

land of Oliver Morse & John Ellis, thence Easterly on the North line of said Morse's & Ellis's land to the brook first mentioned, be, & hereby are incorporated into a Common & General Field, & the owners thereof are invested with all powers & privileges which the owners of Common & General Fields are or may be invested with by Law.

Common field incorporated.

Approved June 22, 1793.

1793. — Chapter 19.

[May Session, ch. 19.]

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT TO PREVENT DAMAGE BY HORSES GOING AT LARGE.

Whereas the same damage which arises from horses going at large is frequently done by Asses, and Mules, and Whereas the Act made in February one thousand seven hundred and Eighty nine to prevent said damage by horses is confined only to horses and horse kind —

Preamble.

Be it Enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same — That the said Act, and every clause and part thereof shall extend to Asses, and Mules, and that the same proceedings shall be had with respect to them, as are provided in the said Act with respect to horses.

Former act extended.

Approved June 22, 1793.

1793. — Chapter 20.

[May Session, ch. 20.]

AN ACT FOR INCORPORATING CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER SHEEPSCOTT RIVER IN THE COUNTY OF LINCOLN & FOR SUPPORTING THE SAME.

Whereas the erecting a Bridge over Sheepscott River above the falls at Averill's ferry between the towns of Pownalborough & Newcastle in the County of Lincoln will be of great public convenience — And whereas David Sylvester Esqr. & others have presented a petition to this Court praying that they, & such as may associate with them, may be incorporated for the purpose of building the same with power to collect reasonable toll for their compensation.

Preamble.

Be it therefore enacted by the Senate & House of Representatives in General Court assembled & by the authority of the same, that the said David Sylvester, John Page & Timothy Parsons, with such other persons as may hereafter associate with them for that purpose, be & they hereby are

Persons incorporated.

Their name & power.

May have a common seal.

Meeting of the Proprietors, how called.

To choose a Clerk and transact other business.

Proviso.

Acts and proceedings to be recorded.

Bridge may be erected with a draw & piers.

made & constituted a corporation & body politic, for the purpose aforesaid by the name of the proprietors of Sheepscott river bridge & by that name may sue & be sued to final judgment & execution, & do & suffer all matters acts & things which bodies politic may or ought to do or suffer, & the said corporation shall and may have & use a common seal, & the same may break & alter at pleasure.

And be it further enacted by the authority aforesaid that the said David Sylvester, John Page & Timothy Parsons or any two of them, may by advertisement in any of the News-papers printed within the district of Maine warn or call a meeting of the proprietors, to be holden at any suitable time & place after thirty days from the first publication of the said advertisement, and the proprietors by a vote of a majority of those present or duly represented at the said meeting, accounting & allowing one vote to & for each single share, in all cases, (*provided however* 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 said Office; and shall also agree on a method of calling future meetings, & at the same or a subsequent meeting or meetings, may elect such Officers & make & establish such rules & bye laws as to them shall seem necessary or convenient for the regulation & government of the said corporation, for carrying into effect the purpose aforesaid & for collecting the toll hereinafter granted & established; & the same rules & bye laws may cause to be executed, & may annex penalties to the breach thereof not exceeding thirty shillings, *provided* the said rules & bye laws be not repugnant to the Constitution or Laws of this Commonwealth; & all representations at any meeting of the said Corporation shall be filed with the Clerk; and this Act & all rules, bye laws, regulations & proceedings, shall be fairly and truly recorded by the said Clerk in a Book or Books to be provided & kept for that purpose.

