

JANUARY, 1915.

CHAPTER 1277.

Approved
April 8, 1915.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO
PAY TO INCORPORATED ASSOCIATIONS NOT MORE
THAN FIVE HUNDRED DOLLARS A YEAR TO DEFRAY
THE EXPENSES OF MAKING PROPER DISPOSITION OF
HOMELESS STRAY CATS.

It is enacted by the General Assembly as follows:

City Council of
city of Providence
authorized to appro-
priate for dis-
position of
homeless stray
cats.

SECTION 1. The city council of the city of Providence is hereby authorized annually to appropriate and pay to any incorporated association or associations located in said city not exceeding five hundred dollars in all in any year, to be used exclusively to defray the expenses incident to making proper disposition of homeless stray cats.

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

CHAPTER 1278.

Approved
April 21, 1915.

AN ACT TO FURNISH THE CITY OF PROVIDENCE WITH
A SUPPLY OF PURE WATER.

It is enacted by the General Assembly as follows:

"Water Supply
Board of the
city of Providence," estab-
lishment of,
authorized.

SECTION 1. A board of commissioners, to be known as the water supply board of the city of Providence, is hereby established in and for the city of Providence, consisting of the seven persons who are now the members of the committee relative to increased water supply in the city, appointed by the city council of said city under resolution number 19, approved January 7, 1913, and resolution number 423, approved December 6, 1913, and Chapter 69 of the ordinances, approved December 9, 1914. Such persons shall hold their respective offices as members

Term of office
of members

of said board until the duties of said board hereunder are completed, and such of said persons as are *ex officio* members of said committee shall not cease to be members of said board by reason of their ceasing to hold their other respective offices. When any vacancy in said board shall be filled, the person appointed or elected to fill such vacancy shall hold such office until said duties of said board are completed. Each member of said board shall duly qualify before acting as such member. If any member of said board shall at any time cease to be a citizen and resident of said city, his office therein shall thereupon be vacant.

Vacancy,
qualification,
etc.

Whenever any vacancy in said board shall occur for any cause, within fourteen days and not earlier than seven days thereafter the city council of said city shall meet in convention, and if the city council or either branch thereof is not to be in session during said period at such time that such meeting in convention may be held, the mayor of said city shall call a special meeting of the city council or either branch thereof so that such meeting in convention may be held during said period. At such meeting in convention, said mayor shall appoint, subject to the approval of said city council in convention some person to fill such vacancy. Whenever said mayor shall not make or announce any such appointment to said city council at the beginning of such meeting, said city council in convention shall proceed at such meeting to elect some person to fill such vacancy. Whenever said mayor shall make and announce any such appointment to said city council at such meeting, and said city council by vote at such meeting shall not approve any such appointment, said city council in convention shall proceed at such meeting to elect some person to fill such vacancy. In case of any failure to so elect, said meeting in convention

Vacancy, how
filled.

Same subject.	shall be adjourned from time to time, but no adjournment to be for more than three days from the next preceding date adjourned from, until such election is made. The members of said board shall not receive any compensation for their services as such members.
Members to receive no compensation.	Said city council from time to time by ordinance may
City council may make ordinances relative to said board.	change the composition, number and tenure of office of the members of said board, but not so as to change the tenure of the original constituted members thereof, as herein fixed, and whenever it shall deem that said board has completed its duties hereunder may wholly abolish such board. Said city council from time to time by ordinance may prescribe other and further duties than those prescribed herein for said board, but not inconsistent herewith, and at any time may amend or repeal any such ordinance. Said city council, by a concurrent vote of a majority of the members elected to either board and then in office voting in the affirmative, may remove any members of said water supply board from his or their offices therein for any misconduct or incapacity.
May remove members, how	
Organization of board.	SEC. 2. After the passage of this act, and annually in January, said board shall choose one of their number as chairman of the board, and shall appoint a secretary. Said board may adopt by-laws regulating the transaction of business by the board, but no by-laws shall authorize any action by the board except by a majority vote thereof. Said board from time to time may employ and fix the compensation of such engineers, surveyors, draughtsmen, clerks and other employees as may be necessary for the efficient performance of its duties hereunder, and at any time or times may discontinue the employment of any or all such employees. Said board shall cause to be kept in books of the city a record of all its acts and proceedings and accurate accounts of all its financial
May adopt by-laws.	
Employees of board, and their compensation how fixed.	
Board to keep records and make reports.	

transactions, and shall annually in January report to the city council its doings and a summary at least of its financial accounts. The city solicitor shall be the legal advisor of said board and shall have general charge for the city of all law proceedings or suits instituted or arising hereunder, but in case he considers it necessary or advisable he may from time to time designate assistant counsel to have special charge of the same and to immediately advise and aid said board for such period or periods of time as the city solicitor, from time to time, may determine, such special counsel to receive such compensation therefor as said board may from time to time determine, and such compensation to be charged as an expense of said board.

City solicitor to be legal advisor of board, etc.

SEC. 3. Said board, as soon as may be, shall investigate and determine as to whether a part of the north branch of the Pawtuxet river, and the water shed tributary thereto, would be the most available and desirable source for a supply of pure and wholesome water for the city of Providence and for any territories now supplied, or hereafter supplied under the provisions of this act, by means of the waterworks of said city, and if that source is approved, said board shall proceed to make a plan, locating a storage reservoir or reservoirs on and adjoining said branch of said river, including any tributaries of said branch, and an aqueduct to carry water from such reservoir or reservoirs to the waterworks of said city at Sockanosset, and said board at any time may change or modify such plan or any amended plan.

Board to investigate and make plan locating storage reservoirs for water.

SEC. 4. After making such a plan, said board from time to time may acquire by purchase for and in the name of said city, and said city may hold and use, such lands and such estates, easements, rights and interests therein, and such waters and water and

Board may acquire certain lands, etc., when.

flowage rights and privileges and rights to hold and take water, as are necessary or desirable for such water supply and such reservoir or reservoirs and such aqueduct, and any dams, sluices, culverts, water and land ways and works connected therewith or incidental thereto, and for executing the work of all kinds, including removing and disposing of surplus earth and other materials, and for protecting and preserving the waters in such reservoir or reservoirs and the waters of said river branch and its tributaries flowing thereto, from pollution, and from the deposit therein of any matters which would reduce the quality or value of any such waters as a potable water supply, and for filtration and other works for treating such water supply, and for carrying out the purposes, directions and requirements of this act: *Provided, however,* that said board shall not make any contract for any such purchase until the city council of said city shall have first made due provision for supplying the necessary funds therefor.

City of Providence may acquire certain lands, etc., by condemnation.

Plat.

SEC. 5. Said city of Providence is hereby authorized from time to time and in the manner hereinafter provided to acquire by condemnation any lands, improved or unimproved, and any estates, easements, rights and interests in any lands, which are included within the area enclosed by the boundary line colored red on the accompanying plat marked "Plat of lands enclosed by red lines hereon, mostly in the town of Scituate, which may be taken by the city of Providence for water supply purposes, Samuel M. Gray, civil engineer, 1915," a plat of part of said line at North Scituate being also shown on the accompanying supplementary plat, entitled "Map showing location of condemnation line at and near North Scituate, Samuel M. Gray, civil engineer, 1915," and which the city council of said city deems neces-

sary for the location, construction, maintenance and operation of a reservoir or reservoirs and any dams, sluices, culverts, water and land ways, and works connected therewith or incidental thereto, and also any lands and any estates, easements, rights and interests in any lands within said area which said city council deems necessary for protecting and preserving the waters in such reservoir or reservoirs and the waters of said river branch and its tributaries flowing thereto from pollution and from the deposit therein of any matters which would reduce the quality or value of any of such waters as a potable water supply, and for filtration and other works for treating such water supply, and for carrying out the purposes, directions and requirements of this act, and also any lands, and any estates, easements, rights and interests in any lands, which said city council deems necessary for the location, construction, maintenance and operation of an aqueduct in a strip of land from such reservoir or the lower of any such reservoirs to said water works at Sockanosset, not to exceed two hundred feet in width, and for ways to such strip of land from the nearest public highways, and for executing the work at, adjoining or near the portals and shafts of any tunnel construction designed as part or parts of such aqueduct, including removing and disposing of surplus earth and other materials. Said city may take any such lands in fee simple or any estate, easement, right or interest in any such lands absolutely, except as hereinafter provided.

Same subject.

Upon the passage of this act, said plats shall be kept on file in the office of the secretary of state. Said boundary line enclosing said area is described as follows:

Plats to be filed
in office of
secretary of
state.

Description of
lands.

