

John F. Tobey

ACTS AND RESOLVES

PASSED AT THE

MAY SESSION

(AND THE ADJOURNMENT THEREOF IN JUNE)

OF THE

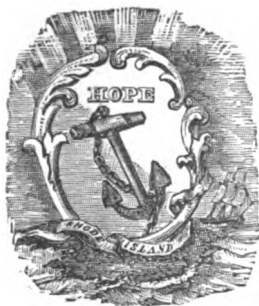
GENERAL ASSEMBLY

OF THE

STATE OF RHODE ISLAND

AND PROVIDENCE PLANTATIONS.

1875.



PROVIDENCE.

PROVIDENCE PRESS COMPANY, PRINTERS TO THE STATE.

1875.

“To the clerk of the court of common pleas of the county of Newport, one hundred fifty dollars.”

SEC. 2. The following words shall be inserted instead of the words stricken out :

“To the clerk of the supreme court of the county of Newport, seven hundred and fifty dollars.”

“To the clerk of the court of common pleas of the county of Newport, five hundred and fifty dollars.”

CHAPTER 491.

AN ACT FOR SUPPLYING THE TOWN OF PAWTUCKET WITH PURE WATER.

Passed June 3,
1875.

It is enacted by the General Assembly as follows :

SECTION 1. The town of Pawtucket is authorized, in the manner hereinafter provided, to convey into and through said town the waters of the Blackstone river or of Carpenter's pond or to receive water from the city of Providence upon such terms as may be agreed upon by the city council of said city and the town council of said town, for the purpose of furnishing a supply of pure water for said town ; and the town council of said town shall determine from which source to bring said water, after the electors of said town, qualified to vote upon any proposition to impose a tax, shall have decided to introduce the same into said town.

Town of Pawtucket authorized to introduce pure water.

SEC. 2. The said town of Pawtucket is hereby authorized to acquire by purchase, and to hold, so much of the waters of said Blackstone river or of said Carpenter's pond, and any water rights connected therewith. as may be necessary for the purpose aforesaid, and may also purchase, take and hold any real estate necessary for laying aqueducts and forming reservoirs, and for any of the purposes of this act ; and may build one or more permanent aqueducts from the said water sources, selected and determined upon as aforesaid, into and through said town, and secure and maintain the same by any proper works ; may erect and maintain dams to raise and retain the waters therein ; and

May purchase water rights, and erect water works, etc.

make and maintain reservoirs within and without the said town; and in general may do any other act necessary or convenient for the purpose of this act; and may distribute the water throughout the town, regulate its use, and the price to be paid therefor, within and without the town; and said town for the purposes aforesaid may carry any works by them to be constructed over or under any highway, turnpike, railroad or street, in such manner as not to permanently obstruct or impede travel thereon; and may enter upon and dig up any highway, turnpike road or street, for the purpose of laying down pipes or building aqueducts upon or beneath the surface thereof, or for the purpose of repairing the same.

Water commissioners, how appointed, etc.

SEC. 3. The town council of said town is hereby authorized to provide by ordinance for the appointment of three water commissioners for the purpose of exercising such portion of the authority conferred and given by this act as may be defined by ordinance of said town, as aforesaid, and also to prescribe in like manner the duties of such commissioners; also, when and in what manner, and for what term and terms, said water commissioners shall be chosen by the town council of said town, *provided, however,* that the first board of commissioners, appointed as aforesaid, shall hold their offices for the term of three years, unless the works contemplated by this act are sooner completed; and said town council may if they shall see fit, prescribe that said commissioners shall give bond and in what amount, for the faithful performance of their duties, and in what manner and for what causes, said commissioners or either of them, may be removed from office, and also the amount of compensation of each of said commissioners.

Of exclusive right to water, distribution, etc.

SEC. 4. Said town shall have the exclusive right of the waters aforesaid, taken by said town for the purposes aforesaid, and may maintain an action against any person for using the same without the consent of said town; and may regulate the distribution and use of said water within and without said town, and from time to time to fix the price for the use thereof; and may establish such public hydrants in such public places as

they may see fit, and prescribe for what purposes the same shall be used; all which they may change at their discretion.

SEC. 5. The owner and also the occupant of any tenement shall be liable for the payment of the price or rent for the use of the water in such premises.

Payment of
water rent.

SEC. 6. If any person shall maliciously or wantonly divert the water of any of said sources, from which water shall be introduced into said town as aforesaid, or shall corrupt or render impure the same, or any connected therewith, or shall destroy or injure any drain, pipe, aqueduct, conduit or machinery, or other property used in or relating to the premises, such person or persons, and his or their aiders and abettors, shall each forfeit to said town, to be recovered in an action of trespass or trespass on the case, treble the amount of damage which shall appear to have been sustained thereby, and shall also be liable to indictment therefor, and upon conviction shall be fined not exceeding three thousand dollars or imprisoned not exceeding two years.

Penalties.

SEC. 7. For the purpose of defraying all the expenses and cost of such lands, waters and water rights as shall be purchased for the purposes of this act and of constructing all works necessary to the accomplishment of said purposes, and all expenses incidental thereto, the said town of Pawtucket is hereby authorized and empowered to issue bonds, scrip or certificates of debt, bearing not more than seven per cent. interest per annum, under the corporate name and seal of said town, signed by the treasurer thereof, in such form as may be found expedient, not exceeding the sum of five hundred thousand dollars, said bonds, scrip or certificates to be payable whenever the town council of said town shall provide; and said bonds, scrip or certificates shall be obligatory upon said town in same manner and to the same extent as other debts lawfully contracted by said town. And the money derived from the issue of such bonds, scrip or certificates may be expended by said town, in whole or in part, for the purposes aforesaid intended by this act, in such manner as the said town council may by ordinance direct.

Of issuing water
bonds to
an amount
not exceeding
\$500,000.

SEC. 8. This act shall take effect on its passage.