

DEC. SESS.
1815.

may be intended to pass after being so diverted; and the said corporation shall have full power and authority to make a canal and tunnel or either of them, for the conveyance of the said water under and along any public highway, or any street or streets, lane or lanes, alley or alleys, of the county or town of Cumberland, and to lay a pipe or pipes in such highway, or in any of the said streets, lanes or alleys, for the purpose of conveying and distributing the said water, and the said pipes from time to time to renew and repair, and for those purposes to dig, break up and open, at their own expence, all or any part of such highway, or of such streets and alleys, and of the pavements and footways thereof, leaving at all times a sufficient passage way for carriages, horses, and foot passengers, and restoring forthwith to their former condition all such highways, or all such of the said streets, lanes and alleys, pavements and footways, as shall from time to time, and at any time be so dug opened or taken up.

Reservoirs &c.

11. AND BE IT ENACTED, That the said corporation shall have full power and authority to establish reservoirs and public fountains in such parts of the streets and squares of the said town as they may think proper; and to grant to all persons whomsoever, and to all bodies politic and corporate, the privilege of using the said water so to be introduced, in such manner, and on such terms and conditions, and in such quantities respectively, as they shall think fit; and the said water so to be introduced, together with all the reservoirs, pipes, canals and tunnels, engines, buildings, and machines whatsoever, to be by them made and used for the purpose of introducing, raising, and distributing the said water, to hold to them, their successors and grantees, as their sole and exclusive property.

Damaging
improvements
—penalty.

12. AND BE IT ENACTED, That if any person or persons shall wilfully do, or cause to be done, any act whatsoever whereby the said works, or any pipe, conduit, canal, water course, mound, plug, cock, reservoir, dyke, or any engine, machine or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened or injured, or wilfully pollute the said water by the throwing any dead animals, or other impure substance, into the same, or by swimming, bathing, or washing therein, the person or persons so offending shall forfeit and pay to the said company treble the amount of the damages sustained by means of such offence or injury, to be recovered by such company with costs of suit, by action of debt, or action on the case, in any court of judicature of this state, or by warrant before any magistrate thereof; which action shall in every instance be considered as transitory in its nature, and shall and may be triable in any county in this state.

Shall not is-
sue notes &c.

13. AND BE IT ENACTED, That it shall not be lawful for the said corporation to enter into any negotiations on bills or notes, nor to deal in exchange, discount, or other commercial or banking operations, and dividends of the profits of the stock shall be annually made, reserving only, at the discretion of the directors, such proportion as they, or a majority of stockholders shall deem sufficient for maintaining and supporting the works necessary to promote or obtain the objects of this incorporation; and if the said corporation shall not carry

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