

order. Final judgments recovered by the city shall, for the space of one year thereafter, constitute a lien and may be enforced in the same manner and to the same extent in all respects as provided in regard to original assessments in the third section of this act.

SECTION 6. This act shall take effect upon its passage.

*Approved March 31, 1877.*

**Chap. 101** AN ACT RELATING TO SPECIAL CONTRACTS BETWEEN PERSONS AND CORPORATIONS AND THEIR SERVANTS, EMPLOYÉS AND WORKMEN.

*Be it enacted, &c., as follows :*

Contracts to exempt corporations, etc., from liability for injury to servants, etc., not to be made.

SECTION 1. No person or corporation shall by any special contract with his or its servants, employés or workmen, exempt himself or itself from any liability which he or it might otherwise be under to them for injuries suffered by them in their employment, where such injuries result from such person's or corporation's own negligence or the negligence of other servants, employés or workmen: *provided, however*, that nothing in this act shall be construed as creating any right or liability not now existing by law.

Proviso.

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

*Approved April 3, 1877.*

**Chap. 102** AN ACT REQUIRING ADMINISTRATORS, EXECUTORS, GUARDIANS AND TRUSTEES TO RENDER THEIR ACCOUNTS ANNUALLY.

*Be it enacted, &c., as follows :*

Administrators, trustees, etc., to render accounts yearly.

Every administrator, executor, guardian and trustee, now required by law to render an account of his trust in the probate court, shall render to that court his account relative to the estate in his hands at least once a year, and at such other times as shall be required by said court until his trust shall be fulfilled: *provided, however*, that the judge of probate may upon application of any administrator, executor, guardian or trustee, excuse him from rendering an account in any year if satisfied that it is not necessary or expedient that such account be rendered.

Proviso.

*Approved April 3, 1877.*

**Chap. 103** AN ACT TO INCORPORATE THE CHICOPEE WATER COMPANY.

*Be it enacted, &c., as follows :*

Corporators.

SECTION 1. Charles McClallan, William C. McClallan, Emerson Gaylord, Erastus Stebbins, John A. Denison and Chauncey H. Hyde, their associates and successors, are hereby made a corporation by the name of the Chicopee Water Company, for the purpose of furnishing the inhab-

Name and purpose.

itants of the centre village of Chicopee with pure water for the extinguishment of fires, domestic and other purposes; with all the powers and privileges, and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or hereafter may be in force applicable to such corporations.

SECTION 2. Said corporation may take, hold and convey to, into and through the said village the waters of springs and brooks in and upon a certain parcel of land in Springfield, bounded and described as follows, to wit: easterly by the Chicopee Falls Road, so called; southerly by the Morgan Road, so called; westerly and northerly by Liberty Street and the boundary line between Chicopee and Springfield; and may take and hold by purchase or otherwise any real estate necessary for the preservation and purity of the same, or for forming any dams or reservoirs to hold the same, and for laying and maintaining aqueducts and pipes for distributing the waters so taken and held, and may lay its water-pipes through any private lands, with the right to enter upon the same and dig therein for the purpose of making all necessary repairs; and for the purpose aforesaid may carry its pipes under any street, highway or other way in such manner as not to obstruct the same; and may, under the direction of the board of selectmen, enter upon and dig up any road or way for the purpose of laying or repairing its aqueducts, pipes or other works; and in general may do any other acts and things necessary, convenient or proper for carrying out the purposes of this act.

May take and convey water.

May take and hold real estate.

SECTION 3. Said corporation shall, within sixty days after the taking of any land under this act, file in the registry of deeds of the county of Hampden a description of any land so taken, sufficiently accurate for identification, and state the purpose for which it is taken; and the title of land so taken shall vest in said corporation. Any person injured in any of his property by any of the acts of said corporation, and failing to agree with said corporation as to the amount of damages, may have them assessed and determined in the manner provided when land is taken for highways.

To file in registry of deeds a description of the land taken.

SECTION 4. Said corporation may distribute the water throughout said village, may establish and fix from time to time rates for the use of said water and collect the same by suits or otherwise, and may make such contracts with

May establish water rates.

the town of Chicopee, the Chicopee Central Fire District, or with individuals, to supply water for fire and other purposes, as may be agreed on by said town, district or individuals and said corporation.

Real and personal estate.

SECTION 5. Said corporation for the purposes set forth in this act may hold real and personal estate not exceeding in amount fifty thousand dollars in value, and the whole capital stock shall not exceed seventy-five thousand dollars, to be divided into shares of one hundred dollars each.

Penalty for diverting water, or rendering the same impure.

SECTION 6. If any person shall use any of said water taken under this act, without the consent of said corporation, or shall wantonly or maliciously divert the water or any part thereof so taken, or corrupt the same or render it impure, or destroy or injure any dam, aqueduct, pipe, conduit, hydrant, machinery or other works or property held, owned or used by said corporation under the authority of and for the purposes of this act, he shall forfeit and pay to said corporation three times the amount of damages assessed therefor, to be recovered in an action of tort; and on conviction of either of the wanton or malicious acts aforesaid, may be punished by a fine not exceeding three hundred dollars, or by imprisonment in jail not exceeding one year.

May purchase aqueduct now in use.

SECTION 7. Said corporation may purchase from the owner or owners of any aqueduct now used in furnishing water to the inhabitants of said village, his or their whole water right, estate, property and privileges, and by such purchase shall become entitled to all the rights and privileges and subject to all the duties and liabilities appertaining and belonging to such owner or owners.

Town of Chicopee may purchase at any time.

SECTION 8. The town of Chicopee shall have the right at any time, during the continuance of the charter hereby granted, to purchase the corporate property and all the rights and privileges of said company at the actual cost of the same, or at such a price as may be mutually agreed upon between said corporation and the said town of Chicopee; and the said corporation is authorized to make sale of the same. This authority to purchase said franchise and property is granted on condition that the same is assented to by said town by a two-thirds vote of the voters present and voting thereon at any annual meeting, or at a legal meeting called for that purpose.

Subject to assent by a two-thirds vote.

Work to be completed within two years.

SECTION 9. This act shall take effect upon its passage, and shall become void unless the work of introducing said water into said village is completed within two years.

*Approved April 3, 1877.*