

DEC SESS.
1815.

Streams, ten-
nants &c.—
streams of
water—privi-
leges in gene-
ral.

matter in question shall exceed five hundred dollars, but not the persons or separate property of themselves or any of the stockholders.

10. 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, any 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 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 Emmitsburgh, and to lay a pipe or pipes in such highway, or in any of the said streets lanes or alleys, for the purposes of conveying and distributing the said water, and the said pipes from time to time 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 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 bodies 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 a sum not exceeding one hundred dollars for every such offence or injury, to be recovered by such company, with costs of suit,