

WEST AND SOUTH
Water Supply District
OF ACTON, MASSACHUSETTS

INCORPORATED BY THE ACTS OF LEGISLATURE OF 1912,
CHAPTER 326, AND ACCEPTED BY THE
DISTRICT APRIL 12, 1912

THE CENTER DISTRICT ACCEPTED SECTION 13 OF SAID ACT



Annual Report ❖ March 31, 1941

Murphy & Snyder, Maynard, Mass.

ORGANIZATION—1940

Clerk

JAMES E. KINSLEY, Term expires 1941

Water Commissioners

WALDO E. WHITCOMB, Chairman	Term expires 1941
HOWARD J. BILLINGS	Term expires 1942
WALTER B. STEVENS	Term expires 1943

Treasurer

CARRIE M. DURKEE Term expires 1941

Auditor

DAVID R. KINSLEY, Term expires 1941



Appointments by the Water Commissioners

Collector

WALDO E. WHITCOMB, Term expires 1941

Superintendent and Clerk

GEORGE E. CLAPP, Term expires 1941

COMMONWEALTH OF MASSACHUSETTS
MIDDLESEX, SS.

To the Clerk of the West and South Water Supply District of
Acton, GREETINGS:

You are directed to notify and warn the inhabitants of the
Town of Acton residing in the Water Supply District, as bounded
and defined by Chapter 826 of the Act of 1912, Section 1 and 13
of said act, qualified to vote in elections and town affairs, to
assemble in I. O. O. F. Hall, West Acton,

Tuesday, April 1, 1941, at Eight O'Clock P. M.

Then and there to act on the following articles, to wit:

Article 1. To choose a Moderator to preside at said meeting.

Article 2. To elect by ballot a Clerk for one year, a Treasurer
for one year, an Auditor for one year, and one Member of the
Board of Water Commissioners to serve for the term of three
years, and fix salaries of same.

Article 3. To hear and act on the report of the Water
Commissioners, Treasurer, Collector and other officers of the
District or any Committee appointed at any previous meeting.

Article 4. To see if the District will authorize the Treasurer
to borrow money, with the approval of the Water Commissioners,
if necessary, in anticipation of revenue of the Current Year.

Article 5. To see if the District will vote to authorize the
Water Commissioners to employ for additional Compensation any
of their members and to fix additional compensation of such
member as provided in Section 4A, Chapter 41 of the General
Laws.

And you are directed to serve this warrant by posting copies,
attested by you, in three or more public places in the Water
District thereof, seven days at least before the time of said
meeting as directed by vote of the Water District.

Hereof fail not and make due returns of this Warrant with
your doings thereon to the Water Commissioners on or before
the time of holding said meeting.

Given under our hands in Acton this Fifteenth day of March
in the year one thousand nine hundred and forty-one.

WALDO E. WHITCOMB,
HOWARD J. BILLINGS,
WALTER B. STEVENS,
Water Commissioners.

WATER MEETING

Abstract of the proceedings of the Annual Meeting of the West and South Water Supply District of Acton held in Odd Fellows Hall, West Acton.

TUESDAY, APRIL 2, 1940, at Eight O'Clock P. M.

Article 1. To choose a Moderator to preside at said meeting.
Chose David R. Kinsley, Moderator of the meeting.

Article 2. To elect by ballot a Clerk for one year, a Treasurer for one year, and Auditor for one year, and one Member of the Board of Water Commissioners to serve for the term of three years and fix salaries of same.

Elected James E. Kinsley, Clerk for one year.

Elected Carrie M. Durkee, Treasurer for one year.

Elected David R. Kinsley, Auditor for one year.

Elected Walter B. Stevens, Water Commissioner for three years.

Voted: To fix the salaries at the same rate as last year.

Voted: That the meeting recommend the restoration of the salary cut to the Superintendent of the District.

Article 3. To hear and act on the report of the Water Commissioners, Treasurer, Collector, and other officers of the District or any Committee appointed at any previous meeting.

Voted: To include in the next annual report Chapter 312 of the Acts of 1912 and a copy of the By-Laws.

Voted: To accept the report of the District Officers.

Article 4. To see if the District will authorize the Treasurer to borrow money with the approval of the Water Commissioners if necessary in anticipation of revenue of current year.

