

to have same effect as publication under G. S. 110, § 40.

years of age, shall, by an instrument in writing, acknowledged before some one having the powers of a justice of the peace, delegate to the directors or managers of any incorporated charitable institution authorized to accept the same, the custody of such infant, and renounce all future control over the same, the consent of the directors or managers of such institution to the adoption of such child according to the general laws regulating adoption shall have the same effect as publication under the fortieth section of chapter one hundred and ten of the General Statutes: *provided, further*, that a copy of the written consent shall be spread on the record of the case of adoption, and the decree of the judge be recorded in the probate court in the county from whence the child was taken by the managers, and in the county where the decree is made.

Proviso.

Suitable persons may be agreed with for care and support of children abandoned by parents.

SECTION 3. When any infant lawfully in the custody of a charitable institution as aforesaid, has been wilfully deserted and abandoned for more than four months by its parents or natural guardians, the authorities of such institution may procure any suitable person in this Commonwealth to take and support such child for such time as may be specified in a written agreement made for that purpose, not exceeding the time when the child shall be fourteen years old. The form and conditions of such agreement shall be prescribed by the board of state charities, and said agreement, with a descriptive list of the origin, name, age and person of the infant, so far as known, and the name and residence and recommendations of the person taking the child shall be returned to the board of state charities in such form as they may prescribe: *provided, further*, that all children within the purview of this act, except those named in section two, shall be subject to the visitation and control now provided by the general laws for children put out or apprenticed from state institutions: *provided, further*, that nothing herein contained shall diminish the legal rights which parents, guardians and next of kin now have.

Form of agreement to be prescribed by board of state charities.

Provisos.

SECTION 4. All acts and parts of acts repugnant to the provisions of this act are hereby repealed.

Approved March 19, 1870.

Chap. 93. AN ACT TO AUTHORIZE CITIES AND TOWNS TO PURCHASE WATER-RIGHTS.
Be it enacted, &c., as follows:

Cities, &c., may purchase right to supply pure water to its inhabitants.

SECTION 1. Any city or town in this Commonwealth may, for the purpose of supplying pure water to its inhabitants, purchase of any aqueduct company, or of any municipal or other corporation, now existing, or that may hereafter be or-

ganized under any special charter or general law of this Commonwealth, the right to take water from any of its sources of supply or from pipes leading therefrom; or may purchase its whole water-rights, estates, properties, franchises and privileges, and by such latter purchase become entitled to all the rights and privileges and subject to all the duties and liabilities appertaining and belonging to said company or corporation: *provided, however*, that no city shall exercise such authority to purchase without the consent of two-thirds of each branch of its city council, sanctioned and ratified by a majority of the voters of said city, present and voting thereon at a legal meeting duly called in their several ward-rooms for that purpose, and at which the check-list shall be used; and *provided, further*, that no town shall exercise such authority to purchase without the consent of a majority of its selectmen, sanctioned and ratified by a majority of the voters of said town, present and voting thereon at a legal meeting duly called for that purpose, and at which the check-list shall be used.

—not to purchase without consent of two-thirds of city council or majority of selectmen.

SECTION 2. Any city or town which shall make such purchase, may issue bonds in payment thereof, at a rate of interest not exceeding seven per cent., payable semi-annually, and redeemable at some time not exceeding twenty years from the date thereof.

—may issue bonds in payment, redeemable in twenty years.

SECTION 3. Any city or town which shall make such purchase and issue bonds as aforesaid, may, for the purpose of purchasing materials, laying pipes, and doing other work necessary in order to supply its inhabitants with pure water for domestic uses, or for extinguishment of fires, issue additional bonds similar to those heretofore specified: *provided*, the whole amount issued under this and the preceding section does not exceed ten per cent. of its valuation.

—may issue additional bonds for laying pipes, &c.

Proviso.

SECTION 4. In case the water should be brought through another city or town, pipes may be laid through such streets and highways of said city or town as shall be designated by the mayor and aldermen, or selectmen thereof; and the party exercising the privilege of laying pipes under such permission, shall be liable in an action of contract or tort, for all damages to any party damaged thereby.

Pipes carried through another town, &c., to be laid under direction of selectmen, &c. Liability for damages.

SECTION 5. All purchase-money received by any city or town under or by authority of the provisions of this act, shall be applied to the payment of its water-debt; or, if no such debt exists, then into the general treasury of such city or town.

Purchase-money to be applied to payment of water-debt.

Approved March 19, 1870.