

HOUSE No. 464.

[House, No. 399, as passed to be engrossed by the House.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty-six

AN ACT

To establish a System of Sewage Disposal for the
City of Worcester.

*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 Worcester shall, with-
2 out being limited to any particular system, within
3 four years after the passage of this act, remove
4 from its sewage, before it is discharged into
5 the Blackstone river, the offensive and polluting
6 properties and substances therein, so that after
7 its discharge into said river, either directly or
8 through its tributaries, it shall not create a nui-

9 sance or endanger the public health. Said city
10 shall have full power to take, by purchase or
11 otherwise, any lands, water rights, water privi-
12 leges, rights of way or easements in said city of
13 Worcester, or in the town of Millbury, necessary
14 for the establishment of such system of sewage
15 disposal.

1 SECT. 2. When any lands, water rights or
2 water privileges, rights of way or easements are
3 so taken, in any manner other than by purchase,
4 said city shall, within thirty days after such tak-
5 ing, file in the Worcester district registry of
6 deeds for the county of Worcester, and cause to
7 be recorded therein, a description of the same, as
8 certain as is required in a common conveyance of
9 land, with a statement of the purpose for which
10 the same is taken, and thereupon the water rights,
11 water privileges, rights of way, easements and
12 the fee of land shall vest in said city. The city
13 of Worcester shall pay all damages that shall be
14 sustained by any person or corporation by reason
15 of such taking. Any person or corporation sus-
16 taining damages as aforesaid, who fails to agree
17 with said city as to the amount of damages sus-
18 tained, may have the damages assessed and
19 determined by a jury, on petition to the superior
20 court for the county of Worcester, on application
21 at any time within the period of three years
22 from the taking of such land or other property,
23 or the doing of injury under the authority of this
24 act.

1 SECT. 3. Said city is hereby authorized to
2 raise and appropriate, in such manner as its city
3 government shall determine, such sums of money
4 as shall be required by said city to carry out the
5 provisions of this act.

1 SECT. 4. The supreme judicial court, or any
2 justice thereof, shall have jurisdiction in equity
3 to enforce the provisions of this act, by injunc-
4 tion, or by any other appropriate equitable rem-
5 edy, on complaint of the selectmen of any town,
6 in the county of Worcester, situate on the Black-
7 stone river.

1 SECT. 5. Nothing in this act, nor the com-
2 pliance with its provisions by the city of Worces-
3 ter, shall be construed as an estoppel or waiver of
4 any claims that the city might otherwise legally
5 or equitably make upon the Commonwealth for
6 compensation or relief or assistance because of
7 injury suffered or of benefits directly or indi-
8 rectly conferred by said city upon the Common-
9 wealth resulting from the action hereby required.

HOUSE OF REPRESENTATIVES, June 16, 1886.

Passed to be engrossed.

Sent up for concurrence.

EDWARD A. McLAUGHLIN,

Clerk.

