

<sup>2802</sup>  
FIRST ANNUAL REPORT

OF THE

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SECRETARY OF THE COMMONWEALTH

OF

MASSACHUSETTS

FOR THE

YEAR ENDING DECEMBER 31, 1892.-1919

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## Commonwealth of Massachusetts.

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*To the Honorable Senate and the House of Representatives.*

I have the honor to submit, in accordance with section 2, chapter 262 of the Acts of 1892, the first annual report of the transactions of this office during the year ending with the last day of December, 1892.

The duties of the Secretary of the Commonwealth are many and various. There are nearly three hundred paragraphs of the statutes in which they are prescribed. It is not deemed necessary or advisable, therefore, to go into the minor business of the office, but to give a concise account of such matters as are of public interest or importance.

The office force for the year consisted of twenty-eight clerks and two messengers. Of the clerks, eight were employed in the compilation of the Revolutionary rolls, — a temporary service, which will terminate before the close of the present year.

The correspondence was voluminous, as usual, comprising about thirty thousand letters and other communications.

### RECEIPTS AND EXPENSES.

The receipts from fees, etc., amounted to \$56,242.03, and were from the following sources: —

Commissions, . . . . .		\$8,210 00
Corporation certificates, . . . . .		21,170 93
Limited partnerships, . . . . .		49 00
Licenses, . . . . .		24,516 50
Sale of books, etc., . . . . .		664 70
Miscellaneous { certificates, . . . . .	\$670 00	
{ Revolutionary records, . . . . .	376 00	
{ copies, . . . . .	584 90	
	1,630 90	

These fees were paid into the treasury monthly, as required by law.

The expenses were \$28,681.42, of which \$25,305.88 was for salaries, showing a balance of \$27,560.61 in favor of the office.

I have not included in this statement of expenses the publication of the Revolutionary rolls, nor the publication of the early laws, both of these being of a special and temporary character.

#### COMMISSIONS.

The number of commissions issued was 1,844, of which 199 were without fee. The different classes were as follows :—

Justices of the peace, . . . . .	1,265
Notaries public, . . . . .	327
Trustees, commissioners, etc., . . . . .	136
Massachusetts commissioners in other States, . . . . .	30
District police, . . . . .	18
Justices of the peace to issue warrants and take bail, . . . . .	12
Commissioners to qualify civil officers, . . . . .	11
Justices and special justices, municipal, district and police courts, . . . . .	11
Clerks of courts, . . . . .	10
Trial justices, . . . . .	10
Masters in chancery, . . . . .	9
Pilots, . . . . .	3
Associate justices superior court, . . . . .	2

Certificates to the number of 2,948 were issued, of which 268 were without fee.

#### CORPORATION DIVISION.

The total number of charters issued under general laws to new corporations was 509, classified as follows :—

Manufacturing and mercantile corporations (under P. S., chap. 106, sect. 21), . . . . .	244
Religious, charitable, social, educational, musical, athletic, etc., corporations (under P. S., chap. 115, sect. 4), . . . . .	175
Fraternal beneficiary corporations (under Acts of 1888, chap. 429, as amended), . . . . .	38
Churches (under Acts of 1887, chap. 404), . . . . .	34
Co-operative banks (under P. S., chap. 117), . . . . .	7
Street railway corporations (under P. S., chap. 113), . . . . .	6
Life and casualty insurance corporations (under Acts of 1890, chap. 421), . . . . .	2
Swine-slaughtering corporation (under P. S., chap. 106, sect. 21, and chap. 107, sect. 1), . . . . .	1
Railroad corporation (under P. S., chap. 112), . . . . .	1
Mutual insurance company (under Acts of 1887, chap. 214), . . . . .	1

The number of miscellaneous certificates filed and recorded was 2,481. Of these, 1,651 were certificates of condition (under section 54, chapter 106 of the Public Statutes); 244 were certificates of organization of manufacturing and mercantile corporations; 175 of religious, charitable and other organizations (under chapter 115 of the Public Statutes); 207 were certificates of payment of capital in manufacturing and mercantile corporations (under chapter 106 of the Public Statutes); and the remainder were distributed among eighteen different classes.

