further enacted*, That the said Trustees may in their said corporate capacity, take, hold and retain any estate real, personal or mixed, for the purposes aforesaid, the annual income of which shall not exceed one thousand dollars. And whenever the said Corporation shall be seized of real estate, in fee, for life or term of years, which they may determine necessary or expedient to alienate, for the effectual or beneficial discharge of the duties of the institution, they or the major part of them, may by deed under their hands and seals, sell, lease and convey the same ; and the conveyance thus made, acknowledged and recorded, shall effectually vest such real estate in the vendee or lessee, in such manner as may be expressed in the conveyance thereof. May hold real and personal estate.

[Approved by the Governor, June 14, 1814.]

CHAP. LVI.

An Act in addition to an act, entitled “ An Act incorporating the Rector, Wardens and Vestry of the Episcopal Church in Dedham, for certain purposes.”

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That each and every person, who is or shall become a proprietor of a pew or pews in said Church, and any person or persons proposing to attend public worship there, and not having been heretofore a proprietor of said Church, nor having been made a member of said Church or Society, by a vote of the said proprietors, who shall enter his or her name with the Rector, Wardens and Vestry or Clerk of said Church, shall be deemed and taken to be members of said Episcopal Church or Society, and they with their estates shall be liable to all lawful taxes and assessments, for the purposes hereinafter mentioned, but no one besides the proprietors of the pews shall be entitled to a vote in said Church, unless he or they shall be admitted by vote of said proprietors to hold a vote and an office in said Church, and then only from year to year ; and the members of said Episcopal Church or Society shall be, and they with their estates are hereby exempted from all other taxes and assessments for the support of public worship, in the towns or parishes where they may respectively reside : *Provided*, That persons hereafter becoming members as aforesaid, shall give notice thereof in writing to the Assessors or Clerk of the town or parish where they reside, and until such notice shall not be entitled to the exemption aforesaid : *Provided also*, That persons withdrawing from said Episcopal Church or Society, who shall give notice thereof in writing to the Wardens and Vestry or Clerk, for the time being, shall be no longer liable to any taxes or assessments afterwards granted and voted therein, and they with their estates shall again become liable to all other taxes and duties for the support of public worship, in the parishes or

Manner of becoming a member.

Proviso.

Proviso.

towns where they may respectively reside, in the same manner as other inhabitants are liable who have not been entitled to any special exemption.

SEC. 2. *Be it further enacted*, That said Episcopal Church or Society, shall be capable to take and hold, by gift, grant or purchase, any real or personal estate, and to manage, sell, lease or dispose of the same, and for that purpose shall have a common seal, to be established, altered and renewed at their pleasure : *Provided*, May hold real and personal estate. That the real estate holden by them, at any one time, shall not exceed in annual value the sum of five thousand dollars ; *and provided*, Proviso. That no sale thereof shall be valid and effectual, until the same shall be made with the concurrence of their Rector, and two thirds at least of the proprietors of the pews, being members of said Church or Society.

SEC. 3. *Be it further enacted*, That the said Episcopal Church or Society, shall have the same authority Powers. and power in granting, voting, assessing and collecting taxes, for the maintenance of a Rector, Incumbent or Minister, and the support of public worship, which Congregational parishes have or may enjoy by virtue of any general statute or statutes of this Commonwealth ; and assessments of taxes lawfully made for the said Episcopal Church or Society, remaining due and unpaid after six months notice thereof, shall and may be recovered in an action at law, in their name to be brought, as for sums of money due and owing to the said Church or Society, against the parties liable therefor, their executors or administrators.

SEC. 4. *Be it further enacted*, That the proprietors of pews in said Church be, and they are hereby authorised to raise money by assessment on all said pews, to defray the expense of public worship and repairing the Church, or rebuilding the same, and other incidental expenses ; but no proprietor of a pew or pews shall be obliged to pay the tax so levied or assessed, *provided*, May raise money by assessment. Proviso. that he expresses in writing to the Wardens, his consent that they may occupy or let his pew or pews, from year to year, until he, the said proprietor, his heirs, executors or administrators, shall pay the said tax, or until the same shall have been realized by the Wardens from the rent of said pew or pews.

Officers, how
appointed.

SEC. 5. *Be it further enacted*, That the officers of said Corporation or Society shall be appointed agreeably to the present constitution and rules of said Church ; *Provided*, They contain nothing contrary to the constitution and laws of this Commonwealth ; and that all leases that have been heretofore executed by the Rector, Warden and Vestry, in pursuance of the act to which this is in addition, and in conformity to the votes of the proprietors of the Church, shall be equally valid in law, as any leases that may be executed by the Rector, Wardens and Vestry, after the passing of this act and in conformity thereto ; and also all deeds of pews that have been executed by the Rector and Wardens.

May issue war-
rant.

SEC. 6. *Be it further enacted*, That Horatio Townsend, Esq. one of the proprietors of said Church, be, and is hereby authorised to issue his warrant, directed to some principal proprietor of said Church or member of said Society, requiring him to notify and warn the other members thereof, qualified to vote in manner as aforesaid, to meet at some suitable time and place within said town of Dedham, to choose such officers as they are authorised by their constitution to choose, and to do and transact all such other matters and things as may be necessary for the due organization and regulation of said Church and Society.

[Approved by the Governor, June 14, 1814.]

CHAP. LVI.

An Act to regulate the taking the Fish called Salmon, Shad, and Alewives, in the Sebasticook river, in the town of Clinton.

May take fish.

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 and may be lawful for the town of Clinton to take Salmon, Shad, and Alewives, within the limits of said town, in the Sebasticook river, from the northerly line of the town of Winslow, to the north-

erly line of land owned, occupied, and now in the possession of Abram Wallis, in said town of Clinton, on such days only, as are or may be allowed by law, for catching Fish within the county of Kennebec, and at such places within these limits, as a committee, who may be appointed by the town, as is hereafter provided, may direct.