Beginning at the intersection of the southerly line of the Plainfield pike and the easterly line of the town of Scituate; thence southerly along said town line to land of Catherine T. Miller; thence westerly and southerly with said Miller land to the south-westerly corner of said Miller land; thence southerly to a point in the northerly line of the Betty Pond road, 300 feet westerly from said town line, measured along said road; thence westerly along said northerly line of the Betty Pond road to its intersection with a line running due north from a point on the northerly line of the Bald Hill road 3-10 of a mile westerly from said town line measured along said road; thence from said Betty Pond road, due south to said point on said Bald Hill road; thence westerly in the northerly line of said Bald Hill road 2-10 of a mile; thence due south, a distance of one mile; thence southwestwardly to a point in the centre of the Pawtuxet river, 1,000 feet northerly from the point where the Colvin brook joins the Pawtuxet river; thence with the centre of said Pawtuxet river to a line running due west and passing through a point in the centre of the first highway westerly of said Pawtuxet river, which point is 3-10 of a mile northerly from the intersection of the centre of said highway with the centre of the Colvin brook, and continuing in said due west course to a line running N. 30° W. and passing through a point on the Burnt Hill road 2-10 of a mile westerly from said last mentioned road, measured along said Burnt Hill road, thence N. 30° W. passing through said point on the Burnt Hill road, and continuing in said course 1-10 of a mile northerly of said Burnt Hill road; thence S. 60° W. 1 4-10 miles; thence due north to the northerly line of the Tunk Hill road; thence westerly and northerly in the northerly and easterly line of said Tunk Hill road to a point in

said line $\frac{3}{8}$ of a mile southerly from the easterly corner of the said Tunk Hill road and Plainfield pike; thence westerly to a point in the southerly line of said Plainfield pike $\frac{1}{2}$ mile westerly from the westerly corner of the said pike and Tunk Hill road; thence due north to a point in the northerly line of the Field's Hill road; thence westerly in the said northerly line of the Field's Hill road to its intersection with the easterly line of the first cross road leading northerly; thence due west to an intersection with the Scituate-Foster boundary line; thence southerly to a point in the northerly line of the said Plainfield pike $\frac{1}{2}$ mile westerly from the said Scituate-Foster boundary line measured along the northerly line of said pike; thence westerly along the northerly line of said pike to the road next westerly of the Westconnaug reservoir; thence northerly along the easterly line of said last mentioned road to the Clayville-Foster Centre road; thence easterly along the northerly line of said Clayville-Foster Centre road to the said Scituate-Foster boundary line; thence northerly with the said Scituate-Foster boundary line to the northerly line of the road next southerly of the Barden reservoir, so-called; thence westerly in the northerly line of said last mentioned road to its intersection with the easterly line of the first cross road running north to the Saundersville pike; thence northerly in the easterly line of said cross road to its intersection with the southerly line of said Saundersville pike; thence easterly along the southerly line of said Saundersville pike about 500 feet to the road to Hopkins Mills; thence northerly along the easterly line of said Hopkins Mills road, one-half mile; thence due east $3-5$ of a mile; thence south 30° E. about $1-5$ miles to the highway running along the easterly side of said Barden reservoir;

Description of
lands (con-
tinued.)

Description of
lands (contd.)
continued

thence southerly and easterly along the southerly line of said last mentioned road to a point opposite the southeasterly corner of the Barden cemetery; thence N. 45° E. to the centre of the Swamp brook; thence due east to a point 3,500 feet easterly of the centre of the road next easterly of said Swamp brook; thence southeasterly to a point in the northerly line of the Ponaganset-Ashland road, 1,500 feet westerly from the junction thereof with the road next easterly of Cork brook; thence easterly in the northerly line of said Ponaganset-Ashland road to a point 1,200 feet easterly of the easterly line of the Trimtown road, so-called; thence N 10° W. $1\frac{1}{4}$ miles; thence northerly to a point on the Saundersville pike, 1,000 feet westerly from the Battey meeting house road at its junction with said pike; thence due north to land now or formerly of the George W. Payne heirs or the extension of the southerly line of said Payne land; thence easterly with said last mentioned line and said Payne land to said Battey meeting house road; thence northerly along the easterly line of said Battey meeting house road to land of John W. Coggeshall; thence easterly and northerly with said Coggeshall land and an extension of the easterly line of such land to the northerly line of the Danielson pike; thence westerly with said Danielson pike to the road to Elmdale; thence along the easterly line of said road to Elmdale to a point thereon 1,000 feet from said Danielson pike, measured along said road; thence southwestwardly to a point due north of and 700 feet distant from the northerly line of said Danielson pike at a point 275 feet westerly from the junction of said pike with said Battey meeting house road; thence due south 700 feet to said point on the Danielson pike; thence westerly along the northerly line of said Danielson

pike to a cross road to Elmdale; thence northerly with said Elmdale cross road to its intersection with a line running due north and crossing the Hartford pike at a point 900 feet westerly from said Elmdale cross road; thence due north, passing through said point on the Hartford pike to the northerly town line of said Scituate; thence easterly along said town line 2,800 feet; thence S. 30° E. to that part of the Rocky Hill road, so-called, running easterly to the Moswansicut lake; thence easterly along the southerly line of said Rocky Hill road to the point in which the southerly side of said last mentioned road extended intersects the easterly side of the road leading from North Scituate to Greenville; thence S. 9° $\frac{3}{4}$ easterly along the easterly side of the North Scituate-Greenville road, a distance of 540 feet, more or less, to a point on line with the northerly edge of the woods bounding on the southerly portion of the land of B. F. Smith; thence N. 29° easterly through the land of B. F. Smith, a distance of 1,076 feet, more or less, to a point near the barn of B. F. Smith; thence continuing north 55° east across the land of B. F. Smith and W. S. Bennett Blanchard, a distance of 3,146 feet, more or less, to a point on the western boundary line between the lands of W. S. Bennett Blanchard and of John D. Blanchard; thence continuing N. 2° westerly along said western boundary line, a distance of 980+ feet to its intersection with the south side of the road from North Scituate to Greenville; thence southerly, westerly and northerly along the southerly side of said last mentioned road, a distance of 955+ feet to the northwesterly corner of the cemetery located at the junction of Winsor avenue with the North-Scituate-Greenville road; thence due south along the westerly boundary line of said cemetery, a distance of 60+ feet to the

Description of
lands (con-
tinued.)

Description of
lands (con-
tinued.)

southwesterly corner thereof; thence south $27^{\circ} \frac{3}{4}$ easterly through the land of John D. Blanchard, a distance of 1,868+ feet to a point on the boundary line between the lands of John D. Blanchard and William H. Watson; thence south $10^{\circ} \frac{1}{2}$ westerly through the land of William H. Watson, a distance of 1,170+ feet; thence south $35^{\circ} \frac{1}{2}$ westerly through the land of William H. Watson, a distance of 775+ feet to the corner of a stone wall; thence south 23° westerly along the line of the stone wall and through the lands of William H. Watson and W. S. Knowles, a distance of 965+ feet to a point on the easterly boundary line between the towns of Scituate and Johnston; thence south $4^{\circ} \frac{1}{2}$ westerly along said easterly boundary line between the towns of Scituate and Johnston, and through the lands of W. S. Knowles, Edward Fontaine and James Campanini, a distance of 1,840+ feet; thence south 75° westerly through the land of James Campanini and Allen U. Barber, a distance of 660+ feet; thence south 87° westerly through the land of Allen U. Barber and of Charles H. Davis, a distance of 785+ feet; thence south $62^{\circ} \frac{1}{4}$ westerly through the land of Charles H. Davis, a distance of 490+ feet to a point where the last mentioned line intersects the northerly side of the road running along the southerly side of Moswan-sicut lake; thence northerly and westerly with said northerly line of said road, a distance of 2,290+ feet to a point at which the said northerly line of said road extended intersects the westerly side of the North Scituate-Greenville road; thence southerly and westerly with the westerly line of said North Scituate-Greenville road, a distance of 1,000+ feet to the corner of a fence running westerly from this point; thence northerly and westerly along said fence and along the northerly boundary line of the

Description of
lands (con-
tinued.)

Smithville burial ground, a distance of 760+ feet to the northwesterly corner of said burial ground; thence southerly and westerly along the westerly boundary line of said burial ground, a distance of 340+ feet to the southwesterly corner thereof; thence northerly and westerly and at right angles to the westerly boundary line of said burial ground, a distance of 30+ feet across the road to a point where the latter line intersects the westerly line of said road; thence southerly and westerly along the westerly side of said road to the corner of the stone wall running approximately at right angles to the westerly side of said road, said wall being located just southerly of the Pentecostal church, so-called, and at a distance of 260+ feet from the last described point; thence westerly and southerly along the line of said stone wall, a distance of 235+ feet to its intersection with a fence running northeasterly at said point of intersection; thence southerly and westerly following the line of said fence, a distance of 380+ feet to a point on said line, the same being 100 feet distant from the northerly side of Main street at the nearest point thereto; thence westerly and northerly along a line parallel with the northerly side of said Main street to a point 185 feet distant from the last mentioned point; thence south 27° westerly approximately, a distance of 150+ feet, said course passing westerly of the house of Dr. Arnold, and crossing said Main street and ending in a point on the southerly side of said Main street, which point is 235+ feet distant from the southwesterly corner of the intersection of Main street and the first road lying easterly of said point and leading southerly from said Main street to the Glenford cemetery, said distance being measured along the southerly side of said Main street; thence in a westerly direction

Description of
lands (con-
tinued.)

following along the southerly side of said Main street to a point opposite the northeast corner of land of Maria Simmons; thence along the easterly boundary of said Simmons land to land of Elmer Angell and others; thence along the northerly boundary of said Angell and others land to the northeasterly corner thereof; thence southerly with the easterly boundary of said Angell and others land to a line in range with the southerly boundary of land of Daniel A. Clarke, Jr., and others, referring to the store estate wherein is the depot of the Rhode Island Company; thence easterly in said range line and along said southerly boundary of said store estate to the easterly line of said store estate; thence northerly in said easterly line of said store estate to a line running 135 feet southerly of and parallel with the southerly line of said Main street; thence easterly in said line parallel with said Main street to the easterly line of the North Scituate-Kent road; thence southerly along said easterly line of said North Scituate-Kent road 200 feet, be the same more or less to the end of a stone wall; thence south 65° easterly, a distance of $640+$ feet to the centre of a stone wall; thence south $12^{\circ} \frac{1}{4}$ westerly along the line of said last mentioned wall, a distance of $395+$ feet to an angle in the wall; thence south 60° east along the line of a stonewall, a distance of $630+$ feet to an angle in the wall; thence south 10° westerly along the line of a stone wall, and for a distance of $175+$ feet to a stone wall running at approximately right angles to the first mentioned wall; thence south 79° easterly along the line of said last mentioned wall, a distance of $225+$ feet to the easterly wall of a road located at this point; thence south $33^{\circ} \frac{1}{2}$ easterly, a distance of $670+$ feet to the southwesterly corner of the land of I. H. S. Steere; thence south 80° easterly

along the southerly boundary line of said Steere land, a distance of 1,560+ feet to the southeasterly corner of said land; thence south $88^{\circ} \frac{3}{4}$ easterly, a distance of 1,245+ feet to the intersection of the latter course with the southerly side of the road from North Scituate to Pine Hill; thence easterly along the southerly side of the North Scituate-Pine Hill road to the intersection of said last mentioned road with the Scituate-Johnston boundary line; thence southerly along said Scituate-Johnston boundary line to the place of beginning.

