

or persons with any such vessel, boat or craft shall be detected in taking or in attempting to take any of said fish in any manner different from that prescribed by said selectmen, or with seines, nets or with other instruments of a kind or size different from that established by said selectmen, it shall be the duty of said selectmen, or either one of them, to seize such vessel, boat or craft, seine or other instruments, and detain the same not exceeding forty-eight hours, in order that the same may be attached by due process of law and made answerable for the fines and forfeitures incurred with cost of suit.

SECTION 6. One half of all fines and forfeitures incurred under this act shall accrue to said town of Dennis, and the other half to the persons who shall prosecute for the same, excepting that when said selectmen, or either one of them, shall prosecute for such fines and forfeitures they shall accrue wholly to the said town, to be recovered by complaint in any court having jurisdiction of the same.

Fines and
forfeitures.

Approved March 30, 1895.

AN ACT TO AUTHORIZE THE TOWN OF NORTH ATTLEBOROUGH TO INCREASE ITS WATER SUPPLY.

Chap. 204

Be it enacted, etc., as follows:

SECTION 1. The town of North Attleborough, for the purpose of furnishing itself and its inhabitants with an additional supply of water for the extinguishment of fires and for domestic and other purposes, may take and hold the water, water sources and any water rights connected therewith of the Ten Mile river in the town of Wrentham; and may take and hold by purchase or otherwise any lands, rights of way and easements necessary for the preservation and purity of said waters and for conveying the same to any part of said town of North Attleborough; and may make excavations and erect and maintain on the land thus taken, dams, reservoirs, buildings, fixtures and other structures necessary for the taking and distribution of said waters.

Additional
water supply
for North
Attleborough.

SECTION 2. Said town of North Attleborough, in the prosecution of said work and for the purposes aforesaid, and for the purpose of connecting the water works now owned by it with the water and water sources granted in this act, may lay and maintain conduits, pipes or other works over or under any water course, street, railroad, highway or other way, or any public or private lands, and

May lay and
maintain con-
duits, pipes, etc.

along any such way in such manner as not unnecessarily to obstruct the same, and in general may do any other acts or things necessary and proper for the carrying out of said purposes; and for the purpose of constructing, maintaining and repairing such conduits, pipes and other works, and for all proper purposes of this act, may enter upon and dig up any such lands, and, under the direction of the selectmen of the town of Wrentham, may enter upon and dig up any such ways in said town of Wrentham in such manner and with such care as not to render such lands and ways unsafe or unnecessarily inconvenient for those entitled to use the same, and shall restore the same to as good order and condition as they were in before such digging commenced.

May dig up ways in Wrentham under direction of selectmen.

Description of lands, etc., to be recorded.

SECTION 3. Said town of North Attleborough shall, within sixty days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, otherwise than by purchase, file and cause to be recorded in the registry of deeds for the county of Norfolk a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by its water commissioners; and the title of all lands so taken shall vest in said town of North Attleborough.

Water commissioners.

SECTION 4. Said town of North Attleborough shall exercise the rights, powers and authority granted by this act, by its board of water commissioners, subject to the duties, liabilities and restrictions herein contained, who shall be governed by such instructions, rules and regulations as said town may by vote impose.

Damages.

SECTION 5. Said town of North Attleborough shall pay all damages sustained by any person or corporation in property by the taking of any land, right of way, water, water source, water right or easement, or any other thing done by said town under the authority of this act. Any person or corporation entitled to damages as aforesaid under this act, who fails to agree with said town as to the amount of damages sustained, may have the damages assessed and determined in the manner provided by law when land is taken for the laying out of highways, by making application at any time within the period of three years from the taking of such land or other property or the doing of any other injury under the authority of this act; but no application shall be made after the expiration

of said three years. No application for assessment of damages shall be made for the taking of any water, water right or any injury thereto, until the water is actually withdrawn or diverted by said town under the authority of this act.

SECTION 6. Said town of North Attleborough may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to any amount not exceeding in the aggregate thirty-five thousand dollars; such bonds, notes and scrip shall bear on their face the words, North Attleborough Water Loan; shall be payable at the expiration of periods not exceeding thirty years from the date of issue; shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the treasurer and be countersigned by the selectmen of the town of North Attleborough. The said town of North Attleborough may sell such securities at public or private sale or pledge the same for money borrowed for the purpose of this act, and upon such terms and conditions as it may deem proper. The said town of North Attleborough shall pay the interest on said loan as it accrues, and shall provide at the time of contracting said loan for the establishment of a sinking fund, and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose.

North
Attleborough
Water Loan.

Sinking fund.

SECTION 7. Said town of North Attleborough instead of establishing a sinking fund may at the time of authorizing said loan provide for the payment thereof in such annual payments as will extinguish the same within the time prescribed in this act; and when such vote has been passed the amount required thereby shall without further vote be assessed by the assessors of said town of North Attleborough in each year thereafter until the debt incurred shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

May provide
for annual pay-
ments on loan.

SECTION 8. The return required by section ninety-one of chapter eleven of the Public Statutes shall state the amount of any sinking fund established under this act, and if none is established whether action has been taken in

Return to state
amount of sink-
ing fund, etc.

accordance with the provisions of section six of this act, and shall also state the amounts raised and applied thereunder for the current year.

Payment of expenses, etc.

SECTION 9. Said town of North Attleborough shall raise annually by taxation a sum which with the income derived from the water rates will be sufficient to pay the current annual expenses of operating its water works and the interest as it accrues on the bonds, notes and scrip issued as aforesaid by said town of North Attleborough, and to make such contributions to the sinking fund and payments on the principal as may be required under the provisions of this act.

Penalty for corruption of water, etc.

SECTION 10. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town of North Attleborough three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of either of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding one year.

Water supply for Plainville, etc.

SECTION 11. Nothing in this act shall be construed to prevent the village of Plainville in said town of Wrentham, or any fire district or corporation hereafter organized in said village for the purpose, from supplying itself or its inhabitants with pure water for the extinguishment of fires and for domestic and other purposes from the water and water sources herein granted to the town of North Attleborough.

Approved March 30, 1895.

Chap. 205 AN ACT TO AUTHORIZE THE TOWN OF UXBRIDGE TO INCREASE ITS WATER SUPPLY.

Be it enacted, etc., as follows:

Additional water supply for Uxbridge.

SECTION 1. The town of Uxbridge is hereby authorized, for the purpose of furnishing an additional supply of water to its inhabitants for fire, domestic and other purposes, except for manufacturing or power purposes, to draw and convey from Mendon pond, so-called, lying in the town of Mendon, so much of the waters thereof and the waters that flow into and from the same as it may require; and it may take by purchase or otherwise and hold any water rights connected with said pond, and any land