The number of miscellaneous certificates filed and not recorded is 582, of which 572 were certificates of condition of foreign corporations, and the remainder were divided among four other classes.

There were issued 15 certificates of change of name of corporations.

Returns were received of the dissolution of 40 corporations by the supreme judicial court.

Details of all these statistics appear in the Abstract of Corporations, published by this office (Public Document, No. 10).

Limited partnership certificates to the number of 50 were filed and recorded.

There are in this office 105 volumes, containing in round numbers 50,000 certificates, filed under general laws, dating from 1851 to the present time, to which there is no general index. The need of such an index becomes more and more urgent year by year. There are also many papers referring to corporations created by special acts, and the general index should cover these also. I recommend an appropriation of \$1,200 for this purpose.

Chapter 115 of the Public Statutes provides for organizations for religious, charitable, social, educational, musical and athletic purposes, etc. Chapter 439 of the Acts of 1890 provides that, before the Secretary of the Commonwealth shall issue a charter under chapter 115 of the Public Statutes, he shall make inquiry, through the selectmen of the town or the mayor and aldermen of the city, as the case may be (and in the city of Boston of the Board of Police), as to "whether any of the proposed incorporators have

been engaged in the illegal selling of intoxicating liquors, or in keeping places or tenements used for the purpose of illegal gaming, or whether they have been engaged in any other business or vocation prohibited by law." This provision is mandatory, and nothing is left to the discretion of the Secretary. An inquiry of this kind, in such cases as that of the application of George F. Hoar and others to be incorporated as the St. Wulstan Society of Worcester, for holding and administering a legacy for the promotion of art and education; that of Francis A. Walker, John C. Ropes and others for incorporation as the Military Historical Society of Massachusetts; and in other cases where the incorporators are men whose high character and standing are universally known, is unnecessary and embarrassing. I recommend, therefore, that the law be amended, so that the Secretary may exercise discretion in such cases.

The act of 1890 referred to provides, also, whenever any person connected with any club or organization, under chapter 115 of the Public Statutes, is convicted of illegal traffic or gaming upon the premises of the club, that the Secretary shall, upon receipt of notice to that effect, declare the charter of the club void. Several cases have occurred in which charters were found in gambling houses, upon which descents were made by the police; but the guilty parties having fled, there was no conviction, and the charters remain in existence. I suggest that this law be amended so that a charter can be declared void upon evidence satisfactory to the Secretary of the Commonwealth that it has been used to cover an illegal business.

#### REGISTRATION DIVISION.

The returns of births, marriages and deaths from the various cities and towns, for the year 1891, which were received in 1892, aggregate 63,004 births, 21,675 marriages and 45,000 deaths, making the total number of entries 129,679. These returns, together with those of the medical examiners, covering 1,840 deaths, and the returns by the clerks of the courts of the decrees of divorce, numbering 818, are compiled and presented in the fiftieth Registration Report.

About 300 certificates of records of births, marriages and deaths were issued, principally for use in State aid and pension claims.

The present indexes to these registration returns, for the period between the years 1841 and 1880, are so poorly written and imperfect as to be practically worthless. In the decision of questions of legitimacy, of legal settlements in towns, in authenticating the claims of soldiers or their families upon the government, and in securing the identification of their wives or relatives, for which purposes the records are much consulted, the value of a perfect index cannot be overestimated.

A complete alphabetical index of these returns, properly classified and arranged, in five or ten year periods, should be begun at once. The number of names is about 3,200,000, and the cost of an index is estimated at \$27,000. The work can be conveniently done in about three years. I recommend an appropriation of \$10,000 for the present year.