Description of
lands (con-
tinued.)

SEC. 6. Said city of Providence is hereby authorized from time to time and in the manner hereinafter provided to acquire absolutely by condemnation, the waters of said branch of said river and its tributaries, or any part or parts thereof, included within said area shown within red lines on said plat, and any water or flowage rights or privileges appurtenant to or connected with said area or any part or parts thereof, and any waters flowing into such reservoir or reservoirs, and to there hold such waters and to appropriate and divert the same for such water supply: *Provided, however,* that said city shall not hold or divert any such waters until such a reservoir or reservoirs is or are ready for use; *and further provided,* that from the time when the city begins to hold or store water in such reservoir or reservoirs to the time when for the first time twenty billion gallons of water shall have been held and stored therein, said city shall not during any week day diminish the flow of such branch immediately below the dam of such reservoir as is farthest down stream below the amount which would run in such branch if the reservoir or reservoirs built by said city did not exist, except that when such flow of said branch would exceed twenty million gallons per day, said city may hold

City of Providence authorized to acquire certain waters, etc., by condemnation.

Such waters not to be diverted or diminished, until when.

Flow of water, how to be regulated.

Same subject.

and store all the water in excess of said twenty million gallons, *and further provided*, that after said city has for the first time held and stored in such reservoir or reservoirs twenty billion gallons of water, it shall draw from such reservoir or such of said reservoirs as is farthest down stream, in each month a quantity of water equivalent to not less than seventy million gallons daily, and all of the above monthly quantity of water which is not diverted for a water supply for said city of Providence, and for any territories now supplied, or hereafter supplied under the provisions of this act, in the city of Cranston, the towns of North Providence, Johnston and Warwick, or elsewhere, shall be discharged into said branch above the dam of the Hope Mills, so-called, in the town of Scituate, except that, if in any year such reservoir as is farthest down stream does not fill by the first day of June, thereafter until it does fill, the quantity of water to be drawn as aforesaid for the purposes aforesaid shall be equivalent to not less than sixty-five million gallons, daily, instead of to not less than seventy million gallons, daily; *and further provided*, that from the time said city begins to use such reservoir or reservoirs and to hold or divert any such waters, said city, although observing the foregoing limitations and requirements, shall not hold or divert the same to any extent that would prevent its observance of the following paramount limitations and requirements: That said city shall forever discharge from such reservoir or such of said reservoirs as is farthest down stream into said branch sufficient water to maintain a flow of water, in said branch below the lowest dam built by said city on said branch for storing and diverting water as aforesaid, of not less than five hundred thousand gallons each day; and such further quantity of water and at such times and

in such manner as may be necessary to maintain, and so that there be maintained, a flow, in said branch into the pond formed by the Arkwright dam of the Interlaken Mills, so-called, in the town of Coventry, of not less than six million gallons each day, except Sunday; and such further quantity of water and at such times and in such manner as may be necessary to maintain, and so that there shall be maintained a flow, in said branch at the Clyde Bleachery and Print Works, in the town of West Warwick, of such quantity not exceeding seventy-two million gallons in each week, as the owner or owners of said Clyde Bleachery and Print Works from time to time shall certify to be necessary for use therein, and in other buildings now or hereafter owned by him or them on the premises, for manufacturing purposes other than the production of water power. Same subject.

In complying with the aforesaid provisions relating to the discharge of water from such reservoir or reservoirs into said branch, said city shall so regulate the flow with respect to the hours and quantity thereof as to meet, as far as it is practicable to do, the requirements of all those using water, especially the requirements of each of the persons, firms and corporations operating bleacheries, finishing or dye works thereon.

With reference to the flow of said branch to be maintained into the pond formed by said Arkwright dam of the Interlaken Mills, and at said Clyde Bleachery and Print Works, said city shall establish and maintain at its own expense forever a proper gauging station or stations at each of said places or at such place or places on the stream above or below the same as would be convenient and practicable and give the most accurate results, and in the latter case proper allowance for any difference in the flow

Some subject.

between the place at which the flow is to be maintained and the place or places of gauging shall be made; and said city shall take gaugings at said stations at such times as may be reasonably required to ascertain the flow of water into said pond formed by said Arkwright dam of said Interlaken Mills and at said Clyde Bleachery and Print Works and from time to time whenever reasonably requested shall furnish to said Interlaken Mills, its successors and assigns, and to the owner or owners of said Clyde Bleachery and Print Works or of any other manufacturing establishment on said branch, copies of the records of the gauging taken at such gauging stations, and shall also allow the same at all reasonable times to inspect such gauging stations and the apparatus connected therewith: *Provided*, said city shall be notified of the intention to inspect so that a representative of said city may be present at such inspection.

City to furnish certain information to operatives.

From time to time whenever reasonably requested said city shall furnish information to any person, firm or corporation owning or operating any manufacturing establishment on said branch as to the quantity of water discharged into said branch from such reservoir or such of said reservoirs as is farthest down stream, and the times and manner of discharging such water and regulating the flow thereof with respect to the hours and quantity thereof, the quantity of water drawn from such reservoir, and the quantity of water diverted for a water supply for said city of Providence and for any other territories supplied under the provisions of this act, and its calculations or estimates as to the quantity of water contained in such reservoir or reservoirs.

Relative to the work of construction of such reservoir or reservoirs or any works connected therewith,

said city shall not do, or cause or suffer to be done, any act or thing which would result in the waters of said branch being polluted to any greater extent than said waters would have been polluted without such construction work, and in case it fails to observe this provision, any person or corporation owning or operating any manufacturing establishment on said branch may recover its damages suffered thereby in an action of the case in any court of competent jurisdiction.

Damages for pollution of waters by construction work.

Before said city of Providence diverts any of said waters for said water supply for said city, it shall build a masonry dam across the Pawtuxet river, in the village of Pawtuxet, on the same site and of the same height as the present dam there situated, and shall so maintain the same.

City to build a dam across Pawtuxet river.

SEC. 7. In case a part only of any farm or of any lot or tract of land is taken under any of the provisions of this act, which part is included within said area shown within red lines on said plat, and the remainder or any portion thereof, whether or not situated within said area, is damaged or lessened in value by such taking, the owner or owners thereof may surrender to said city the portion so damaged or lessened in value, by giving to said board or the city council of said city written notice of such surrender, describing the land surrendered, within one year after said taking; whereupon, the portion so surrendered shall be deemed to be included in such taking and shall vest in said city in fee simple and said city shall be liable to pay, and such owner or owners may recover from it, just compensation for the same in any proceedings brought by them for the recovery of damages for land taken under this act.

Owners may recover for remainder of land damaged by the taking of a part.

May recover
for reservoirs,
dams, sluices,
etc., when mill
is taken.

In case any land included in said area has a mill thereon which mill is taken under any of the provisions of this act, the owner or owners thereof may surrender to said city any or all their reservoirs, dams, sluices, culverts, waterways and works connected therewith or incidental thereto, and any or all their water rights or flowage rights used or acquired for use in connection therewith, whether the same are or are not situated within said area, by giving to said board or the city council of said city written notice of such surrender, describing what is so surrendered, within one year after such taking; whereupon such surrendered real estate and improvements thereon, and water rights and flowage rights shall be deemed to be included in such taking and shall vest in said city in fee simple or absolutely, and said city shall be liable to pay, and such owner or owners may recover from it, just compensation for the same in any proceedings brought by them for the recovery of damages for land taken under this act.

Ponaganset
Reservoir Co.
may recover for
its property if
surrendered to
the city.

The Ponaganset Reservoir Company, a corporation existing under the laws of the State of Rhode Island may, within one year after any taking of any waters of, or water rights pertaining to, the said north branch of the Pawtuxet river, surrender to said city of Providence all its lands and water and flowage rights or privileges comprising and included in the Ponaganset reservoir and its appurtenances, situated in the town of Glocester, by giving to said board or to the city council of said city, written notice of said surrender, describing such lands and water and flowage rights or privileges surrendered; whereupon such lands and water and flowage rights or privileges so surrendered shall be deemed to be taken by said city and shall vest in said city in fee simple, or in such other estate as shall be then owned

by said Ponaganset Reservoir Company; and said city shall be liable to pay, and said Ponaganset Reservoir Company may recover from it, just compensation for the same in any proceedings brought by said Ponaganset Reservoir Company for the recovery of its damages for such taking under the provisions of this act within one year from the date of such notice of such surrender to said city.

SEC. 8. Within any lands included in said area, which are acquired or taken by said city hereunder, or are owned and held by said city, for the purpose of such reservoir or reservoirs and water supply, or for the protection thereof, upon such acquisition or taking or ownership of the same, any and all public highway rights or easements in any part or parts of such lands shall terminate, and thereafter said city may close any and all public highways therein, or if said city shall leave open any such highway or highways or permit the same to be traveled, they nevertheless shall remain the private ways of said city, and any persons or the public using the same shall not thereby acquire any right of way or public easement of travel therein, except as hereinafter provided.

Of acquiring of highways with- in lands taken by the city.

