Porter, and of the officers and crews by whom the said vessels were captured, as a compensation to the said David Porter, and the said officers and crews, for their zeal and activity in capturing the same: and that the said Captain David Porter be hereby authorized to receive from the secretary of the treasury the amount of the said net proceeds of the aforesaid sales, to be paid by the said secretary of the treasury out of any money not otherwise appropriated; and upon receiving the same the said David Porter is authorized and instructed to distribute it amongst the said officers and crews, in the proportions, and agreeably to the regulations of the laws of the United States, for the distribution of prize money.

Approved, April 13, 1814.

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Statute II.
April 13, 1814.

Chap. LV. — *An Act to incorporate a company for the purpose of supplying Georgetown with water.*

*Be it enacted, &c.*, That a company shall be incorporated for the purpose of introducing a copious supply of pure water into Georgetown, District of Columbia, and that the capital stock of said company shall consist of five thousand shares of ten dollars each, and that subscriptions for the same be opened in Georgetown on the third Monday in May next, under the direction of Henry Foxall, Daniel Bussard, Clement Smith, John Gossler, John Eliason, William Marbury, Thomas Corcoran, Washington Bowie, Thomas Robertson, Ninian Magruder, Joel Brown, and William Crawford, commissioners, or a majority of them.

Commissioners for receiving subscriptions.

Sec. 2. *And be it further enacted*, That the said commissioners, after giving ten days' previous notice in two newspapers published in the District of Columbia, shall, on the day before mentioned, proceed to receive such subscriptions, but no person or persons, bodies corporate, or otherwise, shall be permitted to subscribe on the first day for more than ten shares; and if the whole amount be not subscribed on the first day, the books shall remain open on the second day, when individuals or bodies corporate, or otherwise, shall subscribe for double the number allowed on the first day; and if on the end of the second day the whole amount of shares are not subscribed for, the books are to be closed, and the said commissioners may at any time receive subscriptions for such number of shares as remain unsubscribed for: *Provided always*, That if the subscriptions shall, on the first day, exceed the number of shares herein before allowed, then, and in such case, the said commissioners are hereby authorized and directed so to apportion the shares subscribed among the several subscribers, by such proportional reduction as may reduce the whole to the number allotted.

Regulations with respect to subscriptions.

Proviso.

Sec. 3. *And be it further enacted*, That it shall be the duty of the said commissioners to conduct every operation of the said institution, until they shall be superseded by the appointment of directors.

Commissioners to manage the concerns of the company till directors are appointed.

Sec. 4. *And be it further enacted*, That the sum of one dollar shall be paid to the said commissioners on each share at the time of subscribing, and the remaining nine dollars by instalments not exceeding two dollars at each instalment, as may be required by the president and directors to be appointed in the mode hereinafter prescribed, on giving twenty days' notice in two newspapers printed in the District of Columbia; and in case of failure in the payment of all or any part of said instalments for the space of ten days after the same shall have become payable, every share on which such failure shall have taken place shall be forfeited to the company.

Payments, how made, &c.

Sec. 5. *And be it further enacted*, That the subscribers for the said stock, and their successors, shall be, and they are hereby declared to be a body politic and corporate, by the name and style of The George-

Subscribers made a body politic.

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town Water Company, and by that name shall have perpetual succession, and shall be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of judicature or elsewhere, and to make use of one common seal, and the same to alter or renew at their pleasure, and generally to do and perform all things relative to the object of the institution which now is or shall be lawful for any individual or body politic or corporate to do.

May sue and be sued, &c.

Directors to be chosen.

SEC. 6. *And be it further enacted*, That as soon as three thousand shares shall be subscribed, the commissioners hereby authorized to receive subscriptions, may call a meeting of the stockholders after giving not less than four weeks' notice in two newspapers published in the District of Columbia; and the stockholders who shall so assemble in consequence of such notice, or appear by proxy, shall choose by ballot from among the stockholders, by a plurality of votes, twelve directors, who shall continue in office until the first Monday in April, one thousand eight hundred and fifteen, which day every succeeding year thereafter an election shall be held for twelve directors as aforesaid, who shall continue in office for one year from the time of their election, and until others be chosen in their stead; and the said directors, at their first meeting, shall choose from amongst the stockholders a president, and allow him a reasonable compensation for his services, who shall also continue in office for one year from the time of his election, and until another be chosen in his stead; and in case of death, removal, resignation, or disqualification in any way of the president or any of the directors, the board may elect others to supply their place.

Their powers, &c.

Votes of stockholders, how regulated.

SEC. 7. *And be it further enacted*, That in choosing the directors, all persons or bodies politic, holding stock in the said company, shall vote agreeably to the number of shares they may hold, in the following proportion, that is to say: for one share and not exceeding five shares, one vote each; for every two shares above five and not exceeding twenty-five, one vote; for every five shares above twenty-five and not exceeding fifty, one vote; but no person shall be entitled to vote more than twenty votes.

President and directors to make by-laws, rules and regulations.

SEC. 8. *And be it further enacted*, That the said president and directors shall have full power and authority to make all by-laws, rules and regulations, for the well-ordering and conducting of the business of the company, and such by-laws, rules and regulations, to alter, change, and annul, at their pleasure; but every such by-law, rule or regulation, may be altered or repealed by the stockholders at a general meeting, to be called for that purpose by any ten or more stockholders: *Provided*, That there be present at such meeting, stockholders holding more than one half of the said stock, or their proxies, and that four weeks' previous notice be given in two newspapers printed in the District of Columbia of such meeting, and of the alteration or repeal intended to be proposed thereat.

Proviso.

Powers of the president and directors.

