

# SENATE . . . . . No. 133.

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[Taken from the Senate files of last year. Metropolitan Affairs and Water Supply, sitting jointly.]

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

### AN ACT

Relative to the Sale, by the Metropolitan Water Board, of Power or Electricity produced by said Board in the Town of Clinton, and to provide for an Annual Payment to said Town for Damages sustained by the Construction of the Metropolitan Water 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. Section three of chapter four hun-  
2 dred and eighty-eight of the acts of the year  
3 eighteen hundred and ninety-five is hereby  
4 amended by adding at the end thereof the fol-  
5 lowing:—*provided, however,* that in the sale of  
6 the power or electricity produced as aforesaid in  
7 the town of Clinton, preference shall be given to  
8 said town and its inhabitants,—so as to read as  
9 follows:—

10 *Section 3.* Said board, acting for the Common-  
11 wealth, shall construct, maintain and operate a  
12 system of metropolitan water works substantially  
13 in accordance with the plans and recommenda-  
14 tions of the state board of health, contained  
15 in their report to the legislature of the year  
16 eighteen hundred and ninety-five, and shall  
17 provide thereby a sufficient supply of pure water  
18 for the following-named cities and towns and the  
19 inhabitants thereof, to wit: The cities of Bos-  
20 ton, Chelsea, Everett, Malden, Medford, Newton  
21 and Somerville, and the towns of Belmont, Hyde  
22 Park, Melrose, Revere, Watertown and Winthrop,  
23 which cities and towns shall constitute the metro-  
24 politan water district; shall secure and protect  
25 the purity of said water; shall on application  
26 furnish water to any city or town aforesaid  
27 that at the time of application owns its water-  
28 pipe system; shall on application admit any other  
29 city or town, any part of which is within ten miles  
30 of the state house, into said water district, and  
31 furnish water to the same on the terms prescribed  
32 by this act for the cities and towns aforesaid, and  
33 on such payment of money as said board may  
34 determine; shall on application furnish water to  
35 any water company owning the water-pipe  
36 system in any town within said ten miles, on  
37 such water company assuming the assessments  
38 of the town, if any, and making such payment  
39 of money as said board may determine, and may  
40 from time to time furnish water to any other city,  
41 town or water company on such payment of

42 money as said board may determine. All pay-  
43 ments of money aforesaid shall be distributed to  
44 the cities and towns in said district in proportion  
45 to the total amount of the annual assessments  
46 theretofore paid by them respectively. Said  
47 board shall furnish said water to the city, town  
48 or company by delivering the same into a main  
49 water pipe, reservoir or tank of the city, town or  
50 company under sufficient pressure for use without  
51 local pumping, unless delivered in some other  
52 manner by mutual agreement between the parties  
53 interested, and shall have the direction and con-  
54 trol of the connections between the metropolitan  
55 and local systems. Said board may utilize the  
56 fall of water at any dam under their charge, and  
57 may thereby produce power or electricity, and  
58 may transmit such power or electricity by pipes,  
59 wires or other suitable means, and sell the same,  
60 or the right to use such water, by written or other  
61 contract to run for a term not exceeding fifteen  
62 years. Any person or corporation authorized by  
63 said board shall have all the powers relating to  
64 the production, sale and transmission of power  
65 and electricity given by this act to said board:  
66 *provided, however,* that in the sale of the power  
67 or electricity produced as aforesaid in the town of  
68 Clinton, preference shall be given to said town  
69 and its inhabitants.

1 SECTION 2. Section sixteen of chapter four  
2 hundred and eighty-eight of the acts of the year  
3 eighteen hundred and ninety-five, as amended by

4 section one of chapter four hundred and thirty-  
5 six of the acts of the year eighteen hundred and  
6 ninety-six, is hereby amended by inserting after  
7 the word "year," where it first occurs in the  
8 thirteenth line, the following:— and to the town  
9 of Clinton the sum of five thousand dollars a  
10 year,— so as to read as follows:—

11 *Section 16.* The treasurer of the Common-  
12 wealth shall, from the proceeds of the bonds here-  
13 inafter provided for, reimburse the city of Boston  
14 for all moneys paid, or that may hereafter be paid  
15 by said city for land damages, or otherwise,  
16 in connection with the location, building or  
17 maintenance of reservoirs or basins not yet built,  
18 or for lands taken for the preservation or protec-  
19 tion of the purity of waters of any reservoirs, or  
20 basins, or of the tributaries thereof, and shall pay  
21 as part of the expenses of said metropolitan water  
22 works to the town of Boylston the sum of three  
23 thousand dollars a year, and to the town of West  
24 Boylston the sum of twelve thousand dollars a  
25 year, and to the town of Clinton the sum of  
26 five thousand dollars a year, for the year of, and  
27 each year succeeding said taking of the waters of  
28 said Nashua river, so long as each of said towns  
29 remains a municipality, and shall pay no tax, or  
30 other payment, to either of said towns on account  
31 of any property held by said water board for the  
32 purposes of a water supply.

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