

AN ACT MAKING ADDITIONAL PROVISION FOR THE WATER SUPPLY NEEDS OF THE METROPOLITAN WATER DISTRICT AND OTHER COMMUNITIES WHICH NOW OR HEREAFTER MAY REQUIRE WATER THEREFROM, AND OF THE CITY OF WORCESTER.

Chap. 375

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. A special metropolitan district water supply commission is hereby established, consisting of the commissioner of the metropolitan district commission as chairman and of two associate commissioners to be appointed by the governor with the advice and consent of the council, said commission to be hereinafter referred to as the commission. The associate commissioners shall serve for terms of five years, or until their successors are appointed and qualified. The governor may with like advice and consent remove any associate commissioner and fill for any unexpired term vacancies which may occur in the associate commissionerships. The chairman shall receive in addition to his salary as commissioner of the metropolitan district commission the sum of twenty-five hundred dollars a year, and the associate commissioners shall each receive a salary of four thousand dollars a year. The commission may hire such offices and other quarters as may be needed for the conduct of its work. The commission may appoint a chief engineer, and with the advice and consent of the governor and council may fix his salary.

Special metropolitan district water supply commission, establishment, composition, terms of office, etc.

Removals and vacancies.

Chairman, salary.

Associate commissioners, salary.

Offices, etc. Chief engineer, appointment, etc.

Extension and increase of water supply of metropolitan water system, etc.

Diversion into Wachusett reservoir of flood waters of Ware river, etc.

The commission, on behalf of the commonwealth, shall forthwith for the purpose of extending and increasing the water supply of the metropolitan water system, and of such cities and towns not members of the metropolitan water district as may hereafter require water from said system, divert into the Wachusett reservoir of said district the flood waters, as defined in section four, of the Ware river at a point in the town of Oakham or the town of Barre not more than one mile from the bridge of the Boston and Albany railroad crossing said river in the village of Coldbrook, and construct as a part of the metropolitan water system, such works as may be necessary for such extension and increase, and all structures and appurtenances incidental or complementary thereto; provided, that said flood waters shall not be so diverted between May thirty-first and December first in any year unless such diversion be first approved by the state department of public health. Said works, and particularly the aqueduct or tunnel required for said diversion, shall be constructed at such grade and of such capacity and otherwise so that they can be used as a

Proviso.

Works to be so constructed that they can be used as part of works later

to be constructed for diverting into Wachusett reservoir the waters of Swift river, etc.

Plans, maps etc., as to proposed extension to Ware, Swift and Millers rivers to be available to commission, etc.

Commission may adopt emergency methods, etc.

Aqueduct or tunnel to be turned over to, and maintained by metropolitan district commission.

Annual report by commission.

To be printed as public document.

Contracts by commission may contain certain provisions as to hours of labor of laborers, etc.

Engineering, legal, clerical, etc., assistants, appointment, compensation, etc.

Such appointments not subject to certain classification.

Civil service laws, as affecting such appointments.

part of works that shall later be constructed for diverting into the Wachusett reservoir the waters of the Swift river, in substantial accordance with the plans and recommendations of the joint board on water supply needs and resources of the commonwealth as contained in its report to the general court in the year nineteen hundred and twenty-two, printed as house document number fifteen hundred and fifty of said year. All plans, maps and records of said joint board relating to the proposed extension to the Ware, Swift and Millers rivers shall be made available to the commission, and the department of public health shall, at the expense of the commission, furnish it, on request, with any information relative to said projects that said department may have in its possession. In constructing the works herein authorized, the commission may adopt such emergency methods as in its opinion may be necessary or desirable to secure their completion as soon as the public necessity may require.

Said aqueduct or tunnel upon completion to said point of diversion and the diverting dam and other works and property incidental thereto, when completed shall be turned over to the metropolitan district commission, and shall be thereafter maintained by said commission as a part of the metropolitan water system under chapter ninety-two of the General Laws with all the powers and duties conferred by said chapter.

The commission established hereby shall annually, on or before January fifteenth, make a report, in conformity with the provisions of section thirty-two of chapter thirty of the General Laws, for the fiscal year ending on the thirtieth of November preceding, and said report shall be printed as a public document under section six of chapter five of the General Laws.