Said city shall not take the public highway easement in or close any part of the following described roads or parts thereof: The Battey meeting house road from the Danielson pike to the Saundersville road; said Saundersville road from said Battey meeting house road westerly; the Ponaganset-Ashland road, excepting any part thereof easterly of its junction with any causeway road crossing any such reservoir at or near Ashland; the Trintown road; the three roads from the Ponaganset-Ashland road to the Saundersville road and to the Danielson pike; the road from Ponaganset running southerly of the Barden reservoir; the road from said Ponaganset-

City not to close any part of certain roads, but may change or rebuild, etc.

Ashland road through Rockland to Clayville and leading to Foster Centre; the road from Clayville over Fields hill to the new road hereinafter described connecting the northerly end of the Tunk hill road with said Fields hill road; the Tunk hill road from the Plainfield pike to the new road hereinafter described leading to the Kent-Coventry road; the Kent-Coventry road from the new extension of the Bald hill road hereinafter described southwesterly; and all roads north of said Danielson pike, except the short piece of road from the S. M. Olney heirs farm westerly to the school estate.

"Danielson
Pike."

Said city shall not take any public highway easement in or close any part of the state road through North Scituate, known as the Danielson pike, and no right of travel over the same shall be terminated hereunder, but said city with reference to the flowage of any of its lands included in said area at said North Scituate may change the grade of and raise said highway, or any part or parts thereof in said North Scituate, particularly at and on either or both sides of the Moswansicut river, and may make any changes in any existing bridges and build any new bridges required to carry said highway over the Moswansicut river, or any other waterways or flowed land or lands which the works of said city will cause to be flowed, all such highway and bridge work to be done wholly at the expense of said city and in a thorough manner satisfactory to the state board of public roads or any other public authority then having charge of the state roads, and so that said highway when regraded shall be left in as good condition at least as at the time of the beginning of such work.

"Hartford
Pike."

Said city shall not take the public highway easement in or close any part of the road known as the Hartford pike, but with reference to any such flowage

may change the grade of and raise said highway and alter and build any bridges required to carry said highway over any waterways or lands flowed or to be flowed as aforesaid, and may alter the lines of said highway and may relocate any part or parts of said highway by laying out, constructing and substituting a new way for any part or parts abandoned, the whole cost of the same to be paid by said city and the work to be done in a thorough manner satisfactory to the town council of said town of Scituate. No relocation of any part of said highway shall be made until said town council shall have first approved the place of the relocation of the same. When any such new way or new parts of the highway are completed, the public shall have a highway easement of travel therein and thereover.

Said city shall not take any public highway easement in or close any part of the state road known as the Plainfield pike, except such part or parts thereof as would be flowed by any such reservoir, or obstructed by any works pertaining thereto or constructed under authority hereof. In lieu of such part or parts of said Plainfield pike as are taken hereunder, said city shall lay out, grade, construct, macadamize to the width of eighteen feet and substitute a new highway of not less width than the general width of said pike, running from a point on said pike at or near its junction with the road leading to Ashland; thence westerly to said reservoir by a new course or utilizing any part or parts of said Ashland road desirable therefor; thence crossing said reservoir at a point at or near Ashland by a causeway; thence westerly to the Ponaganset-Ashland road; thence following the general course of said Ponaganset-Ashland road and utilizing any part or parts of said road desirable therefor to the

"Plainfield
Pike."

"Plainfield
Pike" (con-
tinued.)

new highway from North Scituate to Rockland hereinafter described; thence following said new highway to its junction with the Rockland-Foster Centre road; thence following said Rockland-Foster Centre road to a point thereon where the improved state road begins about 976 feet westerly from the Red Mill. In case any part or parts of said Plainfield pike are taken hereunder, said city shall also lay out, grade, construct, and improve, alter, relocate in any part or parts and utilize any existing public highway or highways, or part or parts thereof, so far as is necessary to secure a good roadway, and shall macadamize the same to the width of eighteen feet, over substantially the following described route: Beginning on said Rockland-Foster Centre road at a point thereon where the improved state road ends at or near the Isthmus road; thence following the general course of said Rockland-Foster Centre road to a point at or near the Briggs road; thence following the general course of said Briggs road to a point on or near said road easterly or southeasterly of the summit of Howard hill, where said road turns westerly; thence continuing in a southerly course to the Plainfield pike. Said city shall submit the plans of the layout of said substitute highway and of said improved and new roadway to the Plainfield pike to the state board of public roads or any other public authority having charge of the state roads, and shall not lay out or construct the same until the particular locations thereof shall have been first approved by said board or such authority, and when so approved said city shall cause to be filed in the land records of said Scituate a plat showing the layout of said substitute way, and in the land records of said Foster a plat showing the layout of said improved and new roadway. Said substitute way and

said improved and new roadway shall be built under the supervision of and in a thorough manner satisfactory to said state board or such authority, and wholly at the expense of said city, and when completed, the public shall have a highway easement to travel therein and thereover.

Said city shall not take any public highway easement in or close any portion of the Bald hill-Kent road, or any highway in extension thereof running westerly or southwesterly, except any parts thereof which would be flowed by any such reservoir, or obstructed by any works pertaining thereto or constructed under authority hereof, and in such case said city shall lay out, construct and substitute therefor a new way as hereinafter provided. In case any part of said road or highway at and near Kent shall be flowed or obstructed as aforesaid, said city shall lay out, construct and substitute therefor a road from a point on said Bald hill-Kent road easterly or northeasterly of said Kent and running westerly and generally southerly of such reservoir and along the northerly slope of Burnt hill, to a point on the Kent-Coventry road westerly of its junction with the Tunk hill road, and said city shall lay out and construct a new road from the junction of said last mentioned new road with said Kent-Coventry road running in a northerly and northwesterly direction to said Tunk hill road, and also a new road from a point on said Plainfield pike at or easterly of the Tunk hill road northerly to a point on the Fields hill road near the Dark bridge road, and also a new road from the Fields hill road following the general course of the Dark bridge road and utilizing any part or parts of said road desirable therefor, to a point thereon southerly of the Richmond-Rockland road, thence northwesterly to said Richmond-Rockland road.

"Bald Hill,
Kent Road."

"North Scituate-Kent
Road"

In case said city shall locate the dam of any such reservoir at or near said Kent so that the southerly part of the North Scituate-Kent road on the easterly side of said branch of the Pawtuxet river would be flowed, said city shall lay out and construct a road from North Scituate southerly, utilizing as part of said road said North Scituate-Kent road from said Danielson pike to the Clarke Potter road, and also utilizing said last mentioned road to the Plainfield pike, and thence southeasterly to the Betty Pond road, and thence in a general southerly direction to the Bald hill road at or near the easterly end of said dam, and thence continuing southerly to the present easterly road to Hope at a point on Fiske hill; and in such case said city shall also lay out and construct a new road from a point on said new extension of the Bald hill-Kent road at or near the westerly end of said dam, thence along the easterly side of Burnt hill to the present westerly road to Hope.

"Providence
and Danielson
Railway Com-
pany" road
bed of.

In case any part or parts of the roadbed between North Scituate and Rockland of the Providence & Danielson Railway Company are acquired or taken by said city hereunder, said city shall lay out and construct a new highway of not less than fifty feet in width exclusive of any necessary slopes except bridges to be not less than forty feet in width, with a suitable grade for the operation of a street railway therein and thereover from the Danielson pike to Rockland, and shall macadamize the same to the width of eighteen feet, said highway to be located substantially as follows: Beginning at a point on the Danielson pike, said point being about 4,365 feet, measured along the southerly side of said pike, from Card's corner at North Scituate, thence running in a general southwesterly direction and crossing the Trimtown road, the Saundersville pike, the

Westcott district road, the Cork brook, the Chop Mist hill road and the Ashland-Ponaganset road near the junction of said two last mentioned roads, and the Ponaganset river at or near the old shoddy mill dam, and continuing in said direction to the Ponaganset-Rockland road at a point thereon about two hundred and fifty feet northerly of the Rockland-Foster Centre road at Rockland, and crossing said Ponaganset-Rockland road and continuing to said Rockland-Foster Centre road.

Same subject.

Said city shall submit its plans of the layout of all new roads and highways provided for under this act, excepting such as are substituted for any parts of any state roads or are provided herein to be submitted to said state board of public roads, to the town council of said Scituate, and shall not lay out or construct such new roads or highways except as aforesaid until the particular locations thereof respectively shall have been first approved by said town council, and when so approved said city shall cause to be filed in the land records of said Scituate plats showing the layout of such new roads. Said city may locate any such new or substitute roads or highways in and over any lands acquired or taken hereunder for said water supply purposes. Said city shall build any bridges necessary to carry such highways or roads over any waterways. Such highways or roads except as aforesaid shall be built in a thorough manner satisfactory to said town council, and wholly at the expense of said city.

Plans of layout of new roads to be submitted, to whom.

City may build necessary bridges.

A public highway easement for travel in such new highways or roads, or parts thereof, as are substituted for or in lieu of any state roads, or parts thereof, shall vest in the state, and a public highway easement for travel in said other new roads or highways, or parts thereof, shall vest in the town where the land lies;

Easement in new highways, where vested.

and when such new highways or roads are completed they shall be opened for public travel therein and thereover. No existing highway or part thereof for which a substitute highway or road is provided hereunder shall be closed to public travel, until such substitute road or highway is completed and opened to public travel.

City may take
lands or easements for highway purposes.

Said city may acquire by purchase or condemnation in the manner herein provided any lands or easements therein, which the city council of said city deems necessary to lay out and build such new roads or highways or to relocate any parts of any such existing highways, or for lateral support or slopes of any of the same and of such highways regraded or raised, or required to furnish any new route or location for any portion or portions of the railroad of the Providence & Danielson Railway Company herein provided for.

