

up in connection with the construction of the said sewer, as aforesaid, the commissioner of public health, acting within the limits of the town of Lakeville, and the said selectmen of Middleborough, acting within the limits of the town of Middleborough, shall restore the same to as good order and condition as the same was in when such digging commenced, and the commonwealth in the case of the work in Lakeville shall at all times indemnify and save harmless the towns of Lakeville and Middleborough against all damages which may be recovered against them respectively, and shall reimburse them respectively for all expenses which they shall incur by reason of any defect or want of repair in any street or way caused by the construction of said main sewer or sewers or any branches thereof, or by the maintaining or repairing of the same; provided, that the commonwealth and the said town of Middleborough shall have due and reasonable notice of all claims for such damages or injury and an opportunity to make a legal defense thereto.

SECTION 4. This act shall take effect upon its passage.

*Approved May 10, 1950.*

AN ACT RELATIVE TO THE ELECTION AND TENURE OF OFFICE OF THE CITY CLERK IN THE CITY OF MALDEN. *Chap.433*

*Be it enacted, etc., as follows:*

SECTION 1. The city council of the city of Malden, as soon after its organization as may be convenient, in years when it organizes, otherwise on the first Monday in January, or as soon thereafter as may be convenient, shall triennially choose, by joint ballot in convention, a city clerk, who shall hold office for the term of three years next ensuing and until the qualification of his successor; provided, that said city clerk may be removed at any time by the city council for sufficient cause and any vacancy occurring in such office may be filled at any time by concurrent vote of the city council. The compensation of the city clerk shall be fixed by concurrent vote of the city council.

SECTION 2. Nothing in this act shall affect the tenure of the city clerk of said city in office on the effective date of this act.

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

*Approved May 10, 1950.*

AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF SUPERINTENDENT OR ENGINEER OF THE WATER DEPARTMENT IN THE TOWN OF MEDWAY UNDER THE CIVIL SERVICE LAWS. *Chap.434*

*Be it enacted, etc., as follows:*

SECTION 1. The office of superintendent or engineer of the water department of the town of Medway shall, upon the effective date of this act, become subject to the civil service laws and regulations made thereunder, and the tenure of office of the present incumbent thereof shall be un-

limited, subject however to said laws; provided, that he shall pass a qualifying examination, to which he shall be subjected by the division of civil service.

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

*Approved May 10, 1950.*

*Chap.435* AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO ACQUIRE LAND IN THE TOWN OF WRENTHAM FOR THE PURPOSE OF PROVIDING AN ADDITIONAL WATER SUPPLY FOR THE WRENTHAM STATE SCHOOL.

*Be it enacted, etc., as follows:*

SECTION 1. The department of mental health, for the purpose of acquiring an additional supply of pure water for domestic and other purposes at the Wrentham state school, may, in the name and on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase, gift or otherwise, and hold such lands and interests in land in the town of Wrentham as are necessary for wells and the protection thereof and for a pipe line from such wells to said school; may install wells, erect buildings and other structures, make excavations, procure and operate machinery, construct, lay and maintain aqueducts, conduits, pipes, pole lines and other works under or over any lands, 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 purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said department may dig up or raise and embank lands, highways or other ways, in such manner as to cause the least hindrance to public travel on such ways; provided, that said department shall not enter upon, construct or lay any conduits, pipes or other work 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; and provided further, that all water for domestic purposes and lands necessary for preserving the quality of such water shall be taken or acquired only with the advice and approval of the department of public health.

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

*Approved May 10, 1950.*

*Chap.436* AN ACT PROVIDING THAT THE POSITIONS OF CALL FIREMEN IN THE TOWN OF STOUGHTON SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES WITH RESPECT TO APPOINTMENTS MADE HEREAFTER.

*Be it enacted, etc., as follows:*

SECTION 1. The civil service laws and the rules made thereunder shall not apply to positions of call firemen in the