SECTION 2. In contracts entered into by the commission for the construction of the works herein authorized, there may be inserted a provision that the commission or any contractor or sub-contractor for the commission may employ laborers, workmen and mechanics for more than eight hours in any one day and for more than forty-eight hours in any one week in such construction, when, in the opinion of the commissioner of labor and industries, public necessity so requires. The commission may appoint and in its discretion remove such engineering, legal, clerical and other assistants as it may deem necessary to carry on the work herein authorized, and may fix their compensation in accordance with such rules and regulations as the commission may establish and as shall be approved by the governor and council. Such appointments shall not be subject to classification under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, and chapter thirty-one of the General Laws shall not apply to removals, and, in accordance with such regulations as the commission may establish and as shall be approved by the governor and council, any appointment, including that of the chief engineer, may

be wholly exempt from said chapter thirty-one. Upon request of the commission, the division of civil service shall hold special examinations.

Special civil service examinations.

SECTION 3. For the purpose of providing for the future extension of the metropolitan water system, the commission, on behalf of the commonwealth, may take by purchase or otherwise such lands, water rights, easements and other property in the watershed of the Swift river as it may deem necessary or desirable in preparation for the development of this river as a potential water supply for future use. The commission shall submit to the general court not later than the first Wednesday of January, nineteen hundred and twenty-seven, a draft of such legislation as it may deem necessary or advisable for the development of an adequate future water supply from the Swift river.

Commission may take certain lands, water rights, etc., in watershed of Swift river.

To submit draft of legislation for development of future water supply from Swift river.

The commission shall also consider the recommendations of the metropolitan district commission relative to making available by filtration or chlorination, or both, the waters of the Sudbury and Cochituate watersheds as contained in house document number eleven hundred and ten of nineteen hundred and twenty-six and as referred to in the report of the metropolitan water supply investigating commission in house document number nine hundred of nineteen hundred and twenty-six; shall consider the effect on the present water supply of the metropolitan district of the addition thereto of water purified by filtration or other means and the effect of such water upon the present aqueducts, reservoirs and other facilities of the metropolitan water district; and shall report in detail plans and specifications for such land takings and for the construction of such additional works in the town of Framingham, and of such covered reservoirs as it may recommend, and the estimated expense thereof. The commission shall also consider and report on the amount of water which should be required for reasons of health and sanitation to flow below dam number one on the Sudbury river notwithstanding any provision of chapter one hundred and seventy-seven of the acts of eighteen hundred and seventy-two, and on all matters set forth in house document number ten hundred and forty-eight of nineteen hundred and twenty-six and the petition accompanying the same, especially the present and future water supply needs and resources of the town of Framingham, and the terms and conditions upon which said town should be entitled to receive water from the water supply now owned by the metropolitan district. The commission shall also consider and report upon the effect of the diversion for water supply purposes of the waters of the South Sudbury river upon public health in the town of Ashland, and whether or not a system of sewage disposal should be provided in said town in the event of such diversion. The commission shall report to the general court its findings and recommendations relative to the questions outlined in this paragraph, together with drafts of such legislation as may be necessary to effect its

To consider certain recommendations as to making available by filtration or chlorination the waters of Sudbury and Cochituate watersheds.

To consider effect on metropolitan water supply of addition thereto of water purified by filtration, etc.

To report plans, etc., for land takings and construction in town of Framingham.

To consider and report as to flow of water below dam number one on Sudbury river, etc.

To consider and report as to water supply problem of town of Framingham, etc.

To consider and report as to diversion of waters of South Sudbury river as affecting public health in town of Ashland, etc.

To report to general court its findings, etc., with drafts of legislation, etc.

recommendations, by filing the same with the clerk of the house of representatives not later than December first of the current year, and it shall at the same time file a copy thereof with the budget commissioner.

Flood waters of Ware river, etc., defined.

SECTION 4. For the purposes of this act, the flood waters of the said Ware river which the commission is authorized to divert as provided in section one are hereby defined to be the waters thereof at and above the point of diversion established under section one in excess of a flow of eighty-five million gallons a day, meaning thereby that on any day when the natural flow of said river is less than eighty-five million gallons no water shall be diverted.

