

interest therein, except such as arises from his liability for costs and expenses of suit, may be a witness in such suit to any matter known to him before he assumed the trust of his appointment: *provided*, he shall first release his rights to recover costs in such suit, or shall receive, or have tendered to him, such security for his liability for costs, as, in the opinion of the court before which the case is pending, shall be sufficient to indemnify him on account thereof. [April 6, 1839.]

personal interest in a suit, may be witnesses.

An ACT in addition to an Act to establish the Aqueduct Corporation, in Boston.

Chap 108.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

SECT. 1. The said Aqueduct Corporation are hereby authorized and empowered to conduct into Jamaica pond, in Roxbury, or into any reservoir adjacent thereto, or into any reservoir or reservoirs within the limits of the towns of Brookline and Brighton, or either of them, and thence into the city of Boston, any stream or streams, pond or ponds, or other sources of water, to which said corporation may acquire rights by purchase; and for these purposes may erect and maintain a dam or dams upon and across any stream, rivulet or run of water not navigable, and may lay their pipes or conduits through or across any highway between said Jamaica pond, or said reservoir or reservoirs, and the point or points of supply, and also between said pond or reservoirs and any point or points in the line of the present aqueduct, or in any other conduit which the said corporation may lay down; and also by subterranean pipes, or open conduits, may conduct the same through the land of any individuals or corporations between the same points: with all the privileges and subject to all the payments, penalties, requirements and conditions prescribed by the one hundred and sixteenth chapter of the Revised Statutes, as to said dam or dams, and by the fifty-sixth and fifty-seventh sections of the thirty-ninth chapter of the Revised Statutes, as to said pipes or conduits, or the laying of the same.

Powers and privileges.

SECT. 2. The said corporation may increase their shares to a number not exceeding five hundred, and their capital stock shall not exceed five hundred thousand dollars.

Increase of shares.

SECT. 3. The said corporation may hold real estate to an amount not exceeding fifty thousand dollars, in addition to what they are now entitled to hold.

Additional real estate.

SECT. 4. The said Aqueduct Corporation shall hereafter be subject to the provisions of the ninth section of the fortieth chapter of the Revised Statutes. [April 6, 1839.]

Corporation to be subject to certain provisions of Rev. Stat.

An ACT to reduce the Capital Stock of the Adams Bank, in Adams.

Chap 109.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

SECT. 1. The President, Directors and Company of the

No stock to be divided until certificate of commissioners.

Adams Bank are hereby authorized to reduce their present capital stock to the sum of one hundred and seventy-five thousand dollars: *provided*, that no dividends of any part of the present capital stock of said bank shall be made, nor shall this act be in force, until the bank commissioners, or a majority of them, shall have certified their opinion in writing to the governor and council, that the said corporation has sufficient funds for the payment of all notes, bills, deposits and other demands existing against it, and that after payment thereof, the net sum of one hundred and seventy-five thousand dollars will remain in said bank as capital stock, in funds available for all usual and proper banking purposes.

Mode of reduction.

SECT. 2. To reduce the said capital stock as aforesaid, the said corporation shall extinguish two hundred and fifty shares therein, which have been transferred to it in pledge or otherwise, and have become its property, so that the remaining one thousand seven hundred and fifty shares shall be of the par value of one hundred dollars.

Rights, &c. to continue as at present, until, &c.

SECT. 3. From and after the time when the said certificate of said commissioners shall have been made and delivered as aforesaid, all the rights, duties and liabilities of said corporation shall have relation to, and be governed by said reduced capital of one hundred and seventy-five thousand dollars; and until said certificate shall have been made and delivered as aforesaid, the said corporation shall pay into the treasury of this Commonwealth the tax required by law to be paid on the present capital of said bank. [April 6, 1839.]

Chap 110.

An ACT to reduce the Capital Stock of the Hancock Bank, in Boston.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

Stock not to be divided, &c. until certificate of bank com'rs.

SECT. 1. The President, Directors and Company of the Hancock Bank, in Boston, are hereby authorized to reduce their present capital stock to the sum of three hundred thousand dollars: *provided*, that no dividends of any part of the present capital stock of said bank shall be made, nor shall this act be in force, until the bank commissioners, or a majority of them, shall have certified their opinion in writing, to the governor and council, that the said corporation has paid all notes, bills, deposits and other demands existing against it; and that, after payment thereof, the net sum of three hundred thousand dollars remains in said bank, as capital stock, in funds available for all usual and proper banking purposes.

New certificates of stock to be issued.

SECT. 2. No change shall be made in the present number of shares in said capital stock; but new certificates, in shares of sixty dollars each, shall be issued to the respective stockholders entitled thereto, upon their surrender of the certificates held by them.

Rights, &c. to continue as at present, until, &c.

SECT. 3. From and after the time when the said certificate of said commissioners shall have been made and delivered as aforesaid, all the rights, duties and liabilities of said corporation