Description
and plat of
changes in certain roads,
where to be
filed.

When the city council of said city makes any such change of grade or other such change in said Danielson pike or said Hartford pike, or in any other public highway, within three months from the date of the passage of its resolution therefor, it shall cause to be filed in the land records of the town where the land lies a statement describing the change and a plat showing such change and the lands abutting on the part of the highway where such change is made, and notice of such change shall be given by the city clerk and shall be served by the city sergeant of said city upon the owners of and persons interested in the lands abutting on the part of the highway where such change is made, in the same manner as provided in Section 23 hereof for the giving and serving of notice of the taking of lands; and any such owner or person whose estate or interest in any such abutting lands is damaged by such change, if the amount of such

damages is not agreed upon and paid by said city, may recover the same of said city in an action of the case brought in the superior court within and for the county of Providence within one year after personal notice of such change, or if he have no personal notice, within two years from the date of the filing of such statement and plat.

SEC. 9. Before or at the same time that said city acquires or takes under the provisions of this act any part or parts of the present roadbed between North Scituate and Rockland of the Providence & Danielson Railway Company, its successors or assigns, said city shall acquire by purchase or condemnation hereunder all lands or rights in lands necessary for the layout and building of said new public highway from the Danielson pike to Rockland, and for the location and building of the tracts of said company, its successors or assigns, in any other lands than public highways required for the railroad route hereinafter described; and whenever said city acquires or takes under the provisions of this act any part or parts of said present roadbed between North Scituate and Rockland, thereupon said company, its successors and assigns, shall have to replace any span of its railroad taken or rendered useless by any action of said city council hereunder, and there is hereby granted to it and its successors and assigns a new location and street railway easement in the public highways and railroad easement in such other lands for a single track railroad with convenient turnouts in and over the following described route: Beginning in the Danielson pike at the westerly end of its present track thereon at or near North Scituate and there connecting therewith, and extending westerly along said pike to said new highway therefrom to Rockland, and extending

Of new location
and easements
of Providence &
Danielson Rail-
way Company.

Same subject.

generally southwesterly along said new highway to the Ponaganset-Rockland road at Rockland, and continuing across said Ponaganset-Rockland road, and about two hundred feet beyond said road to its present track at or near where said track leaves the Rockland-Foster Centre road, and there connecting with its said track, and thereupon said company, its successors and assigns, shall locate, build and operate a single track railroad with convenient turnouts in said new location, but no rails shall be laid in said pike except in such particular locations therein as shall be first approved by said state board of public roads or any other public authority then having charge of the state roads, and no rails shall be laid in said new highway except in such particular locations therein as shall be first approved by said town council of Scituate. Said company, its successors and assigns, shall proceed in due season to have the particular location of its rails in said new location determined as aforesaid, so that said city shall not be delayed in constructing or macadamizing said new highway. Said city shall not take actual possession of any part or parts of said present roadbed between North Scituate and Rockland acquired or taken by it as aforesaid, until said railroad in said new location shall be constructed and operated by said company, its successors or assigns, and said company, its successors and assigns, shall proceed in due season to construct and operate its railroad in said new location, so that said city shall not be unduly delayed in its work authorized hereunder or in obtaining said water supply. All expense, loss and damage suffered by said Providence & Danielson Railway Company, its successors or assigns, directly or indirectly, by reason of the taking of any of its lands and of the changing of such route or location

of said portion of said railroad as herein provided and by reason of the acquisition by said city of any other lands for any purposes hereunder shall be paid to it, its successors and assigns, by said city, and said company, its successors or assigns, may recover all the same of said city in the manner hereinafter provided.

Same subject.

SEC. 10. Said city shall permit said Providence & Danielson Railway Company, its successors and assigns, to construct and maintain in connection with the operation of its railroad a high tension electric transmission line over or under any lands and waters within said area shown within red lines on said plat acquired or taken by said city hereunder, in such particular location as may be agreed upon by said board or other representatives of said city and it or them, and if it is reasonably necessary to set or place any poles or towers for such line upon or in any such lands, whether or not flowed or to be flowed by water, it and they shall have a license to use the same therefor, but in such manner as not to materially interfere with any of said water works or to pollute said water supply, and any employees of it or them entering upon such lands for any purpose connected with such construction or maintenance shall be subject to such reasonable rules and regulations as may be prescribed by said city or said board or other authorized representatives of said city. Said city may permit any telegraph, telephone, electric light or electric power transmission company at any time existing under the laws of this state or of the United States to construct and maintain its lines in, over or under any such lands and waters upon such terms and conditions and subject to such regulations as said city or said board or other authorized representatives of said city may prescribe.

Providence & Danielson Railway Company and others to be permitted to construct and maintain transmission lines.

Land owned or
used by the
town of Scitu-
ate, etc., how to
be taken.

SEC. 11. In case any land included in said area shown within red lines on said plat or elsewhere in said town of Scituate is taken for said water supply or other purposes, which is owned or used by such town or any district for any public purpose or purposes, the town council or any committee appointed by the financial town meeting of such town for such town and the trustees or other duly authorized representatives of such district for the district may agree with said city upon the amount of damages suffered by it by reason of such taking, or if said city desires to acquire by purchase any such land they may agree with said city upon the fair cash value of the same, including all improvements thereon, and may cause the same to be duly conveyed to said city upon its paying such price therefor. In case of such taking, such town or district may surrender to said city any furniture and building equipments contained in any building or buildings on any such land by giving to said board or other authorized representative or representatives of said city, or the city council thereof, within six months after such taking written notice of its surrender of the same to said city, whereupon said city shall be liable to pay for such of said articles as are surrendered and actually delivered to said city the fair value of the same at the time of such delivery as part of the damages for such taking. In connection with any purchase of any such land, said city may purchase any such furniture and equipments as such town or district acting by its said representatives may offer to sell to it, and at such fair price as may be agreed upon by said city and such town or district acting by its said representatives. Said board or other authorized representative or representatives of said city shall represent said city with power to make for the city any such purchases and agreements.

SEC. 12. In case any land included in said area shown within red lines on said plat or elsewhere in said town of Scituate has a mill thereon, which is taken hereunder, the owner or owners of such mill may surrender to said city of Providence the machinery in use or set up in such mill at the time of such taking by giving to said board or other authorized representative or representatives of said city, or the city council thereof, within six months after such taking written notice of its surrender of the same to said city, whereupon said city shall be liable to pay for the machinery as surrendered and actually delivered to said city the fair value of the same at the time of such delivery, as part of the damages for such taking. In connection with any purchase of any such mill property, said city may purchase any such machinery in use or set up therein as such owner or owners may offer to sell to it, and at such fair price as may be agreed upon by said city and such owner or owners. Said board or other authorized representative or representatives of said city shall represent said city with power to make any such purchases and agreements.

Machinery in any mill on land taken in the town of Scituate, how disposed of if surrendered.

In case the owner of any mill taken by said city under the provisions of this act shall not surrender such machinery, he shall be allowed a reasonable time in which to remove the same; and, in case the city and said owner are not able to agree on what is a reasonable time for such removal, the time therefor shall, on petition in equity by said owner or said city, be determined by the superior court for Providence county, taking into consideration all the circumstances of the case and the needs of both parties, with the right to make such orders and decrees in relation to the time and manner of carrying on the work of removal or the work of the city interfering

If not surrendered.

therewith as justice shall require; and, in case the necessities of said work of said city require such machinery to be removed at a time or in a manner not otherwise reasonable therefor, said court may make such allowance as it shall deem equitable to compensate said owner for the special damages, if any, suffered by him by reason of the removal of said machinery at the time and in the manner so required by the necessities of such work of said city, over and above what would have been occasioned by its removal at a time and in a manner which would have been otherwise reasonable, but for such special need of said work of said city.

In case of non-surrender of machinery, cost of removal, etc., how paid.

In case said owner does not surrender such machinery to said city, said city shall pay to him, as a part of his damages for the taking of said mill, the reasonable expense and cost of removing such machinery, from its old location at said mill to a new location within the New England states, of setting up such machinery in the place therein in which it is to be used by said owner. The amount of such reasonable cost and expense, if not agreed upon by the parties, shall be determined in the same manner as is provided herein for the determination of damages for the taking of lands, or interests, or rights therein.

Remains found in burial grounds, how disposed of.

SEC. 13. In case any lands acquired by purchase or condemnation hereunder contain any burial ground, cemetery, graves or places of human burial, and if any such places are to be flowed by water or are located so near to any such reservoir or waterway as to be liable to pollute or reduce the quality or value of any such waters as a potable water supply, said city shall remove the remains found in any such burial places. Said city may agree with the next of kin or other persons having the right to represent or dispose of such remains as to the place or places to and in

which such remains shall be removed and re-interred, and in such case said city shall pay all the expenses reasonably necessary for such removal and re-burial, including the removal and re-setting of all grave-stones, monuments and markers of such graves. In any case or cases where such next of kin or other persons are unknown or unascertainable, or where there is no such agreement, said city shall furnish a place or places for such re-burials, and may establish a general burial ground or grounds therefor, and may acquire by purchase or condemnation in the manner herein provided any lands needed therefor. No such general burial ground or grounds shall be established in any town without the prior approval of the town council of such town of the location or locations thereof.

Nothing in this act shall permit the condemnation of any lands, or of any estates, rights or interests in any lands, included within the present fence lines of the Glenwood Cemetery, situated in North Scituate, south of said Main street, and if any lands, or any estates, rights or interests in any lands, included in the present roadway from said Main street to said cemetery are condemned hereunder, such condemnation shall be so made that any and all public and private rights of way for travel on foot or by vehicles over the same to said cemetery shall be preserved.

Lands or estates, etc., in Glenwood Cemetery, not to be condemned.