Gauging stations or regulating devices to establish limit of diversion. Records to be open to inspection and information to be furnished, etc.

The commission shall establish and maintain proper gauging stations or such suitable regulating devices as may be convenient and practical to establish the aforesaid limit of diversion with reasonable accuracy. Copies of all records obtained at such stations or by such devices shall be open to inspection during reasonable office hours and information shall be furnished, from time to time whenever reasonably requested, to any person owning or operating any mill or manufacturing establishment below the point of diversion or taking, or to the mayor of any city or the chairman of the board of selectmen of any town bordering on said river.

Certain waters of Ware river to be available for water supply of city of Worcester and certain towns, etc.

The waters of said Ware river and its tributaries at or above the point of diversion established as aforesaid, other than those authorized to be taken by the provisions of this act, and other than those waters not so taken which are needed for the processes of industry or for reasons of public health, are within its contemplation to be, when and as hereafter authorized by the general court, available for the domestic and public water supply of the city of Worcester and of the towns within the watershed of said river and its tributaries.

Commission may take flood waters of Ware river, etc., water rights, lands, etc.

SECTION 5. For any of the purposes of this act, the commission, on behalf of the commonwealth, may at any time and from time to time take by eminent domain or acquire by purchase or otherwise the flood waters, as hereinbefore defined, of the Ware river and its tributaries, or any of said flood waters, at or above the point of diversion established under section one, and all water rights, water sources, lands, rights of way, easements and other interests in land, including any cemetery, that may be deemed by the commission to be necessary or desirable for any of said purposes, or for the further protection of the purity of the waters to be diverted under this act.

Takings may be in fee or otherwise, etc.

Any taking under this act may be in fee or otherwise, perpetual in duration or for a limited period of time, according as the commission shall determine and set forth in the order of taking.

Takings to conform to certain laws, except, etc.

All takings under this act and all proceedings in relation to or growing out of the same shall conform to the provisions of chapter seventy-nine of the General Laws, except in the following particulars:

(a) The commission need make no award of damages sustained by persons or corporations in their property by any such taking.

Commission need make no award of damages, etc.

(b) The notice required by section eight of said chapter may be given at any time within one year after the recording of the order of taking as provided in section three of said chapter.

Time for giving certain notice.

(c) Petitions for the assessment of damages under section fourteen of said chapter may be filed within two years after the recording of the order of taking provided for in said section three, but petitions for the assessment of damages for the taking of rights of diversion may be filed within two years after, and not before, the actual diversion. The last six lines of section sixteen of said chapter seventy-nine, beginning with the word "but" in line three, shall have no application to takings under this act.

Time for filing petitions for assessment of damages.

(d) For all property taken under this act, except rights of diversion, the right to damages shall vest upon the recording of the taking in the registry of deeds. For taking of rights of diversion the right to damages shall vest upon and not before the actual diversion of water.

Rights to damages, when to vest.

The owner of any real estate, whether within or without the commonwealth, which is not taken but is injured by the taking of the waters of Ware river under authority of this act or by the construction of the works incidental thereto shall be entitled to damages therefor and may recover the same from the commonwealth as in the case of a taking in accordance with the provisions of this act.

Damages for real estate not taken but injured, etc.

SECTION 6. In carrying out the powers and duties conferred upon it by this act, the commission may construct and maintain buildings, machinery, roads, conduits and aqueducts; may lay and maintain pipes, drains and wires; may alter or change the grades or directions of any water course; may carry and conduct any aqueduct, conduit, pipe, drain or wire under or over any water course, or any railroad, street or other way, in such a manner as not unnecessarily to obstruct or impede travel thereon; may dig up any such road, street or way, and lay, maintain and repair aqueducts, conduits, pipes, wires and other works beneath the surface thereof, conforming to any reasonable regulations made by the mayor and aldermen of cities and the selectmen of towns, respectively, wherein such works are performed, and restoring, so far as practicable, any such road, street or way, to as good order and condition as the same was in when such digging was commenced; the commission may enter upon and use the lands of others; may take down dams to such an extent as it may deem necessary for prosecuting its works, and shall rebuild such dams whenever the necessity for keeping them down ceases; shall use such lands and do all work relating to such dams, in a reasonable manner with regard to the interests of the owners thereof, and, so far as practicable, shall heed all reasonable requests made by such owners; and in general may do any other act

Commission may construct and maintain buildings, roads, etc. May lay pipes, etc., change water courses, carry aqueducts, conduits, etc., under or over water courses, ways, etc., dig up roads, etc.

