

channel in said river, and shall have the right to lay vessels at the sides and end of the same, and receive dockage and wharfage therefor: *provided*, that this act shall in no wise affect the legal rights of any persons or corporations whatever. [*Approved by the Governor, Feb. 28, 1845.*]

Provided, &c.

An Act to incorporate the Tremont Iron Company.

Chap. 88.

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. Charles L. Hayward, William Thomas, James T. Hayward, their associates and successors, are hereby made a corporation, by the name of "Tremont Iron Company," for the purpose of manufacturing iron in the town of Wareham, in the county of Plymouth; and, for this purpose, shall have all the powers and privileges, and be subject to all the duties, restrictions and liabilities, set forth in the thirty-eighth and forty-fourth chapters of the Revised Statutes.

Persons incorporated to manufacture iron in Wareham.

SECT. 2. The said corporation, for the purposes aforesaid, may hold real estate to the amount of fifty thousand dollars; and the whole capital stock of said corporation shall not exceed the amount of one hundred and fifty thousand dollars. [*Approved by the Governor, Feb. 28, 1845.*]

Real estate not to exceed \$50,000, and capital stock \$150,000.

An Act to authorize Thomas Tileston to extend his Wharf.

Chap. 89.

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

Thomas Tileston, proprietor of a certain wharf known as Tileston's wharf, situate and fronting on Broad street, in the city of Boston, is hereby authorized to extend and maintain said wharf, into the harbor channel, as far as the line established by the act entitled "an act to preserve the harbor of Boston and to prevent encroachments therein," passed on the nineteenth day of April, in the year one thousand eight hundred and thirty-seven, and shall have the right to lay vessels at the sides and end of said wharf, and to receive dockage and wharfage therefor: *provided*, that so much of said wharf as shall be erected under authority of this act shall be built upon piles, and that this act shall in no wise affect the legal rights of any persons or corporations whatever. [*Approved by the Governor, Feb. 28, 1845.*]

Wharf in Boston may be extended to a line. &c.

Provided, &c.

An Act to incorporate the Worcester Aqueduct Company.

Chap. 90.

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. The inhabitants of the Centre School District in the town of Worcester, in the county of Worcester, as

Centre School District in Worcester in-

incorporated to
construct an
aqueduct, &c.

the limits of said district are now defined, are hereby made a corporation, by the name of the Worcester Aqueduct Company, for the purpose of constructing and maintaining an aqueduct to conduct water from Bladder pond, in said town, to said district, for the extinguishment of fires within said district, and for other uses, with all the powers and privileges, and subject to all the duties, restrictions and liabilities, set forth in the forty-fourth chapter of the Revised Statutes, so far as the same are applicable to said corporation, and not inconsistent with the provisions of this act.

Call for organi-
zation of first
meeting.

SECT. 2. The first meeting of said inhabitants under this act, may be called by any justice of the peace for said county of Worcester, upon application in writing of any five of said inhabitants qualified to vote in town affairs, and he shall give written notice thereof, setting forth the time, place and purposes of said meeting, by posting said notice in at least six public places in said district, not less than seven days before the time of said meeting, and by publishing the same in one of the newspapers printed in said Worcester, before said meeting. Said justice shall preside at said meeting until a moderator is chosen.

Qualification of
voters.

SECT. 3. No person shall be allowed to vote at such meeting, or at any subsequent meeting of said corporation, except the inhabitants of said district qualified to vote in town affairs.

Election, duties,
&c. of clerk.

SECT. 4. Said corporation shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office, by the moderator in open meeting, or by a justice of the peace. He shall make a fair record of all votes passed at any meeting of said corporation, and certify the same when required, and shall hold his office until another clerk is chosen and sworn in his stead: *provided*, that any clerk may resign his office or be removed by vote of the corporation. At all meetings of said corporation a moderator shall be chosen, who shall have the same powers as the moderator of a town meeting.

Moderator at
meetings.

Call and organi-
zation of meet-
ings.

SECT. 5. Meetings of said corporation, after the first, shall be called by the clerk, whenever he shall be required in writing by the committee of managers, hereinafter provided for, or by ten of the inhabitants of said district qualified as aforesaid, and he shall give notice of every such meeting, by posting written or printed notifications thereof in at least six public places within said district, not less than seven days prior to the day of holding the same, which notifications shall contain a brief statement of the matters to be acted upon at said meeting. He shall also publish such notification, in at least one of the newspapers printed in said Worcester, before the day of said meeting. The clerk shall preside at such meetings until a moderator is chosen. In case of a vacancy in the office of clerk, meet-

ings shall be called in like manner by the committee of managers, who shall preside in his stead.

