

to regulate the flow of water between said pond and the ocean.

SECTION 2. Commissioners may be appointed, who shall be disinterested persons, in accordance with the provisions of section three of chapter one hundred and forty-eight of the General Statutes, who shall have all the powers conferred by said chapter and the acts in amendment thereof and in addition thereto, during and after the termination of said lease, notwithstanding any previous right of fishery. Said commissioners may direct and control the opening and closing of the channel across said beach, and the exercise of all rights conferred by the preceding section of this act.

To be under
control of
commissioners.

SECTION 3. Said lessees shall have the right of fishery in said Great Pond according to the terms of their lease, under the laws limiting and defining the rights of such lessees, notwithstanding any statutes heretofore in force specially regulating the fisheries in said pond.

Lessees to have
right of fishery.

SECTION 4. This act shall take effect upon its passage.

Approved March 8, 1881.

AN ACT TO INCORPORATE THE UXBRIDGE WATER COMPANY.

Chap. 76

Be it enacted, etc., as follows :

SECTION 1. Moses Taft, Alonzo W. Bennett, Charles A. Taft, Martin S. Brown, William E. Hayward, Eben B. Hayward, J. Walter Day, George F. Day and Lewis H. Murdock, their associates and successors, are hereby made a corporation by the name of the "Uxbridge Water Company," for the purpose of furnishing the inhabitants of Uxbridge with pure water for the extinguishment of fires, domestic and other purposes; with all the powers and privileges, and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or hereafter may be in force applicable to such corporations.

Corporators.

Name and
purpose.

Powers and
duties.

SECTION 2. Said corporation, for all the purposes aforesaid, may take, hold and convey into and through the town of Uxbridge, or any part thereof, the water in what is known as the Zadok A. Taft Brook, together with the springs which feed and supply said brook, situated near the centre village of said town, on the south-westerly side of the road leading from Main street to Pascoag, R.I. (said springs being on land of O. C. Smiley), 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

May take water
from Zadok A.
Taft Brook.

May take and
hold real estate.

May lay water pipes.

for laying and maintaining aqueducts and pipes for distributing the waters 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; 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 to unnecessarily 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 necessary and proper for carrying out the purposes of this act.

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

SECTION 3. Said corporation shall, within sixty days after the taking of any land 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 to the land so taken shall vest in said corporation. Any person injured in his property 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; and no suit for injury done under this act shall be brought after three years from the date of the alleged receipt of injury.

Assessment of damages.

May fix rates for use of water.

SECTION 4. Said corporation may distribute the water through said Uxbridge; 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 Uxbridge, or any fire district that may be hereafter established, or with individuals, to supply water for fires or for other purposes, as may be agreed upon by said town, or such fire district or individuals, and said corporation.

Real and personal estate and capital stock.

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

Penalty for diverting water or rendering it impure.

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, aqueduct, pipe, conduit, hydrant, machinery, or other works or property held, owned or used by said corporation under the authori-

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.

AN ACT TO INCORPORATE THE MILFORD WATER COMPANY.

Chap. 77

Be it enacted, etc., as follows:

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

Corporators.