

premises, comply therewith. Such notice shall be in writing and may be served upon such owner, agent or lessee, either personally or by mail; and a notice mailed to the last known address of such owner, agent or lessee shall be deemed sufficient for the purpose of this act.

SECTION 8. The board of health of a city or town in which a bakery is situated, or in which the business regulated by this act is carried on, shall enforce the provisions of this act and shall cause copies of the same to be printed and posted in all the bakeries and places in which such business is carried on within their respective jurisdictions.

Boards of health to enforce provisions, etc.

Approved May 19, 1896.

AN ACT TO AUTHORIZE THE CITY OF HOLYOKE TO INCREASE ITS WATER SUPPLY.

Chap. 419

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke by its water commissioners, for the purpose of supplying its inhabitants with pure water for the extinguishment of fires and for domestic and other purposes, may take by purchase or otherwise and hold the waters of the southwesterly branch of the Manhan river, at any point on said river not more than three thousand feet below the confluence of the Tucker and Manhan brooks, in the town of Southampton, also the waters of Tucker and Manhan brooks and the springs connected therewith, and the water rights connected with such waters, and also all lands, rights of way and easements necessary for holding and preserving such water and for diverting and conducting the same into Ashley's and Wright's ponds, so-called, in said city of Holyoke, and also for conducting the same to any and all parts of said city; and may erect upon the land thus taken or held proper dams, buildings and other structures; and may make excavations and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay down conduits, pipes and other works under or over any lands, water courses, railroads or public or private ways, and along any such ways in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing the same, and for all proper purposes of this act, said city may dig up any such lands, and, under the direction of the board of selectmen of the town in which said

May take certain waters, lands, etc.

May erect buildings, lay down pipes, etc.

ways are situated, may enter upon and dig up any such ways, in such manner as to cause the least hindrance to public travel on such ways.

Description of
lands, etc., to be
recorded.

SECTION 2. The city of Holyoke shall, within sixty days after the taking of any such lands, rights of way, water rights, water courses or easements as aforesaid, otherwise than by purchase, file and cause to be recorded in the registry of deeds for the county in which the said lands or other property are situated a description thereof sufficiently accurate for identification, with a statement of the purposes for which the same were taken, signed by the water commissioners of said city.

Damages.

SECTION 3. The city of Holyoke shall be liable to pay all damages sustained by any persons or corporations in their property by the taking of any lands, water, water sources, water rights, easements or other property, or by the construction or repairing of any dams, aqueducts, or other works for the purposes aforesaid, or by the doing of any other act or thing causing damage. If any person or corporation sustaining damages as aforesaid cannot agree with the city upon the amount of such damages they may be assessed by the county commissioners for the counties of Hampden and Hampshire in joint session, by the making of a written application to said commissioners for the assessment of damages within three years after such damages shall have been sustained; and either party aggrieved by the decision of said commissioners in the estimation of said damages, may, upon application to the superior court sitting within and for the county where said damages are sustained, have the same assessed by a jury, and if the damages are increased by the jury said city shall pay all legal costs, but otherwise said costs shall be paid by the party claiming damages; and the said commissioners and jury shall have the same powers, and the proceedings shall in all other respects be conducted in the same manner, as provided in case of taking lands for highways.

Holyoke Water
Fund.

SECTION 4. Said city may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate three hundred thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Holyoke Water Fund, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest pay-

able semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the treasurer of the city and be countersigned by the water commissioners of said city. Said city shall sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper, provided that such securities shall not be sold for less than the par value thereof. The city shall provide at the time of contracting said loan for the establishment of a sinking fund, and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose. And such bonds, notes or scrip shall not be considered or reckoned in ascertaining the limit of indebtedness of said city under the provisions of chapter twenty-nine of the Public Statutes and of the acts in amendment thereof or in addition thereto.

Sinking fund.

Not to be considered in ascertaining debt limit.

SECTION 5. The city of Holyoke shall, when constructing its pipe line through the town of Southampton, place a Y branch in said pipe line, not less than eight inches in diameter, at its own expense, at such point as may be designated by the selectmen of said town. If at any time thereafter the town of Southampton shall vote to construct a system of water works said town may connect its pipes with that of the city of Holyoke at the Y branch herein provided for, and draw from the pipe of the city of Holyoke, without expense to said town, such quantity of water as may be required by said town to supply its inhabitants with water for fire, domestic, and other purposes, except power, not exceeding one hundred and twenty-five gallons per day for each inhabitant.

To place a Y branch in pipe line through Southampton, etc.

SECTION 6. The provisions of chapter sixty-two of the acts of the year eighteen hundred and seventy-two shall apply to this act, so far as the same are not in conflict herewith.

1872, 62, to apply, etc.

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

Approved May 19, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE SALARIES AND EXPENSES OF THE AGENTS OF THE STATE BOARD OF EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding twenty thousand three hundred and twenty-five dollars is hereby appro-

Chap. 420

Agents of state board of education.