May enter upon land of others, take down and rebuild dams, etc.

To use lands, etc., in reasonable manner, etc.

General powers.

or thing necessary or proper for carrying out the powers and duties conferred upon it by this act.

Commission may alter or discontinue parts of any railroad or public way.

The commission may raise or alter or discontinue parts of any railroad or public way, and, in case of a railroad, shall make such raisings or alterations of the railroad or construct upon existing or other locations parts of the railroad to take the place of the parts so discontinued, as and in such manner as shall be mutually agreed upon by the commission and the board of directors of the railroad company, and, if they cannot agree thereon, then as and in such manner as shall be determined on the application of either party in writing by

In case of a railroad, duties, etc.

the department of public utilities, which is hereby authorized and directed to adjudicate finally upon the same; and, if the commission shall be of the opinion that the making of any such change of grade, alteration or construction requires that lands or rights therein be taken therefor, the commission shall, on behalf of the commonwealth, take such lands or rights therein and convey the same to the railroad company, to be thereafter held and used as the board of directors of such company may determine, and the railroad company may, if it desires, locate its lines over any lands or rights therein so conveyed to it, and, when said new lines of railroad are completed, the railroad company may discontinue the operation of the portions of its existing lines for which the new lines are substituted, and may maintain and operate said new lines of railroad; and the commission shall make the raisings or alterations of public ways as aforesaid and build in place of the parts of public ways discontinued as aforesaid such other reasonable and suitable ways, which shall thereafter be highways, as and in such manner as shall be mutually agreed upon by the commission and the county commissioners of the county in which the work is done, or, if they cannot agree thereon, then as and in such manner as shall be determined on the application of the commission in writing by the division of highways of the department of public works, which division is hereby authorized and directed to adjudicate finally upon the same.

Department of public utilities to adjudicate in case of disagreement, etc.

Taking of lands, etc., and conveyance thereof to railroad company, etc.

New lines of railroad, location, etc.

Duties, etc., as to raisings or alterations of public ways, etc.

Division of highways, etc., to adjudicate in case of disagreement, etc.

Duties of commission as to burial grounds.

The commission, in flooding or otherwise affecting any burial ground, shall conform to any reasonable requirements relating thereto of the board of health of the city or town in which the same is located.

Commission may make surveys, borings, etc., on private lands.

The commission may make such surveys, borings and do such other preliminary work on private lands as the commission may determine to be necessary or desirable, doing as little damage as possible and paying for the same.

Sale, exchange or lease of property no longer needed, etc.

SECTION 7. The commission may sell at public or private sale, or exchange or lease any property, real or personal, or any easement or water right, whether taken by eminent domain or otherwise acquired, which in the opinion of the commission is no longer needed for the purposes of this act. Any sums of money so received shall be applied to reduce construction costs or to reduce the bonded indebtedness for

the works. The commission may, by lease, license or contract, permit the construction and maintenance on or over any land or waters under its control of towers, poles, wires and other structures for the purpose of transmitting electric power. The commission may construct, maintain and operate such power plants and other structures as may in its opinion be necessary to utilize the fall of water created at any of the dams, channels, tunnels or other structures under its control, for the production of power or electricity; may locate, construct and maintain lines for transmitting the same; and may sell or contract for the sale or use of any power or electricity so created, and any sums of money so received shall be applied to reduce the charges of maintenance of said works.

Commission may permit construction and maintenance of electric transmission lines, etc.
May construct, etc., power plants, etc.

May sell, etc., power or electricity, etc.