SEC. 9. *And be it further enacted*, That the said president and directors shall have power to appoint and remove at their pleasure, all clerks, superintendents, agents, or other officers, necessary for carrying on the business of the said company, to dispose of its funds or property in the manner hereinafter directed, and out of the funds of the said company to pay the compensation of all such agents, superintendents, clerks, or officers, to make such contracts, purchases, or agreements of all such matters and things, in behalf of the said company, and of all such privileges, permissions, rights, and advantages of every kind and nature whatever, as they shall judge necessary for completing in an effectual and proper manner the introduction, distribution, and supply of water to Georgetown, District of Columbia, with any individual companies, firms, or corporations, and to use and dispose of any surplus water to the best interest and advantage of the said company, and all other con-

tracts to rescind, alter, abridge, and enlarge, with consent of the parties thereto respectively; and to lease, sell, convey, transfer, and bind by their contracts, deeds and writings, under the hand of the president and the seal of the company, all the property, estate, common stock, and joint funds of the said company, subject to the ratification of the stockholders, or a majority of them, at some general meeting, if the value of the matter in question shall exceed fifteen hundred dollars, but not the persons or separate property of themselves, or any of the stockholders.

Corporation may purchase and hold real property.

SEC. 10. *And be it further 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 adjudge proper, and for that purpose may direct from the usual course, at such place or places as they shall think fit, any stream or streams of water which they may think suitable for the purpose, or any part or parts thereof, on the said corporation's first obtaining the consent of all persons having any right or interest in the stream or streams 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 and lay conduits or tunnels 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 Georgetown, District of Columbia, for the purpose of conveying and distributing the said water, and the said conduits or tunnels from time to time to renew and repair, and for such purposes, to dig, break up, and open, at their own expense, all or any part of such highway, streets, lanes, and alleys, and of the middle or side pavements thereof, leaving at all times a sufficient passage-way for carriages, horse and foot passengers, and restoring forthwith to their former condition all such highways, streets, lanes, and alleys, and the pavements thereof, as may be at any time so dug, opened, or taken up.

They may establish reservoirs and public fountains, &c.

SEC. 11. *And be it further enacted*, That the 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 reservoirs, canals, tunnels, engines, buildings, and machines whatever, 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 forever, as their sole and exclusive property.

Fire-plugs to be inserted by the corporation of Georgetown free of expense.

SEC. 12. *And be it further enacted*, That the corporation aforesaid shall insert, or grant permission to the corporation of Georgetown, District of Columbia, to insert and repair at the expense of the town, such a number of fire-plugs as to them shall appear necessary, into the pipes used to convey the water through the streets thereof, to be used only in case of fire, but free from any charge for a supply of water.

Delinquent subscribers to forfeit their shares.

SEC. 13. *And be it further 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 two 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 twenty days' previous notice being given in two newspapers of the District of Columbia: *And provided also*, That not more than one such payment shall be called for or required in any term of three months.

Proviso.

Proviso.

Suits grounded on any trespass or injury to the works, where to be brought.

Sec. 14. *And be it further enacted*, That any suit, action, or complaint, by the said corporation, against any person or persons whomsoever, on account of, or grounded on, a trespass or injury done to the said works, or any tunnels, conduits, canals, water-courses, mound, plug, cock, reservoir, dyke, engine, machine or thing, appertaining to the same, shall, in every instance, be held and deemed as transitory in its nature, and may be brought, sustained, and tried, in any court in this district having jurisdiction in such like cases.

Penalties for polluting the water, &c.

Sec. 15. *And be it further enacted*, That if any person shall wilfully pollute the said water, between the pumping-house of said company and Georgetown, District of Columbia, by throwing any dead animals or other impure substances into the same, or by swimming, bathing, or washing themselves, or by washing clothes, or skins of any dead animals, or other impure things therein, or by erecting any necessary or other nuisance so near the said water as to pollute the same, the person or persons so offending shall forfeit and pay to the said company a sum not exceeding twenty dollars for every such offence, to be recovered by warrant, before any magistrate of the district or county of Washington, and shall be obliged to remove the said nuisance, or forfeit and pay the sum of ten dollars for every day the same shall continue, to the use of the corporation of Georgetown, District of Columbia, to be recovered by action of debt at the suit of the United States.

Corporation prevented from dealing in bills, notes, &c.

Sec. 16. *And be it further enacted*, That it shall not be lawful for the said corporation to enter into any negotiation on bills or notes, nor to deal in exchange, discount, or other commercial or banking operation, or other business in their corporate capacity, 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 and necessary to promote or attain the object of this incorporation; and if the said corporation shall not carry into effect the intentions of this act within two years from the passage thereof, in that case all the powers hereby vested in them shall cease and determine.

Dividends.

Approved, April 13, 1814.

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Statute II.

April 18, 1814.

Chap. LXIII.—*An Act for the relief of Augustus M'Kinney and Layzel Bancroft.*

Penalties remitted.

*Be it enacted, &c.*, That the secretary of the treasury be, and he is hereby authorized and required to remit the fines, penalties, and forfeitures incurred by Augustus M'Kinney and Layzel Bancroft, who imported, in an open and public manner, into the district of Whitehall, on the twenty-seventh day of June, one thousand eight hundred and twelve, from Montreal, nine barrels of nitre.

Approved, April 18, 1814.

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Statute II.

April 18, 1814.

Chap. LXIV.—*An Act for the relief of John P. Williamson and Thomas Rice.*

Account to be settled.

*Be it enacted, &c.*, That the comptroller of the treasury be, and he is hereby authorized to adjust and settle, on equitable principles, the accounts of Benjamin Wall, late marshal of the state of Georgia, and to allow any credit which the said Wall might have claimed against the United States as an offset to a judgment obtained at the suit of the United States against John P. Williamson and Thomas Rice, as securities of the said Wall.

Approved, April 18, 1814.