

SENATE No. 285.

Commonwealth of Massachusetts.

IN SENATE, May 4, 1869.

The Committee on Education, to whom was committed the petition of the Trustees of the Berkshire Medical Institution for authority to sell real estate and for other purposes; and also the petition of Thomas Colt and 129 other citizens of Pittsfield, and members of the Young Men's Association for an equitable division of said estate, have duly considered the same and report the accompanying Resolve.

Per order,

J. N. MARSHALL, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-Nine.

R E S O L V E

To authorize the Trustees of the Berkshire Medical Institution to sell certain Real and Personal Estate, and for other purposes.

Resolved, That the trustees of the Berkshire Medical Institution be and they hereby are authorized to sell and convey the real and personal estate of said institution, and, after paying its debts, to hold the remaining proceeds of such sale in trust, and pay the income thereof in equal shares to the Pittsfield Athenæum, formerly the Pittsfield Library Association, and the Pittsfield Young Men's Association, until the incorporation and establishment, in Pittsfield, of the institution for literary, scientific and educational purposes, contemplated in the deed of trust under which the donations heretofore made by the late Calvin Martin, and Thomas F. Plunkett and Thomas Allen, are now held, and upon the incorporation and establishment of such institution, to pay over and transfer the principal of said fund to said contemplated institution for its use: *provided*, that the trustees of said Berkshire Medical Institution may, instead of selling the personal property of said medical institution, place any portion of the same in the custody of the said Pittsfield Young Men's Association, or the Pittsfield Athenæum, until the incorporation and establishment of said contemplated institution, to be then surrendered to said last named institution.