

Chap. 77. AN ACT TO SUPPLY THE TOWN OF WESTBOROUGH WITH PURE WATER.
Be it enacted, &c., as follows:

Westborough
may be supplied
with pure water.

SECTION 1. The town of Westborough may supply itself and its inhabitants with pure water to extinguish fires, generate steam, and for domestic and other uses; may establish public fountains and hydrants; regulate their use, and discontinue the same, and may fix and collect rents for the use of such water.

May take water
from water-
sources within
its limits.

SECTION 2. Said town, for the purposes aforesaid, may take and hold the waters of such ponds and natural water-sources within its own limits as will give a sufficient supply of water; and may also take and hold all necessary land for raising, holding and preserving such water and conveying the same to any and all parts of said town; and may erect thereon proper dams, buildings, fixtures and other structures, and make excavations and procure and run machinery therefor; and for that purpose may construct and lay down conduits, pipes and other works under or over any water-course or railroad, and along any street, highway or other way in such a manner as when completed not to obstruct the same; and for the purpose of constructing, laying down, maintaining and repairing such conduits, pipes and other works, and for all other proper purposes of this act, may dig up any such street, highway or other way: *provided*, that within sixty days after the time of taking any land or water-sources as aforesaid, said town shall file in the registry of deeds for the county of Worcester a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same is taken.

May erect dams,
lay down pipes,
&c.

Liability for
damages.

SECTION 3. Said town shall be liable to pay all damages sustained by any persons in their property, by the taking of any land, water, water-sources or water-rights, or by the construction of any aqueducts, reservoirs or other works, for the purposes aforesaid. If any person sustaining damages as aforesaid, cannot agree with the town upon the amount of such damages, he may have them assessed by the county commissioners for the county of Worcester, by making a written application therefor within three years after the taking of such land or water-sources or other injury done as aforesaid, 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 said commissioners and jury shall have the same powers and the proceedings in all

Parties
aggrieved may
have trial by
jury.

respects shall be conducted in the same manner as is provided by law with respect to damages for land taken for highways.

SECTION 4. For the purpose of paying all necessary expenses and liabilities incurred under the provisions of this act, said town may issue bonds signed by its treasurer and denominated "Westborough Water Bonds," to an amount not exceeding five per centum of its valuation, payable at periods not exceeding thirty years from the date thereof, with interest payable semi-annually, at a rate not exceeding seven per centum per annum; and said town may sell said bonds at public or private sale, upon such terms and conditions as it may deem proper; and may raise money by taxation to pay said bonds and interest, when due; but said town shall not raise more than five thousand dollars in any one year to pay the principal of said bonds, except the year on which the same may become due; and all money raised for the purpose of paying said principal before the same is due, shall be held and invested by said town as a sinking fund for the payment of such principal.

"Westborough Water Bonds" may be issued not exceeding town valuation.

SECTION 5. Three persons to be elected by ballot by the inhabitants of said town as hereinafter provided shall form a board of water commissioners, who shall execute, superintend and direct the performance of all the works, matters and things mentioned in this act, and exercise all the rights, powers and privileges hereby granted and not otherwise specifically provided for herein, subject to the vote of the town. At any meeting of the inhabitants of said town called for the purpose, one of said board of water commissioners shall be elected for a term of one year, one for a term of two years, and one for a term of three years; but if chosen at any special meeting of the inhabitants of said town, the terms of the several commissioners shall expire in one, two, and three years, from the next succeeding annual town-meeting; after which first election one member of said board, as the term expires, shall be elected at the annual town-meeting for the term of three years. Said commissioners shall receive such compensation or salaries as said town by vote may prescribe; and a majority of said commissioners shall be a quorum for the exercise of the powers and duties prescribed by this act.

Rights to be exercised by water commissioners.

Penalty for diverting water or rendering it impure.

SECTION 6. Any person who shall maliciously divert the water, or any part thereof, taken and used under the provisions of this act, or who shall maliciously corrupt the same or render it impure, or who shall maliciously destroy or injure any dam, aqueduct, pipe or hydrant, or other property, real or personal, held, owned or used by said town for the purposes of this act, shall pay three times the actual damages to said town, to be recovered by an action of tort; and every such person on conviction of either of the malicious acts aforesaid shall be punished by fine not exceeding one hundred dollars, and imprisonment not exceeding six months.

SECTION 7. This act shall take effect upon its passage.

Approved March 15, 1873.

Chap. 78.

AN ACT TO AUTHORIZE THE TOWN OF WOBURN TO ISSUE ADDITIONAL WATER BONDS.

Be it enacted, &c., as follows :

May issue \$100,000 additional "Water Scrip." 1871, 307, § 6.

SECTION 1. The town of Woburn, for the purposes mentioned in the sixth section of chapter three hundred and seven of the acts of the year eighteen hundred and seventy-one, may issue bonds to an amount not exceeding one hundred thousand dollars, in addition to the amount therein authorized, to be issued upon like terms and conditions and with like powers in all respects, as are provided in said act for the issue of bonds of said town.

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

Approved March 15, 1873.

Chap. 79.

AN ACT TO AUTHORIZE THE BOSTON AND MAINE RAILROAD COMPANY TO CONSTRUCT A WHARF IN SOMERVILLE.

Be it enacted, &c., as follows :

Boston & Maine Railroad may construct wharf in Somerville.

SECTION 1. License is granted to the Boston and Maine Railroad Company to build a wharf in Somerville, on the southerly side of Mystic River, on the easterly side of its bridge, and north-westerly from the Eastern Railroad bridge, and within a line drawn from a point on the easterly side of said Eastern Railroad bridge, distant three hundred and seventy-five feet north-easterly from the north-easterly corner of the solid abutment of the last-named bridge, on the southerly side of the channel, and running north-westerly in a straight line to a point on the easterly side of the Boston and Maine Railroad bridge, distant six hundred and twenty-five feet northerly from the north-easterly corner of the solid abutment of the last-named bridge, on the southerly side of the channel, subject to the