

AN ACT RELATING TO THE SALARY OF THE LATE CHARLES H. INGALLS, COUNTY COMMISSIONER OF THE COUNTY OF BERKSHIRE. *Chap. 54*

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

SECTION 1. The county of Berkshire is hereby authorized to pay to the widow and daughter of Charles H. Ingalls late county commissioner of the county of Berkshire, the amount of salary to which he would have been entitled had he lived and continued to hold his office until the thirty-first day of December in the year eighteen hundred and ninety-two.

Salary of Charles H. Ingalls may be paid to widow and daughter.

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

*Approved March 10, 1892.*

AN ACT RELATING TO THE CONDITIONS UNDER WHICH DAMS MAY BE ERECTED ACROSS NAVIGABLE STREAMS AND OUTLETS OF GREAT PONDS FOR FLOWING CRANBERRY LANDS. *Chap. 55*

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

Section forty-eight of chapter one hundred and ninety of the Public Statutes is hereby amended by inserting after the word "appropriated", in the first line thereof, the words:— or which he desires to appropriate,— by striking out the word "a", in the third line thereof, and inserting in place thereof the word:— any,— by striking out the words "not navigable", in the third line thereof, and by adding at the end of the section the words:— *provided, however,* that nothing herein contained shall authorize the erection or maintenance of a dam across any navigable stream, or across the outlet of any great pond, without a license obtained therefor from the board of harbor and land commissioners, in accordance with and subject to the provisions of chapter nineteen of the Public Statutes and of chapter three hundred and eighteen of the acts of the year eighteen hundred and eighty-eight,— so as to read as follows:— *Section 48.* Any owner or lessee of land appropriated, or which he desires to appropriate, to the cultivation and growth of the cranberry may erect and maintain a dam upon and across any stream for the purpose of flowing and irrigating said land, upon the terms and conditions and subject to the regulations contained in this chapter, so far as the same are properly applicable in such cases: *provided, however,* that nothing herein contained shall authorize the erection or mainte-

P. S. 190, § 48, amended.

Erection of dams across streams, etc., for flowing cranberry lands.

Proviso.

nance of a dam across any navigable stream, or across the outlet of any great pond, without a license obtained therefor from the board of harbor and land commissioners, in accordance with and subject to the provisions of chapter nineteen of the Public Statutes and of chapter three hundred and eighteen of the acts of the year eighteen hundred and eighty-eight. *Approved March 10, 1892.*

*Chap. 56* AN ACT TO AUTHORIZE FIRE DISTRICT NUMBER ONE OF ATTLEBOROUGH TO INCREASE ITS WATER SUPPLY.

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

May take land, water rights, etc., to increase its water supply.

SECTION 1. Fire District Number One of Attleborough is hereby authorized to take, by purchase or otherwise, and hold the waters of the Seven Mile river in the town of Attleborough, or the waters of any springs, wells or other ground water sources on the watershed of said river, or the waters of any other streams, springs, watershed or water sources at any point within said town, and the water rights connected with any of said sources, and all lands, rights of way and easements necessary for holding and preserving such water and for carrying the same to any part of said town of Attleborough; and said district may have, in relation to such new sources of water supply and the holding, preserving and conveyance of the water taken therefrom, all the powers, rights and privileges now possessed in relation to, or in connection with, its present source of water supply. Within sixty days from the taking of any land as aforesaid the district shall file in the registry of deeds for the county and district in which such land lies, a description thereof sufficiently accurate for identification, together with a statement of the purposes for which the same is taken.

To file in registry of deeds a description of lands, etc., taken.

Liability for damages.

SECTION 2. Said district shall be liable to pay all damages that shall be sustained by any person or corporation by reason of the proceedings of the district under this act; and any such person or corporation who shall be unable to agree with said district upon the amount of such damages, may have them assessed in the manner prescribed in section eight of chapter two hundred and seventy-one of the acts of the year eighteen hundred and seventy-three. But no application for the assessment of damages shall be made for the taking of any water or water right, or for any injury thereto, until the water is actually withdrawn or diverted by the district.