

## 1798. — Chapter 3.

[May Session, ch. 3.]

AN ACT TO INCORPORATE JOHN WORTHINGTON ESQR. AND OTHERS FOR CONVEYING WATER IN SUBTERRANEOUS PIPES IN SPRINGFIELD.

SECT. 1ST. *Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same* that John Worthington, Samuel Lyman, Chauncy Brewer & John Hooker Esqrs. Joseph Stebbins and Zebina Stebbins, with such others as are or may be associated with them & who shall hereafter possess the estates where they now dwell, be & hereby are constituted a Corporation by the name of “the Proprietors of the Springfield Aqueduct,” and by that name may sue and be sued: *Provided* that nothing in this Act shall authorize said Proprietors to enter on or use private property, without consent of the owner.

Persons incorporated.

Title.

SECT. 2D. *And be it further enacted*, That any three of the above persons, may by notification posted up at the House of Moses Church in said Springfield call a meeting of the said Proprietors, to be holden in said Springfield, seven days at least after posting such notification, & the said Proprietors at such Meeting may choose a Clerk who shall make true record of all the votes acts and doings of the said Proprietors, and may also chuse other proper Officers for effecting the Object of their incorporation and agree upon the mode of calling future meetings, and make any rules, regulations or bye laws for ordering the transactions and concerns of the said Corporations and the welfare and Interest of the same, which they may think expedient, and impose any fines & forfeitures not exceeding twelve dollars, and for the recovery thereof have & maintain an Action of debt before any Justice of the Peace in said County; *Provided* that the rules regulations and bye laws aforesaid shall not be repugnant to the Constitution or laws of this Commonwealth.

Calling of meetings.

Officers to be chosen.

Bye laws to be made.

SECT. 3D. *And be it further enacted*, That the said Proprietors shall have power from time to time to make assessments of such Sums of money as the Proprietors shall deem necessary, on the several Proprietors according to their Shares & interest in said Aqueduct, as the same shall be ascertained & recorded in the Books of the said Corporation; and upon neglect or refusal of any Pro-

Assessments.

prietor to pay the sum or sums which shall be so assessed on him by the time specified in such Vote of Assessment, the said Proprietors may have and maintain an Action of debt against such delinquent Proprietor for the recovery thereof before any Court proper to hear & try the same.

May dig up highways, &c.

SECT. 4. *And be it further enacted*, That the said Proprietors may enter on & dig up any highway for sinking & repairing the Pipes of said aqueduct as may be necessary *provided* they do not thereby impede the passing of travellers, & at any time hereafter may enter on the land of any of the Proprietors or of any other persons who already have or hereafter shall consent & agree with said Proprietors for their laying said Pipes thro' the lands occupied by them, for the purpose of repairing such Pipes; the said Proprietors paying such persons for such damage as they shall do by means thereof.

Case of injury.

SECT. 5TH. *And be it further enacted*, That any Person injuring the said aqueduct; shall be subject to the same penalties as are provided in the Second Section of the Act entitled "An Act for the more effectually preventing trespasses in divers cases," and shall also be liable to make good all damages so done to the said Proprietors.

*Approved June 14, 1798.*

#### 1798. — Chapter 4.

[May Session, ch. 4.]

AN ACT FOR ASSESSING AND COLLECTING TAXES ON THE PEWS IN THE MEETING HOUSE WHERE THE REVEREND JOHN THOMPSON OFFICIATES IN THE FIRST OR SOUTH PARISH IN BERWICK FOR THE REPAIR AND AMENDMENT OF SAID HOUSE.

SECT. 1. *Be it Enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same*, that it shall and may be lawful for the Assessors of the said Parish for the time being (after being duly sworn faithfully and impartially to discharge the duties of said office) and they are hereby empowered to assess the several Pews in said House, their several parts and proportions according to the value said Assessors shall set the said Pews at, of all such sums of Money as the said Parish shall vote to raise and appropriate for the payment of the Labor and Materials that have been expended in repairing said House, in the Year one thousand, seven hundred and ninety seven; and also for such

Assessors to levy taxes for repairs.