

Commonwealth, which has not been subscribed in pursuance of, & conformable to an act, entitled, “ An Act to provide for the debt of this Commonwealth ; ” & one other act, entitled, “ An Act for appropriating twelve thousand pounds, part of tax number Eleven to the payment of interest on the funded & consolidated debt of this Commonwealth, & for other purposes, ” be, & the same hereby is extended for the term of one year from the passing of this Act : — And the Treasurer of this Commonwealth is hereby authorized & directed to receive & admit subscriptions to the said loan, of all such species of the said Debt, as are in the said two Acts described, until the expiration of one year from the passing of this Act, in the same manner & on the same terms as are in the said two acts provided & established.

Treasurer  
authorized.

*Approved March 2, 1798.*

### 1797. — Chapter 73.

[January Session, ch. 39.]

AN ACT AUTHORIZING DANIEL GOULDING TO CONDUCT WATER IN SUBTERRANEAN PIPES FROM A CERTAIN SPRING IN HIS OWN LAND, WITHIN THE TOWN OF WORCESTER FOR THE ACCOMMODATION OF HIMSELF & SOME OTHER INHABITANTS OF THE SAID TOWN.

SECT. 1ST. *Be it enacted by the Senate & House of Representatives in General Court Assembled, & by the Authority of the same,* That Daniel Goulding of Worcester in the County of Worcester & his heirs & Assigns, be & they are hereby authorized & impowered to sink, place, renew, alter & repair from time to time as may become necessary such pipes or conduits of water from the said Spring to such of the Inhabitants of the said Town as the same may convene for the purpose of supplying them with water ; — And the said Goulding & his heirs or assigns are hereby authorized to place the said pipes in the land of such Proprietors as may by some proper instrument in writing grant him or them the privilege thereof, as also on & under such public highways, roads or land as may become necessary for the purposes aforesaid, & with the least inconvenience to the public.

Daniel Goulding  
authorized.

*Provided nevertheless* that the Selectmen of the said Town for the time being, may as they shall judge it expedient, for the purposes of extinguishing fire, or as a precaution, or a security against the calamitous effects thereof, & under such regulations as they may think reasonable from

Proviso.

time to time make and place Conductors to any part of the said pipes or conduits for the purpose of supplying water when necessary for the extinguishment of fires as aforesaid.

Penalty for  
injuring water  
works.

SECT. 2D. *And be it further enacted*, that if any person or persons shall destroy, displace, injure or remove said Water works, or any part thereof, or stop divert, draw, disturb, or soil the water running to, through, or issuing from any part of said water works without licence therefor, or shall be guilty of any trespass thereon, he shall be liable on conviction thereof in any Court of Record proper to try the same, on which trial this act may be given in evidence under the general issue, to pay to the party injured treble damages occasioned by such a trespass.

Travelling not  
to be impeded.

SECT. 3. *And be it further enacted* that nothing in this act shall be considered as an excuse for any unnecessary exposure, damage, delay, disturbance or inconvenience to passengers, carriages or cattle passing or repassing over any of said Highways or public land, but the same shall be considered as a Nuisance or Trespass in the same manner as if this Act had never been made.

*Approved March 2, 1798.*

### 1797. — Chapter 74.

[January Session, ch. 40.]

AN ACT TO PREVENT THE DESTRUCTION & TO REGULATE THE CATCHING OF THE FISH CALLED ALE-WIVES IN THE RIVERS AND STREAMS IN THE TOWN OF FALMOUTH IN THE COUNTY OF BARNSTABLE.

Fish committee  
to be appointed.

SECT. 1ST. *Be it enacted by the Senate & House of Representatives in General Court assembled And by the Authority of the same*—That the Town of Falmouth shall be & hereby are empowered and directed at their Meeting for the Choice of Town Officers in March or April Annually, to choose Five or more persons being Freeholders in the said Town, to see that this Act be duly observed; & each Person so Chosen shall be sworn faithfully to discharge the duties required of him by this Act. And the said Committee shall meet together Annually on or before the Thirtieth day of March at such place as they or a Majority of them shall appoint; And the Major part of the Committee present at such Meeting being not less

Their duty.