

charges for transmitting despatches, according to the regulations of such company, owner, or association, shall transmit the same faithfully and impartially; and, for every wilful neglect or refusal so to do, the company, owner, or association, as the case may be, shall be liable to a penalty of not more than one hundred dollars, with costs of suit, to be recovered in the name and for the benefit of the person or persons, association, or company, sending, or desiring to send, such despatch.

Penalty for neglect.

SECT. 7. Any person who shall unlawfully and intentionally, injure, molest, or destroy, any of the lines, wires, posts, piers, or abutments, or any of the materials or property of such company, owner, or association, shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding two years, or both, at the discretion of the court having cognizance thereof.

Penalty for injuring, &c., any of the lines, wires, &c.

SECT. 8. Any railroad corporation, chartered by this State, may become a stockholder in a telegraph company, whose line of telegraph connects, or is to connect, two or more places, on the line of said railroad, to an amount not exceeding two hundred dollars for each mile of said railroad so connected.

Railroad corporations may hold stock in telegraph companies.

SECT. 9. Telegraphic corporations shall have all the powers and privileges, and be subject to all the duties, restrictions, and liabilities, set forth in the forty-fourth chapter of the Revised Statutes. [*Approved by the Governor, April 9, 1849.*]

General powers and duties.
R. S. ch. 44.

An Act concerning the Newburyport Railroad Company.

Chap. 94.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

1846, ch. 90.
1848, ch. 285.

The time specified for completing the Newburyport Railroad, as specified in the fourth section of an act, entitled "An Act to establish the Newburyport Railroad Company," passed on the eleventh day of March, in the year one thousand eight hundred and forty-six, is extended one year beyond the time fixed in said act. [*Approved by the Governor, April 9, 1849.*]

Time for completing road extended one year.

An Act to incorporate the Proprietors of the Lee Street Church, in Lowell.

Chap. 95.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

SECT. 1. James G. Carney, Jonathan White, Hazen Elliott, their associates and successors, are hereby made a corporation, by the name of the Proprietors of the Lee Street

Corporators.

Powers and duties. R. S. ch. 20, 44. Church, in Lowell; with all the powers and privileges, and subject to all the duties, restrictions, and liabilities, set forth in the twentieth and forty-fourth chapters of the Revised Statutes.

Estate. **SECT. 2.** Said corporation may hold real and personal estate, exclusive of their meeting-house and land sufficient for the accommodation of the same, the annual income of which shall not exceed two thousand dollars; *provided, however,* that the same be applied exclusively to parochial purposes.

Proviso. **SECT. 3.** This act shall take effect from and after its passage. [*Approved by the Governor, April 9, 1849.*]

Chap. 96.

An Act to incorporate the Trustees of the Smith Charities.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

Trustees named. **SECT. 1.** That Osmyn Baker, of Northampton, John Dickinson, junior, of Amherst, and Austin Smith, of Hatfield, who have been duly chosen trustees of the funds created, for charitable purposes, by the will of Oliver Smith, Esquire, late of Hatfield, deceased, by the towns interested therein, and their successors in said trust, are hereby made a corporation, by the name of the Trustees of the Smith Charities, for the purpose of managing said funds, and dispensing said charities with greater facility and security; with all the powers and privileges, and subject to all the restrictions and liabilities, set forth in the forty-fourth chapter of the Revised Statutes.

To manage funds under will of Oliver Smith.

Powers and duties. R. S. ch. 44.

Powers of corporation.

SECT. 2. Said corporation may hold all such notes, bonds, deeds, and certificates of stock, as may have been given or transferred to the trustees aforesaid, in their said capacity; and may sue, and recover upon the same, without any special or further conveyance or transfer thereof to the said corporation; and may hold real estate, if deemed necessary for the convenient management of their affairs, not exceeding twenty thousand dollars in value: *provided, however,* that real estate to any amount, which may be taken as security for, or in payment of, any debt due to said corporation, may be held and disposed of by said corporation.

Proviso.

Nothing herein to interfere with the provisions of the will.

SECT. 3. Nothing in this act contained, shall be construed as altering the mode of electing the trustees, which is provided in said will; nor as relieving such trustees from the obligation of giving bonds, as is therein required, or from any liability which they may incur by virtue of said bonds; nor as restricting, enlarging, or in any way chang-