

HOUSE No. 1402

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 11, 1909.

The committee on Water Supply, to whom was referred the petition (with accompanying bill, Senate, No. 195) of Edward A. Walker, mayor, that the city of Waltham be authorized to take additional water from or near the Charles river, report the accompanying bill.

For the committee,

BERNARD F. HANRAHAN.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nine.

AN ACT

To authorize the City of Waltham to take Additional Sources of 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 1. The city of Waltham is hereby authorized
2 to take, hold and convey into and through said city from
3 lands near the Charles river, at any convenient point
4 upon the same within the limits of said city, water for
5 the use of said city and the inhabitants thereof, not
6 exceeding two million gallons daily, in addition to the
7 three million gallons daily which it is now authorized
8 to take from the Charles river by chapter three hun-
9 dred and thirty-seven of the acts of the year eighteen
10 hundred and seventy-two and chapter three hundred and
11 nine of the acts of the year eighteen hundred and eighty-
12 four and chapter two hundred and fifty-three of the acts
13 of the year eighteen hundred and ninety-one, making the
14 whole quantity which the city is authorized to take five
15 million gallons daily. The two million gallons daily
16 aforesaid is to be taken from the water-bearing strata

17 contained within the said lands, and is to be drawn there-
18 from through artesian, driven or dug wells, or water
19 galleries now installed or to be installed, or in such
20 other manner as may be approved by the state board of
21 health; and the location of all reservoirs, wells, filters
22 or other works for taking, holding or purifying said
23 water shall be subject to the approval of said board.

1 SECTION 2. Whenever said city of Waltham shall
2 desire to take water as herein provided it shall by vote
3 of the board of aldermen determine the amount daily it
4 will take of said two million gallons herein provided for;
5 and it shall thereupon be lawful for said city to take
6 only the amount daily from said river provided for by
7 said vote, in addition to the amount taken under the pro-
8 visions of said chapters three hundred and thirty-seven
9 and two hundred and fifty-three and by vote of said
10 town. Whenever said city shall desire to take a further
11 portion of said two million gallons it shall again deter-
12 mine as aforesaid by vote of its board of aldermen the
13 amount in addition to be taken daily.

1 SECTION 3. The city of Waltham shall be liable to pay
2 all damages that shall be sustained by any person or
3 persons in their property by the taking of the waters of
4 the said Charles river or other source of supply or any
5 part thereof as authorized by this act; and the provisions
6 of said chapter three hundred and thirty-seven and said
7 chapter three hundred and nine and said chapter two
8 hundred and fifty-three shall apply to the additional two
9 million gallons daily so far as the amount of water flow-
10 ing in the said Charles river is diminished thereby.

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