Voted: That the District Treasurer with the approval of the Water Commissioners be and is hereby authorized to borrow money from time to time in anticipation of the revenue of the financial year beginning April 1, 1940 and to issue a note or notes therefore payable within one year, any debt or debts incurred, under this vote to be paid from the revenue of said financial year.

Article 5. To see if the District will vote to authorize the Commissioners to employ for additional compensation any of their members and to fix additional compensation of such members as provided in Section 4A, Chapter 41 of the General Laws.

Voted: That the Board of Water Commissioners be and are hereby authorized to appoint any member of the Board as Collector of Water Rates and that the salary of said officer be the same as last year.

Article 6. To see if the District will vote to raise and appropriate a sum of money for the purpose of extending the water main to furnish service to property of Carl C. Flint on Robbins Street (approximately 200 ft.) and authorize the Treasurer with the approval of the Commissioners to borrow such sums as may be necessary to meet said appropriation or act anything thereon.

Voted: Unanimously, to raise and appropriate the sum of four hundred dollars (\$400) for the purpose of extending the water main to furnish service to property of Carl C. Flint on Robbins Street (approximately 200 ft.).

Article 7. To see if the District will vote to raise and appropriate a sum of money for the purpose of extending the water main to furnish service to property of Charles H. Liebfried on Maple Ave., (approximately 500 ft.) and authorize the Treasurer with the approval of the Commissioners to borrow such sums as may be necessary to meet said appropriation or act anything thereon.

Voted: Unanimously, to raise and appropriate the sum of one thousand dollars (1000) for the purpose of extending the water main to furnish service to property of Charles H. Liebfried on Maple Ave., (approximately 500 ft.).

Article 8. To see if the District will vote to raise and appropriate a sum of money for the purpose of extending the water main to furnish service to property of William M. Jack formerly the Hawley place on Main Street (approximately 1000 ft.) and authorize the Treasurer with the approval of the Water Commissioners to borrow such sums as may be necessary to meet said appropriation or act anything thereon.

Voted: Unanimously, to raise and appropriate the sum of three thousand dollars (\$3000) for the purpose of extending the water main to furnish service to property of William M. Jack formerly the Hawley place on Main Street (approximately 1000 ft.), and that the District Treasurer with the approval of the Water Commissioners be and is hereby authorized to borrow such sums of money as may be necessary to construct said extension, and to issue a note or notes of the District therefor, said note or notes to be payable in not more than three years.

Meeting adjourned at 8.44 P. M.

JAMES E. KINSLEY, Clerk.

WATER COMMISSIONERS' REPORT

Carrying out the instructions as voted at the last annual meeting, extensions of water mains were made as follows:

Robbins Court 250 ft. at a cost of.....	\$ 604.54
Maple Ave., 500 ft. at a cost of.....	\$ 736.68
North Main St., 1165 ft., at a cost of.....	\$ 2,592.09

Estimates were obtained from three contractors on this work, but because of difficulty in preparing adequate specifications for competitive bidding on these relatively small projects, it was decided to do the work with day labor and rental equipment, under the direction of the Superintendent of the Water District.

Although we were given authority to borrow money for these projects, we found it possible to finance them with cash on hand, but in so doing our operating reserve has been reduced to a point which makes it impossible to consider any extensions during 1941.

During 1940, fifteen new services were added and one new hydrant installed.

Also a new Fairbanks Morse centrifugal pump was installed at the station to replace one of the two original pumps.

The Stand Pipe and store house must be painted during the coming summer, but otherwise we do not foresee any major expenditures in addition to maintenance and operating costs.

Respectfully submitted,

WALDO E. WHITCOMB,
HOWARD J. BILLINGS,
WALTER B. STEVENS.

