

town of Mattapoisett, qualified to vote at said meeting, and shall deliver the same to the person presiding at said meeting, before the choice of moderator thereof.

SECTION 11. This act shall take effect from and after its passage. [*Approved May 20, 1857.*]

### Chap. 203

AN ACT to increase the Capital Stock of the Housatonic Bank.

*Be it enacted, &c., as follows :*

Increase of capital authorized.

SECTION 1. The president, directors and company of the Housatonic Bank, in Stockbridge, are hereby authorized to increase their present capital stock, by an addition thereto of fifty thousand dollars, in shares of one hundred dollars each, which shall be paid in such installments as the president and directors may determine: *provided*, that the whole amount shall be paid in before the first day of May, in the year one thousand eight hundred and fifty-eight.

Proviso.

Remonstrance to be in writing.

SECTION 2. If any of the stockholders of said bank remonstrate against the acceptance of the additional capital herein provided, the said remonstrance shall be made in writing, to the cashier of the bank, on or before the first day of July next; and if the persons so objecting, legally represent one-fourth part of the present capital stock of said corporation, it shall not be entitled to the benefit of this act.

Taxation of capital.

SECTION 3. The additional stock aforesaid, when paid into said bank, shall be subject to the like tax, regulations, restrictions and provisions, to which the present capital stock of said bank is now subject.

Certificate to be returned to secretary's office.

SECTION 4. Before said corporation shall proceed to do business on said additional capital, a certificate, signed by the president and directors, and attested by the cashier, under oath, that the same has actually been paid into said bank, shall be returned into the office of the secretary of the Commonwealth.

SECTION 5. This act shall take effect from and after its passage. [*Approved May 21, 1857.*]

### Chap. 204

AN ACT to incorporate the Lenox Water Company.

*Be it enacted, &c., as follows :*

Corporators.

SECTION 1. Henry W. Bishop, Oliver P. Tanner, Edwards Pierrepont, their associates and successors, are hereby made a corporation by the name of the Lenox Water Company, for the purpose of supplying the inhabitants of Lenox, in the county of Berkshire, with pure water; with all the powers and privileges, and subject to all the duties, restrictions and liabilities, set forth in the thirty-eighth and forty-fourth chapters of the Revised Statutes.

Name.

Purposes.

Privileges, restrictions, &c.

SECTION 2. Said corporation may, for the purposes aforesaid, hold real and personal estate not exceeding in amount forty thousand dollars; and the whole capital stock shall not exceed fifty thousand dollars, to be divided into shares of one hundred dollars each.

May hold real and personal estate.

Capital not to exceed \$50,000.

SECTION 3. Said corporation may purchase, hold and convey to, into and through the village in Lenox, the water of any spring or springs, or of any natural pond or ponds, within said town of Lenox; and may take and hold real estate necessary for laying and maintaining aqueducts and reservoirs, and may purchase and hold land around the margin of any such spring or pond to an extent not exceeding one acre, to each spring or pond so taken. Said company shall, within sixty days from the time of taking any lands, ponds or springs, as before provided, file in the office of the registry of deeds, in the middle district of the county of Berkshire, a description of the lands, springs or ponds so taken, as certain as is required in a common conveyance of land and a statement of the purpose for which taken, signed by the president of said company.

May purchase the water of any spring or pond.

May take real estate.

May hold marginal lands.

Description of lands, ponds or springs taken, to be filed, when and where.

SECTION 4. The said company may make aqueducts from any sources above mentioned, through any part of the town of Lenox, and may maintain the same by suitable works; may make reservoirs and hydrants, and may distribute the water throughout said town and village by laying down pipes, and may establish the rents therefor. And the said company, for the purposes aforesaid, may enter upon and dig up any road, under the direction of the selectmen of the town of Lenox, in such manner as to cause the least hindrance to the travel thereon.

May make and maintain aqueducts, reservoirs, and hydrants.

May lay down pipes and establish rents.

May dig up road under direction of selectmen.

SECTION 5. All damages sustained by taking land, water or water rights, or by making aqueducts, reservoirs or other works, shall be ascertained, determined and recovered, in the manner now provided by law, in case of land taken for highways.

Damages, how determined, &c.

SECTION 6. 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 maliciously destroy or injure any dam, reservoir, aqueduct, pipe or 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 actual 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

Penalty for diverting and corrupting the water.

one hundred dollars, and imprisonment not exceeding six months.

SECTION 7. This act shall take effect from and after its passage. [*Approved May 21, 1857.*]

*Chap. 205* AN ACT to repeal a part of "An Act in addition to an Act to incorporate certain persons for the purpose of building a Bridge over Merrimack River, in the County of Middlesex, between the Towns of Dracut and Chelmsford."

*Be it enacted, &c., as follows :*

Repeal.

SECTION 1. So much of "An Act in addition to an Act to incorporate certain persons for the purpose of building a bridge over Merrimack River, in the county of Middlesex, between the towns of Dracut and Chelmsford," passed in the year one thousand eight hundred and forty-three, as recites, alleges or declares, that the sum of ten thousand dollars of the original cost of the bridge therein named, had not then been reimbursed and repaid to the proprietors thereof, is hereby repealed.

SECTION 2. This act shall take effect from and after its passage. [*Approved May 22, 1857.*]

*Chap. 206* AN ACT concerning the branches to be taught in the Public Schools, and for other purposes.

*Be it enacted, &c., as follows :*

Competency of teachers defined.

SECTION 1. The first section of the twenty-third chapter of the Revised Statutes, and the first section of the fifty-sixth chapter of the laws of eighteen hundred and thirty-nine, are hereby so amended as that the teacher or teachers of the schools required to be kept by each of said sections, shall be competent to give instruction in orthography, reading, writing, English grammar, geography, arithmetic, algebra, the history of the United States, and in good behavior, instead of the branches enumerated in said sections ; and also in physiology and hygiene, whenever the school-committee shall deem it expedient.

Competency of teachers further defined.

SECTION 2. The first clause of the fifth section of the twenty-third chapter of the Revised Statutes is hereby so amended, as that the teacher or teachers of the schools, required to be kept by said clause, shall be competent to give instruction, in addition to the branches named in the first section of this act, in general history, bookkeeping, surveying, geometry, natural philosophy, chemistry, botany, the civil polity of this Commonwealth and of the United States, and in the Latin language, instead of the branches of learning enumerated in the said first clause : and the teacher or teachers of the schools required to be kept by the last clause