

northerly by Lincoln street and westerly by Lake avenue, as located by decree of the said city council dated September twenty-second, eighteen hundred and seventy-three, and with the right to appropriate a portion of the land first described to be used as a reservoir.

To file in registry of deeds a description of land taken.

SECTION 2. Said city, within sixty days after said city council votes to take any land under said act, shall file in the registry of deeds situate in the city of Worcester a description of the land taken sufficiently accurate for identification, which description shall be signed by the mayor of said city, and the title of the land taken shall vest in the said city from the time of filing such description.

City of Worcester to pay damages.

SECTION 3. The city of Worcester shall pay all damages sustained by any person or corporation by the taking of any land under this act, and if the owner of any land taken shall not agree with said city upon the damages to be paid therefor, such damages shall be assessed and determined in the manner provided where land is taken for the laying out of highways.

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

*Approved May 23, 1884.*

*Chap. 264* AN ACT TO PROTECT THE FISHERIES OF THE TOWNS OF MASHPEE AND BARNSTABLE.

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

Fisheries regulated in Mashpee.

SECTION 1. No person not an inhabitant of the town of Mashpee shall fish for or take from the waters within said town, except Hamblin's Pond and its outlet, and excepting the trout fishery in Popponessett Bay, south of a line drawn from Gooseberry Island to Mashpee Neck, any fish, shell-fish or eels, without a written permit or lease from the selectmen of said town, stating the time, place, manner and number in which the same may be taken; nor shall any inhabitant of said town at any one time take more than three bushels of shell-fish for bait, or take any fish, shell-fish or eels for the purpose of selling the same, without a written permit from said selectmen, who may grant the same for such sum, to be paid to the use of said town, as they shall deem proper: *provided, however,* that no seining shall be allowed in any of the waters of said town; but the inhabitants of said town may take such fish, shell-fish and eels for family use without such permit, except from such fisheries as are lawfully leased by said town to others.

Seining not allowed.

SECTION 2. Whoever fishes for, takes or destroys any fish, shell-fish or eels in the waters of said town of Mashpee in violation of the provisions of this act, or otherwise than is specified in his permit, and whoever wilfully places any obstruction to, or otherwise interferes with, the free passage of fish or eels in said waters, shall for each offence be subject to a fine of not less than fifty nor more than one hundred dollars and costs of prosecution, and if he have a permit shall forfeit the same; and all fines under this act shall be paid, one-half to the town of Mashpee and one-half to the complainant. Said fine and forfeiture imposed under this act, may be recovered by complaint before any trial justice, or by indictment before any court of competent jurisdiction in Barnstable County.

Penalties.

SECTION 3. Any constable or fishwarden of said town may, without a warrant, arrest any person whom he finds in the act of fishing for, taking or destroying fish, shell-fish or eels, in violation of this act, or in the act of carrying away fish, shell-fish or eels so taken, and detain him in some place of safe keeping until a warrant can be procured against such person upon a complaint for said offences, or either of them: *provided*, that such detention shall not exceed twenty-four hours.

Constable or fishwarden may arrest without a warrant.

SECTION 4. Section one of chapter thirty-five of the acts of the year eighteen hundred and fifty-two is hereby amended so as to read as follows: — No person shall set, draw or stretch any seine or drag-net in Barnstable Harbor, Osterville Harbor, Popponessett Bay, or any of the creeks, ponds or streams within the limits of the town of Barnstable, under a penalty of not less than fifty nor more than one hundred dollars, to be recovered in any court proper to try the same, one-half to the use of said town and the other half to any person who shall prosecute therefor.

Fisheries regulated in harbors and other waters in Barnstable.

SECTION 5. All acts and parts of acts inconsistent herewith are hereby repealed. *Approved May 24, 1884.*

Repeal.

AN ACT IN RELATION TO COMMITMENTS TO IMPRISONMENT UPON TWO OR MORE SENTENCES.

Chap. 265

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

SECTION 1. A person upon whom two or more sentences to imprisonment have been imposed may be fully committed upon all such sentences at one and the same

Commitments upon two or more sentences.