

record all Births & Deaths which shall happen within his Town or District and come to his knowledge, together with the time of such birth or death, and the names of his or her parents, if known, for the fees allowed by law, to be paid by his Town or District.

And be it further Enacted, that it shall be the duty of Parents to give notice to the Clerk of the Town or District in which they dwell of all the births & deaths of their Children; and it shall be the duty of every Householder, to give notice of every birth & death which may happen in his house; and of the eldest person next of kin to give such notice of the death of his kindred; and it shall be the duty of the Master or keeper of any Alms-house Work-house or Prison, and of the Master or Commander of any Ship or Vessel, to give notice of every Birth and Death which may happen in the house or vessel under his care or charge to the Clerk of the Town or District in which such event shall happen: And in case any person, whose duty it shall be by virtue of this act, to give notice as aforesaid, shall neglect to perform the same, for the space of six months after the birth or death shall happen, the person so neglecting shall pay a fine of one dollar, to be recovered with costs of suit, on complaint, before any Justice of the peace for the same County, to the use of any Inhabitant of the same Town, who shall prosecute for the same; from which Judgement, there shall be no appeal.

And be it further Enacted, that this act shall be in force, on and after the first day of September next; and that an Act passed Anno Domini one thousand six hundred & ninety two, for registering births & deaths, shall be, and hereby is repealed on and after that day.

Approved February 26, 1796.

1795. — Chapter 70.

[January Session, ch. 51.]

AN ACT TO INCORPORATE LEMUEL STEWART & OTHERS FOR THE PURPOSE OF CONVEYING WATER BY PIPES INTO THE TOWN STREET NEAR THE COLLEGE IN WILLIAMSTOWN, BY THE NAME OF THE PROPRIETORS OF THE WATER WORKS IN THE TOWN STREET IN WILLIAMSTOWN.

Be it enacted by the Senate & House of Representatives in General Court Assembled, & by the authority of the same, that Lemuel Stewart, Oliver D. Cook, William Starkweather, Tompson J. Skinner, Benjamin Skinner,

Parent's duty,
&c.

Fine, in case of
neglect.

Act repealed.

Persons incor-
porated.

Lewis Stebbins, Elias Mather, Lemuel S. Stewart, John Foot, Joseph Balch, Timothy Balch, Ezra Baker, Lemuel Higgens, Thomas Malady, David Hayden & the President & Trustees of Williams College for the time being, with such other persons as may become Proprietors in the said Water works be & they hereby are constituted a corporation & body politic for the purpose of conveying water by pipes into the Town Street in Williamstown by the name of the Proprietors of the water works in the town street in Williamstown, & by that name may sue, & be sued, to final judgment & execution, & do & suffer all matters, acts & things which bodies Politic may or ought to do or suffer, & the said Corporation shall & may have & use a common seal & the same may alter & break.

Meeting authorized.

And be it further enacted that the said Lemuel Stewart may by advertizement posted up at the houses of William Starkweather & Benjamin Skinner in said Williamstown warn or call a meeting of the said Proprietors to be held at said Williamstown at any suitable time after seven days from the posting up such advertizement — And the said proprietors by a vote of a majority of those present at said meeting accounting & allowing a vote to each share in all cases shall choose a Clerk who shall be sworn to a faithful discharge of his office, & also agree on a method for calling future meetings, & at the same time, or any subsequent meeting may make & establish any rules & regulations that shall be convenient or necessary for regulating the said Corporation, effecting, compleating & executing the purpose aforesaid & the same rules & regulations may cause to be kept & executed, & for the breach of any of them may order & enjoin fines & penalties, not exceeding four pounds; *provided* that said rules & regulations be not repugnant to the Constitution or Laws of the Commonwealth. And the said Proprietors may also choose & appoint any officer or officers of the Corporation — & this act & all rules, regulations & votes of said Corporation shall be fairly & truly recorded by their said Clerk in a book or books for that purpose, — *provided* & kept — which book or books shall be subject to the inspection of any person or persons for that purpose appointed by the Legislature.

To establish rules, &c.

And appoint officers.

Shares transferable.

And be it further enacted that any Proprietors share or shares in such water works may be transferred by deed acknowledged & recorded by the Clerk of said Corpora-

tion in a book to be kept for that purpose — & when any share or shares in said water works shall be attached on *mesne* process an attested copy of such process shall be left with said Proprietors Clerk at the time of such attachment otherwise the same shall be void.

And be it further enacted that if any person shall injure & destroy any of the said Pipes or Works, he shall be subjected to the same pains & penalties as are provided in the second Section of the Act, entitled, “An Act for the more effectually preventing of trespasses in divers cases,” passed the twenty third day of November, one thousand seven hundred & eighty five & shall also be liable to make good all damages so done to the said Proprietors.

Penalties.

Approved February 26, 1796.

1795. — Chapter 71.

[January Session, ch. 52.]

AN ACT TO PREVENT THE DESTRUCTION OF OYSTERS & OTHER SHELL FISH IN THIS COMMONWEALTH.

Whereas Oysters & other Shell Fish have long been considered the property of the towns wherein their beds are situated respectively; & whereas for the due regulation thereof and preservation of the same, & especially to prevent the destruction thereof by strangers, and by those who encroach too far on such common property some special provision is found necessary —

Preamble.

Therefore

SECTN. 1st. *Be it Enacted by the Senate and House of Representatives in General Court assembled and by authority of the same,* that from and after the first day of May next, it shall not be lawful for any person to take any Oysters from their beds, destroy them or willfully obstruct their growth therein in any part of this Commonwealth, except as is hereinafter excepted; and every person who shall so take, destroy or obstruct the same, shall forfeit & pay for every bushell of Oysters, including the Shells, so taken or destroyed the sum of Two Dollars; *provided however,* and it shall at all times be lawfull for the major part of the Selectmen for the time being of any town, wherein Oyster beds shall be, to give permits in writing to any person to take Oysters from their beds, at such times, in such quantities, and for such uses as they shall think reasonable, and express in their permit; *pro-*

Forfeiture for destroying oysters.

Provisos.