#### ARCHIVE DIVISION.

The work in the archive division, besides the special duty of compiling the Revolutionary rolls, has been principally on a mass of miscellaneous papers numbering about 50,000. These papers are unarranged and somewhat heterogeneous. I propose now to arrange all of them, and make a careful and comprehensive card index. This card index it is proposed to extend ultimately to cover the entire body of the archives. At present, the indices to the archives are irregular and without approach to uniformity.

In order to prosecute this work with proper energy and despatch, an addition of \$2,500 to the regular appropriation of \$5,000 will be necessary for the present year, and I recommend that such an appropriation be made. This plan is adopted after careful consideration by the Secretary of the Commonwealth and the commission, consisting of Dr. Samuel A. Green, Mr. Justin Winsor, Mr. William P. Upham and Augustus E. Scott, Esq., appointed, under a resolve of the Legislature, to advise the Secretary on all matters relating to the preservation of the archives.

The commission has voted, also, to advise the Secretary to apply to the Legislature for an appropriation to purchase, for addition to the Revolutionary rolls, at an expense of \$200, a collection of some five hundred muster rolls, and other papers, containing evidence of records, offered by Col. Samuel A. Drake. None of these papers or rolls are at present in the archives, and the price named is deemed reasonable. I recommend the appropriation.

#### REVOLUTIONARY ROLLS.

By chapter 100 of the Resolves of 1891, the Secretary was directed to prepare an indexed compilation of the records of the Massachusetts soldiers and sailors who served in the army or navy during the Revolutionary war, as shown in the archives in this office, and publish it in book form.

This work has been prosecuted vigorously during the year, and the transcription of the names from the rolls, and other papers, is substantially complete. In round numbers, 500,000 cards have been written, each containing a separate record of evidence of service, and the copy will soon go to the printer. It is expected that the publication will be ready for delivery within a year.

It is a matter of congratulation that these cards have been prepared, as it will no longer be necessary to subject many invaluable original papers to further wear and risk of destruction.

#### EARLY LAWS.

By chapter 104 of the Resolves of 1889, the Secretary is directed to cause to be collated, indexed and published, in a style similar to that in which the "Blue Books," so called, are now published, all the acts and resolves of the General Court, from the adoption of the Constitution to the year 1806. This work has been in progress since the passage of the resolve, and already three volumes have been published, covering a period of six years, from 1780 to 1785 inclusive. The fourth volume, 1786-87, is now in process, and will be published some time during the current year. This work is not merely a reprint, but contains acts never before published, and many resolves which have but recently been discovered in the archives.

## DOCUMENT DIVISION.

There were printed, under the direction of this office, during the year, in the Public Document series (numbering forty-five different reports) 144,250 volumes. Of this number, 84,874 copies were handled and distributed in the document division, being supplied to cities and towns, public officers, free libraries, and to the public, and also in exchange, to State and territorial libraries.

In addition to the Public Document series, there were printed, received and distributed 25,000 copies of the pamphlet edition of the laws, 7,500 copies of the Blue Book edition of the laws, and there were received and distributed 1,500 copies of the Manual of the General Court, 904 copies of the term reports and 600 copies of the Senate and House journals, making a grand total of 120,378 volumes which passed through the document division during the year.

## HAWKERS' AND PEDDLERS' LICENSES.

There were issued to hawkers and peddlers, under the provisions of chapter 68 of the Public Statutes, 1,867 licenses. Of these, 458 were for the State, 697 for counties, 456 for cities and towns, and 256 for cities and towns in which the applicant resided and paid taxes upon his stock in trade.

The number of licenses transferred was 196. There were also issued 793 special State licenses, free of charge, to soldiers and sailors resident in this Commonwealth, who served in the army or navy during the war of the Rebellion, and 38 special State licenses, also free, to persons seventy years of age or upward.

The number of State licenses issued to itinerant vendors, under the act of 1890, was two, of which one is still in force.

