

# SENATE . . . . No. 558

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To accompany the petition of the water commissioners and selectmen of the town of Somerset, by Charles H. Tompkins, Fernald L. Hanson and others, for legislation to authorize said town to purchase and sell water, acquire land and extend its water supply system. Water Supply.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-One.

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AN ACT AUTHORIZING THE TOWN OF SOMERSET TO PURCHASE AND SELL WATER FOR DOMESTIC AND OTHER PURPOSES AND TO ACQUIRE LAND TO PROTECT, CONSERVE AND EXTEND ITS WATER SUPPLY SYSTEM.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The town of Somerset may, for the  
2 purpose of supplying its inhabitants with water, con-  
3 serving, purifying, extending and increasing its water  
4 supply for domestic and other purposes, purchase  
5 water from the cities of Fall River and Taunton and  
6 from the Dighton Water District in the town of  
7 Dighton and from the water district in the town of  
8 Swansea, and said cities and districts may furnish  
9 and sell water to the town of Somerset, and the said  
10 cities and districts may purchase water from the  
11 said town of Somerset for their own purposes. The  
12 town of Somerset may acquire by purchase, or other-

13 wise, such lands, easements and rights of way in any  
14 of the foregoing municipalities, not already acquired  
15 under chapter three hundred and thirty-nine of the  
16 acts of nineteen hundred and twenty-six, as it may  
17 deem advisable to convey water from the said mu-  
18 nicipalities to the Somerset water supply system.  
19 For the purposes aforesaid the town of Somerset may  
20 construct and maintain within the limits of said mu-  
21 nicipalities, or any of them, reservoirs, standpipes,  
22 tanks, buildings, pumping plants, and other structures;  
23 may make excavations, procure and operate machinery  
24 and may provide such other means and appliances  
25 and do such other things as it may consider necessary;  
26 and may construct, lay and maintain pipe lines and  
27 other works under and over any streets, lands and  
28 watercourses, including the Taunton river, railroads,  
29 culverts, public or other ways, and along such ways,  
30 in said municipalities, or any of them, in such manner  
31 as not to unnecessarily obstruct the same; and for the  
32 purposes of constructing, laying, maintaining, oper-  
33 ating and repairing such pipes and other works, and  
34 for all proper purposes of this act the town of Somerset  
35 may dig up or raise or embank any such lands or ways  
36 in such manner as to cause the least hindrance to  
37 public travel on such ways; provided, that all things  
38 done on such ways shall be subject to the reasonable  
39 direction of the mayor and city council or to the  
40 selectmen of the municipalities in which such way is  
41 located, and subject to the approval of the department  
42 of public works, division of highways for work done  
43 on the state highway known as Route 138; and pro-  
44 vided, further, that the town of Somerset shall not  
45 lay any pipes or other works hereunder within the  
46 location of any railroad corporation except at such

47 times and in such manner as approved by such cor-  
48 poration, or across the Taunton river without proper  
49 licenses from the federal and state jurisdictional au-  
50 thorities.

1 SECTION 2. For the purpose of paying the neces-  
2 sary expenses and liabilities incurred or to be incurred  
3 under this act, excluding expenses of maintenance  
4 and operation, but including, without limitation, the  
5 proportion of any expenses to be paid by said town  
6 in connection with any project of the federal govern-  
7 ment of a kind for which, if undertaken by said town  
8 a borrowing hereunder would be authorized, said  
9 town may borrow from time to time such sums as  
10 may be necessary, not exceeding, in the aggregate,  
11 three hundred and seventy-five thousand dollars, and  
12 may issue bonds or notes therefor, which shall bear on  
13 their face, Somerset Water Loan, Act of 1951. Each  
14 authorized issue shall constitute a separate loan, and  
15 such loans shall be payable in not more than thirty  
16 years from their dates. Indebtedness incurred here-  
17 under shall be outside the statutory limit of indebted-  
18 ness, but shall, except as herein provided, be subject  
19 to chapter forty-four of the General Laws.

1 SECTION 3. The town of Somerset, acting by and  
2 through its water commissioners, and the Dighton  
3 Water District in the town of Dighton acting through  
4 its water commissioners, may contract with each other  
5 for the purchase and sale of water, from and to each  
6 other, including water to be obtained from the city of  
7 Taunton by either party or from any other source,  
8 and are hereby authorized to contract with each other  
9 for the expenditure of funds of the town of Somerset for

10 general construction work to be done in the town of  
11 Dighton, jointly or severally, and all other expenses for  
12 joint use relating to a water supply system of the  
13 town of Somerset and the Dighton Water District in  
14 the town of Dighton.

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