

of this act as may seem to said board necessary or reasonable.

SECTION 2. Any corporation violating the provisions of this act shall be liable to a penalty not exceeding five hundred dollars. Penalty.
Approved April 27, 1891.

AN ACT TO AUTHORIZE THE ORDER OF \$900 TO CHANGE ITS CORPORATE NAME. *Chap.250*

Be it enacted, etc., as follows:

SECTION 1. The Order of \$900, a corporation duly incorporated under the laws of this Commonwealth, is hereby authorized to change its corporate name to that of The Golden Palm. Name may be changed to The Golden Palm.

SECTION 2. This act shall take effect upon its passage.
Approved April 28, 1891.

AN ACT RELATIVE TO THE BOARD OF PUBLIC WORKS FOR THE CITY OF NEW BEDFORD. *Chap.251*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two as amended by chapter two hundred and forty of the acts of the year eighteen hundred and ninety, and chapter one hundred and sixty-seven of the acts of the year eighteen hundred and eighty-nine as amended by chapter three hundred and forty-two of the acts of the year eighteen hundred and ninety, shall be so construed as to make the board of public works for the city of New Bedford park commissioners, with the powers specified in said chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two. Board of public works to be the park commissioners.

SECTION 2. This act shall take effect upon its passage.
Approved April 28, 1891.

AN ACT TO SUPPLY THE TOWN OF EASTHAMPTON WITH WATER. *Chap.252*

Be it enacted, etc., as follows:

SECTION 1. The town of Easthampton may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes, including the furnishing of power; may establish fountains, watering places and hydrants and relocate and discontinue the same; may regulate the use of such water and fix and collect rates to be paid for the use of the same. Town may supply itself with water.

May take water
from springs,
ponds, etc.

SECTION 2. The said town, for the purposes aforesaid, may take by purchase or otherwise and hold the waters of all springs, ponds and streams located and described as follows: — First. Those located in Northampton on or near the top of Mount Tom, at a place known as the Old Orchard, and being on or flowing through lands of Joseph Parsons, Franklin W. Janes and others, and forming a branch of a brook flowing northeasterly past an old mill once known as Shannon's mill, and thence emptying into the Connecticut river. Second. Springs and streams located partly in Northampton and partly in Easthampton, on lands owned by Henry Clark, J. Frank Clark, Enoch E. Wood, estate of Martin Rich and others, on the westerly slope of Mount Tom, and flowing northwesterly and emptying into Williston pond. Third. Springs and streams known as Brandy brook and Rum brook located in the town of Easthampton on the westerly slope of Mount Tom, on lands owned by George W. Hendrick, Horatio B. Shoals, George L. Manchester, Sarah J. Sawyer and others, flowing northwesterly and emptying into Nashawannuck pond. Fourth. Springs and streams located in the town of Easthampton on the westerly slope of Mount Tom, on lands of George W. Hendrick, Charles B. Hendrick, R. Sparrow Hendrick and others, and constituting branches of Broad brook, which flows northerly and empties into Nashawannuck pond. Fifth. Springs and streams known as Wilton brook located partly in Southampton and partly in Easthampton, being on lands or flowing northeasterly through lands of Alba Coleman, estate of Sidney Avery, William N. Clapp, James H. Lyman, Z. A. Thayer and others, and emptying into Nashawannuck pond. Sixth. And the said town, for the purposes aforesaid, may in like manner take and hold the waters of any other ponds, springs or streams located anywhere within the limits of said town of Easthampton, and also all the water rights connected with any and all said springs, streams and ponds. Seventh. And the said town, for the purposes aforesaid, may in like manner take and hold all the lands, rights of way and easements necessary for holding and preserving such water and for conveying the same to any part of said town of Easthampton; may also plant, grow, protect and preserve any wood and timber upon any lands in the vicinity of any and all said waters, and may take and hold the lands for that

May take lands,
rights of way,
etc.

purpose; and may erect on any lands taken and held, proper dams, buildings, fixtures or 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, railroads 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 and for carrying the same into effect said town may dig up any such lands, and under the direction of the board of selectmen of the town in which any such ways are situated may enter upon and dig up any such ways in such manner as to cause the least hindrance to public travel on such ways.

