

## 1802. — Chapter 123.

[January Session, ch. 85.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT TO INCORPORATE CERTAIN PHYSICIANS BY THE NAME OF THE MASSACHUSETTS MEDICAL SOCIETY."

*Whereas the Act, entitled, "An Act to incorporate certain Physicians, by the name of The Massachusetts Medical Society," has been found, in its operation, insufficient to effect the important and desirable purposes for which it was designed:*

Preamble.

SECT. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* that the Fellows for the time being of the said Massachusetts Medical Society, in any meeting or meetings, to be called and holden for the purpose, before the next annual meeting, shall have authority to elect into that Corporation, and to be Fellows thereof, such, and so many suitable persons, being Physicians or Surgeons, resident within this Commonwealth, as they shall see fit, any thing in the Act, to which this is in addition, to the contrary notwithstanding. *Provided,* that all persons, so elected, shall, within one year after such election, subscribe the Bye-Laws of the said Society, or otherwise declare, in writing, their assent thereto, or such election shall be void.

Society may elect as many fellows as they shall see fit.

SECT. 2D. *And be it further enacted,* that at the next annual meeting of the Fellows of the said Society, and afterwards at every annual meeting thereof, there shall be chosen, by ballot, in which any absent member may vote by his proxy, duly authorized in writing, so many Counsellors as the said Society shall, from time to time, judge necessary and expedient, who shall hold their Offices for the year next ensuing their election, and until another election of Counsellors in their place; and the Fellows, at their annual meetings, whenever such a number shall be present as the regulations of the Society may require, may revise, alter, enlarge, and repeal the Bye-Laws of the said Society, as the major part of the Fellows present may see fit, and not otherwise.

Counsellors to be chosen.

SECT. 3D. *And be it further enacted,* that the Counsellors of the said Corporation, and their successors after them, shall assemble and convene, three times in the year,

Meetings of the counsellors.

at such times and places, as the bye laws of the said Corporation shall hereafter direct: — *Provided*, that the first meeting be within thirty days after the annual meeting of the said Society, and the said Counsellors shall assemble and convene at any other times, as the bye-laws of the said Corporation shall hereafter direct, and whenever notified to convene by their presiding officer; and the meetings of the said Counsellors shall be held in the town of Boston, or as near thereto as may be, and at the said first meeting of the Counsellors, after the annual meeting of the said Society, the said Counsellors shall proceed to appoint, from among themselves, a President, and such other Officers of the said Corporation as are and shall be required in the Rules and Bye Laws thereof, to be so appointed; likewise five examiners or Censors, for the examination of all persons, who, having been Students in medicine and surgery, agreeably to the regulations of the said Society, shall offer themselves to be approved and licenced, as practising Physicians and Surgeons; and the said Counsellors, at any of the three stated meetings of the same, and only at those meetings, and after three months nomination of every candidate, and not otherwise, by a major vote of those present, may elect any suitable person or persons, to be a Fellow or Fellows of the said Society: *Provided*, that all practising Physicians and Surgeons, resident within this Commonwealth, who shall be so elected, shall, within one year after such election, subscribe the Bye-Laws of the said Society, or otherwise declare, in writing, their assent to the same, or such election shall be void; and all persons, not practising Physicians or Surgeons or not resident within this Commonwealth, who shall be so elected, may be deemed honorary members of the said society; and at any meeting of the said Counsellors, they may fill any vacant office, and perform any other duties, as the Bye-Laws of the said Corporation shall direct.

Examiners to  
be appointed.

Honorary  
members may  
be elected.

Meetings of  
examiners.

