

structed in a manner approved by the harbor commissioners according to the provisions of section four, chapter one hundred and forty-nine of the acts of the year eighteen hundred and sixty-six, and of chapter four hundred and thirty-two of the acts of the year eighteen hundred and sixty-nine.

SECTION 2. This act shall take effect upon its passage.

*Approved March 19, 1872.*

AN ACT TO SUPPLY THE VILLAGE OF SOUTH HADLEY FALLS WITH WATER.

*Chap. 114*

*Be it enacted, &c., as follows :*

SECTION 1. Fire district number one of the town of South Hadley is hereby authorized to supply itself and its inhabitants with pure water to extinguish fires, generate steam and for domestic and other purposes ; and may establish public fountains and hydrants, and regulate their use and may discontinue the same and may fix and collect rents for the use of such water.

First fire district of South Hadley may supply itself with water.

SECTION 2. Said district, for the purpose aforesaid, may take and hold the water of Buttery Brook at or near land of the heirs of Alonzo Lamb, deceased, or such other natural water sources within its own limits as will give a sufficient supply of water ; and may also take and hold all land necessary for raising, holding and preserving such water, and conveying the same to any and all parts of said district ; and may erect thereon proper dams, buildings, fixtures and other structures and make excavations and procure and run machinery therefor ; and for that purpose may construct and lay down, conduits, pipes and drains, under or over any water-course or railroad and along any street, highway or other way in such manner as not to obstruct the same, and for the purpose of constructing, laying down, maintaining and repairing such conduits, pipes and drains, and for all other proper purposes of this act, may dig up any such street, highway or other way ; but all things done upon any street, highway or other way shall be subject to the direction of the selectmen of said town ; and all things done upon any railroad shall be subject to the direction of the county commissioners for the county of Hampshire : *provided*, that within sixty days after the time of taking any land or water sources as aforesaid, said fire district shall file in the registry of deeds for the county of Hampshire a description thereof sufficiently accurate for identification, with a statement of the purposes for which the same is taken.

May take water of Buttery Brook.

May erect dams, etc.

May dig up highways.

Proviso.

SECTION 3. Said fire district may purchase from the owner or owners of any aqueduct within its limits his or their

May purchase any aqueduct within its limits.

whole water right, estate, properties, franchise, and privileges, and by such purchase become entitled to all the rights and privileges and subject to all the duties and liabilities appertaining and belonging to such owner or owners: *provided, however,* that said fire district shall not exercise such authority to purchase without the sanction of a majority of the voters thereof present and voting thereon at a legal meeting duly called for that purpose and at which the check list shall be used.

Liability for damages.

SECTION 4. Said fire district shall be liable to pay all damages sustained by any persons on their property by the taking of any lands, water, water sources, or water rights, or by the construction of any aqueduct, reservoir, or other works for the purposes aforesaid. If any persons sustaining damages as aforesaid cannot agree with the fire district upon the amount of such damages, he may have the same assessed by the county commissioners for the county of Hampshire by making a written application therefor within one year after sustaining such damages; and either party aggrieved by the doings of said commissioners in the estimation of said damages may have the same determined by a jury; and the said commissioners and jury shall have the same power and the proceedings shall in all respects be conducted in the same manner as provided in case of taking land for highways.

May issue bonds not exceeding \$60,000.

SECTION 5. For the purpose of paying all necessary expenses and liabilities incurred under the provisions of this act, said fire district may issue bonds signed by the clerk and countersigned by the prudential committee, to be denominated "South Hadley Falls Water Bonds," to an amount not exceeding sixty thousand dollars, payable at periods not exceeding twenty-five years from the date thereof, with interest payable semi-annually at a rate not exceeding seven per centum per annum; and said fire district may sell said bonds at public or private sale upon such terms and conditions as it may deem proper; and may raise money by taxation in the manner prescribed by law, to pay said bonds and interest thereon when due; but said fire district shall not raise more than two thousand five hundred dollars in any one year to pay the principal of said bonds, except the year on which the same may become due.

Powers granted may be exercised by agents.

SECTION 6. The rights, powers and privileges hereby granted may be exercised by such officers, agents and servants as such fire district shall elect or employ, who shall act in accordance with the votes of said fire district.

Penalty for diverting water

SECTION 7. Any person who shall maliciously divert the water or any part thereof taken and used under the provi-

sions of this act, or who shall maliciously corrupt the same, or render it impure, or who shall maliciously destroy or injure any dam, aqueduct, pipe, hydrant or other property real or personal, held, owned or used by said fire district for the purpose of this act, shall pay three times the actual damage to said fire district, to be recovered by an action of tort. Any such person, on conviction of either of the malicious acts aforesaid, shall be punished by fine not exceeding one hundred dollars and imprisonment not exceeding six months.

or maliciously corrupting the same.

SECTION 8. Said fire district is hereby made and declared to be a body corporate so far as to take and hold property for the purposes mentioned in this act, and to prosecute and defend in all actions relating to the property and affairs of said district.

Fire district to be a body corporate for purposes of this act.

SECTION 9. Said fire district may elect or employ such officers or agents as it may see necessary to effect the purposes of this act, subject to such rules and regulations as it may adopt at a meeting called for that purpose.

May elect or appoint agents.

SECTION 10. This act shall take effect upon its passage.

*Approved March 19, 1872.*

AN ACT TO AUTHORIZE THE CITY OF SOMERVILLE TO ISSUE ADDITIONAL WATER BONDS.

*Chap. 115*

*Be it enacted, &c., as follows:*

SECTION 1. The city of Somerville may, for the purposes mentioned in the first section of chapter two hundred and two of the acts of the year eighteen hundred and sixty-eight, issue bonds to an amount not exceeding two hundred thousand dollars in addition to the amounts authorized to be raised by taxation or to be borrowed by said act and by chapter seventy-two of the acts of the year eighteen hundred and seventy.

Somerville may issue additional water bonds.

SECTION 2. This act shall take effect upon its passage.

*Approved March 19, 1872.*

AN ACT TO AUTHORIZE THE TOWN OF MALDEN TO ISSUE ADDITIONAL WATER FUND BONDS.

*Chap. 116*

*Be it enacted, &c., as follows:*

SECTION 1. The town of Malden may, for the purposes mentioned in the third section of chapter one hundred and sixty of the acts of the year eighteen hundred and seventy, issue bonds to an amount not exceeding one hundred thousand dollars, in addition to the amount therein authorized to be issued, upon like terms and conditions, and with like powers in all respects as are provided in said act for the issue of bonds of said town.

Malden may issue additional water bonds.

SECTION 2. This act shall take effect upon its passage.

*Approved March 19, 1872.*