SECTION 8. For the purpose of carrying out the provisions of this act, the commission may expend such amounts, not exceeding in the aggregate fifteen million dollars, including the sum required to be paid by the city of Worcester under section twelve, as may, from time to time, be approved by the governor and council. To meet such expenditures, the state treasurer shall, from time to time, on the request of the commission and subject to such approval, issue bonds of the commonwealth to an amount not exceeding the sum of fourteen million dollars, which shall be designated on their face, Metropolitan Additional Water Loan, Act of 1926. Such bonds shall be issued as coupon or registered bonds, for such term of years as may be recommended by the governor, in accordance with section three of Article LXII of the amendments to the constitution, and shall bear interest at such rate as shall be fixed by the state treasurer, with the approval of the governor and council. The amounts necessary to meet interest and serial payment requirements on said bonds and the expenses of maintaining and operating the works to be constructed by the commission under this act, and such other expenses as may be authorized hereunder, shall be added to the annual assessments upon the cities and towns comprising the metropolitan water district and apportioned and collected as provided by section twenty-six of chapter ninety-two of the General Laws.

Expenditures by commission, limit, etc.

State treasurer may issue bonds, etc.

Metropolitan Additional Water Loan, Act of 1926.

SECTION 9. The supreme judicial court or any justice thereof and the superior court or any justice thereof, during a sitting of the court or in vacation, on the petition of the commission or of any city, town, corporation or person interested, or of the attorney of any such petitioner, shall have jurisdiction in equity or otherwise to enforce the provisions of this act and of any rule, regulation or order made under the authority of the same and to prevent any violation of said provisions, rules, regulations or orders; provided, however, that no suit in which the right of the commission to make any taking authorized by this act is questioned shall be brought except in the supreme judicial court for the county in which said taking has been made or is to be made,

Court enforcement of provisions of act, etc.

Proviso.

nor unless the said suit is brought within six months after the passage of this act.

Restrictions as to erection of mill dams across Ware river, etc.

SECTION 10. No person shall after the effective date of this act erect a dam for mill purposes across the Ware river or any of its tributaries above the point of diversion authorized by this act without the consent in writing of the commission, or, after said works have been turned over to the metropolitan district commission, of said metropolitan district commission. In granting its consent, either commission may impose such conditions as it may deem to be for the public interest. Any person owning a practicable mill site on said river or any of its tributaries who applies for such consent and is refused, or is granted consent subject to conditions, and who is damaged in his property by such refusal or by the imposition of such conditions, may recover from the commonwealth the damage so caused in the manner provided in section five.

Recovery of damages caused by refusal of consent for erection of such dams, etc.

Taking of water from certain portion of Ware river by certain towns.

SECTION 11. The towns of Hubbardston, Barre, Oakham, Hardwick, New Braintree, Palmer and Ware, or any of them, may take from the Ware river above the point of diversion established under section one so much of the water thereof as they, or any of them, have already been, or may hereafter be, authorized by the legislature to take for supplying their inhabitants with water, and in case any of said towns shall hereafter on its application therefor be authorized to take such water it shall pay to the commonwealth, on behalf of the metropolitan district, a fair proportion of the cost incurred by the commonwealth for the acquisition under the provisions of this act of the waters of said river, or rights therein, and for the construction, maintenance and operation of such works and structures as are by this act provided for, including a fair proportion of the cost of maintaining the purity of said water, the said proportion to be determined by an engineer designated by the metropolitan district commission and by an engineer appointed by such applicant town, and, if they cannot agree, such proportion shall be determined by a master to be appointed by the supreme judicial court on the petition of the commonwealth or said applicant town, and the report of the master when affirmed by said court shall be final and conclusive on all parties.

Payment to commonwealth by such towns in case, etc.

Determination of amount to be paid, etc.

Determination by master in case of disagreement.

City of Worcester may acquire waters of South Wachusett brook and waters of Quinapoxet river in town of Holden, etc.

SECTION 12. The city of Worcester is hereby authorized, for the purpose of meeting the requirements of said city for increasing its water supply and such requirements of adjacent and nearby towns now supplied or hereafter required to be supplied by said city, from time to time, to acquire by purchase or otherwise, or take by eminent domain in accordance with the procedure set forth in section five, and subject to the provisions thereof, and to hold and convey, directly or indirectly, into and through said city the waters of South Wachusett brook, so-called, and the waters of Quinapoxet river, so-called, in the town of Holden, at or near an elevation of seven hundred and eight feet above mean sea level at Boston, at or above the outlet of Quinapoxet