## RETURNS UNDER THE "LOBBY LAW."

By chapter 446 of the Acts of 1890, as amended by chapter 223 of the Acts of 1891, all employers of legislative counsel or agents, whose names appear upon the legislative docket in the office of the Sergeant-at-Arms, are required to render to the Secretary of the Commonwealth a full, complete and

detailed statement of all expenses paid or incurred by them in connection with said employment. In 1892 there were 246 entries upon this docket. Only 224 returns were received at this office. Of those received, it became the duty of the Secretary to transmit 36 to the Attorney-General for his information, 10 of them being irregular or defective, and the others being received after the expiration of the time limit. All of the 22 delinquent cases were also reported to the Attorney-General, as required by law.

#### ELECTIONS.

All statements and suggestions referring to elections appear, as required by law, in connection with the Returns of Assessed Polls, Registered Voters, etc. (Public Document, No. 43.)

Under the provisions of chapter 416, Acts of 1892, entitled "An Act to prevent corrupt practices in elections and to provide for publicity of election expenses," 805 returns were received from city and town clerks and placed on file.

#### INSOLVENCY RETURNS.

Under the provisions of section 143, chapter 158 of the Public Statutes, the return of 607 cases of insolvent debtors was received in 1892 from the several judges of the courts of insolvency, and entered in this office conveniently for reference.

#### NATURALIZATION RETURNS.

Under the provisions of section 5, chapter 345 of the Acts of 1885, returns were received of 2,790 persons who were naturalized before the various courts in this Commonwealth, indexed and bound in form convenient for reference.

#### CHANGE OF NAMES.

The return of 304 names changed as decreed by the several judges of the probate court in their respective counties were received and published in the Blue Book, in compliance with the requirements of section 14, chapter 148 of the Public Statutes.

## RETURN OF SURVEYOR-GENERAL OF LUMBER.

The return of the Surveyor-General of Lumber, under section 5, chapter 63 of the Public Statutes, as amended by chapter 159 of the Acts of 1890, of the various kinds and quantities of lumber surveyed, the person making the survey, and the amount of fees received by him and his deputies, was received and filed.

## RETURN OF INSPECTOR-GENERAL OF FISH.

The return of the Inspector-General of Fish, under section 41, chapter 56 of the Public Statutes, of all fish inspected by him and his deputies, was received and published in the "Boston Daily Advertiser."

## SPECIAL REPORTS.

The special reports in the Public Document series which the Secretary of the Commonwealth is now required by law to make are four in number, namely: Returns of Births, Marriages and Deaths, etc. (Public Document, No. 1); Aggregates of Polls, Property, Taxes, etc., as assessed May 1, throughout the Commonwealth (Public Document, No. 19); Returns of Assessed Polls, Registered Voters and Persons who voted at the Several Elections during the Year (Public Document, No. 43); and the Abstract of Certificates of Corporations (Public Document, No. 10). It is, therefore, unnecessary in this report to do more than refer to these documents.

Under the provisions of section 5, chapter 100 of the Public Statutes, the returns were received of the number of liquor licenses issued in the Commonwealth, the amount received for the same, and the vote on the question of granting said licenses, from the several cities and towns. By an order of the Legislature, an abstract of these returns has been presented to the Legislature each year.

Under the provisions of sections 25 and 26 of chapter 25 of the Public Statutes, the returns made by the sheriffs of the several counties of all moneys received by them from all

sources, by virtue of their office, and the number of days they have attended upon a court of record and upon the county commissioners, were received, compiled, and transmitted to the Legislature.

The returns of the registers of deeds in the several counties, under the provisions of sections 30-32, chapter 24 of the Public Statutes, of the whole number of deeds and other instruments recorded by them during the year, and the amount of fees received, etc., were received, an abstract made, and transmitted to the Legislature.

Each of the foregoing reports, namely, the liquor licenses, returns of the sheriffs, and returns of the registers of deeds, was printed as a House document.

I suggest, for the consideration of the Legislature, whether it would not be better to incorporate these returns in the annual report of the Secretary, and lay them before the Legislature in print, in that manner.

Very respectfully,

WILLIAM M. OLIN,

*Secretary of the Commonwealth.*