

the manner provided by the charter of said city, any street or way over any of the lands or flats referred to in this act.

SECTION 7. This act shall take effect upon its acceptance by the city council of the city of Salem.

*Approved April 29, 1882.*

AN ACT TO CHANGE THE NAME OF THE "SALEM OLD MEN'S HOME." Chap. 191

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

SECTION 1. The name of the "Salem Old Men's Home," incorporated under the general laws of the Commonwealth, is changed to the "Bertram Home for Aged Men." Name changed.

SECTION 2. This act shall take effect upon its passage.

*Approved April 29, 1882.*

AN ACT TO SUPPLY THE TOWN OF NORTHBOROUGH WITH WATER. Chap. 192

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

SECTION 1. The town of Northborough may supply itself and its inhabitants with water to extinguish fires, and to generate steam, and for domestic and other uses; may establish fountains and hydrants, regulate their use, and relocate or discontinue the same; and may fix and collect rents for the use of such water. Water supply for Northborough.

SECTION 2. Said town for the purposes aforesaid may take and hold the water, or so much thereof as may be necessary, with the water rights connected therewith, of Cold Harbor Brook, at any point or points on its watershed, in the towns of Northborough, Shrewsbury and Boylston, and of any springs, natural ponds, brooks and other water sources within the said town of Northborough; and may also take and hold all lands necessary for raising, holding and preserving such water and conveying the same to any and all parts of the town of Northborough; and may erect on the land thus taken or held proper dams, buildings, fixtures and other structures, and may make excavations, and procure and run machinery therefor, with such other means and appliances as may be necessary for complete and effective water works; and for that purpose may construct and lay down conduits, pipes and other works under or over any lands, water courses or roads, and along any street, highway or other way, in such manner as when completed shall not unnecessarily obstruct the same; and for the May take water of Cold Harbor Brook.

May lay down conduits, pipes, etc.

purpose of constructing, laying down, maintaining and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up, raise and embank any such lands, highways or other ways, in such manner as to cause the least hindrance to public travel on such highways and other ways. Said town of Northborough shall within ninety days after the taking of any lands, water sources or water rights as aforesaid, otherwise than by purchase, file in the registry of deeds for the county of Worcester a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same is taken, signed by the water commissioners hereinafter provided for.

To file in the registry of deeds a description of the land taken.

Liability for damages.

SECTION 3. The said town of Northborough shall be liable to pay all damages sustained by any person or corporation in property by the taking of any land, water source or water right, or by the construction of any aqueduct, reservoir or other works for the purposes aforesaid. Any person or corporation injured in property under this act, and failing to agree with said town as to the amount of damage sustained, may have the same assessed and determined in the same manner as is provided when land is taken for a highway, the application therefor to be made in writing within one year after the taking of such land, water source or water right, or other injury done as aforesaid, but not thereafter. No assessment for damage shall be made for the taking of any water right, or for any injury thereto, until the water is actually withdrawn or diverted by said town under the authority of this act.

"Northborough Water Loan" not to exceed \$50,000.

SECTION 4. For the purposes of paying all necessary expenses and liabilities incurred under the provisions of this act, said town of Northborough may issue bonds, notes or scrip, from time to time, signed by its treasurer and countersigned by the water commissioners hereinafter provided for, to be denominated on the face thereof "Northborough Water Loan," to an amount not exceeding fifty thousand dollars, payable at periods not exceeding thirty years from the date of issue, with interest payable semi-annually at a rate not exceeding six per centum per annum. Said town may 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. Said town shall pay the interest on said loan as it accrues, and shall provide for the payment of the principal at maturity

either by establishing at the time of contracting said debt a sinking fund, or by paying the same from year to year by regular instalments. In case said town shall decide to establish a sinking fund, it shall contribute to such fund annually a sum sufficient, with the accumulations thereof, to pay the principal of said loan at maturity, and said sinking fund shall remain inviolate and pledged to the payment of said debt, and shall be used for no other purpose. If said town shall decide to pay the principal of said loan by instalments it shall issue coupon bonds bearing, in addition to the regular rate of interest as provided above, interest at a rate not exceeding three per centum per annum on the principal, which additional interest shall be applied annually and directly to the payment of said loan.

Sinking fund to be established.

SECTION 5. Said town shall raise annually by taxation a sum which, with the income derived from the sale of water, shall be sufficient to pay the current annual expenses of operating its water works, and the interest accruing on the bonds issued by said town, and to make such payment on the principal as may be required under the provisions of this act.

To raise by taxation sufficient to pay expenses and interest.

SECTION 6. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken under this act, or injures any dam, reservoir, aqueduct, conduit, pipe or other property owned or used by said town for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of either of the above acts shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding six months.

Penalty for polluting or diverting water.

SECTION 7. Said town of Northborough shall, after its acceptance of this act, at a legal meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual town meeting, to constitute a board of water commissioners; and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the said town by this act and not otherwise specifically provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may impose by its vote; and a majority of said board

Water commissioners to be elected.

shall constitute a quorum for the transaction of business relative both to the water works and to the sinking fund. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting.

Vacancies.

Subject to acceptance by a two-thirds vote.

SECTION 8. This act shall take effect upon its acceptance by a two-thirds vote of the voters of said town present and voting thereon at a legal town meeting called for the purpose within five years from its passage.

*Approved April 29, 1882.*

**Chap. 193** AN ACT TO FIX THE TENURE OF OFFICE OF POLICE OFFICERS IN THE CITY OF FALL RIVER.

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

Police officers to hold office until they resign, or are removed for cause.

SECTION 1. All police officers hereafter appointed by the mayor and aldermen of the city of Fall River shall hold office until they resign therefrom or are removed for cause by the mayor with the consent of the board of aldermen. The mayor shall have the power, however, to suspend any such officer for cause for a period not to exceed thirty days.

Repeal of 1854, 257.

SECTION 2. All provisions of chapter two hundred and fifty-seven of the acts of the year eighteen hundred and fifty-four and of acts in amendment thereof inconsistent herewith are repealed.

*Approved April 29, 1882.*

**Chap. 194** AN ACT CONCERNING STATISTICS OF DIVORCE.

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

Clerks of courts to make returns to the secretary concerning libels for divorce.

SECTION 1. The clerks of courts for the several counties, and of the supreme judicial court for the county of Suffolk, shall, annually, during the month of February, make returns to the secretary of the Commonwealth in relation to libels for divorce in their respective counties for the calendar year next preceeding. Such returns shall specify the following details: the number of libels pending at the beginning of the year; the number of libels filed within the year; the number of divorces granted; the number of divorces refused; the number of libels contested; the number of libels uncontested; the alleged cause for divorce in each case; the sex of the libellant and the length of time the parties have been married; and the number of cases in which notice has been given to the district-attorney for prosecution under section forty-four of chapter one hundred and forty-six of the Public Statutes, and the criminal offence for which divorce has been granted in such cases.