CLERK'S REPORT

Maintenance Account

Acton Motor Co., repairs.....	\$ 4.55
Acton Pipe Co., pipe.....	5.26
Acton Lodge, I. O. O. F., rent.....	5.00
Ayer Motor Express, express.....	.30
Bursaw Gas & Oil Co., kerosene.....	370.50
Bursaw Gas & Oil Co., gasoline.....	80.00
B. & M. R. R., pipe privilege.....	10.80
A. W. Chesterton Co., pump packing.....	15.11
Dresser Mfg. Co., repair couplings.....	14.03
DeLux Co., oil filters.....	5.25
A. W. Davis Co., supplies.....	22.14
Edison Co., current.....	9.33
Eagle Oil Co., paint.....	4.02
E. Gates, forging and sharpening.....	21.00
Hedge and Matthews, torch.....	17.50
Hayes Pump Co., labor.....	8.75
Hersey Meter Co., meter parts.....	10.23
H. Haines, water rebate.....	4.00
W. King, water rebate.....	4.00
W. C. Irving, water rebate.....	2.76
Fairbanks Morse Co., centrifugal pump...	1,480.00
Fairbanks Morse Co., engine parts and labor.....	123.12
Fitzgerald's Garage, testing and repairing.	5.17
George E. Clapp, freight and expense paid.	12.06
Eastern Lumber Co., paint.....	1.94
W. B. Holt, black tin pipe.....	7.50
M. I. Houghton, lumber.....	3.54
C. M. Durkee, Treasurer's and Collector's Bonds.....	45.00
C. M. Durkee, postage.....	7.45
New England Tel. & Tel. Co., telephone..	61.00
New England Meter Co., repairs and parts	32.47
News-Enterprise Co., reports.....	35.25
Nashoba Oil Co., gasoline.....	61.80
National Meter Co., parts.....	71.24
T. A. Lowden, liability insurance.....	102.47
L. Leveroni, labor.....	3.25
Laffin's Garage, tires and repairs.....	49.00
Maynard & Acton Oil Co., kerosene.....	151.45
Murphy & Snyder, printing.....	20.42
Middlesex Insurance Co., burglary insurance	26.00
Mrs. J. McCarthy, garage rent.....	36.00
W. P. Proctor Co., lumber.....	20.58
Pierce's Express, express.....	.51

Phoenix Meter Co., meter parts	39.16
Remington-Rand Co., meter cards	11.60
S. A. Woolen Co., wipers	4.30
Snap-on Tool Co., wrenches	3.05
Standard Oil Co., lubricating oil	36.58
O. Nichols, labor	821.00
N. H. Tenney, machine work	13.05
W. E. Whitcomb, postage	46.77
W. E. Whitcomb, collecting water rates	203.22
James E. Kinsley, salary as Clerk	10.00
David R. Kinsley, salary as Auditor	10.00
Howard J. Billings, salary as Commissioner	25.00
Walter B. Stevens, salary as Commissioner	25.00
Waldo E. Whitcomb, salary as Commissioner	25.00
Carrie M. Durkee, salary as Treasurer	50.00
George E. Clapp, salary as Superintendent	2,000.00

\$ 6,295.48

Construction Account

American Cyanamid Co., dynamite	\$ 16.25
Acton Motor Co., melting joints	6.00
Hedge & Matthews, torches	6.13
Cement Lined Pipe Co., service pipe	185.36
Eureka Pipe Co., fittings	11.40
F. A. Houdlette Co., cast iron fittings	17.13
Walworth Co., 6" valves	88.96
Rensaellaer Valve Co., hydrant and valves	82.37
Red Hed Mfg. Co., goosnecks	58.92
Farnan Brass Co., curb stops	8.28
John Mansville Co., transite pipe	1,474.69
Leonard Smith, shovel	884.15
Mass. Broken Stone Co., crushed stone	190.67
Reynard's Express, express60
Johnson, Barker Co., valves, fittings, etc.	288.13
Caldwell Co., valve boxes	59.19
H. Gould, truck	56.45
O. Geers, blasting	8.32
A. Gravelin, gravel	1.65
A. Frazer, gravel	4.50
E. Hayward, signs	8.00
C. Leibfried, stone privilege	15.00
A. MacDougal, labor	292.51
Neptune Meter Co., meters	112.97
Pittsburg Meter Co., meters	72.74
G. Rugg, labor	145.39
E. Noterman, labor	169.78
O. Nichols, labor	266.50
L. Bradley, labor	103.01

S. Bondelevitch, labor.....	66.13
A. Hurley, labor.....	72.50
E. Hurley, labor.....	22.75
J. Jarvi, labor.....	21.50
G. Downey, labor.....	27.63
F. Downey, labor.....	4.00
V. Sheehan, labor.....	86.51
J. Bradley, labor.....	8.00
James Bradley, labor.....	2.00
D. Clayton, labor.....	14.25
F. Charter, labor.....	48.01
F. Conquest, labor.....	4.00
C. Flint, labor.....	4.25
T. Moynihan, labor.....	15.00
W. Jack, labor.....	5.00
J. Nash, labor.....	4.00
J. Taft, labor.....	.50
H. Knight, labor.....	9.25
C. Waite, labor.....	5.70
L. Styles, labor.....	5.00
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	\$ 5,061.03