SECT. 4TH. *And be it further enacted*, that for the purpose of examining Candidates as aforesaid, three, at least, of the Examiners or Censors, who shall be appointed as aforesaid, shall be convened in the town of Boston, on the Thursday next preceeding the annual meetings of the said Society, and at such other times and places as the Bye-laws of the said Society shall direct; and every candidate who, upon examination, shall be approved by a

majority of the said Examiners, shall be entitled to Letters testimonial of their approbation, and of their licence, to such candidate, to become a practitioner in medicine or surgery, under the hands of the Examiners consenting thereto; and to such letters testimonial, the Seal of the said Corporation, shall be affixed by the President or Secretary, if any there shall be, with the signature of the same; and every person, who shall receive the said letters Testimonial, and such also as hereafter may be admitted to the Degree of Bachelor in Medicine at Harvard University, shall be entitled to the use of the Libraries of the Society, under such restrictions as the Councillors may direct; and after three years approved practice in Medicine and Surgery, and being of good moral character, and not otherwise, shall, upon application and subscribing the Bye Laws as aforesaid, be admitted a member of the said Corporation while a resident Practitioner of medicine or surgery within this Commonwealth.

Letters testimonial to be given approved candidates.

SECT. 5TH. *And be it further enacted*, that the said Counsellors, upon the application of any five members of the said Society, may establish, within such Districts and portions of this Commonwealth, as they shall think expedient, Subordinate Societies, and meetings, to consist of the Fellows of the said Corporation residing within such Districts respectively, wherein the communication of cases and experiments may be made, and the diffusion of knowledge in Medicine and Surgery may be encouraged and promoted; and the Counsellors aforesaid, upon application from such subordinate societies, may appoint five examiners or Censors, within such Districts, who shall be authorised and impowered to examine such candidates for the practice of Physic and Surgery, as shall present themselves for such examination. And every candidate who, upon examination, shall be approved by a majority of the examiners or Censors aforesaid, shall be entitled to Letters Testimonial, in the same manner, as is provided in the fourth section of this Act. And the members of such Subordinate societies shall be holden to report to the Counsellors of the general Society, all such cases as may be selected for their importance and utility; and the said subordinate Societies shall be subject to the regulations of the general Society, in all matters, wherein the general Society, shall be concerned; and the said Subordinate Societies may appoint their own officers, and establish

Subordinate societies may be established.

Examiners may be appointed on application of subordinate societies.

regulations for their particular government, not repugnant to the bye-laws of the general society ; and shall be capable to purchase, and receive by donation, Books, Philosophical, and Chirurgical Instruments, or other personal property, and may hold and dispose of the same exclusively of any authority of the general Society.

Parts of former law repealed.

SECT. 6TH. *And be it further enacted*, that all matters and clauses, contained in the Act aforesaid, to incorporate certain Physicians by the name of the Massachusetts Medical Society, which are contrary to the purview of this act, shall be, and they hereby are repealed.

The Fellows exempted from military duty.

SECT. 7. *And be it further enacted*, That the Fellows of the said Corporation shall not be liable to be enrolled or mustered in the militia of this Commonwealth.

*Approved March 8, 1803.*

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1802. — Chapter 124.

[January Session, ch. 86.]

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE CAMBRIDGE AND CONCORD TURNPIKE CORPORATION.

Preamble.

*Whereas the highway leading from Cambridge, thro' Lexington, to Concord is circuitous, and the expence, of making, straitening and keeping the same in good repair is much greater than can be reasonably required of the said towns —*

Persons incorporated.

SECT. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, that Jeduthun Willington, John Richardson, Thomas Heald, Francis Jarvis, Charles Wheeler, William Wheeler, Jonas Lee, Richard Richardson, John Stearns, Benjamin Kendall, Thomas Clark, Peter Clark, Ephraim Flint, Ephraim Flint junr. Daniel Brooks, Leonard Hoar and Abiel Abbot, together with such others as may hereafter associate with them and their successors, be and they hereby are made a Corporation, by the name and style of The Cambridge & Concord Turnpike Corporation and by that name may sue and prosecute, and be sued and prosecuted, unto final judgment and execution, and shall have a common Seal, and exercise and enjoy all powers and privileges, which are usually given, and incident to similar corporations for making Turnpike roads : Begining at or near the dwelling house of Jonas Wyeth in Cambridge and from thence to

Corporate name.

Course of the road.