

# HOUSE . . . . No. 2365

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, April 11, 1951.

The committee on Water Supply, to whom was referred the petition (accompanied by bill, Senate, No. 558) 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, report the accompanying bill (House, No. 2365).

For the committee,

CHARLES KELLEHER.

## The Commonwealth of Massachusetts

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

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 Dighton  
7 and from the water district in the town of Swansea,  
8 and said cities and districts may furnish and sell  
9 water to the town of Somerset, and the said cities  
10 and districts may purchase water from the said town  
11 of Somerset for their own purposes. The town of  
12 Somerset may acquire, by purchase, such lands, ease-  
13 ments and rights of way in the town of Dighton, not  
14 already acquired, under chapter three hundred and  
15 thirty-nine of the acts of nineteen hundred and  
16 twenty-six, as it may deem advisable to convey water  
17 from Taunton and the said Dighton water district

18 through the town of Dighton to the Somerset water  
19 supply system.

20 For the purposes aforesaid the town of Somerset  
21 may construct and maintain within the limits of said  
22 Dighton, reservoirs, standpipes, tanks, buildings,  
23 pumping plants, and other structures; may make  
24 excavations, procure and operate machinery, and may  
25 provide such other means and appliances and do such  
26 other things as it may consider necessary; and may  
27 construct, lay and maintain pipe lines and other works  
28 under and over any streets, lands and watercourses in  
29 said Dighton and including the Taunton river or any  
30 part thereof, railroads, culverts, public or other ways,  
31 and along such ways, in said Dighton, in such manner  
32 as not to unnecessarily obstruct the same; and for  
33 the purposes of constructing, laying, maintaining,  
34 operating and repairing such pipes and other works,  
35 and for all proper purposes of this act the town of  
36 Somerset may dig up or raise or embank any such  
37 lands or ways in such manner as to cause the least  
38 hindrance to public travel on such ways; provided,  
39 that all things done on such ways shall be subject to  
40 the reasonable direction of the selectmen of said  
41 Dighton, and in such manner as not to interfere with  
42 the water mains of the North Dighton fire and water  
43 district or the said Dighton water district in said  
44 Dighton, and subject to the approval of the depart-  
45 ment of public works, division of highways for work  
46 done on the state highway known as Route 138; and  
47 provided, further, that the town of Somerset shall  
48 not lay any pipes or other works hereunder within the  
49 location of any railroad corporation except at such  
50 times and in such manner as approved by such cor-  
51 poration, or across the Taunton river without proper

52 licenses from the federal and state jurisdictional au-  
53 thorities.

1 SECTION 2. For the purpose of paying the neces-  
2 sary expenses and liabilities incurred or to be in-  
3 curred under this act, excluding expenses of main-  
4 tenance and operation, but including, without limita-  
5 tion, the proportion of any expenses to be paid by  
6 said town in connection with any project of the fed-  
7 eral government of a kind for which, if undertaken by  
8 said town a borrowing hereunder would be authorized,  
9 said town may borrow from time to time such sums  
10 as may be necessary, not exceeding, in the aggregate,  
11 five hundred thousand dollars, and may issue bonds  
12 or notes therefor, which shall bear on their face,  
13 Somerset Water Loan, Act of 1951. Each author-  
14 ized issue shall constitute a separate loan, and such  
15 loans shall be payable in not more than thirty years  
16 from their dates. Indebtedness incurred under this  
17 act shall be outside the debt limit as fixed for water  
18 supply loans under chapter forty-four of the General  
19 Laws, and loans issued hereunder shall be subject to  
20 said chapter.

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  
5 other for the purchase and sale of water, from and to  
6 each other, including water to be obtained from the  
7 city of Taunton by either party or from any other  
8 source, and are hereby authorized to contract with  
9 each other for the expenditure of funds of the town of  
10 Somerset for general construction work to be done in

11 the town of Dighton, jointly or severally, and all  
12 other expenses for joint use relating to a water supply  
13 system of the town of Somerset and the Dighton  
14 water district in the town of Dighton.

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





