

VIII. AND BE IT ENACTED, That the said corporation may purchase and hold, in fee-simple or otherwise, all such lands and real estates suitable for the erection of the necessary works, and that may be necessary in whole or in part for the proper accomplishment of their undertaking, as they shall judge proper, and may divert from the usual bed and course, for the purpose aforesaid, at such place or places as they shall think fit, the stream of Jones's Falls, or any other stream or streams which they may think suitable for the purpose, or any part or parts thereof, they obtaining the consent of all persons having any right, interest or property, in the stream or streams respectively so to be diverted in whole or in part, or in the lands through which such stream or streams 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 city of Baltimore, 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, lanes 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.

C H A P.
LXXXVI.
Corporation
may purchase
land, &c.

IX. 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 city 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, for ever, as their sole and exclusive property.

And establish
reservoirs, &c.

X. AND BE IT ENACTED, That it shall and may be lawful for the said president and directors to call and demand from the said subscribers respectively, all such sums of money by them subscribed, in instalments not exceeding ten dollars each, under pain of forfeiture of their shares, and of all previous payments thereon, to the said president, directors and company, provided that no such demand shall be made without two months previous notice being given in the different newspapers of the city of Baltimore; and provided also, that not more than one such payment shall be called for or required in any term of four months.

President, &c.
may call for
money sub-
scribed, &c.

XI. 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.

Penalty for in-
juring the
works, &c.

XII. 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 operation, other than to vest their capital in stocks of chartered companies, or in public securities, or to borrow money, as may be found necessary for the carrying on the works proposed; 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 attain the objects of this incorporation; and if the said corporation shall not carry into effect the intentions of this act within five years from the passage thereof, in that case all the powers hereby vested in them shall cease and determine.

Corporation
not to enter in-
to negotiations,
&c.

XIII. AND BE IT ENACTED, That this act shall continue and be in force during the full term of twenty years, and to the end of the next session of the general assembly which shall be thereafter.

Duration.