And be it further enacted by the authority aforesaid that the said proprietors be & they are hereby permitted & allowed to erect a bridge over Sheepscott River at Averill's ferry aforesaid, with a convenient draw for the passing of Vessels at least twenty eight feet wide which draw shall be lifted for all vessels without toll or pay during day light in each day; And there shall be provided & built by the said proprietors a suitable wharf or

pier for the accommodation of all vessels intending to pass the aforesaid draw. And all vessels intending to pass the said draw shall lay free of charge at the wharf or pier, untill a suitable time shall offer for passing the said draw, and the said proprietors shall constantly keep some suitable person or persons, at the said bridge for raising such draw for the purpose of letting vessels pass through the same. And for the purpose of reimbursing them the money by them to be expended in building & supporting such bridge, it is hereby *further enacted by the authority aforesaid*, that a toll be & hereby is granted & establish'd for the sole benefit of the said proprietors according to the rates following, *vizt.* for each foot passenger two pence, for each horse & rider sixpence; for each horse & chaise, chair or sulkey one shilling; for each riding sleigh, drawn by one horse eight pence; for each riding sleigh drawn by more than one horse one shilling; for each Coach, Chariot, Phaeton or other four wheel carriage for passengers one shilling & eight pence; for each Curricule one shilling; for each cart sled sleigh or other carriage of burthen drawn by more than one beast nine pence; for each horse without a rider & for neat cattle three pence each; for sheep & swine six pence pr. dozen; And one person & no more shall be allowed to each team as a driver to pass free of toll; and at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open; & the said toll shall commence on the day of the first opening of the said bridge for passengers & shall continue for the term of seventy years from said day — & at the place where the toll shall be received, there shall be erected & constantly exposed to open view, a sign or board with the rates of toll of all tollable articles fairly & legibly written or painted thereon in large or capital Letters.

Toll establish'd.

Rates of.

Sign board to be erected.

And be it further enacted by the authority aforesaid, that the said bridge shall be well built with suitable materials at least twenty four feet wide & well covered with planks with sufficient rails on each side, & boarded up eighteen inches high from the floor of said bridge for the safety of passengers travelling thereon, & the same shall be kept in good, safe & passable repair, at all times, and at the expiration of the term hereby granted to the said proprietors in such bridge the same bridge shall be delivered up to the Commonwealth in good & passable repair.

Bridge to be built with good materials, and kept in repair.

Limited time
for building.

And be it further enacted by the authority aforesaid, that if the said proprietors shall neglect for the space of three years from the passing this Act to build & erect said bridge then this Act shall be void & of no effect.

Approved June 22, 1793.

1793. — Chapter 21.

[May Session, ch. 21.]

AN ACT FOR INCORPORATING JAMES SULLIVAN ESQUIRE & OTHERS BY THE NAME AND STYLE OF "THE PROPRIETORS OF THE MIDDLESEX CANAL."

Preamble.

Whereas James Sullivan Esqr. and others have petitioned to be incorporated for the purpose of cutting a Canal from the waters of Merrimack River into the waters of Medford River; And whereas it is represented that sundry persons are ready to raise funds sufficient for the purpose of opening the same Canal;

Persons incor-
porated.

Be it therefore enacted by the Senate and House of Representatives in General Court assembled that the said James Sullivan, Oliver Prescott, James Winthrop, Loami Baldwin, Benjamin Hall, Jonathan Porter, Andrew Hall, Ebenezer Hall, Samuel Tufts junior, Aaron Brown, Willis Hall, Samuel Swan junr. & Ebenezer Hall junr. their Associates and Successors are hereby incorporated and shall be a Corporation forever under the name of the Proprietors of the Middlesex Canal and by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, and shall be, and hereby are vested with all the powers and privileges which are by Law incident to Corporations of a similar nature.

Justice em-
powered to call
a Meeting.

And be it further enacted by the authority aforesaid, That the said Proprietors or any three of them may make their application to any Justice of the Peace for the County of Middlesex, requesting him to call a meeting of the said Proprietors to be holden at some convenient place within the Town of Medford in the same County, whereupon such Justice is hereby empowered to issue his Warrant to one of said Proprietors directing him to warn and notify said Proprietors to meet at such time and place in said Town of Medford as he shall therein direct, to agree on such method as may be thought proper for calling meetings of said Proprietors for the future and to do and transact such matters and things relating to the said Pro-