May erect dams and fixtures.

May lay down conduits, etc.

May dig up lands under direction of the selectmen.

SECTION 3. The town shall, within sixty days after the taking of any such lands, rights of way, water rights, water-courses or easements as aforesaid, otherwise than by purchase, file and cause to be recorded in the registry of deeds for the county in which the said lands or other property are situated, a description thereof sufficiently accurate for identification, with a statement of the purposes for which the same were taken, signed by the water commissioners hereinafter provided for.

To cause to be recorded in the registry of deeds a description of the land, etc., taken.

SECTION 4. The said town shall pay all damages sustained by any person or corporation in property by the taking of any lands, right of way, water, water-course, water right or easement, or by any other thing done by said town under the authority of this act. Any person or corporation sustaining damages as aforesaid under this act who fails to agree with said town as to the amount of damages sustained, may have the damages assessed and determined in the manner provided by law when land is taken for the laying out of highways, on application at any time within the period of three years from the taking of such land or other property or the doing of other injury under the authority of this act; but no such application shall be made after the expiration of said three years. No application for the assessment of damages shall be made for the taking of any water, water right or for any injury thereto, until the water is actually with-

Damages.

drawn or diverted by said town under the authority of this act.

Town may borrow not exceeding \$50,000.

SECTION 5. The said town may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, borrow money from time to time and issue therefor notes, bonds or scrip to an amount not exceeding in the aggregate fifty thousand dollars; such notes, bonds or scrip shall bear interest payable semi-annually at a rate not exceeding five per cent. per annum and shall be payable at the expiration of periods not exceeding ten years from the date of issue, and shall be signed by a majority of the selectmen. Said town may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper.

May sell securities at public or private sale.

To provide for its payment in annual proportionate payments.

The said town shall at the time of the authorizing of said loan provide for the payment thereof in such annual proportionate payments as will extinguish the same within the time prescribed in this act, and a sum not less than ten per cent. of the aggregate sum of said loans shall be provided for and paid annually by said town, and when such vote has been passed the amount required thereby shall without further vote, be assessed by the assessors of said town in each year thereafter until the debt incurred by said loans shall be extinguished, in the same manner as other taxes are assessed under the provision of section thirty-four of chapter eleven of the Public Statutes.

To state in return what action has been taken.

SECTION 6. The return required by section ninety-one of chapter eleven of the Public Statutes shall state what action has been taken in accordance with the provisions of the preceding section and the amounts raised and applied thereunder for the current year.

To raise by taxation sufficient, with income from water rates, to pay current expenses, etc.

SECTION 7. The said town shall raise annually by taxation a sum which with the income derived from the water rates will be sufficient to pay the current annual expenses of operating its water works and the interest as it accrues on the notes, bonds or scrip issued as aforesaid by said town, and to make such contributions to the payments on the principal as may be required under the provisions of this act.

Penalty for wilfully corrupting or diverting water, etc.

SECTION 8. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under

this act, or injures any structure, work or other property, owned, held or used by said town under the authority and for the purposes of this act, or burns or destroys any trees, wood or timber standing or being upon land taken or held under the authority of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of either of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding one year.

SECTION 9. The said town shall, after its acceptance of this act, at a legal meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual town-meeting, to constitute a board of water commissioners; and at each annual town-meeting thereafter one such commissioner shall be elected by ballot for a term of three years. All the authority granted to said town by this act and not otherwise specifically provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business relative to said water works. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town-meeting called for the purpose.

Board of water commissioners to be elected.

Quorum.

Vacancy.

SECTION 10. This act shall take effect upon its acceptance by two-thirds of the voters of the said town present and voting thereon at any legal town-meeting called for the purpose within three years from its passage; but the number of such meetings shall not exceed three in any one year. At such meetings the votes shall be taken by written or printed ballots and the polls shall be kept open at least four hours. At such meetings the selectmen shall preside, and in receiving said ballots the check-list shall be used in the same manner as it is used at elections of national, state and county officers.

Subject to acceptance by a two-thirds vote within three years.

Approved April 28, 1891.