

Hampshire county may serve in certain other counties, etc.

judge of probate and insolvency for Hampshire county may act as a special judge of probate and insolvency in the counties of Hampden, Berkshire and Franklin as well as in Hampshire county, and his compensation while acting as such shall be forty dollars per day, to be paid by the county in which such services are rendered.

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

Approved June 16, 1949.

Chap.437 AN ACT AUTHORIZING THE CHERRY VALLEY AND ROCHDALE WATER DISTRICT TO BORROW MONEY TO FUND A REVENUE DEFICIT AND TO COMPLETE A FILTER AND STORAGE RESERVOIR.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of funding a revenue deficit and to complete a filter and storage reservoir, the Cherry Valley and Rochdale Water District may borrow, from time to time within one year from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, nine thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Cherry Valley and Rochdale Water District Loan, Act of 1949. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than nine years from their dates. Indebtedness incurred under this act shall be within the limit fixed for water indebtedness by chapter forty-four of the General Laws but except as provided herein shall be subject to the provisions of said chapter.

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

Approved June 16, 1949.

Chap.438 AN ACT TO INCREASE THE AMOUNT OF MONEY THAT MAY BE BORROWED BY THE THORNDIKE FIRE AND WATER DISTRICT IN THE TOWN OF PALMER, AND TO CLARIFY THE PROVISIONS OF LAW RELATIVE TO THE RIGHT OF SAID DISTRICT TO TAKE PROPERTY BY EMINENT DOMAIN.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 320 of the acts of 1946 is hereby amended by striking out, in line 5, the word "sixty-six" and inserting in place thereof the words: — one hundred and six, — so as to read as follows: — *Section 4.* For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and six thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Thorndike Fire and Water District Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty

years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 2. Said chapter 320 is hereby further amended by striking out section 2 and inserting in place thereof the following:— *Section 2.* For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, including the metropolitan water district acting through the metropolitan district commission, for whatever water may be required, authority to furnish the same being hereby granted, and subject nevertheless to section fifteen and section fifteen A as inserted by chapter forty of the acts of nineteen hundred and forty-seven, may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, which are within the town of Palmer and not already appropriated for the purposes of a public water supply, and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, stand-pipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating

and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Palmer. The district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. This act shall take effect upon its passage.

Approved June 16, 1949.

Chap.439 AN ACT DESIGNATING THE TRAFFIC CIRCLE LOCATED AT THE REAR OF MOUNT AUBURN HOSPITAL AND IN FRONT OF THE CAMBRIDGE BOAT CLUB IN THE CITY OF CAMBRIDGE, AS THE MARSH MEMORIAL CIRCLE.

Be it enacted, etc., as follows:

SECTION 1. The traffic circle located on Memorial Drive extension at the rear of Mount Auburn Hospital and in front of the Cambridge Boat Club in the city of Cambridge, shall be known and designated as the Marsh Memorial Circle, and a suitable tablet or marker bearing said designation shall be erected at said traffic circle by the metropolitan district commission.

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

Approved June 16, 1949.

Chap.440 AN ACT AUTHORIZING THE TOWN OF ESSEX TO USE A PORTION OF HERBERT GOODHUE MEMORIAL PARK AS A SITE FOR A FIRE STATION.

Be it enacted, etc., as follows:

SECTION 1. The town of Essex is hereby authorized to use as a site for a fire station such portion of the park land in said town, known as Herbert Goodhue Memorial Park, as may be designated by the board of selectmen.

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

Approved June 16, 1949.