

will be in the Year of Our Lord one thousand, seven hundred and ninety seven, and shall have the same powers and Jurisdiction in all causes and matters, and all attachments made and bail given shall continue & have the same effect, and all returns shall be made, and all Officers, Jurors, Parties & Witnesses, shall attend in the same manner, as if the said Court had been duly and legally adjourned by proclamation from the first Tuesday of October aforesaid, to the first Tuesday of January aforesaid; any law, usage or custom to the contrary, notwithstanding.

Provided nevertheless, that all appeals which may be made from any Judgments rendered at the same Court to be holden as aforesaid, shall be made to the Supreme Judicial Court then next to be holden within & for the same County. And the Secretary is directed to cause this Act forthwith to be published in the Mercury, printed at Boston, and in the several Newspapers printed in the County of Essex. Proviso.

Approved November 22, 1796.

1796. — Chapter 27.

[November Session, ch. 3.]

AN ACT TO ALTER THE NAME OF SAMUEL HEWES.

Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, That from the passing of this Act, Samuel Hewes of Boston in the County of Suffolk, Merchant, son of Samuel Hewes, late of said Boston deceased, be and he hereby is authorized to take and use the Name of Samuel Hill Hewes, and that he be called and known by that name at all times hereafter. Name altered.

Approved November 24, 1796.

1796. — Chapter 28.

[November Session, ch. 4.]

AN ACT TO INCORPORATE JOHN BACON AND OTHERS FOR THE PURPOSES THEREIN MENTIONED.

Be it Enacted by the Senate & House of Representatives in General Court assembled, and by the authority of the same, That John Bacon, Daniel Rathbun, Jonathan Holly, Daniel Hall, Jabez Brooks, Samuel Dewey, Nathaniel Reddington, Thomas Becker, John Bacon junr. and Cyprian Branch, all of Richmond in the County of Persons incorporated.

Berkshire, and such other persons as are or may be associated with them be, and they & their Successors hereby are constituted a Corporation by the name of the Proprietors of the Aqueduct in Richmond for the purpose of conveying water by pipes into such parts of the said Town of Richmond as they may judge expedient ; *provided however*, that nothing in this Act contained shall authorize said Corporation to enter upon or use for that purpose the land of any Person without license therefor first had of the Proprietors of such land.

First Meeting.

Be it further Enacted, that any three of the persons above named may, by notifications to be posted at the respective dwelling Houses of Daniel Rathbun & Thomas Becker in said Richmond, call a meeting of the said proprietors to be holden in said Richmond at any suitable time, seven days at least after posting such Notifications. And the said Proprietors, by a major vote of those present or represented as is herein after provided at said Meeting, accounting one vote to each share, shall choose a Clerk, agree upon the mode of calling future meetings of the said Proprietors, and may also elect any other officers which to them may seem necessary for carrying into effect the object of their Incorporation. And the said proprietors, at the same or any subsequent me[et]ing of the Corporation, may enjoin and order fines & penalties for the breach of any of their rules & bye laws, not exceeding thirteen Dollars for any one breach. And all persons appearing at any of said meetings to represent any of the said proprietors, shall have therefor an appointment in writing signed by the person to be so represented, which shall be filed with or recorded by the Clerk of the Corporation, whose duty it shall be fairly & truly to enter & record in a book or books to be for that purpose provided & kept, this Act and all the rules & bye laws, votes & proceedings of the said Corporation : which book & books shall at all times be subject to the inspection of any person or persons for that purpose appointed by the Legislature. And the Clerks of the said Corporation shall be sworn by a Justice of the Peace of the said County of Berkshire, to the faithful discharge of the duties of their office.

Clerk.

Fines.

Proxies.

High Ways
may be dug up.

Be it further Enacted that the said Proprietors be and they hereby are authorized to enter on & dig up any high way or town road, for the purpose of placing such pipes as may be necessary to complete said Aqueduct or of re-

pairing the same when requisite : *provided* they in no case obstruct the passing of such persons as may have occasion to use such road or highway.

Be it further Enacted, that the mode of transferring shares in said corporate property, shall be by deed acknowledged before a Justice of the Peace and recorded by the Clerk of said Proprietors in a Book to be kept for that purpose. And when any share or shares in said property shall be attached on *mesne* process, an attested Copy of such process shall at the time of the attachment, be left with the Proprietor's Clerk : otherwise such attachment shall be void. And such shares may be sold on execution in the same manner as is or may be by Law provided for the sale of personal property by execution ; the Officer making the sale, leaving an attested Copy of the Execution & of his return thereon, with the Clerk of the Proprietors, within ten days after such sale.

To transfer Shares.

In case of Attachment.

Be it further Enacted, that any person injuring said Aqueduct, shall be subject to the same penalties as are provided in the second Section of the Act entitled, “ An Act for the more effectually preventing of Trespasses in divers cases,” passed the twenty third day of November, in the Year of our Lord one thousand, seven hundred & eighty-five ; and shall also be liable to make good all damages so done to the said Proprietors.

Penalties for injuring Aqueduct.

Approved November 24, 1796.

1796. — Chapter 29.

[November Session, ch. 6.]

AN ACT FOR INCORPORATING A RELIGIOUS SOCIETY IN NEWBURY PORT IN THE COUNTY OF ESSEX.

Be it enacted by the Senate and House of Representatives in General Court Assembled, and by the Authority of the same, that such of the Inhabitants of Newbury Port in the County of Essex as have lately formed themselves into a religious Society, and erected a house of Public Worship in said Newbury Port and do now usually attend the Public worship of God, and the instructions of the Revd. John Boddily their Minister in said house be and hereby are made and declared to be a body corporate and politic forever, by the name of the second Presbyterian Society in Newbury Port, and that they as also the proprietors of

Second Presbyterian Society incorporated.