

HOUSE No. 82.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Feb. 16, 1892.

The committee on Water Supply, to whom was referred the petition of a committee of Fire District No. 1 of South Hadley for a special charter for the ratification of their acts and for authority to issue bonds to meet expenses of securing the water supply, report the accompanying Bill.

For the Committee,

WILLIAM H. HEMENWAY.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-two.

AN ACT

To Incorporate and Enlarge the Powers of Fire District Number One in the Town of South Hadley.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The organization now known as
2 fire district number one in the town of South
3 Hadley, and bounded as follows, viz. : beginning
4 on the easterly side of the Connecticut river, at
5 the mouth of White's brook, and thence running
6 northeasterly along said brook to the highway
7 leading to the "head of the canal," so called,
8 thence easterly along said highway to the old
9 Falls woods road, thence northerly along said
10 road to a point opposite the northwesterly cor-
11 ner of land of George E. and Mary C. Lamb,
12 thence easterly along the northerly line of land
13 of said Lamb's to land formerly of Adoniram J.

14 Clark, thence southerly along the westerly line of
15 said Clark's land to land of said Lamb's, thence
16 easterly along the northerly line of said Lamb's
17 land to the highway leading from South Hadley
18 Falls to Smith's ferry, thence, after crossing said
19 highway, easterly along the northerly line of
20 A. B. C. Delaunay to land of Elizabeth B. C.
21 Lathrop, thence southerly along the westerly line
22 of said Lathrop's land to land of Patrick F.
23 Judge, thence easterly along the northerly line
24 of land of said Judge and of Lynch brothers
25 to a stone monument distant four hundred feet
26 westerly from the westerly line of the highway
27 leading from South Hadley Falls to South Had-
28 ley Center, thence northerly and parallel with said
29 highway, at a distance of four hundred feet west-
30 erly from the westerly line of said highway, to a
31 stone monument, thence easterly, crossing said
32 highway at a point distant four hundred feet
33 northerly from the house of Michael J. Sheehan,
34 and crossing the highway leading from South
35 Hadley Falls to Granby at a point distant four
36 hundred feet north-easterly from the house of
37 William McCutcheon to the Granby town line,
38 thence southerly along the Granby line to the
39 Hampden county line, thence westerly along the
40 county line to Connecticut river and thence
41 northerly along Connecticut river to the place
42 of beginning, is hereby made a corporation, and,
43 in addition to the powers which it now has under
44 the general laws, is invested with the rights,
45 powers and privileges hereinafter specified.

1 SECT. 2. The taking and purchase of land,
2 water-rights and easements heretofore made by
3 said fire district for the extinguishment of fires
4 and domestic purposes are hereby ratified and
5 confirmed, and said fire district may hold said
6 lands, water-rights and easements for such uses,
7 and the doings of said fire district and of its
8 officers in relation to the taking and purchase of
9 such lands, water-rights and easements are hereby
10 ratified and confirmed.

1 SECT. 3. The said fire district, for the purpose
2 of paying the expenses of the recent enlargement
3 of its water supply, may issue bonds, notes or
4 scrip to an amount not exceeding, in the aggre-
5 gate, thirty thousand dollars. Such bonds, notes
6 or scrip shall bear on the face the words, South
7 Hadley Fire District Water Loan, shall be pay-
8 able at the expiration of periods not exceeding
9 thirty years from the date of issue, shall bear
10 interest at a rate not exceeding six per cent. per
11 annum, payable semi-annually, and shall be signed
12 by the treasurer and prudential committee of the
13 district. The fire district may sell such securities
14 at public or private sale at not less than par, or
15 pledge the same for money borrowed for the pur-
16 pose aforesaid, upon such terms and conditions as
17 it may deem proper.

1 SECT. 4. The said fire district, at the time of
2 contracting said loan, shall provide for the estab-
3 lishment of a sinking fund, and shall annually

4 contribute to said fund a sum sufficient, with the
5 accumulations thereof, to pay the principal of said
6 loan at maturity. Such sinking fund shall remain
7 inviolate, and shall be used for no other purpose
8 than the payment of said loan. Commissioners
9 to hold and manage such sinking fund shall be
10 chosen in the manner and with the powers and
11 duties prescribed by sections ten and eleven of
12 chapter twenty-nine of the Public Statutes.

1 SECT. 5. The said fire district shall raise
2 annually by taxation a sum which, with the
3 income derived from water rents, will be sufficient
4 to pay the current annual expense of operating its
5 water works and the interest on the bonds, notes
6 or scrip issued as aforesaid by the district, and to
7 make such contributions to its sinking fund and
8 payments on its principal as may be required
9 under the provisions of this act.

1 SECT. 6. The said fire district may purchase
2 or take, in the manner provided by sections two
3 and four of chapter one hundred and fourteen of
4 the acts of eighteen hundred and seventy-two,
5 and hold such other lands, water-rights and ease-
6 ments within the town of South Hadley as may
7 be required for enlarging, extending or protect-
8 ing its water works, and may raise by taxation
9 for the purpose of such enlargement, extension or
10 protection a sum of money not exceeding three
11 thousand dollars in any one year.

1 SECT. 7. Whenever the said fire district has
2 voted to raise by taxation money for any purpose
3 authorized by this act, the clerk shall render a
4 certified copy of the vote to the assessors of the
5 town of South Hadley, and such tax shall be
6 assessed, collected and paid over by the appro-
7 priate officers of the town in the manner provided
8 by law as to other fire district taxes. Said fire
9 district may collect interest on taxes when over
10 due at a rate not exceeding six per cent. per
11 annum, and may allow a discount for payment of
12 taxes before they become due: *provided*, that the
13 district, at the time of voting to raise a tax, shall
14 so determine and shall fix a time when said tax
15 shall be payable.

1 SECT. 8. Whoever wantonly or maliciously
2 diverts the water, or any part thereof, taken or
3 held by said fire district for the purposes afore-
4 said, or corrupts the same, or renders it impure,
5 or destroys or injures any dam, aqueduct, pipe,
6 conduit, hydrant, machinery or other works or
7 property held, owned or used by said district for
8 such purposes, shall forfeit and pay to said fire
9 district three times the amount of the damages
10 assessed therefor, to be recovered in an action of
11 tort; and, on conviction of any of the wanton or
12 malicious acts aforesaid, may also be punished by
13 fine not exceeding three hundred dollars or by
14 imprisonment not exceeding one year.