Bond Account

First National Bank, Boston, bonds.....	\$ 3,800.00
First National Bank, Boston, interest.....	204.00
Merchants National Bank, Boston, note..	2,000.00
Merchants National Bank, Boston, interest	490.00
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	\$ 6,494.00
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	\$ 17,850.51

GEORGE E. CLAPP,
Clerk of Commissioners.

TREASURER'S REPORT

Cash on hand March 31, 1940.....	\$ 7,802.37
Received from W. E. Whitcomb.....	10,161.23
Hydrant Rentals.....	3,150.00
Junk sold.....	6.00
Pumping Wells.....	6.00
Middlesex Institution for Savings, Interest	20.00
North Middlesex Institution for Savings, Interest.....	20.00
	\$ 21,165.60
Paid Commissioner Orders.....	17,850.51
	\$ 3,315.09
Cash on hand, March 31, 1941.....	

Reconciliation of Cash

North Middlesex Institution for Savings..	\$ 1,000.00
On Deposit Middlesex Institution for Savings.....	1,000.00
Checking Account Concord National Bank	1,315.09
	\$ 3,315.09

Bond Account

Bonds out March 31, 1940.....	\$ 5,500.00
Bonds paid.....	3,500.00
	\$ 2,000.00
Bonds out March 31, 1940.....	\$ 1,500.00
Bonds paid.....	300.00
	\$ 1,200.00
Bonds out March 31, 1940.....	\$ 28,000.00
Bonds paid.....	2,000.00
	\$ 26,000.00
	\$ 29,200.00

CARRIE M. DURKEE,
Treasurer.

REPORT OF COLLECTOR OF WATER RATES

April 1, 1940 to April 1, 1941

Metered and unmetered water.....	\$ 9,830.36
Installing and Repairs.....	330.87
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	\$ 10,161.23
Paid Treasurer.....	\$ 10,161.23
Four Services Turned off Unpaid.....	\$ 20.52
These will be Paid before Turning on again.	

Metered Water for One Year

Center	West	South	Total
2,996,062 gal.	8,895,780 gal.	13,936,200 gal.	25,828,042 gal.
Water used through Fountains.....			1,269,426 gal.
Water used Cooling Engines at Station.....			420,120 gal.

Water Pumped at Station 1940

40,558,582 gallons

Number of Services Now Installed

Center	West	South	Total
115	309	273	697
Number of Hydrants Installed.....			127

WALDO E. WHITCOMB, Collector.

AUDITOR'S REPORT

West Acton, Mass.
March 22, 1941.

Board of Water Commissioners,
Acton, Mass.,
Gentlemen:

This is to certify that I have completed an examination of the accounts of the Treasurer and Collector and have found them correct.

Very truly yours,

DAVID R. KINSLEY, Auditor.

(CHAP. 326)

AN ACT TO ESTABLISH THE WEST AND SOUTH WATER
SUPPLY DISTRICT OF ACTON AND TO PROVIDE
FOR SUPPLYING SAID DISTRICT WITH WATER

Be it enacted, etc., as follows:

Section 1. The inhabitants of the westerly and southerly part of the town of Acton, liable to taxation in that town and residing within the territory enclosed by the following boundary lines, to wit:—Beginning at a stone monument, said monument marking the corner of the towns of Littleton, Boxborough and Acton; thence south twenty-six degrees fifty-eight minutes west, on the boundary line between Boxborough and Acton, about fourteen thousand eight hundred and fifty-five feet to a stone monument marking the corner of the towns of Boxborough, Stow and Acton; thence south sixty-two degrees one minute east of the boundary line between Stow and Acton, ten thousand four hundred and fifty-six feet to a stone monument marking the corner of the towns of Stow, Maynard and Acton; thence south sixty-one degrees fifty-seven minutes east on the boundary line between Maynard and Acton about three thousand and forty-eight feet to a stone monument on said boundary line and on the westerly side of the highway leading from South Acton to Maynard, known as Maynard street; thence north fifty-six degrees fifteen minutes east about five thousand nine hundred and eighty-four feet to a stone monument on the highway leading from the Edwin Barker place, so-called, to the Old Stow road, now known as the Sudbury road, said monument being near the point where said Sudbury road crosses the Fitchburg division of the Boston and Maine Railroad, known as Parker's crossing; thence north thirty degrees forty-five minutes west about eighteen thousand eight hundred and fifty feet to the bound first mentioned, —shall constitute a water supply district, and are hereby made a body corporate by the name of the West and South Water Supply District of Acton, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants, and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take, or acquire by lease, purchase or otherwise, and to hold property, lands, rights of way and other easements for the purposes mentioned in this act, and to prosecute and defend all actions relating to the property and affairs of the district.