pond, including the waters in any ponds or reservoirs thereon and the waters flowing directly or indirectly, into and from the same, and all springs and tributaries thereto, and the water rights connected with the aforesaid waters and sources above the places of taking; and the said city may take existing reservoirs and ponds upon said streams and their tributaries above the points at which it is authorized as aforesaid to take the said waters, but the total supply herein authorized to be taken shall not exceed in any calendar year an average quantity of ten million gallons of water per diem, and the balance of the waters remaining, and also from time to time such part of the quantity of water herein authorized to be acquired and diverted as is not, in the opinion of the water commissioner of said city, needed for the supply of the water system of said city, shall be permitted to flow to the Wachusett reservoir of the metropolitan water system; provided, that if in the opinion of the metropolitan district commission, the needs of the metropolitan water system, pending the completion of the works necessary to divert the flood waters of the Ware river as authorized in section one, require that said amount herein authorized to be taken by the said city be reduced, the metropolitan district commission may, at any time and from time to time, reduce said amount to not less than an average quantity of five million gallons of water per diem. In case of such reduction the commonwealth on behalf of the metropolitan district shall pay the city of Worcester for the amount of water so withheld by such reduction at the rate of forty dollars per million gallons. The said city shall take such measures to protect and preserve the purity of the said waters and shall maintain such sanitary conditions relative thereto and in their respective watersheds as the state department of public health may require. Said city may by aqueduct or pipe line conduct the waters so taken, into the city directly or through any reservoir and any aqueduct or pipe line belonging to said city and now existing. The said city may, for the purposes aforesaid, construct, lay and maintain conduits, pipes, canals, water courses, dams, reservoirs and other works under or over lands, water courses, railroads, railways, public or private ways and along such ways, and may take by purchase or otherwise and hold in fee or otherwise any lands, dams or structures, easements or rights in land that may be deemed necessary for said purposes and for collecting, purifying, storing, discharging, conducting or distributing said waters or preserving the purity thereof. The water taken by said city under this section shall be measured in a manner approved by the metropolitan district commission which shall have at all reasonable times free access to any apparatus or device used for measuring the same and to the records thereof.

Said city may take certain reservoirs and ponds, etc.

Total supply limited, etc.

Excess waters to be permitted to flow to Wachusett reservoir, etc.

Proviso.

Payment to Worcester upon reduction of supply, etc.

Said city to protect purity of waters, etc.

Said city may conduct waters so taken, etc., may lay pipes, etc.

May take lands, structures, etc.

Measurement of water taken, etc.

In addition to such payments and damages as said city may be required to make for any purchases or takings hereinbefore authorized, it shall pay into the state treasury on

Payment to state by city of Worcester.

Release and conveyance, etc., to said city upon such payment.

Use of amount paid.

No further claim by city of Worcester as to watershed tributary to Wachusett reservoir, etc.

City of Worcester may borrow money, etc.

City of Worcester Water Loan, Act of 1926.

Payment of said loan, etc.

or before the first day of July, nineteen hundred and twenty-seven, the sum of one million dollars, and thereupon the metropolitan district commission, acting for the commonwealth, shall release and convey to said city all right and title to said waters, subject to the provisions of this act. The amount so paid into the state treasury shall be used toward defraying construction costs incurred by the commission under this act.

In consideration of the provisions of this section, it is within the contemplation of this act that no further claim be made by the city of Worcester to any further part of the watershed tributary to the Wachusett reservoir for water supply purposes.

SECTION 13. For the purpose of meeting expenditures required under the preceding section, the city of Worcester may borrow from time to time, within a period of eight years from the effective date of this act, such sums as may be necessary, not exceeding, in the aggregate, two million five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Worcester Water Loan, Act of 1926. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 14. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section thirteen; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city and to make such payments on the principal as may be required under the provisions of said section thirteen shall, without further vote, be assessed by the assessors of the city annually thereafter in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Approved May 28, 1926.

Chap. 376 AN ACT TO APPORTION AND ASSESS A STATE TAX OF TWELVE MILLION DOLLARS.

Emergency preamble.

Whereas, A delay in the taking effect of this act would cause great inconvenience in the collection of the state tax, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

State tax apportioned and assessed.

SECTION 1. Each city and town in the commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say: —