

as may be thereafter they shall cause said ballots to be destroyed without examining them, or permitting them to be examined by any person whatsoever, and shall make an entry in the records of the town that they have been so destroyed; and any such clerk who examines such ballots, or permits them to be examined, shall be punished by fine not exceeding two hundred dollars.

SECTION 14. The provisions of sections nine, thirty-seven, thirty-nine, forty, forty-one and forty-two of chapter two hundred and ninety-nine of the acts of the year eighteen hundred and eighty-four, and of all existing laws relating to elections, which are not inconsistent herewith, shall apply to elections held in such precincts.

Provisions to  
apply.

*Approved June 2, 1886.*

AN ACT TO CONFIRM THE PROCEEDINGS OF THE LAST ANNUAL MEETING OF THE GREAT BARRINGTON FIRE DISTRICT.

*Chap. 265*

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

SECTION 1. The proceedings of the Great Barrington fire district of Great Barrington at its annual meeting, held on the ninth day of April in the year eighteen hundred and eighty-six, shall not be invalid for the reason that the list of voters of said fire district was not made out and posted up in said district at least ten days before said meeting as required by section forty-seven of chapter thirty-five of the Public Statutes; and all the doings of said meeting are hereby ratified and confirmed.

Proceedings  
confirmed.

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

*Approved June 2, 1886.*

AN ACT TO SUPPLY THE TURNER'S FALLS FIRE DISTRICT WITH PURE WATER.

*Chap. 266*

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

SECTION 1. The Turner's Falls fire district in the town of Montague may supply itself and its inhabitants with water to extinguish fires and for domestic and other purposes; may establish fountains and hydrants; relocate or discontinue the same; and may regulate the use of said water and may fix and collect rates for such use.

Turner's Falls  
fire district  
water supply.

SECTION 2. Said fire district for the purpose aforesaid may take, by purchase or otherwise, and hold the waters of Lake Pleasant and Green pond in the town of Montague, or the waters of either of them with the water rights

May take waters  
of Lake Pleasant  
and Green pond.

and water sources connected therewith, and may also, if it so elect, take a supply of water sufficient for all the purposes of this act from the Connecticut river at any point within the limits of the town of Montague. Said fire district may also take by purchase or otherwise and hold all lands in said town of Montague necessary for taking, holding and preserving such waters and conveying the same to and through any and all parts of the said Turner's Falls fire district and elsewhere in said town of Montague as hereinafter mentioned: *provided, also*, that in case the Turner's Falls Company and the said fire district cannot agree upon the location, laying and construction of the conduits, pipes and other works, upon, over or under, or along the present or projected canal and raceway of the Turner's Falls Company, then the conduits, pipes and other works shall be located, laid down and constructed under the direction of the county commissioners for the county of Franklin: and said fire district may erect and construct on the lands 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, lay down and maintain aqueducts, conduits, pipes and other works under or over any lands, water courses, roads, railroads, or other ways, and along any street, highway, or other way in said town of Montague, in such manner as when completed shall not unnecessarily obstruct the same; and for the purpose of constructing, laying down, maintaining and repairing such aqueducts, conduits, pipes and other works, and for all other purposes of this act, said fire district 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; but all things done upon any street, road or highway shall be subject to the direction of the selectmen of said town of Montague: *provided*, that all conduits, pipes or other works, crossing or occupying the premises or property of any railroad corporation in said town of Montague shall be located, laid down and constructed under the direction of the board of railroad commissioners.

SECTION 3. Said Turner's Falls fire district shall within ninety days after the taking of any lands, water sources or water rights as aforesaid, otherwise than by

May take lands.

Proviso.

May erect dams and other structures.

Subject to direction of selectmen of Montague.

Proviso.

A description of lands, etc., taken, to be recorded in the registry of deeds.

purchase, file and cause to be recorded in the registry of deeds for the county of Franklin 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.

SECTION 4. The said Turner's Falls fire district shall be liable to pay all damages to property sustained by any persons or corporations by the taking of any lands, water sources or water rights by said district, or by the construction of any aqueducts, reservoirs or other works for the purposes aforesaid. Any persons or corporations injured in their property under this act, and failing to agree with said district as to the amount of damages, may have them assessed and determined in the manner provided by law where land is taken for highways, by making a written application therefor within two years after the taking of such land, water sources or water rights, or other injury done as aforesaid under this act but not thereafter. No application for the assessment of damages shall be made for the taking of any water rights or water sources, or for any injury thereto, until the water has actually been drawn or diverted by said district under the authority of this act.

Liability for damages.

No application to be made for damages until water is actually diverted.

SECTION 5. For the purposes of paying all expenses and liabilities incurred under the provisions of this act said district may issue bonds, notes or scrip from time to time, signed by the treasurer of the fire district and countersigned by the chairman of the water commissioners, to be denominated on the face thereof Turner's Falls Water Loan, to an amount not exceeding one hundred thousand dollars, payable at periods not exceeding thirty years from date of issue, and bearing interest payable semi-annually at a rate not exceeding six per centum per annum. And said district may sell said securities at public or private sale at not less than par or pledge the same for money borrowed for the purposes of this act upon such terms and conditions as it may deem proper. And said district shall pay the interest upon said loan as it accrues, and shall provide for the payment of the principal thereof at maturity by establishing at the time of contracting said debt a sinking fund, or, from year to year, by such proportionate payments as will extinguish the same within the time prescribed by this act. In case said district shall decide to establish a sinking fund, it shall contribute

Turner's Falls Water Loan.

