

ty of and for the purposes of this act, he shall forfeit and pay to said corporation three times the amount assessed therefor, to be recovered in an action of tort; and on conviction of either of the wanton or malicious acts aforesaid, may be punished by a fine not exceeding three hundred dollars, or by imprisonment in jail not exceeding one year.

SECTION 7. The town of Uxbridge, and any fire district that may be established therein, shall have the right, at any time during the continuance of the charter hereby granted, to purchase the corporate property and all the rights and privileges of said company, at the actual cost of the same; or, if mutually agreed upon between said corporation and said town or any such fire district, at a less price; and said corporation is hereby authorized to make sale of the same to said town or such fire district; but such authority to purchase said franchise and property is granted to said town, or fire district, upon the condition that the same is assented to by said town or fire district by a two-thirds vote of the voters present and voting thereon at any annual meeting, or at a legal meeting called to act on the subject.

Corporate property may be purchased by town of Uxbridge or a fire district.

SECTION 8. The owners of lands and water rights taken under this act, upon application by either party for an estimate of damages, may require said corporation to give security, satisfactory to the board of selectmen of said town, for the payment of all damages and costs which may be awarded to them for the land or other property taken. And if, upon petition of the owner with notice to the adverse party, the security appears to the selectmen of said town to have become insufficient, they shall require said corporation to give further security to their satisfaction, and all the right or authority of the corporation to enter upon and use said land and other property, except for making surveys, shall be suspended until it gives the security required.

Security for payment of damages may be required.

SECTION 9. This act shall be null and void unless said corporation shall within three years from the passage thereof avail itself of its provisions, and commence a prosecution of the work herein authorized.

Work to be commenced within three years.

SECTION 10. This act shall take effect upon its passage.  
*Approved March 9, 1881.*

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AN ACT TO INCORPORATE THE MILFORD WATER COMPANY.  
*Be it enacted, etc., as follows:*

*Chap. 77*

SECTION 1. Moses Joy, junior, Charles W. Shippee, John P. Daniels, Ephraim L. Wires, Charles F. Claffin,

Corporators.

Name and purpose.	their associates and successors, are hereby made a corporation by the name of the Milford Water Company, for the purpose of furnishing the inhabitants of Milford with pure water for the extinguishment of fires, and for domestic and other purposes, with all the powers and privileges, and subject to all the duties, restrictions and liabilities set forth in the general laws which now are or may hereafter be in force regulating such corporations.
Powers and duties.	SECTION 2. Said corporation may take, hold and convey through the town of Milford, or any part thereof, the water, so far as may be necessary for the purpose, of any spring or springs, or of any stream or streams, within said town of Milford, and may take and hold, by purchase or otherwise, any real estate necessary for the preservation and purity of the same, or for forming any dams or reservoirs to hold the same, and for laying and maintaining aqueducts and pipes for distributing the water so taken and held; and may lay its water pipes through any private lands, with the right to enter upon the same and dig therein for the purpose of making all necessary repairs or service connections; and for the purposes aforesaid may carry its pipes under or over any water-course, street, railroad, highway or other way, in such manner as not unnecessarily to obstruct the same; and may, under the direction of the board of selectmen, enter upon and dig up any road or other way for the purpose of laying or repairing its aqueducts, pipes or other works; and in general may do any other acts and things convenient or proper for carrying out the purposes of this act.
May take water from any streams and springs in Milford.	SECTION 3. Said corporation shall, within sixty days after the taking of any land or water rights under the provisions of this act, file in the registry of deeds of the county of Worcester a description of any land so taken, sufficiently accurate for identification, with a statement of the purposes for which it is so taken, and the title of the land so taken shall vest in said corporation. Any person or corporation injured in any way by any acts of said corporation, and failing to agree with said corporation as to the amount of damages, may have the same assessed and determined in the manner provided when land is taken for highways; but no application shall be made to the county commissioners for the assessment of damages for the taking of water rights until the water is actually taken and diverted by said corporation. Any person whose water rights are thus taken or affected may apply as aforesaid within three years from the time the water is actually
May lay water pipes.	
To file in the registry of deeds a description of the land taken.	
Assessment of damages.	

withdrawn or diverted, and not thereafter; and no suit for injury done under this act shall be brought after three years from the date of the alleged receipt of injury.

