

HOUSE No. 427

Bill accompanying the petition of Fred K. Chaffee, treasurer, for legislation relative to the Berkshire Water Company. Water Supply. January 20.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Ten.

AN ACT

Relative to the Berkshire Water Company.

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. Section two of chapter one hundred
2 and twenty-seven of the acts of the year eighteen
3 hundred and eighty is hereby amended by inserting
4 after the words "real estate," in the eighth line, the
5 words:—within the town of Lee or within the
6 town of Washington,—and by adding at the end
7 thereof the words:—*Provided, however,* that no
8 source of water supply for domestic purposes and
9 no lands shall be acquired or used under this act
10 without the advice and consent of the state board
11 of health, and that the location of all dams, reser-

12 voirs or other works for collecting or storing water
13 shall be subject to the approval of said board, — so
14 as to read as follows: — *Section 2.* Said corpora-
15 tion may take, hold and convey through the town of
16 Lee or any part thereof, the water of any spring or
17 springs or of any stream or streams within said
18 town of Lee, together with any water rights con-
19 nected therewith, excepting, however, Laurel Lake,
20 its outlets and sources, unless with the consent of
21 the owners of said lake; and may take and hold, by
22 purchase or otherwise, any real estate within the
23 town of Lee or within the town of Washington
24 necessary for the preservation and purity of the
25 same, or for forming any dams or reservoirs to
26 hold the same, and for laying and maintaining aque-
27 ducts and pipes for distributing the waters so taken
28 and held; and may lay its water pipes through any
29 private lands, with the right to enter upon the same
30 and dig therein for the purpose of making all neces-
31 sary repairs or service connections; and for the
32 purpose aforesaid may carry its pipes under or
33 over any watercourse, street, railroad, highway
34 or other way, in such manner as not to obstruct
35 the same; and may under the direction of the board
36 of selectmen enter upon and dig up any road or
37 other way for the purpose of laying or repairing
38 its aqueducts, pipes or other works; and in general
39 may do any other acts and things convenient or
40 proper for carrying out the purposes of this act:
41 *provided, however,* that no source of water supply
42 for domestic purposes and no lands shall be ac-
43 quired or used under this act without the advice
44 and consent of the state board of health, and that
45 the location of all dams, reservoirs or other works

46 for collecting or storing water shall be subject to
47 the approval of said board.

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