SECT. 6. Said corporation may, at any meeting called as aforesaid, vote to raise money for the accomplishment of the purposes contemplated by this act, and the clerk shall certify to the assessors of the town of Worcester aforesaid all sums of money which shall be voted to be raised as aforesaid, which sums shall be assessed upon the polls and estates of the inhabitants of said district, and collected by the officers of said town, in the same manner as the town taxes are assessed and collected, and shall be paid over by the collector of the town taxes to the treasurer of the town, who shall hold the same, subject to the order of the committee of managers aforesaid. The assessors, collector and treasurer of said town, shall have the same powers, perform the same duties, and be subject to the same liabilities, in reference to the assessment, collection and keeping the moneys voted by said corporation as aforesaid, as are provided in reference to the assessment, collection and keeping of moneys raised by towns, and may make abatements in the same manner.

Assessment and collection by town officers of taxes voted by the corporation.

SECT. 7. Said corporation shall choose, from time to time, a committee of five managers, who shall have the care, custody and management of the money raised as aforesaid, and other funds of the corporation, and shall expend the same in the manner prescribed by the bye-laws and votes of the corporation; and such committee shall be accountable to the corporation for all money so intrusted to them.

Custody and disposal of moneys by a committee of managers chosen by corporation.

SECT. 8. Said corporation may dig up and open any street or way in said town, for the purpose of placing such pipes, fixtures and other appurtenances of said aqueduct, as may be necessary for constructing, maintaining and managing the same: *provided*, that the convenient passing of teams and carriages is not prevented thereby, and that any injury thus done to any street or way shall be repaired by said corporation. Said corporation may also enter upon any lands, and lay, erect and maintain all such pipes, conductors of water, and other appurtenances of said aqueduct as may be necessary for the purpose aforesaid; and if any proprietor, or person interested in such land, do not agree with said corporation upon the price to be paid for such use of the same, such proprietor, or person interested, may have his damages assessed in the manner provided in the one hundred and sixteenth chapter of the Revised Statutes.

Corporation may open ways, and enter upon lands.

Provided, &c.

SECT. 9. Said corporation may purchase and hold real estate, for the purposes aforesaid, to the amount of ten thousand dollars in value.

Real estate not to exceed \$10,000.

SECT. 10. The inhabitants of said district shall be liable for all the acts, proceedings and contracts of said corporation, in the same way and manner, and by the same reme-

Liabilities of the district for acts of the corporation.

dies, as the inhabitants of towns are liable for the acts, proceedings and contracts of towns in their corporate capacity.

Penalties for defiling or corrupting the water.

SECT. 11. Any person who shall maliciously defile or corrupt the waters which supply said aqueduct, or shall maliciously injure said aqueduct, or any of its appurtenances, shall forfeit, for each offence, a sum not exceeding one hundred dollars, to the use of said town of Worcester, and shall also be liable to pay treble the amount of damages sustained by said corporation, to be recovered by them in an action on the case.

When to take effect.

SECT. 12. This act shall not take effect until the same is accepted at a meeting of the inhabitants of said district, called for that purpose, by a majority of those present and voting thereon. [*Approved by the Governor, Feb. 28, 1845.*]

Chap. 91.

An Act relating to the Fishway at Manning's Dam across Ipswich River.

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

Passage-way for fish to be made over a dam in Ipswich River,

SECT. 1. The owner or occupants of the dam erected by Thomas Manning, across Ipswich River, his assigns or successors, may construct, in the manner prescribed by the committee hereinafter named, a good and sufficient passage-way for the fish to pass over said dam up Ipswich River; and the said owner or owners shall keep said passage-way, or cause the same to be kept open, and in good repair, from the tenth day of April to the first day of June, annually, under a penalty not exceeding twenty dollars for each and every day they shall neglect so to do, to be recovered in any court of competent jurisdiction, to the use of the town which shall sue therefor.

and kept open annually, from April 10 to June 1.

Penalty of \$20 for each day's neglect.

Committee to direct construction.

SECT. 2. Solomon Davis, of Truro; Oliver Ames, of Easton; John Dunlap, of Provincetown; James Long, of Harwich; Josiah O. Lawrence, of Cohasset; Caleb Lombard, of Wellfleet; and Richard Stevens, of Truro; are hereby appointed a committee for the purpose named in the preceding section.

Repeal of former laws after construction.

SECT. 3. Whenever a fishway shall be constructed at said Manning's Dam, as ordered by the above committee, all former laws relating to fishways at said dam shall be repealed. [*Approved by the Governor, Feb. 28, 1845.*]

Chap. 92.

An Act to authorize the Fall River Whaling Company to extend their Wharf.

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

Wharf in Fall River may be

The Fall River Whaling Company are hereby authorized to extend and maintain their wharf, in the town of Fall