

Court of Common Pleas
JANUARY, 1873 - JUNE, 1878.

PUBLIC LAWS 193

OF THE

STATE OF RHODE ISLAND. Law: Sta:

AND

PROVIDENCE PLANTATIONS,

PASSED AT THE SESSIONS OF THE

GENERAL ASSEMBLY,

FROM JANUARY, 1873, TO JUNE, 1878, INCLUSIVE.



STATE OF RHODE ISLAND, ETC.

OFFICE OF THE SECRETARY OF STATE, NOVEMBER, 1878.

PROVIDENCE:

E. L. FREEMAN & CO., PRINTERS TO THE STATE.

1878.

This act to go
into effect,
when.

SEC. 15. So much of this act as refers to the registration of voters, and to the payment of registry taxes assessed hereunder, and as to the return of tax lists by the city clerk of Providence to the several ward clerks of said city, shall go into effect on the first day of July, A. D., 1877, and the residue hereof shall take effect on the first day of January, A. D. 1878.

PUBLIC LAWS

PASSED AT THE MAY SESSION, 1877.

CHAPTER 634.

Passed May 31, 1877. AN ACT IN AMENDMENT OF CHAPTER 582, OF THE PUBLIC LAWS, ENTITLED "AN ACT FOR SUPPLYING THE CITY OF NEWPORT WITH PURE WATER."

It is enacted by the General Assembly as follows :

SECTION 1. The first and second sections of said chapter 582, of the Public Laws, are hereby amended, so that said act shall apply to Easton's Pond, in Newport and Middletown, and to the lands adjoining and adjacent to said pond, in addition to the property and premises to which it already relates, and so that said first and sections shall read as follows :

Grants to Geo.
H. Norman, et
als, for sup-
plying Newport
with pure wa-
ter.

"SECTION 1. George H. Norman, of said Newport, his heirs and assigns, are hereby authorized, for the purpose of supplying said city and the inhabitants thereof with pure water, as hereinafter provided, to take and convey into and throughout the city of Newport, the waters of those two certain streams or brooks

which unite at Lawton's Valley, in the town of Portsmouth, and of Easton's Pond, in Newport and Middletown, and to acquire, as hereinafter indicated, and to hold the said waters, the water rights therewith connected, so far as may be necessary for the purposes hereof, and any real estate hereinafter designated requisite for the raising or enlarging the capacity of said pond by flowing with water or otherwise, using for such purpose the adjoining and adjacent lands, and for the location, establishment, erection, building and maintaining of dams and reservoirs, to collect, retain and store said waters, and of water works for pumping and transporting the same; and are further authorized to enter upon and excavate the highway in Portsmouth and Middletown, known as the Main Road, from said valley and streams, to the north line of the city of Newport, for the purpose of laying water pipes beneath the surface of said road, and for the purpose of repairing such pipes thereafter; but said highway shall always be restored immediately after such excavating to as good order as it was in just before the excavating was commenced, and during the laying down of said pipes said highway shall be kept passable at all times for the public; and are further authorized to raise the highway called Bliss road, where it crosses the brook running into said pond, at the north end thereof, and to enlarge the bridge over said brook, in said highway, provided every change in said last named highway and bridge shall be made under the direction of the town council of Middletown.

SEC. 2. If any owner of lands, water, or water rights, or others having rights, required to carry out the objects of this act shall refuse to sell the same to said Norman, his heirs and assigns, or if any such owners shall not agree with said Norman, his heirs or assigns, upon the price to be paid for such property or privileges, then said Norman, his heirs and assigns, are authorized to take and condemn so much land, water, and water rights as may be necessary for the purposes of this act, under the provisions hereof, and to proceed with the use and improvement thereof in the premises, and with the construction of dams, reservoirs and

Of condemning
lands, water or
water rights.

What lands
may be con-
demned.

Rights reserved.

Of tender of
payment and
giving bond.

other works therein as aforesaid ; but the lands so condemned shall not exceed the quantity and limits hereinafter specified, to wit : of lands adjoining and adjacent to said streams, and lying next to and south of said Main Road, and between said road and Union street, so called—about twenty-three acres belonging to Susan B. Thurston, Peleg L. Thurston, Lewis Thurston, Roland Thurston and Parker H. Thurston, about twelve and a half acres belonging to John Croucher, about thirteen and three-quarters acres belonging to Jacob Chase, and about sixteen and a half acres belonging to Peleg A. Coggeshall ; and of lands lying near and south of said Union street, about four acres belonging to Edward Almy, and about twenty-two acres belonging to Edward Sisson ; and of lands adjoining and adjacent to said Easton's Pond, for raising or increasing the capacity of said pond by flowing or otherwise, about forty acres of such lands which lie to the northward of said Norman's present dam on said pond ; provided, always, that no person shall be deprived under this act of any right of boating, fishing or cutting ice on said pond. And upon taking any property or privilege, as aforesaid, said Norman, his heirs or assigns, shall tender to the owner or owners thereof, if in this state, a sum of money as and for the damages sustained, or to be sustained by such owner or owners, by the said taking and condemnation, and if said tender shall be refused or lawfully omitted, shall, on demand, give bond to such owner or owners for the prompt payment of all damages and costs adjudged under this act, in a form and a sum, and with sureties satisfactory to any justice of the supreme court."

SEC. 2. This act shall take effect on its passage.