Section 2. Said water supply district, for the purposes aforesaid, may take, or acquire by purchase or otherwise, and hold, the waters of any pond or stream or of any ground sources of supply by means of driven, artesian or other wells within the

town of Acton or in the town of Boxborough, and the water rights connected with any such water sources. Said district may also take, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district: *provided, however*, that no source of water supply and no lands necessary for preserving the quality of the water, shall be taken or used without first obtaining the advice and approval of the state board of health, and that the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said board. Said district may construct on the lands acquired and held under the provisions of this act, proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways in Acton and Boxborough, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embark any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways in Acton and Boxborough; and all things done upon any such way shall be subject to the direction of the selectmen of the towns of Acton and Boxborough, respectively.

Section 3. Said water supply district shall, within ninety days after the taking of any lands, water rights, water sources, rights of way, or other easements under the provisions of this act, file and cause to be recorded in the registry of deeds for the county or district in which the same are situated a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for. The title to all land taken, purchased or acquired in any way under the provisions of this act shall vest in said West and South Water Supply District of Acton, and the land so acquired may be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of said district.

Section 4. Said district shall pay all damages to property sustained by any person or corporation by the taking of any land, water, water source, water right, right of way, or other

easement, or by anything done by said district under authority of this act. Any person or corporation sustaining damages as aforesaid, and failing to agree with the district as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of said two years; and no application for assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, until the water is actually withdrawn or diverted by the district under authority of this act. Said district may by vote, from time to time, determine what amount or quantity of water it proposes to take and appropriate under this act; in which case any damages caused by such taking shall be based upon such amount or quantity until the same shall be increased by vote or otherwise, and in that event said district shall be liable further only for the additional damage caused by such additional taking.

Section 5. Said district, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds, notes or scrip to an amount not exceeding one hundred thousand dollars. Such bonds, notes or scrip shall bear on their face the words, West and South Water Supply District of Acton Water Loan; shall be payable at the expiration of periods not exceeding thirty years from their respective dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding four and one-half per cent per annum; and shall be signed by the treasurer of the district and countersigned by the water commissioners hereinafter provided for. Said district may sell such securities at public or private sale, upon such terms and conditions as it may deem proper: *provided*, that they shall not be sold for less than their par value. The town of Acton may, at its annual town meeting or at a legal meeting called for the purpose, guarantee the payment of such bonds, notes or scrip.

Section 6. Said district shall, at the time of authorizing said loan, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the first issue of the said securities, as will extinguish the same within the time prescribed by this act; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the securities, issued as aforesaid by said district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be raised annually by taxation in the manner hereinafter provided.

Section 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Acton, who shall proceed within thirty days thereafter to assess the same in the same manner in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes; *provided*, that the district at the time of voting to raise the tax shall so determine and shall also fix a time for payment thereof.

Section 8. The first meeting of said district shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Acton, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. The said justice of the peace, or one of the selectmen, shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall take effect, and the meeting may then proceed to act on the other articles contained in the warrant.

Section 9. The West and South Water Supply District of Acton shall, after the acceptance of this act, as aforesaid, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. Said commissioners shall appoint a treasurer of said district, who may be one of their number, who shall give bonds to the district in such an amount and with such sureties as may be approved by the commissioners. A majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said water supply district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of the water works

except upon a written order of said commissioners or a majority of them.

Section 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be applied to defraying all operating expenses, interest charges and payments on the principal as they accrue upon any bonds, notes or scrip issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be used for such new construction as the water commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by the water commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

Section 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. Said district may also establish rules and regulations for the management of its water works, nor inconsistent with this act or with the laws of the commonwealth, and may choose such other officers not provided for in this act as it may deem necessary or proper.

