

boats of at least twenty-five tons burden between the foot of Hunt's Falls and Newburyport.

SECTION 9. Said corporation is prohibited from transferring its charter and franchise, and from assigning the rights and privileges hereby granted. Transfer of charter prohibited.

SECTION 10. This act shall take effect upon its passage.

*Approved April 1, 1867.*

AN ACT TO INCORPORATE THE MARSHFIELD AGRICULTURAL AND HORTICULTURAL SOCIETY. Chap. 116

*Be it enacted, &c., as follows :*

SECTION 1. George M. Baker, Robert H. Moorehead, John Baker, their associates and successors, are hereby made a corporation by the name of the Marshfield Agricultural and Horticultural Society, and established in the town of Marshfield, for the encouragement of agriculture, horticulture and the mechanic arts, by premiums and other means, in the county of Plymouth ; with all the powers and privileges, and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or may hereafter be in force in relation to such corporations. Corporators.  
  
Privileges and restrictions.

SECTION 2. This act shall take effect upon its passage.

*Approved April 2, 1867.*

AN ACT TO INCORPORATE THE WORCESTER NORTH-WEST AGRICULTURAL AND MECHANICAL SOCIETY. Chap. 117

*Be it enacted, &c., as follows :*

SECTION 1. Joseph Cobb, John Kendall, Calvin Kelton, their associates and successors, are hereby made a corporation by the name of the Worcester North-West Agricultural and Mechanical Society, and established in the town of Athol, for the encouragement of agriculture, horticulture and the mechanic arts, by premiums and other means, in the county of Worcester ; with all the powers and privileges, and subject to all the duties, liabilities and restrictions set forth in all general laws which now are, or may hereafter be in force in relation to such corporations. Corporators.  
  
Location.  
  
Privileges and restrictions.

SECTION 2. This act shall take effect upon its passage.

*Approved April 2, 1867.*

AN ACT TO INCORPORATE THE LENOX WATER COMPANY. Chap. 118

*Be it enacted, &c., as follows :*

SECTION 1. Henry W. Taft, Andrew J. Waterman, William O. Curtis, their associates and successors, are hereby made a corporation by the name of the Lenox Water Company, for the purpose of supplying the inhabitants of Lenox with pure water ; with all the powers and privileges, and Corporators.  
  
Privileges and restrictions.

subject to all the duties, restrictions and liabilities set forth in all general laws which now are or hereafter may be in force relating to such corporations.

May hold real and personal estate.

SECTION 2. Said corporation may, for the purposes aforesaid, hold real and personal estate, not exceeding in amount forty thousand dollars; and the whole capital stock shall not exceed fifty thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock and shares.

Corporation may hold and convey into village of town certain waters, and hold land upon margins.

SECTION 3. Said corporation may purchase, hold and convey to, into and through the village of said town of Lenox, the water of any spring or springs or of any natural pond or ponds within said town of Lenox, and may take and hold real estate necessary for laying and maintaining aqueducts and reservoirs, and may purchase and hold land around the margin of any such spring or pond to an extent not exceeding one acre to each spring or pond so taken. Said company shall, within sixty days from the time of taking any lands, ponds or springs, as before provided, file in the office of the registry of deeds in the middle district of the county of Berkshire, a description of the lands, springs or ponds so taken, as certain as is required in a common conveyance of land, and a statement of the purpose for which taken, signed by the president of said company.

Shall file description in registry of deeds.

May make aqueducts, reservoirs and hydrants, and distribute water thro' town.

SECTION 4. Said corporation may make aqueducts from any sources above mentioned through any part of the town of Lenox, and may maintain the same by suitable works, may make reservoirs and hydrants, and may distribute the water throughout said town and village by laying down pipes, and may establish the rents therefor. And said corporation, for the purposes aforesaid, may enter upon and dig up any road, under the direction of the selectmen of the town of Lenox, in such manner as to cause the least hindrance to the travel thereon.

May open highways under direction of selectmen.

Damages sustained, how determined and recovered.

SECTION 5. All damages sustained by taking land, water or water-rights, or by making aqueducts, reservoirs or other works, shall be ascertained, determined and recovered, in the manner now provided by law in case of land taken for highways.

Penalty for malicious diversion or corrupting of water, or injury to works or property.

SECTION 6. Any person who shall maliciously divert the water, or any part thereof, of the sources which shall be taken by said corporation pursuant to the provisions of this act, or who shall corrupt the same, or render it impure, or who shall maliciously destroy or injure any dam, reservoir, aqueduct, pipe or hydrant, or other property held, owned or used by said corporation for the purposes of this act, shall pay three times the amount of actual damage to the said

corporation, to be recovered by any proper action ; and every such person, on conviction of either of the malicious acts aforesaid, may be punished by fine not exceeding one hundred dollars, and imprisonment not exceeding six months.

SECTION 7. The town of Lenox may at any time purchase or otherwise take the franchise of said corporation, and all its corporate property, at such price as may be agreed upon between the parties ; and in case the parties cannot agree upon the price, the supreme judicial court, or any justice thereof, upon application of either party, shall appoint three commissioners to award what sum said town shall pay for such franchise and its corporate property, which award shall be final.

Town may take franchise as may be agreed ; or as commissioners shall award.

SECTION 8. For the purpose of defraying the cost of such franchise and corporate property as shall be purchased for the purposes aforesaid, the town of Lenox shall have authority to issue, from time to time, notes, scrip or certificates of debt, to be denominated on the face thereof "Lenox Water Scrip," to an amount not exceeding fifty thousand dollars, bearing interest payable semi-annually, and the principal shall be payable at periods not more than twenty years from the issuing of the said scrip, notes or certificates respectively ; and said town may sell the same, or any part thereof, from time to time, at public or private sale, for the purpose aforesaid, on such terms and conditions as the said town shall deem proper. Said town is further authorized to make appropriations and assess from time to time such amounts not exceeding in any one year the sum of five thousand dollars, towards paying the principal of the money so borrowed, and also a sum sufficient to pay the interest thereon, in the same manner as money is assessed and appropriated for other town purposes.

May issue "water scrip," not exceeding \$50,000, payable in not more than twenty years.

May sell same.

May annually assess certain sum to pay principal and interest.

SECTION 9. In case the town of Lenox shall purchase the property, rights and privileges of the corporation hereby established, said town shall exercise all the rights, powers and authority, and be subject to all the restrictions, duties and liabilities herein contained, in such manner, and by such officers, servants and agents as the town shall from time to time ordain, appoint and direct. And said town shall be liable to pay all damages occasioned by the diversion of any water, or the obstruction of any stream, or the flowing of any lands for the purposes of said aqueduct, which shall not have been previously paid by said corporation.

Town purchasing franchise and property, may appoint officers to manage.

Shall be liable for damages not paid by corporation.

SECTION 10. This act shall take effect upon its passage.

*Approved April 2, 1867.*