May sell securities or pledge the same for money borrowed.

Sinking fund to be established.

thereto annually a sum sufficient with its accumulations 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 district shall decide to pay the principal of said loan by instalments, such amounts as may be necessary to make such payments shall without further vote of said district be raised annually by taxation in the same way as money is raised for other district expenses.

Payment of loan by instalments.

To raise annually by taxation sufficient to pay current expenses and interest.

SECTION 6. The said district shall raise by taxation annually 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 district together with such payments on the principal as may be required under the provisions of this act.

May raise money for enlargement of works.

SECTION 7. Said district is further authorized to raise by taxation any sum of money for the purpose of enlarging or extending its water works and providing additional appliances and fixtures connected therewith, not exceeding five thousand dollars in any one year, in the same way as money is raised for ordinary district expenses.

Assessment and collection of tax.

SECTION 8. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall render a certified copy of the vote to the assessors of the town of Montague, who shall proceed within thirty days to assess the same in the same manner in all respects as other taxes in said district are required by law to be assessed. The assessment shall be committed to the town collector who shall collect said tax in the same manner as is provided for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on taxes when overdue at a rate not exceeding one per centum per month in the same manner as interest is authorized to be collected on town taxes: *provided*, said district at the time of voting to raise a tax shall so determine, and shall also fix a time for payment thereof.

Proviso.

May make contracts to supply water, and may extend pipes through the town.

SECTION 9. Said district may make such contracts with individuals, corporations and the town of Montague for the supplying of water as may be agreed upon, and may extend its pipes for that purpose under the direction of the selectmen of the town of Montague through the

streets and highways of said town lying outside the corporate limits of said district.

SECTION 10. Said Turner's Falls fire district 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 meeting, to constitute a board of water commissioners; and at each annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the said district 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 district may impose by its vote; the said commissioners shall be trustees of the sinking fund herein provided for, and a majority of said commissioners 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 fire district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of said water works except by a written order of said commissioners or a majority of them. Said commissioners shall annually make a full report to said district in writing of their doings and expenditures.

Water commissioners to be elected.

Vacancies in board.

Commissioners to make annual report.

SECTION 11. The said district may adopt by-laws prescribing by whom and how meetings may be called and notified; but meetings may also be called on application of ten or more legal voters in said district by warrant from the selectmen of said town on such notice as may be prescribed therein. The said district may also provide rules and regulations for the management of its water works not inconsistent with this act or the laws of this Commonwealth, and may choose such other officers not provided for in this act as it may deem proper and necessary.

District meetings.

Rules and regulations for management of works.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken under this act, or wilfully or wantonly injures any dam, reservoir, aqueduct, conduit, pipe or other property owned or used by said district for the purposes of this act, shall forfeit and

Penalty for corrupting water or for injury to works.

pay to said district 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.

Subject to acceptance by a two-thirds vote of the district.

SECTION 13. This act shall take effect upon its passage, but shall become void unless accepted by a two-thirds vote of the voters of said district present and voting thereon at any legal district meeting called for the purpose within two years from its passage.

*Approved June 3, 1886.*

**Chap. 267** AN ACT IN RELATION TO THE FEES AND EXPENSES OF AGENTS APPOINTED BY THE GOVERNOR TO DEMAND OF THE AUTHORITIES OF OTHER STATES OFFENDERS FLEEING FROM JUSTICE.

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

Payment of fees for arrest of fugitives from justice.

SECTION 1. When an application for the arrest of a fugitive from the justice of this Commonwealth is complied with and an agent appointed under the provisions of chapter two hundred and eighteen of the Public Statutes, his account shall be allowed and paid, like other costs in criminal cases, by the county in which the proceedings are pending: *provided, however*, that the governor in his discretion may direct the payment of the whole or any part of such account out of the treasury of the Commonwealth.

Repeal.

SECTION 2. Section six of chapter two hundred and eighteen of the Public Statutes is repealed.

SECTION 3. This act shall take effect upon its passage.

*Approved June 3, 1886.*

**Chap. 268** AN ACT TO INCORPORATE THE IMPROVED DWELLINGS ASSOCIATION OF SPRINGFIELD.

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

Improved Dwellings Association of Springfield, incorporated.

SECTION 1. Calvin C. Chaffee, Charles Hall, Albert T. Folsom, Gurdon Bill, Edward C. Rogers, John M. Stebbins and Daniel P. Crocker, their associates and successors, are hereby made a corporation for the term of thirty years by the name of the Improved Dwellings Association of Springfield, to hold and improve real estate in the city of Springfield for the purpose of erecting, maintaining, leasing and improving homes for working people and others of moderate means, and to promote the adoption of modes of building and enforcement of sani-