SEC. 14. Relative to locating said aqueduct and taking any lands therefor outside of said area shown within red lines on said plat, said city shall not acquire by condemnation any portion of the location or right of way of any railroad or street railway company or any public highway, except for the purpose of locating and carrying said aqueduct across such location, right of way or highway below grade, and

City not to acquire by condemnation, right of way, etc., of any railroad company or public highway except portion for locating aqueduct.

during the time of the construction of said aqueduct across the same the work shall be done so as not to impair the use of the same more than may be reasonably necessary.

*Of constructing,
repairing, etc.,
aqueducts.*

Said city of Providence, relative to its work from time to time of constructing, repairing, renewing, maintaining and operating said aqueduct across any such location, right of way or highway, shall prosecute or cause to be prosecuted with due care all such work, and shall indemnify and save harmless each other town and city and every railroad and street railway company from any and all damages suffered by it, or for which it may be liable on account of any injuries to any persons or property, caused by any negligence in the plan or method of doing such work, or caused by any defect or want of repair in any such location, right of way or highway due to any negligence in the digging up or restoring of the same or in leaving such work while in process or at completion. In case any pipes, conduits, poles, wires or other property of any kind, lawfully situated in any public highway are damaged or impaired by any work of said city of Providence hereunder, said city shall be liable for such damage or impairment, and shall pay all expenses of restoring, repairing, relocating or remedying the same. Said city shall pay for the cost of such additional police protection as may be necessary in any town or city in consequence of the carrying on of any work of building such reservoir or reservoirs or aqueduct or any road work hereunder and during the time of the progress of such work therein, and said board or other authorized representatives of said city may for said city agree with such other town or city upon the amount of such additional cost, if any.

Any sums of money due from said city to any other town or city, any railroad or street railway

company or any other corporation, person or persons on account of any express liabilities of said city under this act, which are not included in or provided to be recovered as damages for any taking hereunder shall be recoverable, if not paid when due, in an action of the case against said city brought in the superior court within and for the county of Providence.

Certain sums for which city may be liable under this act, how to be recovered.

SEC. 15. The owner or owners of any land, not taken under the provisions of this act, but contiguous to any land in said area shown within red lines, on said plat acquired or taken by said city hereunder, which is directly or indirectly decreased in value by reason of such acquisition or taken by said city, shall have the right to claim and recover damages for such decrease in value; and said board may agree with such owner or owners as to the amount of such damages, and thereupon said city shall pay the same to such owner or owners forthwith, and, in default of such agreement, such damages shall be determined and be collectible in the same manner as is hereinafter provided for determining and collecting the damages for land taken hereunder: *Provided*, such owner or owners shall file in said superior court for Providence county his or their petition or application for an assessment of such damages within three years after the date of the passage of this act.

Owners of contiguous land which is decreased in value, to recover damages, how.

SEC. 16. The owner or owners of any business located on land situated in said town of Scituate or on said north branch of the Pawtuxet river and established prior to the passage of this act, which is directly or indirectly damaged or decreased in value by reason of the acquisition or taking by said city hereunder of any land or lands or the acquisition, taking or diverting of any waters of said north branch of the Pawtuxet river or any waters tributary thereto under the provisions of this act, shall have the

Owners of any business located in the town of Scituate which is decreased in value, to recover damages, how.

right to claim and recover just compensation for such damage or decrease in value. Said board may agree with such owner or owners as to the amount of such just compensation, and thereupon said city shall pay the same to such owner or owners forthwith, and, in default of such agreement, such just compensation shall be determined and be collectible in the same manner as is hereinafter provided for determining and collecting the damages for land taken hereunder: *Provided*, such owner or owners shall file in said superior court for Providence county, or the county in which is situated the land on which such business is located, his or their petition or application for an assessment of such damages not later than one year after said city shall begin to draw water from such reservoir or reservoirs for such water supply for said city.

Employees of manufacturing establishments taken under provisions of this act to recover damages, when and how.

SEC. 17. Any person who is employed in any manufacturing establishment that is acquired or taken hereunder for any of the purposes of this act and who is not an owner or part owner thereof or of any interest therein, and is so employed at the time of such acquisition or taking, and who is obliged by reason of such acquisition or taking to seek or take employment elsewhere, may claim and recover any damages suffered by him in consequence of such acquisition or taking, not exceeding the sum of his wages for six months at the rate of wages paid to him for the last six months prior to the termination of his said employment. Said board may agree with such employee as to the amount of such damages, and thereupon said city shall pay the same to him forthwith, and in default of such agreement such employee may, within one year from the date of the termination of said employment, file his petition in equity for an assessment of such damages in said superior court for

Providence county. Any number of persons suffering such damage may unite in one or more such petitions, and the withdrawal of any shall not prejudice the rights of others. Said court shall adjudicate such claims respectively, and execution shall issue against said city for the amount of damages found by the court in favor of each such persons.

SEC. 18. Said town of Scituate, the city of Cranston, and each water or fire district therein now or hereafter incorporated, and each other town, city or water or fire district now or hereafter incorporated having any of its territory included in the drainage district of said north branch of said Pawtuxet river, or of the drainage district of said Pawtuxet river below the junction of the north and south branches of said river, shall have the right to take and receive water from said storage reservoir or reservoirs, said aqueduct or the reservoir of said city at said Sockanosset, for use for domestic, fire and other ordinary municipal water supply purposes in the town of Scituate or the city of Cranston, or such water or fire district therein, or in any part or parts of such territory or territories of such other town, city or water or fire district as are included in either of said drainage districts where there is no public water supply being furnished by any public or *quasi* public body or corporation at the time such town, city or water district decides to take such water. The town of Warwick or any water or fire district therein shall have the further right to take and receive water as aforesaid for use as aforesaid in any part of its territory lying easterly of the New York, Providence and Boston railroad line of the New York, New Haven and Hartford Railroad Company and northerly of Greenwich bay, where there is no public water supply being furnished as aforesaid. Proper connections

Certain cities, towns and districts to have the right to take water from city reservoirs, when and how.

Same subject.

with said water supply source or sources, including the installation of proper meters or other devices for ascertaining the quantity of water so taken, shall be made at such suitable location or locations as shall be approved by the officer or officers in charge of the water works of said city of Providence, and at the expense of the town, city or district desiring to take such water, and subject to such reasonable rules and regulations as from time to time may be made by said city of Providence or its duly authorized officer or officers in charge of its water works. Such town, city or water or fire district shall have the right to take such water as aforesaid to any extent each month not exceeding an average per day of one hundred gallons per capita of the number of inhabitants of such parts of its territory or territories as are served from such water supply source or sources, as such number of inhabitants was shown by the last preceding census of the United States or of the State of Rhode Island, unless and to the extent and for the time only that said officer or officers of said city of Providence shall consent to the taking by such town, city or water or fire district of a greater quantity of such water. Such town, city or water or fire district shall pay to said city of Providence such fair wholesale rates or charges for the quantity of water taken by it as aforesaid, and at such times, and the rates fixed to continue during such periods, as may be mutually agreed upon, or in default of agreement as shall be determined by three arbitrators, one to be chosen by it, one by said city of Providence and the third by the two so chosen, or in case either party should refuse or neglect to appoint such arbitrator, or in case the two arbitrators chosen by the parties should refuse or neglect to appoint the third arbitrator, said superior court for Providence county,

upon petition of either party and after giving the other party opportunity to be heard, shall appoint such arbitrator or such third arbitrator as the case may be. Said city of Providence may furnish water from such water supply source or sources to any incorporated water company for use as aforesaid in any territory included in either of said drainage districts, where at the time of beginning to furnish such water there is no public water supply, whether by a public or *quasi* public body or corporation other than the water supply of such water company, in any part of the territory that is supplied by such water company, or for use as aforesaid in said territory in Warwick easterly of said railroad line and northerly of said Greenwich bay.

City may furnish water to certain incorporated water companies.

SEC. 19. After said city acquires by purchase or condemnation, or both, the necessary land therefor, said city shall proceed to construct said reservoir or reservoirs, aqueduct and incidental appurtenances and works for such water supply, or from time to time any part or parts thereof, and any other works required relative thereto hereunder. Said board from time to time shall prepare a plan or plans of the same and submit such plan or plans to said city council. After such plan or plans are adopted by said city council, which plan or plans said city council may change or modify at any time or times, said board shall proceed as soon as may be to execute such plan or plans or any plan or plans involving any such changes or modifications, and shall have authority in the name and behalf of said city to make any and all contracts necessary therefor.

Board to prepare and submit plans relative to construction of said reservoirs, etc., to the city council for adoption or modification.

All work and materials required for such construction or any other construction authorized or required under this act shall be procured by contract made pursuant to and in manner required by

Work and materials of construction to be procured by contract, and bids therefor.

Same subject.

the provisions hereof, except as in this act otherwise provided. Relative to every contract for the performance of any work or the furnishing of any materials, or both, or for the purchase of any supplies or personal property of any kind, the cost, price or consideration of which may exceed five hundred dollars, said board shall prepare proper specifications and any requisite plans thereof set forth with sufficient detail to inform all persons proposing to bid of the nature of the work to be done and of the materials or supplies to be furnished and shall deliver written or printed copies of the same to all applicants therefor; and shall advertise for bids in the newspapers employed to do the city advertising and may in such other newspapers published outside the city as said board may determine; and shall let such contract to such bidder or bidders who will give adequate security satisfactory to said board for the performance of their contract as said board shall in its discretion determine after considering the relative competency and responsibility of the bidders and the amounts of their respective bids; unless in any case said city council shall otherwise order, or unless in any case said board shall, by a two-thirds vote of the whole number of the members thereof, determine that it is impracticable to procure such work or materials, or both, by contract, or to effect such purchase through competitive bidding, or that the best interests of the city require that the same be procured or effected in some other manner, or unless a case of emergency shall arise due to accident, injury or other cause which requires immediate action by said board, but in each such excepted case said board shall cause to be recorded in the records of its proceedings its reasons therefor. Relative to such bidding, bids and con-

tracts, all the provisions of Section 4 of Chapter 6 of the Revised Ordinances of 1914 of said city, entitled "Board of Contract and Supply," including the bond provisions therein, shall apply.

