

wharf, and to receive wharfage and dockage therefor: *pro-
 vided, however,* that this grant shall not be construed to ex-
 tend to any flats or land of this Commonwealth lying in
 front of the flats of any other person, or which would be
 comprehended by the true lines of such flats continued to
 the said commissioners' line; *and provided, also,* that so
 much of said wharf as may be constructed below low-water
 mark shall be built on piles, which piles shall not be nearer
 to each other than six feet in the direction of the stream,
 and eight feet in a transverse direction; and that this act
 shall in no wise impair the legal rights of any person or
 corporations whatever. [*Approved by the Governor, May 8,*
 1848.]

Proviso.

Proviso.

An Act in addition to "An Act to incorporate the Williamstown Water Com-
 pany."

Chap 281.

*BE it enacted by the Senate and House of Representa-
 tives, in General Court assembled, and by the authority of
 the same, as follows :*

SECTION 1. The Williamstown Water Company may
 take, hold, and convey to, into, and through, the north vil-
 lage in Williamstown, the water of Cold Spring, situated
 about one mile south-westerly from the north meeting-house
 in said town; also, the water from a spring situated on
 land occupied by Willard B. Sherman, about one mile
 north-westerly from the said meeting-house, and may take
 and hold real estate necessary for laying and maintaining
 aqueducts and reservoirs, and may take land around the
 margin of said springs, not exceeding three rods, measuring
 from the centre of the spring. Said company shall, within
 sixty days from the time of taking any lands or springs,
 file, in the office of the registry of deeds, in the northern
 district of the county of Berkshire, a description of the
 land and springs so taken, as certain as is required in a
 common conveyance of land, and a statement of the pur-
 pose for which taken, signed by the president of said com-
 pany.

*May take, &c.,
 the water of
 two springs,
 specified.*

*May take and
 hold real estate.*

*Description of
 springs and
 lands taken to
 be filed in reg-
 istry of deeds.*

SECTION 2. The said company may make aqueducts
 from the aforesaid sources through the north village in
 Williamstown as far as the Green River, and may maintain
 the same by suitable works; may make reservoirs and hy-
 drants, and may distribute the water throughout said vil-
 lage by laying down pipes, and may establish the rents
 therefor. And the said company, for the purposes afore-
 said, may enter upon and dig up any road, under the direc-
 tion of the selectmen of Williamstown, in such manner as
 to cause the least hindrance to the travel thereon.

Aqueducts.

*Reservoirs,
 hydrants, &c.*

*Power to dig
 roads, &c.*

SECTION 3. All damages sustained by taking land, water,
 or water-rights, or by making aqueducts, reservoirs, or
 other works, shall be ascertained, determined, and recov-

*Damages to be
 ascertained,
 &c., as in case
 of land taken
 for highways.*

ered, in the manner now provided by law in case of land taken for highways.

Penalty for malicious injury done to any of the company's property.

Three times amount of damage.

Fine and imprisonment.

SECTION 4. Any person who shall maliciously divert the water, or any part thereof, of the sources which shall be taken by the said company pursuant to the provisions of this act, or who shall corrupt the same, or render it impure, or who shall destroy or injure any dam, reservoir, aqueduct, pipe, hydrant, or other property, held, owned, or used, by the said company, for the purposes of this act, shall pay three times the amount of damage to the said company, 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. [*Approved by the Governor, May 9, 1848.*]

Chap 282.

An Act to increase the Capital Stock of the Western Railroad Corporation.

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

Capital stock increased not exceeding \$1,000,000.

Proviso, concerning branch railroads.

SECTION 1. The directors of the Western Railroad Corporation are hereby authorized to increase their capital stock, by an amount not exceeding one million of dollars, by adding thereto, from time to time, at their discretion, an additional number of shares, not exceeding ten thousand, of one hundred dollars each, and may dispose of the same at not less than one hundred dollars per share, as herein-after provided: *and provided*, that no branch railroad shall hereafter be constructed by this corporation without the previous assent of the legislature, unless the location thereof shall be filed with the county commissioners, according to law, within one year; and the construction of all branch railroads that have been, or may hereafter be located by said corporation, shall be completed within two years from the passage of this act.

Proceeds of new stock, how to be appropriated.

SECTION 2. The proceeds of said shares shall be appropriated for additional expenditures of construction of the road and its appurtenances, for engines and cars therefor, and for no other purpose. And said corporation shall continue annually to set apart, from the income of said road, the sum designated in the third section of "An Act to aid the construction of the Western Railroad," passed on the twenty-third day of March, in the year one thousand eight hundred and thirty-nine.

Proceedings before sale of new shares.

SECTION 3. Whenever the capital stock of said corporation shall be increased, as herein provided, the directors shall, before any sale of the new shares so created, give notice thereof, in writing, to the treasurer of the Commonwealth and the private stockholders, to be transmitted in such manner as the directors judge best; and said private