

HOUSE No. 1322.

[Mr. McCLELLAN gives notice that he will move to substitute this bill for the bill printed as House No. 1189.]

Commonwealth of Massachusetts.

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

AN ACT

To amend an Act entitled “An Act to provide for the Metropolitan Water Supply.”

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 twenty-two of chapter four hundred and
2 eighty-eight of the acts of eighteen hundred and ninety-
3 five is hereby amended by striking out the words “and
4 for the construction, maintenance and operation of said
5 works, the same to,” in the fourteenth and fifteenth lines
6 of said section, and substituting therefor the following:
7 “and if the water is taken from the river above said
8 reservoir it shall pay in addition a fair proportion of the
9 cost of maintaining the purity of said water above the
10 point of said taking; and if the water is taken from said
11 reservoir it shall pay in addition a fair proportion of the

12 cost of maintaining the purity of said water and of the
13 cost of constructing and maintaining said dam and reser-
14 voir. Said proportions shall,"—so that said twenty-
15 second section shall read as follows:—

16 “*Section 22.* The towns of Clinton, Sterling,
17 Boylston, West Boylston, Lancaster, Holden, Rutland,
18 Princeton, Paxton and Leicester, and the city of Wor-
19 cester, may take from the south branch of the Nashua
20 river, above the dam of the proposed reservoir on said
21 river, so much of the water thereof as they have
22 already been or may hereafter be authorized by the
23 legislature to take, for supplying their inhabitants with
24 water, and in case either of the towns of Lancaster,
25 Holden, Rutland, Princeton, Paxton or Leicester, or
26 the city of Worcester, shall so take water, it shall pay
27 to the Commonwealth, to be paid into the sinking funds
28 for said bonds, a fair proportion of the cost incurred
29 by the Commonwealth for said water, and if the water
30 is taken from the river above said reservoir it shall pay
31 in addition a fair proportion of the cost of maintaining
32 the purity of said water above the point of said taking;
33 and if the water is taken from said reservoir it shall pay
34 in addition a fair proportion of the cost of maintaining
35 the purity of said water and of the cost of constructing
36 and maintaining said dam and reservoir. Said propor-
37 tion shall be determined by the engineer of said board
38 and an engineer to be appointed by the city or town,
39 and if they cannot agree, the proportion shall be de-
40 termined by a master to be appointed by the supreme
41 judicial court on the petition of either party interested,
42 and the report of such master made and accepted by said
43 court shall be final and binding on all parties.”

