

*into a District by the name of Tyngsborough," the dividing line between said Town and district on the Southerly Side of said Town is so expressed as that doubts have arisen with respect to the same. — Therefore —*

SECT. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same,* that a line beginning at the southeast corner of said Town of Dunstable at a place fifty rods distant from John Cuming's house and fourteen rods west of a line drawn due south from said House from thence running south sixty three and a half degrees west forty rods, thence north eighty five degrees west one hundred & two rods, thence south twelve degrees east twenty four rods, thence north eighty two degrees west sixty rods, thence south thirty three degrees east thirty six rods, thence south sixty three & a half degrees west, three hundred and thirty rods, thence north twenty three degrees west two hundred & five rods, thence south twenty two and a half degrees west one hundred and seventy rods, thence south eighty degrees west one hundred and thirty rods, thence west five degrees south thirty three rods to Massapog Pond so called, thence South Sixty two degrees west to the line of the Town of Groton, shall be & hereby is established & ascertained as the dividing line between the said Town, and district on the Southerly side of said Town; and that all that territory which before passing said incorporating Act made a part of the Town of Dunstable and which lies to the Southward of said line and between the same and the Towns of Groton and Westford shall hereafter be and constitute a part of the district of Tyngsborough in the same manner & with the same duties and privileges arising therefrom as if the said dividing line had been described in said incorporating act as it is hereby established.

Boundaries.

*Approved January 29, 1798.*

### 1797. — Chapter 34.

[January Session, ch. 2.]

AN ACT TO INCORPORATE TOBIAS LORD, OLIVER KEATING, THACHER GODDARD, AND OTHERS, FOR THE PURPOSE OF KEEPING IN REPAIR A PIER AT THE MOUTH OF KENNEBUNK RIVER, AND TO GRANT THEM A DUTY FOR REIMBURSING THE EXPENCE OF ERECTING THE SAME.

*Whereas the building the Pier at the mouth of the Kennebunk River, has been found to be of great utility by*

rendering the passage in and out of said River less difficult and dangerous: and whereas the said Tobias Lord, Oliver Keating and Thacher Goddard, on behalf of themselves and associates, have petitioned this Court for an Incorporation:

Incorporating clause.

SECT. 1. *Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same*, that Tobias Lord, Oliver Keating and Thacher Goddard, together with such others as now are, or who hereafter may become Proprietors of the said Pier, be and they are hereby made and constituted a Body Politic and Corporate by the name of The Proprietors of the Kennebunk Pier; and by that name may sue and be sued to final Judgment and Execution, and may do and suffer all matters and things which Bodies Politic may or ought to do and suffer; and may have and use a Common Seal, and the same break and alter at pleasure.

Duty established.

SECT. 2. *Be it further Enacted*, that for the purpose of reimbursing the said Proprietors, the Money by them expended or to be expended in building and supporting said Pier, a duty upon the Tonnage of Vessels employe in foreign Trade, and a duty upon the licences of Vessels employed in the Coasting Trade and Fisheries, be and is hereby granted & established for the sole benefit of the said Proprietors not exceeding the rates following, vizt. Upon all registered Vessels passing out of said River, and bound to a foreign Port, five cents per ton, to be paid at the time of clearance, to the Collector of said proprietors for their use; and the sum of ten cents per ton per annum upon all Vessels owned in said river, employed in the coasting Trade and Fisheries to be paid said Collector at the time of granting or renewing the licences of said Vessels; and two cents per ton, upon all Vessels not owned in said River which shall come into the same for the purposes of Trade and Commerce.

Mode of calling first meeting.

SECT. 3. *Be it further Enacted* that said Tobias Lord, Oliver Keating and Thacher Goddard, or any two of them, may, by posting up Notifications in some public places in the Towns of Arundell and Wells, warn & call a Meeting of said Proprietors, to be holden at any suitable time and place after fourteen days from the posting up said Notifications. And said Proprietors by a majority of those present or represented at said Meeting (accounting and allowing one Vote to a single share in all cases; *pro-*

*vided* that no one Proprietor shall be allowed more than ten votes) shall choose a Clerk, who shall be sworn to the faithful discharge of his Office. And the said Proprietors shall also agree upon the method of calling future Meetings: and at the same, or any future Meeting, may elect such Officers, and make and establish such Rules and Bye-Laws, (not repugnant to the Laws of this Commonwealth or of the United States) as they may think necessary for the regulation of said Corporation. And the same Rules and Bye-Laws may cause to be executed, and may annex penalties to the breach thereof not exceeding ten Dollars. And all representations at any Meetings of the said Corporation, shall be proved by writing, signed by the person to be represented and filed by the Clerk; and all Rules, Regulations, Bye-Laws and Proceedings of the said Corporation, shall be fairly & truly recorded by the Clerk, in a book or books to be provided and kept for this purpose.

Officers to be chosen, and bye-laws made.

SECT. 4. *Be it further Enacted*, that any Proprietor's share or shares in said Pier, may be transferred by Deed duly executed and recorded by the Clerk of said Corporation; and when any share or shares of said Pier shall be attached on *mesne* process, an attested copy of such process shall be left with the said Proprietor's Clerk at the time of such attachment, otherwise the same shall be void.

Shares transferable and attachable.

SECT. 5. *Be it further Enacted* that the Duty herein granted to said Proprietors, shall commence at the expiration of twenty days after the Congress of the United States shall have consented thereto; and shall continue to be in force for the benefit of said Proprietors, their Heirs and Assigns, for the space of ten Years; subject then to be revised and altered by the Legislature of this Commonwealth; and said Pier shall be kept in good repair during the whole of said term.

Commencement and duration of the Duty allowed.

*Approved February 2, 1798.*

**1797.— Chapter 35.**

[January Session, ch. 3.]

AN ACT PRESCRIBING THE MODE OF TAKING DEPOSITIONS, AND ADMINISTERING OATHS AND AFFIRMATIONS.

SECTION 1. *Be it Enacted by the Senate & House of Representatives in General Court assembled and by the Authority of the same*, that when any Civil Cause shall be pending in any Court, or before any Justice of the Peace

Cases in which depositions are allowable.