

AN ACT TO AUTHORIZE THE DEDHAM WATER COMPANY AND THE  
 JAMAICA POND AQUEDUCT CORPORATION TO CONSOLIDATE OR TO  
 SELL WATER TO EACH OTHER. *Chap.*104

*Be it enacted, etc., as follows:*

SECTION 1. The Dedham Water Company and the Jamaica Pond Aqueduct Corporation, at meetings of their respective corporations called for the purpose, may, within two years from the passage of this act, by vote of a majority in number and in interest of the stockholders of each of said corporations who may be present and voting at said meetings respectively, agree to unite and consolidate the said corporations under the name of Union Water Company, upon such terms as may be mutually satisfactory, and such votes so passed by said corporations shall be effectual to unite and consolidate said corporations, and thereafter all the franchises and property, rights, easements, privileges and powers granted to or held by said Dedham Water Company or said Jamaica Pond Aqueduct Corporation shall be held and enjoyed by said Union Water Company in as full and ample a manner as if they had been at first granted directly to said last named corporation, and said Union Water Company shall thereafter be subject to all the duties, obligations, liabilities and restrictions to which either of said component corporations may have been subject in severalty at the time of union, and all proceedings, suits at law or in equity which may be pending, to which either component corporation shall be a party may be prosecuted or defended by the Union Water Company in like manner and with the same effect as if such union had not been made. All claims, contracts, rights and causes of action of or against either component corporation at law or in equity, may be enforced by suit or action to be begun and prosecuted by or against the corporation formed as aforesaid under the name of the Union Water Company. And said component corporations shall continue corporations for the purpose of prosecuting or defending any suit or proceeding at law or in equity, or otherwise, now pending. After the passage of said votes, said Union Water Company shall have the right to use, for any of its customers, water from the sources from which said component corporations are now authorized to take water, but not to an

The Dedham  
 Water Company  
 and the Jamaica  
 Pond Aqueduct  
 Corporation  
 may unite under  
 name of Union  
 Water Com-  
 pany.

extent beyond the limits of the charters of said component corporations respectively.

Meeting for organization.

SECTION 2. The first meeting of the Union Water Company, for organization, shall be called by the presidents of the component corporations or either of them, and seven days' notice of such meeting shall be given by publication in one newspaper in the city of Boston and in one newspaper in the town of Dedham; and at the meeting persons holding stock in either of the component corporations shall be entitled to vote upon such terms as have been previously agreed upon between such corporations. After the organization of said Union Water Company each of the component corporations shall continue for the purpose of perfecting said union, and doing all such acts and things, if any, as may be necessary therefor, and shall execute all such transfers, assignments and conveyances as the Union Water Company may deem necessary or expedient to vest in itself any property, estates, contracts, rights or claims, if any there be, which do not vest in it by virtue or authority of this act.

Union Water Company may issue new stock, if union is made.

SECTION 3. In case said union is made, the Union Water Company may issue new stock in lieu of the capital stocks of its component corporations, but its whole capital stock shall not exceed the authorized capitals of said component corporations; said new stock may be issued to stockholders of the component corporations upon such terms as may be mutually approved, and in order to equalize fractions of shares the Union Water Company may, if it elects, buy shares or fractions of shares from, or sell the same to, said stockholders upon such terms as the parties may approve, at not less than par. Said Union Water Company may at any time issue bonds to an amount not exceeding its capital stock.

May issue bonds.

Dedham Water Company may sell water to the Aqueduct Corporation.

SECTION 4. The Dedham Water Company may at any time sell to the Jamaica Pond Aqueduct Corporation, from the water which said Dedham Water Company is authorized to use, a supply of water for distribution by said Jamaica Pond Aqueduct Corporation to its customers.

SECTION 5. Nothing in this act contained shall affect or limit the rights of the town of Dedham, under chapter one hundred and thirty-eight of the acts of the year eighteen hundred and seventy-six, as amended by chapter twelve of the acts of the year eighteen hundred and eighty-two, to purchase the franchises and property of the

Dedham Water Company from it, or from the Union Water Company, but if said town of Dedham shall so purchase said franchises and property, it shall thereafter have the right to sell to the Jamaica Pond Aqueduct Corporation, or to the Union Water Company, from the water which it shall be authorized to use, a supply of water for distribution by said Jamaica Pond Aqueduct Corporation or said Union Water Company to its customers. This act shall give no right to any party to discharge water into Jamaica Pond.

SECTION 6. This act shall take effect on the first day of June in the year eighteen hundred and eighty-seven.

To take effect  
June 1, 1887.

*Approved March 24, 1887.*

AN ACT TO PROTECT THE FISHERIES IN THE TRIBUTARIES OF PLUM ISLAND BAY.

*Chap. 105*

*Be it enacted, etc., as follows:*

SECTION 1. No seine or net of any kind having a mesh of less than two and one-half inches shall be used in the waters of the tributaries of Plum island bay.

Size of mesh  
regulated.

SECTION 2. The catching of smelts in the waters mentioned in section one between the fourteenth day of February and the first day of June is hereby prohibited, and whoever sells or offers or exposes for sale or has in his possession a smelt so taken in these waters within said season shall be subject to the same penalties as are provided in section fifty-seven of chapter ninety-one of the Public Statutes.

Smelts not to be  
taken between  
February 14 and  
June 1.

SECTION 3. Whoever violates the provisions of section one of this act shall be subject to a fine of not less than five dollars or more than twenty dollars for each offence.

Penalty.

SECTION 4. One-half of the penalty collected under this act shall be paid to the person or persons making the complaint and the remainder to the Commonwealth.

One-half to  
complainant,  
the remainder to  
Commonwealth.

*Approved March 24, 1887.*

AN ACT TO AUTHORIZE THE TOWN OF WHITMAN TO TAKE BY PURCHASE A CERTAIN LOT OF LAND ADJOINING ITS PUBLIC PARK FOR THE PURPOSE OF ENLARGING SAID PARK.

*Chap. 106*

*Be it enacted, etc., as follows:*

SECTION 1. The town of Whitman may at any time within one year from the passage of this act take by purchase for the purpose of enlarging its public park, known

May purchase  
land for enlarg-  
ing its park.