

SECTION 10. The town may purchase the properties of the Mountain Spring Water Company of Southamptton, Massachusetts, at such amount as may be determined upon by the water commissioners as the fair value of the tangible property and shares outstanding, and in case of failure of the commissioners and company to agree, at such amount as may be determined by a board of three appraisers, one to be named by the board, one by the company, and the two thus chosen to select a third. Any sum awarded may be paid from the proceeds of loans issued under authority of this act.

Town may purchase properties of the Mountain Spring Water Company of Southamptton, Massachusetts.

SECTION 11. This act shall take effect upon its acceptance by a majority of the voters of the town of Southamptton present and voting thereon at a town meeting called for the purpose within three years after its passage; but the number of meetings so called in any year shall not exceed three; and, for the purpose only of being submitted to the voters of said town as aforesaid, this act shall take effect upon its passage.

Submission to voters, etc.

*Approved May 20, 1931.*

AN ACT RELATIVE TO THE TAKING OF THE WATERS OF QUINAPOXET RIVER AND SOUTH WACHUSETT BROOK AND THEIR TRIBUTARIES BY THE CITY OF WORCESTER FOR WATER SUPPLY PURPOSES.

*Chap. 340*

*Be it enacted, etc., as follows:*

The first paragraph of section twelve of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six is hereby amended by striking out, in the twelfth to fourteenth lines, inclusive, the words "near an elevation of seven hundred and eight feet above mean sea level at Boston, at or above the outlet of Quinapoxet pond" and inserting in place thereof the words: — above a point in said river between the confluence of Musquapoag brook, so-called, with said river and the northwesterly boundary of the highway running from Holden to Princeton, — by inserting after the word "but" in the twenty-first line the words: —, except as hereinafter provided, — and by inserting after the word "gallons" in the forty-second line the following new sentence: — If said city shall at any time, with the approval of the metropolitan district commission, take water in any calendar year in excess of an average quantity of ten million gallons per diem as herein authorized, said city shall pay to the commonwealth for the benefit of the metropolitan water district for the excess amount of water so taken at the rate of forty dollars per million gallons, — so that said paragraph will read as follows: — 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

1926, 375, § 12, par. 1, amended.

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

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 above a point in said river between the confluence of Musquapoag brook, so-called, with said river and the northwesterly boundary of the highway running from Holden to Princeton, 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, except as hereinafter provided, 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. If said city shall at any time, with the approval of the metropolitan district commission, take water in any calendar year in excess of an average quantity of ten million gallons per diem as herein authorized, said city shall pay to the commonwealth for the benefit of the metropolitan water district for the excess amount of water so taken 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,

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.

Payment to state for excess amount of water taken, etc.

Said city to protect purity of waters, etc.

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

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.

May take lands, structures, etc.

Measurement of water taken, etc.

*Approved May 20, 1931.*

AN ACT PROVIDING FOR THE WITHDRAWAL OF THE CONSENT OF A PARENT OR GUARDIAN TO THE MARRIAGE OF HIS MINOR CHILD OR WARD.

*Chap. 341*

*Be it enacted, etc., as follows:*

Section thirty-three of chapter two hundred and seven of the General Laws, as amended by section two of chapter three hundred and five of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end thereof the following:— Such certificate shall not be issued if a parent or guardian whose consent is required thereto has withdrawn such consent by a writing filed with the clerk or registrar, — so as to read as follows:— *Section 33.* The clerk or registrar shall not issue the certificate under section twenty-eight before the time therein specified, except as otherwise provided; nor to a male under twenty-one, or to a female under eighteen, when he has reasonable cause to believe the person to be under such age, except upon the application or consent in writing of the parent or guardian of such person or by order of the probate or district court under section twenty-five. If there is no parent or guardian in this commonwealth competent to act, a certificate may be issued without such application or consent. Such certificate shall not be issued if a parent or guardian whose consent is required thereto has withdrawn such consent by a writing filed with the clerk or registrar.

G. L. 207, § 33, etc., amended.

Certificate of intention of marriage not to be issued to certain minors, etc.

Withdrawal of consent of parent or guardian.

*Approved May 20, 1931.*

AN ACT PROVIDING FOR INVESTIGATION AND REPORT BY THE DEPARTMENT OF PUBLIC WELFARE IN PROCEEDINGS FOR THE ADOPTION OF CHILDREN UNDER FOURTEEN AND REQUIRING A TRIAL RESIDENCE PERIOD.

*Chap. 342*

*Be it enacted, etc., as follows:*

Chapter two hundred and ten of the General Laws is hereby amended by inserting after section five the following new section:— *Section 5A.* Upon the filing of a petition for adoption of a child under the age of fourteen, notice shall be given to the department of public welfare which shall make

G. L. 210, new section after § 5.

Investigation and report by department of public welfare