

Sec. 4. *And it further enacted by the authority aforesaid,* That all writs and other process, which may be brought against the said corporation, shall be served by leaving copies thereof with the Treasurer of said society, who shall always be a feme sole, and of the age of twenty one year.

Voted and Resolved, That five copies of the public laws of the State, be by the Secretary of State delivered to the Sheriff of each county, to be by him deposited in some secure place in the Court-house in each county, and there preserved; and that the Sheriffs cause the same to be safely kept therein.

5 copies of the laws to be deposited in each Court-house.

Resolved, That the Attorney-General be and he hereby is directed to examine the report of a committee, consisting of James Sheldon and Thomas Peckham, heretofore made to the General Assembly, relative to certain claims of the State against individuals, and that he report to this Assembly, as soon as may be, such of said claims as in his opinion are justly due to the State, and are recoverable by law.

Att'y. Genl. to report claims due to the State.

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## An Act to incorporate the Stockholders in the Newport aqueduct Company.

**W**HEREAS William Langley, Jesse Barlow, Moses Barlow, William S. N. Allen, Joseph Bofs, jun. Benjamin Waite Cafe, Elisha Cafe, Robert M. Ambrose, J. Hammond, Benedict Smith, Robert Carter, jun. Edward Stanhope, W. S. N. Allen, jun. Samuel Almy, William Helme, John L. Bofs, jun. Jonathan Marsh, Stephen T. Northam, Freeman Mayberry, and Jacob Richardson, jun. have represented unto this Assembly that the town of Newport has granted them, and such others as may be associated unto them, the privilege of leading the water from the town spring, in Newport, to any places or parts of said town they may think proper, for the purpose of procuring a supply of pure and wholesome water: And whereas they have petitioned this Assembly to pass an act, constituting them a corporation and body politic, and as this Assembly is willing to give due encouragement to so laudable an undertaking, which will, if properly conducted, be of public utility, therefore.

Charter to the Newport aqueduct company.

Section 1. *Be it enacted by the General Assembly, and by the authority thereof it is hereby enacted,* That the said William Langley, Jesse Barlow, Moses Barlow, William S. N. Allen, Joseph Bofs, jun. Benjamin Waite Cafe, Elisha Cafe, Robert M. Ambrose, J. Hammond, Benedict Smith, Robert Carter, jun. Edward Stanhope, William S. N. Allen, jun. Samuel Almy, William Helme, John L. Bofs, jun. Jonathan Marsh, Stephen T. Northam, Freeman Mayberry and Jacob Richardson, jun. their successors and assigns, be and they hereby are created and made a corporation and body politic, by the name and style of *the Newport aqueduct company*; and by that name shall be and hereby are made able and capable in law, to have, purchase, receive, possess and enjoy, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of what name

name or nature soever ; and the same to sell, grant, demise, alene, and dispose of ; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of record, or any place whatever ; and also to make, have and use a common seal, and the same to break, alter and renew at their pleasure ; and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said company, not being contrary to law or their constitution : And whereas the said petitioners, on the twenty-first day of October, 1802, formed and adopted a constitution for said company, in the words following, to wit :

“ We the subscribers, having obtained leave from the town of Newport to lead the water from the town spring, in Newport, to such parts or places in said town, as may be thought proper for the purpose of procuring a supply of wholesome water, and having, for accomplishing the said design, agreed to take the number of shares against our names, do agree that the following shall be the rules and regulations, for the government of the proprietors of the shares in this company, to wit :

Article 1. That there be one hundred shares, of ten dollars each, to be paid at the times, and in the sums, as shall be prescribed by the President and Directors hereafter to be chosen.

Art. 2. There shall be chosen, annually, for the well ordering the affairs of the company, a President and six Directors, by a majority of the votes present, in person or by proxy ; and the annual election shall be holden at the State-house, in Newport, on the second Monday of November, in each year.

Art. 3. That there shall, at the annual election, be chosen a Secretary and Treasurer, to perform such duties as their respective offices may require, and as may be assigned them by the President and Directors.

Art. 4. The number of votes to which each stock-holder shall be entitled in the choice of officers, or any other business of the said company, shall be according to the number of shares he she or they shall hold, that is to say, for every share one vote.

Art. 5. That all stock-holders shall be entitled to vote by themselves, agents or proxies duly appointed, and their votes to be counted as before expressed.

Art. 6. That there be a meeting, as often as necessary, of the President and Directors, for the purpose of regulating the affairs of the company ; any four of whom to make a board.

Art. 7. The board of Directors shall determine the manner of making contracts with individuals for supplying water, and by whom the contract shall be executed ; and shall cause a dividend of the profits arising therefrom, to be made once in six months.

Art.

Art. 8. If any stock-holder shall make default of payment of the instalments, as ordered by the President and Directors, he, she or they, shall forfeit all right to their shares, and to the money previously paid.

Art. 9 No sale or conveyance of any shares in the company shall be deemed valid, but such as shall be made on the books of the company; and the transfer may be made either by the stock-holder in person, or by attorney duly appointed.

Art. 10. The Treasurer, before he enters into the execution of his office, shall give bond with surety in the sum of one thousand dollars, conditioned for the faithful performance thereof.

Art. 11. In case of the death or resignation of either the President, Directors, Secretary or Treasurer, a meeting of the stock-holders shall be called to fill the vacancy, five days notice being previously given. If the meeting is called for the choice of President, the notice shall be issued by the oldest Director; if for the choice of a Director, Secretary or Treasurer, the notice shall be issued by the President.

Art. 12. If the sum subscribed shall prove insufficient for completing the work, a meeting shall be called of the stock-holders, who shall have power to order each stock-holder to pay such sum or sums, in proportion to their number of shares, as may be necessary for completing the same, and in default of payment of the sums so ordered, the same penalty shall be incurred by such default, as is in the eighth section mentioned.

Art. 13. That if at any time hereafter, the company shall think proper to augment their capital, by increasing the number of shares, they may do so, at any meeting of the stock-holders regularly convened, two thirds of the votes present being in favour of the same. Provided, the capital shall not be increased so as to exceed ten thousand dollars.

Art. 14. That a petition be preferred to the General Assembly for an act of incorporation.

Sec. 1. *Be it further enacted,* That the articles aforesaid are and shall be the constitution of the said company, and all acts and doings, under and in conformity to said constitution, shall be good and effectual in law.

Sec. 2. *Be it further enacted,* That if any person or persons shall wilfully destroy, molest or hurt, any fountain, reservoir, cistern, conduit, pipe, pump or pent-stock, belonging to said company, or in any way obstruct the passage of the water from and through the same, he, she or they, so offending, shall forfeit and pay to the said Newport aqueduct company, double the damage by them sustained in consequence thereof, to be by them recovered before any Court competent to try the same.