

CHAP. CLI.

An Act to incorporate the President, Directors and Company of the Danvers 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 Squires Shove, Denison Wallis, Sylvester Osborn, William Sutton, and Ebenezer Shillaber, and their associates, successors and assigns, shall be, and hereby are, created a Corporation by the name of the President, Directors and Company of the Danvers Bank; and shall so continue until the first Monday in October, which will be in the year of our Lord one thousand eight hundred and thirty-one. And the said Corporation shall always be subject to the rules, restrictions, limitations, taxes and provisions, and be entitled to the same rights, privileges, and immunities, which are contained in an Act, entitled "An Act to incorporate the President, Directors and Company of the State Bank," a bank kept and established in the town of Boston, except as the same are so far modified or altered by this Act, as fully and effectually as if the several sections of said Act were herein specially recited and enacted. *Provided however,* that the amount of bills issued from said bank, at any one time, shall not exceed fifty per centum beyond the amount of the Capital Stock actually paid in.

Persons in-
corporated.

Proviso.

Capital stock

Manner of
paying in
shares.

SEC. 2. *Be it further enacted,* That the Capital Stock of the said Corporation shall consist of the sum of one hundred and twenty thousand dollars, divided into shares of one hundred dollars each; thirty-three and one third per centum of which shall be paid, in gold and silver, on or before the first day of July next, and the residue in two instalments of forty thousand dollars each, the first in six months and the second in twelve months after said first meeting, or at such earlier time or times, as the

Stockholders may direct at said meeting; and no dividend shall be made or declared on the capital stock of said bank, until the whole of said capital stock shall have been paid in, conformably to the provisions of this act. And the Stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of the said stock and the profits thereof, which, being entered in the books of the 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, tenements, and hereditaments, to the amount of six 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 on mortgage, or execution, to any amount as security for, or in payment of, any debts due to the said Corporation: *And provided further*, that no monies shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to sixty thousand dollars, nor until said capital stock actually in said vaults shall have been inspected and examined by three Commissioners, to be appointed by the Governor for that purpose, whose duty it shall be, at the expense of the Corporation, to examine the monies actually existing in the vaults, and to ascertain by the oath of the Directors, or a majority of them, that said capital stock has been bona fide paid in by the stockholders of said bank, and towards payment of their respective shares, and not for any other purpose, and that it is intended to remain

Transfer, &c
of Stock.

May loan

Proviso

Proviso.

therein as part of said capital, and to return a certificate thereof to the Governor.

Location. SEC. 3. *Be it further enacted*, That the said Bank shall be located and kept in the town of Danvers.

Shall loan to Commonwealth. SEC. 4. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money, which may be required, not exceeding ten per centum of the capital stock then 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 not exceeding five per centum per annum. *Provided however*, that the Commonwealth shall never stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum of their capital then paid in.

Meeting. SEC. 5. *Be it further enacted*, That any three of the persons named in the first section of this Act, are authorized to call a meeting of the members and stockholders of said Corporation, at such time and place as they may see fit to appoint, by advertising the same in the Salem Gazette, printed in Salem, for the purpose of making, ordaining, and establishing such by-laws and regulations for the orderly conducting the affairs of the said Corporation, as the stockholders shall deem necessary, and for the choice of a Board of Directors to consist of nine persons, and such other officers as they shall see fit to choose.

By-laws. SEC. 6. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision therefor by law, to subscribe, on account of the Commonwealth, a sum not exceeding one half part of the stock actually paid in, to be added to the Capital stock of said Corporation, subject to such rules, as to the management thereof, as shall be by the Legislature made and established.

Commonwealth may subscribe. SEC. 7. *Be it further enacted*, That in case the said Bank shall not be put into operation, according to the provisions of the Charter, within one year

from the passing of this Act, then the same shall be void.

SEC. 8. *Be it further enacted*, That the said Corporation shall be liable to pay any bona fide holder the original amount of any note of said Bank; counterfeited or altered in the course of its circulation, to a larger amount, notwithstanding such alteration, and shall also be holden to pay to any bona fide holder the amount of any note of said bank counterfeited, unless all the notes actually issued by said Corporation shall be printed or impressed with the stereotype plate.

Liabie to
pay, &c.

SEC. 9. *Be it further enacted*, That the capital stock of the said Bank shall not be sold or transferred, but be holden by the original subscribers thereof, for and during the term of one year from the passing of this Act.

Capital stock
shall not be
sold, &c.

SEC. 10. *Be it further enacted*, That the Cashier, before he enter upon the duties of his office, shall give bond with sureties to the satisfaction of the Board of Directors, in a sum not less than twenty thousand dollars, with conditions for the faithful discharge of his office.

[Approved by the Lt. Governor, February 26, 1825.]

CHAP. CLII.

An Act in addition to and for repealing the first Section of an act, entitled, "An Act directing the mode of making returns of the several incorporated Banks in this Commonwealth, to his Excellency the Governor, and the Honorable Council."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the first section