

subsequent period, when the net resources of the company shall be sufficient for paying the same.

SECT. 5. The funds of the said corporation shall be invested in such purchases and loans as are permitted to savings banks, in the seventy-eighth and seventy-ninth sections of the thirty-sixth chapter of the Revised Statutes, and in the forty-fourth chapter of the acts of the year one thousand eight hundred and forty-one. The said company may hold real estate to an amount not exceeding ten thousand dollars, for the purpose of securing suitable offices for the institution.

SECT. 6. After providing for risks, losses, incidental expenses and dividends as aforesaid, the directors shall set apart one quarter of the estimated surplus funds and receipts as a reserved fund, to be applied to the redemption of the guarantee stock; and whenever, after the expiration of ten years from the time of organizing the company, the amount of such reserved fund shall be sufficient for the purpose, and the assured shall vote to redeem the said guarantee stock, the same shall be redeemed.

SECT. 7. Upon the redemption and extinguishment of the guarantee stock, under the provisions of the sixth section, the directors shall be chosen by the assured.

SECT. 8. At the expiration of every period of five years from the time of the organization of the company, the remaining three quarters of the estimated surplus funds and receipts shall be reimbursed to and among the assured, in proportion to the whole amount of premiums paid during the preceding five years.

SECT. 9. The said corporation shall, on the third Monday of January, in every year, pay over to the trustees of the Massachusetts General Hospital, one third of the net profits, if any, which shall have arisen from insurance on lives made during the preceding year. [*Approved by the Governor, May 15, 1851.*]

year may be made good subsequently.

Funds to be invested as by savings banks. R. S. ch. 36, &c.

May hold real estate, \$10,000.

One quarter of surplus funds shall be set apart for redemption of guarantee stock.

After ten years the guarantee fund shall be redeemed, if, &c.

The guarantee stock being redeemed, directors chosen by assured.

Every five years three quarters of surplus shall be reimbursed to the assured.

Third Monday of January, one third of net profits paid over to Trustees of the Massachusetts General Hospital.

An Act for the better Preservation of Municipal and other Records.

Chap 161.

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. It shall be the duty of the county commissioners of the respective counties, the city government of cities, and the selectmen of the several towns in this Commonwealth, to have all books of public record or registry, belonging to such counties, cities or towns, respectively, well and strongly bound, and other papers and documents duly filed and arranged in a careful and orderly manner

County commissioners, city governments and selectmen shall have all public records, bound, and other documents, &c., duly filed.

Shall provide suitable places for safe keeping, &c.

Shall provide security for worn and mutilated records, shall have copies taken, &c.

At whose expense. To be certified by clerk, &c.

Each clerk, register, &c., to have sole custody of all records, &c., except upon summons, &c.

Penalty, \$10.

All records and files open to inspection.

Carrying away, defacing or altering, &c., records, document, &c., penalty not exceeding \$50.

Proviso.

Records of ancient proprietors of townships and common lands, how vested and held.

convenient for examination and reference. They shall also provide, at the expense of the county, town or city, a suitable place for the safe keeping and preservation of the public records and other valuable documents, where they shall be deposited and securely kept.

SECT. 2. It shall be the duty of the county commissioners of the respective counties, the city government of cities, and the selectmen of the several towns of the Commonwealth, to provide for the particular security and preservation of all the records of their respective counties, cities and towns; and in cases where, from any cause, they have or may become worn, mutilated or illegible, it shall be their duty to have a fair copy of such records seasonably taken by competent and skilful transcribers, at the expense of the county, town or city, to be preserved in like manner as the originals, the same to be certified to be true copies from the originals by the clerk of such county, city or town.

SECT. 3. It shall be the duty of each clerk or register of any county, city or town in this Commonwealth, to keep all records and written documents in his sole custody, and in no case, except upon summons in due form of law, to have them, or cause or permit them to be removed or taken away, under a penalty, for each offence, not exceeding ten dollars.

SECT. 4. All county, city or town records and files shall be open to public inspection, under the direction of the officers having them in legal custody; and any person who shall be guilty of taking and carrying away any book of record, paper or written document, or of defacing, altering or mutilating the same, by mark, erasure, cutting or otherwise, shall forfeit and pay a sum not exceeding fifty dollars, to the use of the Commonwealth: *provided*, that any person may take copies of such records under the direction of the officer having the same in charge.

SECT. 5. The legal custody of the books of record and other documents of the ancient proprietors of townships or of common lands within the cities or towns of this Commonwealth, in case such proprietors shall have ceased to be a body corporate, shall, when not otherwise legally disposed of or provided for by such proprietary body before its dissolution, be vested and held to be in the clerk, for the time being, of the city or town in which such lands lie, if the same lie wholly in any one city or town, otherwise in the clerk, for the time being, of the city or town wherein is situated a larger portion of such lands than in any other city or town; and the said clerk

may make and certify any copies of such records in the same manner as the clerk of the proprietors may have done; and it shall be the duty of the clerk of any city or town to claim such proprietary records and papers, and any person unlawfully holding the same, who shall refuse, upon such demand, to surrender them, shall be punished by a fine not exceeding fifty dollars.

Copies, how furnished.

City and town clerks to claim such records, &c.

Penalty for refusing, not exceeding \$50.

SECT. 6. The commissioners of any county, the mayor and aldermen of any city, or the selectmen or overseers of the poor of any town in this Commonwealth, are hereby authorized, when the interests of such county, city or town shall so require, to have copies taken for the use of the said county, city or town, by a skilful and competent hand, at the expense of the said county, city or town, of any original records, or parts of the same, or of any papers or documents in the legal custody of any other county, city or town, which copies shall be certified to be true copies by the clerk of the county, city or town, from which they are taken, and shall be subject to the like control, care and regulations, as the other records and files of the county, city or town, for whose use they are taken.

City, county and town authorities may require to have copies taken, &c.

Copies shall be certified.

SECT. 7. Any county, city or town neglecting or refusing to fulfil the requirements of this act, or any one of them, shall forfeit and pay for each offence the sum of twenty dollars. Any county, city or town clerk neglecting or refusing to fulfil the requirements of this act, or any of them, shall forfeit and pay for each offence the sum of ten dollars.

Refusal by any county, city or town to comply, and penalty \$20 each offence.

SECT. 8. In case any church or religious society in this Commonwealth shall be dissolved, or cease to have a legal existence, and the care of the records and registries of such church or society shall not have been otherwise provided for in due form of law, it shall be the duty of the clerk of such church or society, or other person holding such records and registries, to deliver them into the custody of the clerk of the city or town in which such church or society was, who shall have authority to certify copies from the same, and in case of refusal to surrender the same upon due notice and demand by such clerk, the offender shall pay a fine not exceeding fifty dollars. [*Approved by the Governor, May 15, 1851.*]

When church records, &c., shall be placed in custody of clerks of cities, towns, &c.

Certified copies provided for.

Penalty for refusal, &c.

An Act providing for the appointment of Police Officers.

Chap 162.

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

The mayor and aldermen of the several cities and the selectmen of the several towns in this Commonwealth may,