

*Chap. 222* AN ACT FOR SUPPLYING THE TOWN OF GREENFIELD WITH WATER.  
*Be it enacted, &c., as follows:*

May take water  
from Glen  
Brook, in Ley-  
den.

SECTION 1. Fire district number one in Greenfield is hereby authorized, by and through the agency of the construction committee heretofore chosen by said district for the purpose herein mentioned, to take, hold, control, and convey to, into and through the town and village of Greenfield and Deerfield, the waters of Glen Brook, and the waters which flow into the same above "the Glen," so called, in the town of Leyden; and said district may take and hold, by purchase or otherwise, any land on, around and above the said glen, so far as may be necessary for forming and maintaining a reservoir, and for the preservation of the water and the purity thereof, and may also take and hold any real estate necessary for forming and maintaining reservoirs, laying and maintaining aqueducts for conducting, discharging and distributing water for the purpose of furnishing a supply of water for the town and village of Greenfield and of Deerfield and for public purposes.

May take real  
estate for reser-  
voirs, &c.

May build aque-  
ducts through  
Greenfield and  
Deerfield.

SECTION 2. The said district may, by and through the same agency, make and build one or more permanent aqueducts from said glen to, into and through the town and village of Greenfield and of Deerfield, and maintain the same by any works suitable therefor; may erect and maintain dams to raise and retain the water therein; may make and maintain reservoirs within and without the limits of said district; may make and establish public fountains, and such public hydrants, in such places as may, from time to time, be deemed proper, and prescribe the purposes for which they may be used, and may change or discontinue the same; may distribute the water in said Greenfield and Deerfield, and establish the prices or rents to be paid therefor; and the said district may for the purposes aforesaid, carry and conduct any aqueducts, pipes or other works, by them to be made, laid or constructed over or under any water-course or railroad, and over, or under, or along any street, highway or other way, in such manner as not to obstruct or impede travel thereon; and may enter upon, and dig up any such road, street or way for the purpose of laying down pipes beneath the surface thereof, and for maintaining and repairing the same, and may do any other things necessary and proper in executing the purposes of this act: *provided*, that anything done under this act in, upon or under any street, highway or other way, shall be subject to the direction of the selectmen of said Greenfield, Deerfield or Leyden, as the case may be.

Proviso.

SECTION 3. The said district shall be liable to all damages that shall be sustained by any persons in their property by the taking of any land, water, water rights, mill privileges or other rights, or by interfering with or controlling the waters of said Glen Brook and the waters which flow into the same above said glen, or by the constructing of any aqueducts, reservoirs or other works for the purposes specified in this act; and if any person who shall sustain damages as aforesaid, cannot agree with the said committee upon the amount of said damages, he may have them assessed by the county commissioners for the county of Franklin, by making a written application therefor within two years after said land or water shall have been taken, under this act; and if either party be aggrieved by the doings of said commissioners in the estimation of said damages, he or they may have said damages settled by a jury; and the said commissioners and jury shall have the same powers, and the proceedings in all respects shall be conducted in the same manner as is provided by law with respect to damages for land taken for highways. And the committee aforesaid shall, within six months from the time of taking any lands, springs or brooks, as before provided, file in the registry of deeds in Franklin county an accurate description of the lands, springs or brooks so taken, and a statement of the purpose for which the same are taken, signed by said committee. And said committee shall, upon the written request of any person whose lands, springs or brooks are so taken, furnish him with an accurate description of the same.

Liability for damages.

To file description of land taken in registry of deeds.

SECTION 4. If any person shall use any of the said water without the consent of the said district, an action of tort may be maintained by the inhabitants of said district for the recovery of damages therefor; and if any person shall wantonly or maliciously divert the water or any part thereof, of any springs or brooks or water-courses, which shall be taken by said district pursuant to the provisions of this act, or shall corrupt the same, or render it impure, or destroy or injure any dam, reservoir, aqueduct, pipe, conduit, hydrant, machinery, or other works or property, held, owned or used by said district, by the authority and for the purposes of this act, every such person shall forfeit and pay to said district three times the amount of the damages that shall be assessed therefor in an action of tort in the name of the inhabitants of said district; and any such person, on conviction of either of the wanton or malicious acts aforesaid, may also be punished by fine not exceeding three hundred dollars, or imprisonment not exceeding one year.

Penalty for maliciously diverting the water or corrupting the same.

Committee to have superintendence of the works;

—to continue in office two years;

—may be removed by vote of district.

Quorum.

Report.

Compensation.

When office of committee ceases, duties to be done by district.

"Greenfield Water Scrip," not exceeding \$40,000, may be issued.

SECTION 5. The committee mentioned in the first section of this act shall, during their continuance in office, execute, superintend and direct the performance and execution of all the works and things mentioned in the preceding sections that are not specially otherwise provided for in this act; they shall be subject to such ordinances, rules and regulations, in the execution of their said trust, as said district may from time to time ordain and establish, not inconsistent with the provisions of this act and the laws of the Commonwealth; they shall continue in office for the term of two years from the passage of this act, unless the works aforesaid shall be sooner completed; but they, or either of them, after having had an opportunity to be heard in his or their defence, may be removed at any time by a vote of the majority of the voters present and voting at any legal meeting of the district called for that purpose; and in case of a vacancy in the committee by reason of death, resignation, removal or inability to serve, such vacancy may be filled by the district at a legal meeting called for the purpose, and the person chosen to fill said vacancy shall hold his office for the residue of the two years, with all the powers and subject to the restrictions aforesaid. A major part of said committee shall be a quorum to do business; they shall once a year, and whenever required by a vote of the district, make and present, in writing, a full and particular statement of all their acts and doings, and of the condition and progress of the works aforesaid. And all the contracts and agreements made by said committee for the purposes herein mentioned before the passage of this act, are hereby ratified, confirmed and declared valid. The compensation of said committee shall be fixed at the first annual meeting of said district after the passage of this act, and shall not be altered during their continuance in office.

