

Chap. 184 AN ACT PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH OF THE BURIAL EXPENSES OF SOLDIERS AND SAILORS DYING IN STATE INSTITUTIONS.

Be it enacted, etc., as follows:

Burial expenses of soldiers and sailors dying in state institutions, etc.

SECTION 1. When expense is incurred by a city or town, under the provisions of chapter three hundred and ninety-five of the acts of the year eighteen hundred and eighty-nine, for the burial of a soldier, sailor or marine dying in a state institution situated in such city or town, or by the city of Chelsea for the burial of a soldier dying in the soldiers' home in said city, the entire expense so incurred, not exceeding thirty-five dollars in any one case, shall be reimbursed to said city or town from the treasury of the Commonwealth; and returns of such expenditure shall be made to the auditor of the Commonwealth in such manner as he shall prescribe.

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

Approved April 20, 1892.

Chap. 185 AN ACT TO PROVIDE AN ADDITIONAL WATER SUPPLY FOR THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

Additional water supply for the city of Pittsfield.

SECTION 1. The city of Pittsfield is hereby authorized, by and through the agency of its board of public works, to take the waters of Hathaway brook, so-called, in the towns of Dalton and Washington, of Mill brook, so-called, in the towns of Lenox and Washington, and of Sikes brook, so-called, in the city of Pittsfield, and the waters which flow into and from said brooks, and to convey the same to, into and through the city of Pittsfield, for the purpose of furnishing an additional supply of water for the city of Pittsfield, and for public purposes; and for this purpose to take, by purchase or otherwise, any lands on or around said brooks, and any waters and water rights connected therewith, and to build and maintain all necessary dams and reservoirs and lay and maintain all necessary pipes, conduits and ditches, to connect the same with its present water works.

City to pay damages sustained.

SECTION 2. Said city shall be liable to pay all damages that may be sustained by any person or corporation in property by reason of such taking, and any person or corporation sustaining damages as aforesaid, who fails to agree with the board of public works of said city 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 two years from the taking of such land or other property.

SECTION 3. The provisions of section nine of chapter two hundred and ten of the acts of the year eighteen hundred and fifty-two shall, so far as the same are applicable, apply to all water taken and to all structures made, and property acquired or taken by said city under this act; and all the rights, privileges and remedies therein conferred upon the Pittsfield Fire District shall vest in and be exercised and enjoyed by the city of Pittsfield.

Provisions of 1852, 210, § 9, to apply, etc.

SECTION 4. The said city may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to an amount not exceeding one hundred thousand dollars. Such bonds, notes or scrip shall bear on the face thereof the words, Pittsfield Water Loan, Act of 1892, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, and shall bear interest payable semi-annually at a rate not exceeding six per centum per annum. Said city shall provide for the payment upon account of the principal sum incurred for the construction and maintenance of its water works, not less than the sum of four thousand dollars in each and every year next after the first day of April in the year eighteen hundred and ninety-three, in addition to the sums now required to be paid thereon each year by said city by the provisions of section three of chapter three hundred and forty of the acts of the year eighteen hundred and eighty-five, until all of said debt, both principal and interest, is fully paid and extinguished. The said city may authorize temporary loans to be made by its mayor and treasurer in anticipation of the issue of bonds, notes and scrip hereby authorized, or in anticipation of the payments to be made.

Pittsfield Water Loan, Act of 1892.

Additional payments, etc.

Temporary loans.

SECTION 5. This act shall not take effect until accepted by a two thirds vote of all the members of each branch of the city council of said city, taken by yeas and nays and approved by its mayor.

Subject to acceptance by a two thirds vote, etc.

Approved April 20, 1892.

AN ACT TO REGULATE THE TAKING OF EELS AND WHITE PERCH IN THE WATERS OF THE TOWN OF MATTAPOISETT.

Chap. 186

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Mattapoisett may grant permits in writing to take eels and white perch

Eel and white perch fisheries regulated.