SEC. 2. *Be it further enacted*, That the inhabitants of the town of Clinton, at their meeting for the choice of Town Officers, in the month of March, or April, annually, be, and hereby are authorised and empowered, to choose by ballot, three or five persons, being freeholders in said town, a committee to oversee the taking said Fish as aforesaid, which committee shall be sworn to the faithful discharge of their trust, and shall distribute the Fish taken by them, or under their direction, as equally as circumstances will admit, to such of the inhabitants of said town, or other persons, as may apply for the same; and for the Fish so supplied and delivered, the committee aforesaid shall demand and receive, of the person or persons applying therefor, payment, at such rate or rates, as the inhabitants of said town, at their annual meeting in March or April, may direct, excepting of such poor persons, as shall be named in a list to be annually made out by the Selectmen of the town, and who, in the opinion of said Selectmen, are unable to pay for the same; which list shall be given to the committee, and the person or persons borne on said lists, shall be supplied with such quantities of said Fish, (gratis,) as the committee shall think expedient; and the said committee shall have such allowance for their services, as the inhabitants of said town, in open town meeting, may determine; and shall annually, in the month of September, next after their appointment, exhibit to the Selectmen their accounts for settlement, and pay the balance, if any there is, into the town treasury, for the benefit of said town.

SEC. 3. *Be it further enacted*, That the town, at the time, and in the manner aforesaid, shall choose one person, being a freeholder in said town, to be treasurer of said Fishery, who shall be sworn to the faithful discharge of his duty, and he may be supplied by the

Shall appoint
committee.

Shall appoint
Treasurer.

Duty of Com-
mittee and
Treasurer.

town with suitable buildings and apparatus for saving and securing Fish, and with such quantities of salt, as the town shall, at their annual meeting; direct and order; and it shall be the duty of said treasurer, to receive into his possession all such Fish as may be taken and not disposed of, in eight hours from the time the same are taken from the water. And it shall be the duty of the said committee to deliver to said treasurer, at such place or places as he shall direct, all such Fish as shall not be by them sold as aforesaid. And it shall be the duty of said treasurer to save and cure said Fish which may come into his hands, in such way as he shall think most for the interest of said town, and sell and dispose of the same for the benefit of said town; and the said treasurer shall annually, on or before the first Monday of March, next after his appointment, exhibit to the Selectmen of said town, a full and fair statement of his proceedings in writing, with the amount of towns' property on hand, together with his claims for services and expenditures, and pay over to the treasurer of said town, the balance which may remain in his hands, for the benefit of said town.

Powers.

SEC. 4. *Be it further enacted*, That the said committee are hereby empowered, if thereunto licensed by a vote of said town, to sell at public vendue, all, or any part of said Fishery, to the highest bidder, and by their memorandum in writing, to authorize any purchaser or purchasers, to take said Fish and dispose of the same, agreeably to the provisions of this act, or in such manner as the committee shall in their license authorize and direct.

Fine and for-
feiture.

SEC. 5. *Be it further enacted*, That if any person or persons, other than the committee, or such person or persons, as shall be employed or authorized by them, shall take any of said Fish in said Sebasticook, within the aforesaid limits, at any time, or by any ways or means whatsoever, each person so offending, and the parent, guardian, master, or mistress of any minor who shall so offend, shall forfeit and pay a sum not exceeding twenty dollars, nor less than five dollars, for each offence; and all the Fish so unlawfully taken, shall likewise be forfeited; and it shall be lawful for the

committee, or any of them, or any person or persons employed by them to take Fish from said river, to seize all Fish so unlawfully taken, and dispose of the same for the benefit of said town.

SEC. 6. *Be it further enacted*, That the committee chosen as aforesaid, or either of them, or any person or persons employed by them, shall have liberty and authority, for the purposes aforesaid, to go on the lands of any person or persons, through which the said Sebasticook passes, without being considered trespassers; and any person who shall molest or hinder said committee, or either of them, or any person or persons employed or authorized by them, in the execution of their duty, shall forfeit and pay for each offence, a sum not exceeding twenty dollars, nor less than ten dollars: *Provided* ^{Privilege} however, The said committee are authorized and required, to pay to any owner or proprietor, such compensation as the major part of said committee shall direct, as a compensation for any damages they may sustain by said committee, or persons employed by them to take said Fish on their lands or possessions. ^{Provided}

SEC. 7. *Be it further enacted*, That it shall be the duty of the treasurer of said town, for the time being, and he is hereby authorized, upon the complaint of any of the committee aforesaid, to sue for any forfeitures incurred by the breach of any of the regulations provided in this act; and all sums and forfeitures incurred by the breaches of any of the provisions of this act, shall be for the benefit of said town, and all actions shall be prosecuted by an action on the case, in any court proper to try the same; and no person shall, by reason of his being one of said committee, or an inhabitant of said town, be disqualified from being a witness in any prosecution for a breach of this act. ^{Penalties to be recovered.}

[Approved by the Governor, June 14, 1814.]

COMMONWEALTH OF MASSACHUSETTS.

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Secretary's Office, August 9th, 1814.

By this I certify, that the Acts and Laws contained in this Pamphlet, which were passed by the Legislature, at their June Session in the present year, have been examined and compared in this Office, with the originals, and appear to be correct, excepting the following instances, viz.—at page 514, 4th line of the 6th section, read *full value*—at page 537, 1st line, read *John Browne*—at page 556, 7th line from the top, read *Wardens*—at page 538, 11th line from bottom, omit the word *Sec.* and figure 2, and read them immediately before the last enacting clause of the same act.

ALDEN BRADFORD,

Secretary of the Commonwealth.