Every contract for work or materials made by said board under the authority of this act shall be made or evidenced in writing, and signed by the contractor and a majority of the board, and no such contract shall be altered except by an agreement in writing signed by the contractor and a majority of the board, and approved or consented to in writing by the sureties, if any, on the bond of the contractor for the performance of the contract, and no contract or alteration of any contract therefor shall be valid or binding on said city unless made and executed as aforesaid. No such contract shall be made until said city council shall have made due provision for supplying the necessary funds therefor, or the estimated amount required if the amount of the contract depends upon an indefinite amount of work to be done or is otherwise uncertain. Every such contract and agreement shall be in such form as shall be satisfactory to the city solicitor or such special counsel. Every such contract shall be executed in triplicate, one of such originals for the contractor, one to be filed with said board and the other with the city auditor.

Contract, how
to be made.

No member of said board and no engineer or other person employed by said board shall have any personal interest in or be or become directly or indirectly personally interested or concerned for himself or others, or by any others in trust for him or on his account, or as principal, agent or otherwise in any contract, agreement, purchase, sale or lease made by said board in behalf of said city: and said board shall not make any contract or agreement with or

Board or its
employees to
have no per-
sonal interest in
any contract,
etc.

Board and its agents authorized to enter upon lands for the purpose of examination, etc.

any purchase, sale or lease from or to any copartnership, corporation or joint company, in which any such member, engineer or other employee is interested as a partner, stockholder or in any other manner, except any public service company for its services or commodities which are regulated or subject to regulation by law; and any contract, agreement, purchase, sale or lease made in violation hereof shall be void.

Damages sustained by such entering, how recovered.

SEC. 20. Said board and the engineers, surveyors and other agents or servants of said board are hereby authorized to enter upon any lands or waters within said area shown within red lines on said plat, or elsewhere, for the purpose of making and to make, any examinations, investigations, or surveys required for the efficient exercise or performance of any or all the powers or duties of said board hereunder, and said city shall pay to the owner or owners of such lands any and all damages suffered by them by reason thereof, and if the amount of any such damages is not agreed upon or paid, such owner or owners may recover the same of said city as hereinafter provided. Any such damages relative to any lands taken hereunder accruing during any time prior to the time of such taking may be recovered as part of the damages for the taking of such lands. Any such damages may be recovered in an action of the case relative to any lands not taken hereunder before the time such action is brought: *Provided*, that such action is brought in said superior court for Providence county within two years from the time such cause of action accrues and not thereafter.

City may lease any lands acquired by purchase or condemnation, when and how.

SEC. 21. Said city from time to time may lease any of its lands acquired by purchase or condemnation hereunder, which are not required for such reservoir or reservoirs or other works, but are held

to protect and preserve the waters thereof and the waters of said river branch and its tributaries from pollution, for such consideration or rent and upon such terms and conditions, including especially any restrictions upon the use of such leased lands and any buildings or improvements thereon, to prevent any such pollution, as may be prescribed by said board or authorized representative or representatives of said city or by the city council thereof, and until otherwise provided by said city council said board in its discretion and in the name and behalf of said city may make any such leases: *Provided*, that every such lease shall contain a condition providing in substance that if any occupation or manner of use of any such leased lands or any buildings or improvements thereon, causes, or in the opinion of said board, such representative or representatives or said city council is liable to cause, any such waters to be polluted, said board, such representative or representatives or said city council may at any time terminate such lease by giving the lessee or lessees at least thirty days prior notice of such termination in writing. The lessee or lessees shall quit the premises at the time fixed in such notice, or shall be liable to be dispossessed thereof in any lawful manner or by means of any legal action the same as other tenants holding over their terms. Nothing herein shall be construed to deprive said city of any injunctive remedy to prevent any such pollution or threatened or impending pollution of any of such waters.

Same subject.

SEC. 22. The term "land" or "lands," when used in this act relative to any acquisition or taking by said city hereunder shall, except so far as the meaning is restricted or limited by the express provisions of this act, be construed to signify and embrace all uplands, lands under water, the waters

Terms "land" or "lands," how to be construed.

of any river, lake, pond or stream, all water rights or privileges, and any and all easements and incorporeal hereditaments, and every estate, interest and right, legal and equitable, in land or water, including terms for years, and liens thereon, and any real estate acquired or used for railroad, highway, cemetery or other public or *quasi* public purpose or purposes and whether acquired by, or held by title derived under, eminent domain or otherwise.

Board to submit to city council, description and plat of lands, etc., proposed to be taken.

SEC. 23. Relative to every taking by said city of Providence under the authority of this act of any land or lands, or any estates, easements, rights or interests in any land or lands, or any waters or water rights or privileges, said board or other authorized representative or representatives of said city shall prepare a description of the same as proposed to be taken and also a plat showing such land or lands, together with a list of the owners thereof and persons interested therein so far as known to said board or such representative or representatives and shall submit such description and plat, together with such list to the city council of said city for its action on such proposal.

City council to file with certain city and town clerks, description and plat of lands, etc., to be taken.

Whenever the city council of said city shall pass any resolution to take any land or lands, or any estates, easements, rights or interests in any land or lands, or any waters or water rights or privileges, for any such purpose or purposes under any authority in this act contained, said city council within three months from the date of the passage of such resolution shall cause to be filed in the office of the town clerk or city clerk of each town or city, in which any such land or lands lie, or in which lie any such land or lands, which would be damaged by the taking of any such waters or water rights or privileges, a statement, containing a description of such land or lands or

waters or water rights or privileges and specifying the nature or extent of the title therein taken, as certain as is required in a common conveyance of land, and stating that the same are taken pursuant to the provisions of this act, and stating the purpose or purposes for which the same are taken hereunder, and also to be filed in such office a plat of such land or lands, but not necessarily including in such plat any lands damaged simply by the taking of any water or water rights.

Upon the filing of such statement and plat, or statement as the case may be, the title of such land or lands, or estates, easements, rights or interests in land or lands, or waters or water rights or privileges shall vest in said city of Providence in fee simple, unless a less estate or interest therein is specified in such statement as taken by said city, in which case such land or lands, or estates, easements, rights or interests in land or lands, or waters or water rights or privileges shall vest in said city to the extent and according to the nature of the title therein taken. After the filing of such statement and plat or statement said city may take possession of and enjoy the use of any such land or lands or any estates, easements, rights or interests in any land or lands, or any waters or water rights or privileges taken as aforesaid: *Provided, however,* it shall not take actual possession of any such land or lands, or estates, easements, rights or interests in land or lands, or any buildings or improvements thereon, or any such waters or water rights or privileges, without the consent of the owner or owners thereof, respectively, until after the expiration of one year from the date of the filing of such statement and plat or statement, but this proviso shall not affect the provisions of Section 20 hereof, or prevent said city from taking

Title to lands, etc., to vest in city of Providence, when and how.

Possession.

actual possession, at the expiration of three months from such date, of any strips of land taken or to be used for roadways, or of any lands taken for said aqueduct or ways thereto or for said relocation of any part of said railroad of said Providence & Danielson Railway Company.

Notice to be served upon owners, when and how.

After such filing of such statement and plat or statement, notice of the taking of such land or lands and such estates, easements, rights, and interests in land or lands and such waters and water rights and privileges shall be served upon the owners of, and persons having such estates, easements, rights and interests in, and persons interested in, such land or lands and such waters and water rights and privileges by the city sergeant of said city of Providence leaving a true and attested copy of such statement with each of such owners and persons personally or at his last and usual place of abode in this state with some person living there, and in case any such person or persons are absent from this state and have no last and usual place of abode therein occupied by any person, such copy shall be left with the persons, if any, in charge of or having possession of such land or lands taken of such absent persons, and another copy thereof shall be mailed to the address of such absent persons if the same is known to said officer; and after such filing of such statement and plat, or statement, the city clerk of said city shall cause a copy of such statement to be published in some newspaper or newspapers published in said city at least twice a week for four successive weeks. On the request of any such owner or person within one year after such taking, said city shall, within thirty days after such request, furnish him with a plan or description in writing of his land or lands or water rights so taken.

Statement to be published in newspaper.

If any such owners or persons shall agree with said city upon the price of his land or lands or his estate, easement, right or interest in such land or lands or his waters or water rights or privileges so taken, the same shall be paid to him forthwith by said city of Providence.

Price for land,
etc., agreed
upon when to be
paid.

Any owner of, or person entitled to or interested in, any such land or lands or any such estate, easement, right or interest in any such land or lands or any such waters or water rights or privileges so taken, who shall not agree with said city of Providence upon the price of his land or lands or his estate, easement, right or interest in such land or lands or his waters or water rights or privileges so taken, may within one year after personal notice of said taking, or if he have no personal notice may within two years from the date of such filing of such statement and plat or statement apply by petition, to the superior court within and for the county of Providence, or the county in which the land or any part thereof taken or damaged as aforesaid by such taking is situated, setting forth the taking of his land or lands or his estate, easement, right or interest in such land or lands or his waters or water rights or privileges, and praying for an assessment of damages by a jury. Upon the filing of said petition, said court shall cause twenty days' notice of the pendency thereof to be given to said city by serving the mayor of said city with a certified copy thereof, and may proceed after such notice to the trial thereof, and such trial shall determine the damages by him sustained by such taking of his land or lands or his estate, easement, right or interest in such land or lands or his waters or water rights or privileges, and including any lands, works and machinery surrendered by him to said city under the authority

Price for land,
etc., not agreed
upon, proceed-
ings to be had.