SECTION 6. Whenever the office of the committee before mentioned in this act shall cease, either by the expiration of the term of two years, or by the completion of the works, as mentioned in the foregoing sections of this act, all the rights, powers and authority given to the said fire district by this act shall then and thenceforth be exercised by the said fire-district, subject to the duties, liabilities and restrictions herein contained, in such manner and by such officers and agents as the said district shall from time to time ordain and direct.

SECTION 7. For the purpose of paying all costs and expenses of such lands and waters as have been, or may be taken, purchased or held for the purposes of this act, of laying aqueducts or pipes, and of the construction of all works necessary for the accomplishment of the purposes aforesaid,

and all expenses incident thereto, including the expenses already incurred by said district or said committee, for said purposes, the town of Greenfield shall have authority to issue from time to time notes, scrip or certificates of debt, to be denominated on the face thereof, "Greenfield Water Scrip," to an amount not exceeding in the whole the sum of forty thousand dollars, bearing interest at a rate not exceeding seven per cent. per annum; and said interest shall be payable semi-annually, and the principal shall be payable at periods not more than thirty years from the issuing of said notes, scrip or certificates, respectively. All notes, scrip or certificates of debt to be issued as aforesaid shall be signed by the treasurer of the town, and countersigned by the selectmen of the town; and a record of all such notes, scrip or certificates shall be made and kept by the said treasurer, and said notes, scrip or certificates shall be delivered to the prudential committee of said fire district, and said district may sell said notes, scrip or certificates, or any part thereof, from time to time, at public or private sale, or pledge the same for money borrowed for the purposes aforesaid, on such terms and conditions as the said district shall judge proper.

Notes, &c., to be signed by treasurer, and record kept.

SECTION 8. The town of Greenfield is hereby fully authorized to assess and collect upon the polls and estate, real and personal, in said fire district, all taxes necessary to pay the principal and interest of the scrip that shall be sold or pledged by said district as herein provided: *provided*, that said district may at any legal meeting called for the purpose, vote to raise money by taxation for the payment of said scrip, principal and interest, or any part thereof, or any other expenses incurred under this act, as said district may deem expedient; and all sums so voted shall be assessed and collected in the same manner as other taxes voted by said district.

May raise money by taxation.

Proviso.

SECTION 9. There shall be a legal meeting of the voters of said fire district called within thirty days after the passage of this act, for the purpose of having said voters give in their written votes on the question whether they will accept the provisions of this act, and if the major part of the votes given upon said question shall be in the affirmative, the result of said vote shall forthwith be certified by the clerk of said district to the selectmen of the town of Greenfield; and the said selectmen shall within thirty days thereafter warn a meeting of the voters of said town for the purpose of having said voters give in their written votes upon the question whether they will accept this act, and if the major part of the votes given at said meeting, upon said question, shall be

Subject to acceptance by voters of district.

in the affirmative, then this act shall be binding, otherwise it shall be null and void.

District may hold property and prosecute and defend actions.

SECTION 10. The fire district mentioned in this act is hereby made and declared to be a body corporate, so far as to take and hold property for the purposes mentioned in this act, and to prosecute and defend in all actions relating to the property and affairs of said district.

SECTION 11. This act shall take effect upon its passage.

*Approved May 6, 1870.*

**Chap. 223**

AN ACT TO AUTHORIZE SAMUEL G. SNELLING TO EXTEND HIS WHARF ON NEPONSET RIVER.

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

May construct wharf and docks in Boston.

SECTION 1. License is hereby given to Samuel G. Snelling to construct a wharf and docks over the flats in front of his estate on Taylor Street, in that part of Boston formerly known as Neponset, one hundred and twenty-eight feet in width on capsill of the present wharf, and extending four hundred feet ; and to enclose and fill up said flats and construct docks at the sides of said wharf, subject to the provisions of section four of chapter one hundred and forty-nine of the acts of the year eighteen hundred and sixty-six ; with the right to lay vessels at the end and sides of said wharf and to receive wharfage and dockage therefor : *provided*, that this license shall be subject to the provisions of chapter four hundred and thirty-two of the acts of the year eighteen hundred and sixty-nine.

Proviso.

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

*Approved May 6, 1870.*

**Chap. 224**

AN ACT CONCERNING MANUFACTURING AND OTHER CORPORATIONS.

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

Corporations.

SECTION 1. Any such number of persons as is hereinafter provided, who shall have associated themselves together by an agreement in writing such as is hereinafter described, with the intention to constitute a corporation for any of the purposes hereinafter specified, shall become a corporation upon complying with the provisions of the eleventh section of this act, and shall remain a corporation, with all the powers, rights and privileges, and subject to all the duties, limitations and restrictions conferred by general laws upon corporations, except as is herein otherwise provided.

For cutting ice, mining, manufacturing, &c.

SECTION 2. For the purpose of cutting, storing and selling ice, or of carrying on any agricultural, horticultural, mechanical, mining, quarrying or manufacturing business, except that of distilling or manufacturing intoxicating liquors, or for the purpose of printing and publishing newspapers,