

in the assessment first made after the apportionment under said section nine by a deduction therefrom or by an addition thereto, so as to give effect to the apportionment made under said section nine.

Approved March 18, 1909.

Chap.176 AN ACT RELATIVE TO THE METHUEN WATER COMPANY.

Be it enacted, etc., as follows:

Certain acts of
the town of
Methuen
confirmed, etc.

SECTION 1. The purchase of the franchise, property, rights and privileges of the Methuen Water Company by the town of Methuen, and the transfer and conveyance thereof by said corporation to said town is ratified and confirmed. The rights, powers, privileges and authority previously conferred upon and granted to said Methuen Water Company by the act to which this act is in addition are hereby granted to and vested in said town, subject to the conditions, provisions, duties and liabilities in said act contained, except as herein otherwise provided. The acts of said town and its agents in execution of the purposes of the act to which this act is in addition, so far as the same may appear to be invalid from any want of authority on the part of said town, are authorized, ratified and confirmed.

Same subject.

SECTION 2. The acts of said town in the taking and withdrawal of water, from sub-soil sources, by means of certain driven wells, so-called, driven upon land purchased by said town by deeds dated January 31, 1896, February 6, 1896, and October 17, 1902, and recorded with north district Essex deeds, book 153, page 539, book 170, page 290, book 200, page 135, so far as the same may appear to be invalid from any want of authority on the part of said town, or for failure to file a certificate or certificates of taking in the registry of deeds for the northern district of the county of Essex, as provided by chapter three hundred and ten of the acts of the year eighteen hundred and ninety-two, are authorized, ratified and confirmed. The right to withdraw by means of driven wells, so-called, from sub-soil sources, all water found within the premises described in said deeds is hereby granted to and vested in said town, but the granting and vesting of such right shall not be construed to limit the

rights, powers, privileges and authority previously conferred upon, and granted to said town by this act and the act to which this act is in addition.

SECTION 3. The said town shall pay all damages sustained by any person or corporation, in property, by the withdrawal by said town of water from said above mentioned premises, under the authority of this act. Any person or corporation sustaining damages, as aforesaid, by such withdrawal of water, 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 a period of one year from the acceptance of this act by the said town, but no damages shall be assessed in such proceeding which would have been barred had this act not been passed.

Damages.

SECTION 4. This act shall take effect upon its acceptance by said town at any meeting legally called for such purpose.

When to take effect.

Approved March 18, 1909.

AN ACT RELATIVE TO THE USE AND CARE OF WATER METERS IN THE CITIES AND TOWNS OF THE METROPOLITAN WATER DISTRICT.

Chap. 177

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter five hundred and twenty-four of the acts of the year nineteen hundred and seven is hereby amended by striking out the last sentence and inserting in place thereof the following: — It shall be the duty of the metropolitan water and sewerage board to supervise and promote the enforcement of the provisions of this act, and if any city, town, district or corporation violates or neglects in any respect to comply with the provisions hereof, said board shall forthwith give written notice of such violation or neglect, together with the facts relative thereto, to the attorney-general for his action in the premises. The supreme judicial court shall have jurisdiction, upon an information in equity filed by the attorney-general, to enforce all the terms and provisions of this act, — so as to read as follows: — *Section 3.* Meters shall receive the necessary care and maintenance to secure proper efficiency and shall be tested or

1907, 524, § 3, amended.

Care and maintenance of water meters, etc.