

HOUSE No. 481.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 26, 1892.

The committee on Water Supply, to whom was referred the petition of the water boards of Malden, Medford and Melrose for legislation granting the control over and public rights in Spot Pond to the municipalities using said pond as a water supply, report the accompanying Bill.

For the Committee,

H. E. RUGGLES.

Commonwealth of Massachusetts

In the Year One Thousand Eight Hundred and Ninety-two.

AN ACT

To preserve the Purity of the Waters of Spot Pond.

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. For the purpose of maintaining
2 the purity of the waters of Spot Pond used as a
3 source of water supply by the city of Malden and
4 the towns of Medford and Melrose, and in order
5 that the said city and towns may better guard and
6 protect the waters of the said pond from pollution,
7 so long as the said pond shall be used by the said
8 city and towns, or by either of them, as a storage
9 basin and water supply, and until otherwise pro-
10 vided by statute, all the public right and control
11 which the Commonwealth has in the great pond
12 known as Spot Pond in the towns of Stoneham
13 and Medford are hereby granted and relinquished
14 unto the said city of Malden and the towns of
15 Medford and Melrose with power to prevent all

16 persons and animals from entering in, upon or over
17 the said pond.

1 SECT. 2. The officers, or agents of said munici-
2 palities, who are vested, under the provisions
3 of chapter one hundred and sixty of the acts of the
4 year eighteen hundred and seventy, with the
5 general regulation and control of the waters of
6 said pond, together with the selectmen of the town
7 of Stoneham, are authorized to establish rules
8 from time to time to regulate the entering in and
9 upon the waters of said pond so far as they may
10 deem necessary for maintaining their purity as a
11 source of domestic water supply; and may ap-
12 point servants or agents with authority to enforce
13 the same. And any person violating such rules
14 shall be deemed guilty of a trespass, and fined not
15 less than ten dollars nor more than fifty dollars
16 for each offence. In all actions of said joint board
17 under this section the representatives of each
18 municipality shall have one vote.

1 SECT. 3. The state board of health, on appli-
2 cation by the representatives in said joint board
3 or any of the above mentioned four municipalities,
4 within thirty days after the receipt by them of a
5 copy of any rules adopted by said officers or
6 agents, may inquire into and rescind any rule or
7 regulation which said board shall determine un-
8 reasonable, but said rules and regulations shall
9 remain of full force and effect until thus rescinded.

1 SECT. 4. Whenever either the said city of
2 Malden or said towns of Medford or Melrose shall
3 cease to use the said pond as a storage basin and
4 water supply, the right hereby granted shall pass
5 to and vest in the remaining city or towns con-
6 tinuing such use.

1 SECT. 5. This act shall take effect upon its
2 passage.