Section 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for a term not exceeding six months.

Section 13. The inhabitants of the central part of the town of Acton liable to taxation in that town and residing within the territory enclosed by the following boundary lines, to wit:— Beginning at a stone monument marking the corner of said towns of Littleton, Boxborough, and Acton; thence south seventy-five degrees east about twelve thousand eight hundred and eighteen feet to a stone monument on the northerly side of the Lowell road, so called between the residences of Henry H. Hawley, Jr., and Luther Conant; thence south eleven degrees fifty minutes west about thirteen thousand one hundred and ninety-five feet to a stone monument near the point where the Fitchburg Division of the Boston and Maine Railroad crosses the Sudbury road, so

called, being the northeasterly corner of the West and South Water Supply District of Acton as described in this act; thence north thirty degrees forty-five minutes west along the northerly line of said West and South Water Supply District of Acton about eighteen thousand eight hundred and fifty feet to the place of beginning,—shall be added to and become a part of the body corporate of the West and South Water Supply District of Acton. The territory hereby annexed to said district and the inhabitants residing therein shall have all the rights, powers, and privileges, and be subject to all the liabilities and duties pertaining to said district according to the provisions of this act, except as hereinafter provided. Upon the acceptance of this act by the voters of that part of the district described in this section, as provided for in section fifteen of this act, the water system shall, within a period of two years thereafter, be extended into and the water distributed therein, and thereupon that part of the district shall be bound to return an income which, for a period of ten years, will yield annually equal to six per cent of the cost and expense incurred or sustained in making such extension, and in the event that such income proves insufficient therefor, then a sum sufficient to make up the deficit shall be added to the amount of the tax to be annually assessed upon that part of the district. The treasurer of said district shall keep a separate account showing in detail the cost and expense incurred in making the said extension, and in the event of any dispute, difference, or question arising as to the amount of such cost and expense said commissioners shall have full power and authority to determine and fix the amount thereof.

Section 14. Sections one to twelve, inclusive, of this act shall take effect upon their acceptance by a majority vote of the voters of said district described in section one, present and voting thereon at a district meeting called in accordance with the provisions of section eight, within two years after the passage of this act; but the said sections shall become void unless the said district shall begin to distribute water to consumers within two years after the date of the acceptance of said sections as aforesaid.

Section 15. Section thirteen of this act shall take effect upon its acceptance by a majority of the voters of that part of the district described therein, present and voting thereon at a district meeting called in accordance with the provisions of section eight within two years after the acceptance of said sections one to twelve as provided in section fourteen of this act. [*Approved March 27, 1912.*]

ACT OF INCORPORATION

Chapter 326 of the Acts of Legislature 1912 was accepted by the legal voters residing in the West and South District, so called and defined by Section 1 of the Act, by a vote of 57 yes and 1 no at a meeting called for that purpose April 16th, 1912, in accordance with Section 14 of said Act.

Section 13 of said Act was accepted by the legal voters of the Centre District, so called and defined by said Section, by a vote of 40 to 3 at a meeting called for that purpose in accordance with Section 15 of said Act.

The District was organized April 16, 1912, by the choice of Charles H. Mead, clerk, term one year; Board of Water Commissioners, Edgar H. Hall, term 3 years; Charles H. Fairbanks, term 2 years; Waldo E. Whitcomb, term 1 year.

BY-LAWS

I. The annual meeting of the Water Supply District shall be held on the first Tuesday in April of each year for the election of officers, and for the transaction of other necessary business connected with the District.

II. All meetings may be called by a majority of the Board of Water Commissioners, directed to the Clerk, or as specified in Chapter 326 of the Acts of 1912, Section 8.

III. All Warrants shall be posted at least seven days before the time of meeting.

IV. The Clerk shall preside at each meeting until a Moderator is chosen. No business shall be transacted until after the election of a Moderator.

V. At each annual meeting there shall be elected by ballot, one Commissioner for a term of three years; a Clerk, Treasurer and Auditor for a term of one year.

VI. If a vacancy should occur for any cause in the office of Clerk, Treasurer, or any other officer of this District, except the Board of Water Commissioners, it may be filled for any such unexpired term by the Water Commissioners.

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