SECTION 4. Said corporation may distribute the water through said Milford; may establish and fix from time to time the rates for the use of said water, and collect the same; and may make such contracts with the town of Milford, or any fire district that may hereafter be established therein, or with individuals or corporations, to supply water for fire or for other purposes, as may be agreed upon by said town or fire district or individuals or corporations, and said corporation.

May fix rates for use of water.

SECTION 5. Said corporation, for the purposes set forth in this act, may hold real estate not exceeding in amount sixty thousand dollars; and the whole capital stock shall not exceed one hundred thousand dollars, to be divided into shares of fifty dollars each.

Real and personal estate and capital stock.

SECTION 6. If any person shall use any of said water taken under this act, without the consent of said corporation, or shall wantonly or maliciously divert the water or any part thereof so taken, or corrupt the same, or render it impure, or destroy or injure any dam or aqueduct, pipe, conduit, hydrant, machinery, or other works or property held, owned or used by said corporation, under the authority of and for the purposes of this act, he shall forfeit and pay to said corporation three times the amount of damages assessed therefor, to be recovered in an action of tort; and, on conviction of either of the wanton or malicious acts aforesaid, may be punished by a fine not exceeding three hundred dollars, or by imprisonment in jail not exceeding one year.

Penalty for diverting water or rendering it impure.

SECTION 7. Said corporation may purchase from the owner or owners of any aqueduct now used in furnishing water to the inhabitants of said town of Milford, his or their whole water right, estate, property and privileges, and by such purchase shall become entitled to all the rights and privileges, and subject to all the liabilities and duties, appertaining and belonging to such owner or owners.

May purchase present aqueduct in Milford.

SECTION 8. The Milford Water Company may issue bonds, and secure the same by a mortgage on its works, structures, equipments, franchise, and other property, real or personal, to an amount which shall not exceed the capital stock of said company actually paid in and applied to the construction or completion of said Milford Water Company's works.

May issue bonds secured by mortgage.

Corporate prop-  
erty may be  
purchased by  
town of Milford.

SECTION 9. The town of Milford shall have the right at any time during the continuance of the charter hereby granted, to purchase the corporate property and all the rights and privileges of said company, at a price which may be mutually agreed upon between said corporation and the said town of Milford; and the said corporation is authorized to make sale of the same to said town. In case said corporation and said town are unable to agree, then the compensation to be paid shall be determined by three commissioners, to be appointed by the supreme judicial court upon application of either party and notice to the other, whose award, when accepted by said court, shall be binding upon both parties. And this authority to purchase said franchise and property is granted on condition that the same is assented to by said town by a two-thirds vote of the voters present and voting thereon, at a meeting called for that purpose.

Work to be  
commenced  
within three  
years.

SECTION 10. This act shall be null and void unless said corporation shall within three years from the passage thereof avail itself of its provisions, and commence a prosecution of the work herein authorized.

Security for  
payment of  
damages may  
be required.

SECTION 11. The owners of lands and water rights taken under this act, upon application by either party for an estimate of damages, may require said corporation to give security, satisfactory to the board of selectmen of said town, for the payment of all damages and costs which may be awarded to them for the land or other property taken. And if, upon petition of the owner with notice to the adverse party, the security appears to the selectmen of said town to have become insufficient, they shall require said corporation to give further security to their satisfaction, and all the right or authority of the corporation to enter upon or use said land and other property, except for making surveys, shall be suspended until it gives the security required.

Subject to  
acceptance by  
the town.

SECTION 12. This act shall take effect upon its acceptance by a vote of a majority of the legal voters of said town of Milford, present and voting at a meeting duly warned for that purpose. *Approved March 9, 1881.*

*Chap. 78* AN ACT TO AMEND THE CHARTER OF THE CITY OF FALL RIVER.

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

Fall River city  
charter  
amended.

SECTION 1. The city council of the city of Fall River may in the year eighteen hundred and eighty-one, and not afterwards before the year eighteen hundred and eighty-