

An act to incorporate Rufus Davenport and others, by the name of the *Cambridge-port Aqueduct Corporation*.

SECT. 1. **B**E it enacted by the Senate and House of Representatives, in General Court as-

Names of persons incorporated; corporate name; allowed to hold land, &c.

sembled, and by the authority of the same, That Rufus Davenport, Royal Makepeace, Jonathan C. Hastings, Daniel Mason, John Coates and Josiah Mason, junior, their associates, successors and assigns, be, and they are hereby incorporated by the name of the *Cambridge-port Aqueduct Corporation*, and by that name may sue and be sued, and do and suffer all matters and things which bodies politic may or ought to do or suffer, and may purchase and hold one or more pieces of land, on the hills between *Cambridge* and *Medford*, in which certain springs are, and thence bring water in subterraneous pipes, to any and all places in *Cambridge-port*, (so called,) and may purchase and hold in said *Cambridge-port*, one or more pieces of land, and may construct and erect on said land, reservoirs and buildings, provided that said pieces of land shall not, in all, be more in extent than one piece of three hundred feet square, and provided also, that the whole funds of the corporation shall never exceed *fifty thousand dollars*; and provided that nothing in this act shall authorize said corporation to enter upon or use the land of any person without license therefor first had of the proprietors of such land; and the shares shall be considered as personal property.

Proprietors' meeting to be called; officers elected; and bye-laws established.

SECT. 2. *Be it further enacted*, That any three of the persons above-named, may, by advertisement in one or more of the *Boston* newspapers, call a meeting of said proprietors, to be holden at any suitable time and place within said *Cambridge-port*, seven days, at least, after such advertisement; and the proprietors, by a major vote of those present, accounting one vote to each share, shall choose a clerk, agree upon a mode of calling future meetings of said proprietors, and may also elect any other officers which to them shall appear necessary, for carrying into effect the object of their incorporation, may enjoin and order fines and penalties for the breach of any of their rules and bye-laws, not exceeding *ten dollars* for any one breach thereof: And all persons appearing at any of said meetings to represent any of said proprietors, shall have an appointment in writing, signed by the person so to be represented, which shall be filed with, or recorded by the clerk

of the corporation, whose duty it shall be fairly and truly to enter and record, in a book to be kept for that purpose, this act, and all rules and bye-laws, votes and proceedings of said corporation; and the clerk, chosen as aforesaid, shall be sworn to the faithful discharge of the duties of his office.

SECT. 3. *Be it further enacted,* That the said proprietors and they are hereby authorized to enter upon and dig up any highway for the purpose of placing such pipes as may be necessary to complete said aqueduct, or for repairing the same: *Provided,* they do not thereby in the least impede the passing of travellers.

Any highway may be dug up.

SECT. 4. *Be it further enacted,* That any person who shall wilfully injure said aqueduct, shall be subject to the same penalties as are provided in the second section of an act entitled "an act for the more effectually preventing trespassers in divers cases," passed in the year of our Lord, one thousand seven hundred and eighty-five, and shall be liable to make good all damages done to said proprietors.

Persons to be punished who wilfully injure the aqueduct.

SECT. 5. *Be it further enacted,* That the mode of selling or transferring the shares of said corporation, shall be by deed, acknowledged before a justice of the peace, and recorded by the clerk of said corporation, in a book kept for that purpose.

Mode of transferring shares.

SECT. 6. *Be it further enacted,* That whenever any proprietor shall neglect or refuse to pay any tax or assessment, duly voted and agreed upon by the said corporation, to their treasurer, within thirty days after the set time for the payment thereof, the treasurer is hereby authorized to sell, at public vendue, the share or shares of such delinquent proprietor, one or more, as shall be sufficient to defray said taxes and necessary and incidental charges, after duly notifying in one or more newspapers printed in *Boston* or *Cambridge-port*, the sum due on any such shares, and the time and place of sale, at least twenty days previous to the time of sale, and such sale shall be a transfer of the share or shares sold, to the person purchasing, and on producing a certificate of such sale from the treasurer to the clerk of such corporation, the name of such purchaser, with the number of shares so sold, shall be by the clerk entered on the books of the said corporation; and such person shall be considered, to all intents and purposes, the proprietor thereof; and the overplus, if any there be, shall be paid on demand by the treasurer, to the person whose shares were thus sold.

Shares of delinquents may be sold.