Petition to su-
perior court.

Notice of
pendency of
petition.

Trial by jury
to determine
damages.

of this act, and in case of such town or district any furniture or building equipments surrendered by it to said city under the authority of this act, and in case of said Providence & Danielson Railway Company, its successors and assigns, all their said damages, and judgment shall be entered upon the verdict of such jury and execution shall be issued against said city therefor, and such trial shall be conducted in every respect as other civil cases are tried, including the right to except to rulings and apply for new trial for cause. In case of conflicting claims to any such land or lands or to any estate, easement, right or interest in any such land or lands, or to any waters or water rights or privileges, so taken, by any two or more such petitioners, said court may set down the petitions of such petitioners for trial at the same time by the same jury, and may frame all necessary issues for the trial thereof.

Of conflicting claims.

In case of failure to receive notice and file petition, court may permit subsequent filing.

In case any owner of, or person having any estate, easement, right or interest in, or interested in, any such land or lands or such estates, easements, rights or interests in land or lands, or such waters or water rights or privileges so taken, shall fail to receive personal notice of the taking thereof, and shall fail to file his petition as provided herein, said court in its discretion may permit the filing of such petition subsequent to said period of two years from such filing of such statement and plat or statement: *Provided*, that such owner or person shall have had no actual knowledge of such taking in season to file such petition and provided that said city of Providence, after such filing of such statement and plat or statement, shall not have paid any other person or persons claiming to own such land or lands or such estate, easement, right or interest in land or lands, or such waters or water rights or privileges the price or

value of the same, or shall not be liable to pay for the same under any judgment rendered against said city under the provisions of this act.

Instead of claiming an assessment of damages by jury as above provided, any such owner or person may, within the time hereinbefore prescribed for claiming such assessment, apply to the superior court for the county of Providence for the assessment by a commission of such damages as such owner or person sustained by such taking; and said court may from time to time appoint a disinterested commission or commissions, as it shall deem necessary, to hear and determine such applications. A person who is a resident or taxpayer in the city of Providence shall not thereby be disqualified from acting as such a commissioner in any case in which the person or corporation applying for assessment of damages shall not object to such person. Any commission so appointed shall hear and determine such petitions as are referred to it by said court, and shall, as soon as it arrives at an award, report each of the same to said court, which shall fix the time for hearing any objections thereto. If there are no objections to such award, the court shall confirm the same; if objections are filed to such award, the court shall proceed to hear the same, and may confirm said report or refer the same for a new or further hearing to the same or another commission, or may itself fix the amount of the award, as in its judgment shall be in accordance with the rights and equities of the parties. In all cases, any party in interest shall have the same right to an appeal from the decision of the court as is provided by law in equity causes determined by decree of said superior court. Upon the final determination of the amount of the damages awarded as aforesaid, execution shall issue in favor of the

Damages may
be assessed by
a commission,
when and how.

petitioner and against said city therefor. The compensation and expenses of each such commission shall be paid by said city as and when allowed by said court.

Guardian may
act for person
not capable in
law.

SEC. 24. If any lands, or any interests or estates therein, or waters or water rights or privileges, in which any infant or other person not capable in law to act in his own behalf is interested, are taken by said city under the provisions of this act, said superior court, upon the filing therein of any such petition by or in behalf of such infant or other person, may appoint a guardian *ad litem* for such infant or other person, and such guardian may appear and be heard in behalf of such infant or other person: and such guardian may also, with the advice and consent of said superior court and upon such terms as said superior court may prescribe, release to said city all claims for damages for the lands of such infant or other person or for any such interests or estates therein or for any waters or water rights or privileges so taken. Any lawfully appointed, qualified and acting guardian of the estate of any such infant or other person, with the approval of the court of probate within this state having jurisdiction to authorize the sale of lands within this state of any such infant or other person, may, before the filing of any such petition, agree with said board or other authorized representatives of said city upon the amount of damages suffered by such infant or other person by any taking of his lands or of his interests in any lands or of his waters or water rights or privileges hereunder, and may, upon receiving such amount, release to said city all claims of damages of such infant or other person for such taking.

SEC. 25. Until otherwise provided by the city council of said city of Providence, said board shall

have authority to represent said city in the making of such agreements, and to agree for said city with any such owners or persons upon the price or value of their land or lands or of their estates, easements, rights or interests in such land or lands or of their waters or water rights or privileges, so taken, either before or after the filing of any such petition or application by such owners or persons, and may for said city agree to settle any claims under any such petitions or applications and any damage or other claims or actions against said city under this act for such sum or sums of money as it may reasonably determine. When any such agreement is made, said board shall cause its certificate in writing containing the substance of such agreement and signed by the chairman or any chairman *pro tempore* or a majority of the members of said board to be filed with the city auditor of said city, and when any required receipt, discharge, release, deed, title, certificate or other lawful condition is furnished or observed, said city shall forthwith pay the sum of money called for by such agreement to the person or persons entitled thereunder.

Board may act for city in making agreements, when.

Until otherwise provided by said city council, said board shall have general authority to represent said city and to make any agreements for said city hereunder, and to do any acts or things necessary for or incidental to executing or accomplishing the purposes hereof and the plans of the city council of said city adopted hereunder, but not to any extent or in any manner inconsistent with any of the express provisions of this act. When said board for said city takes actual possession of any land or lands acquired by purchase or condemnation hereunder, it may sell, dispose of and cause to be removed any buildings or improvements thereon which would obstruct the

Same subject.

work hereunder or should be removed to accomplish the purposes hereof; and in settling any claims for damages for any lands or land taken hereunder, said board may agree that any such buildings or improvements may be removed by the owner or owners from whom the same were taken in part satisfaction of such damages, but within such express time as will not impede any such work or materially delay the accomplishment of such purposes. Relative to any such sales, said board in the name and behalf of said city may give to the purchaser a bill of sale of the property sold. All sums of money received by said board from any such sales shall be forthwith paid into the treasury of said city.

City of Providence authorized to issue bonds.

Bonds, how issued.

Sinking fund.

SEC. 26. Said city of Providence is hereby authorized and empowered from time to time to hire any and all sums of money necessary, and to exclusively use the same, to defray the costs of securing such water supply, including all costs of acquiring such lands, interests in lands, waters and water rights and privileges, by purchase or condemnation, or both and all such construction costs and all other expenses of said city and said board hereunder, and to issue its notes and bonds or either therefor, and to renew any such notes from time to time as the same become due. Said city council shall cause any bonds issued by authority hereof to be issued for such time and in such amounts as shall be fixed by said city council, and after any issue of any such bonds said city council shall annually appropriate, so long as any such bonds are outstanding, a sum sufficient to pay the interest thereon. Said city shall continue to maintain a sinking fund for the redemption of all outstanding issues of water bonds and of all issues of bonds under the authority hereof as they respectively become due, and all excess of receipts from water

rents over and above the necessary expenses of managing the water works of said city, the interest on loans and bonds issued on account of such water works, and any amounts transferred to any water works depreciation or extension fund of said city, shall be placed in said sinking fund for said purpose. All premiums arising from the sale of the bonds issued by authority hereof shall be placed to the credit of said sinking fund. The net proceeds from the sale or lease of any buildings or lands authorized hereunder to be sold or leased shall be placed in said sinking fund for said purpose.

Said board from time to time and as often as once a year shall report to said city council its estimates of the amounts of money needed during the ensuing year in the execution of the provisions of this act and to meet the obligations of the city arising from the exercise of the powers and authority herein contained, in order that said city council may make seasonable provision for obtaining the necessary funds therefor.

Board to report
its estimates to
city council.

SEC. 27. Any and all salaries, wages and compensation of any and all persons employed by said board, the expenses of said board, and all sums of money required in payment for lands or interests in lands or waters or water rights or privileges purchased or taken hereunder, or agreed or contracted to be paid by authority hereof, and all such construction and other costs, shall be payable by the proper city officers in the same manner and subject to the same course of procedure, so far as consistent herewith as if said board were a department of the city government, except relative to any such lands or interests in land or waters or water rights or privileges purchased the city auditor may accept, in lieu of the certificates of the city solicitor, the certificates of such title examiner or examiners as may be employed by said board that

Salaries, wages
etc., of employ-
ees of board,
and expenses,
how payable.

the deeds thereof convey good and sufficient title in the purchased premises to the city of Providence.

Certain powers conferred by this act to be exercised within two years.

SEC. 28. The right of exercising the powers to take any such land or lands or any estates, easements, rights or interest therein, or any waters or water rights or privileges, as herein conferred upon said city, shall be exercised by said city within the period of two years from and after the date of the passage of this act and not thereafter.

SEC. 29. This act shall take effect upon its passage.

CHAPTER 1279.

Approved
April 23, 1915.

AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO CONDEMN FOR PUBLIC PARK AND PLAYGROUND PURPOSES CERTAIN PARCELS OF LAND IN SAID CITY.

It is enacted by the General Assembly as follows:

City of Providence authorized to take certain parcels of land for park and playground purposes.

SECTION 1. The city of Providence is hereby authorized and empowered to take for public park and playground purposes the following described tracts of land, or any part or parts of each or of any of said tracts, with all the improvements thereon, situated in said city, pursuant to and subject to all the provisions contained in Sections 2, 3 and 4 of Chapter 1402 of the Public Laws, entitled "An act to provide for the taking of land for school purposes in the city of Providence," passed at the January session, A. D. 1895, except that the statement required to be filed as specified in said Section 2 shall set forth that the taking is pursuant to the provisions of this act, said parcels being bounded, described and numbered as follows: