

Proviso. not exceeding in area six hundred feet, in accordance with plans now on file in the office of the city engineer of said city: *provided*, that no burial lot in which are buried the remains of the dead shall be entered upon under the provisions of this act until such remains shall have been removed and duly interred, with all headstones as they now exist transferred so as to mark their appropriate graves, without expense to the owner of or persons interested in such burial lot.

Damages. SECTION 2. Said city shall be liable to the owners of, and all parties interested in, said burial ground, to pay all damages sustained in their property by the taking of any lands under the provisions of the preceding section. If said owners or any party interested as aforesaid cannot agree with the city upon the amount of said damages, such owners or party may have said damages assessed in the same manner as is provided in case of the taking of land for highways: *provided*, that any application for a jury to assess said damages shall be made within one year after said damages are sustained.

Proviso.

SECTION 3. This act shall take effect upon its passage.

*Approved April 5, 1894.*

*Chap. 214* AN ACT RELATING TO THE REMOVAL OF SICK PRISONERS TO THE STATE FARM.

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

Sick convicts, upon request of governor and council, may be removed.

SECTION 1. When it appears to the governor and council that a convict under imprisonment in any jail or house of correction is suffering from disease that cannot be safely treated in such jail or house of correction, the commissioners of prisons may, upon the request of the governor and council, remove such convict to the state farm for such treatment as may be required; and said commissioners may at any time return such convict to the jail or house of correction from which he was so removed. Any convict removed or returned under this act shall be held in the place of imprisonment to which he is so removed or returned, according to the terms of his original sentence, and the period for which such convict is so removed shall be reckoned as a part of the term of his sentence to imprisonment.

Order for removal, etc.

SECTION 2. Every order for the removal or return of a prisoner under this act shall be signed by the secretary

of the commissioners of prisons, and may be executed by any officer authorized to serve criminal process. All mittimus and other official papers or attested copies thereof, by virtue of which a prisoner is held in custody, shall be removed or returned with him.

SECTION 3. The cost of the removal or return of a prisoner under this act shall be paid from the treasury of the Commonwealth. The cost of supporting a prisoner removed to the state farm under this act shall be paid by the county from which he is removed, but the expense thereof shall not exceed three dollars and twenty-five cents per week.

Cost of removal, etc.

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

*Approved April 5, 1894.*

AN ACT TO AUTHORIZE FIRE DISTRICT NUMBER ONE OF GREENFIELD TO INCREASE ITS WATER SUPPLY.

*Chap. 215*

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

SECTION 1. The Fire District Number One of the town of Greenfield, for the purpose of furnishing an additional water supply for itself and the inhabitants of the towns of Greenfield and Deerfield, for the extinguishment of fires and for domestic and other purposes, may take, by purchase or otherwise, and hold the water of Workman brook in the town of Colrain, and the east branch of Glen brook in the town of Leyden, and the water rights connected therewith, and also all lands, rights of way and easements necessary for holding and preserving such water and for conveying the same to any part of said towns of Greenfield and Deerfield; and may erect on the land thus taken or held proper dams, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay down conduits, pipes and other works under or over any lands, water courses, or public or private ways, and along any such way in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing such conduits, pipes and other works, and for all proper purposes of this act, said fire district may dig up any such lands, and, under the direction of the board of selectmen

Additional water supply for Greenfield and Deerfield.

May dig up lands, etc., under direction of selectmen.