

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

SENATE.

No. 68.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE.

AN ACT authorizing the town of Boothbay Harbor to purchase and succeed to the rights of the Boothbay and Boothbay Harbor Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. The town of Boothbay Harbor is hereby
2 authorized and empowered to purchase and own stock in
3 the Boothbay and Boothbay Harbor Water Company, and
4 to purchase, acquire, hold and exercise all the rights, prop-
5 erty, franchises and privileges of said corporation.

SECT. 2. Said town is further authorized and empowered,
2 in case it obtains control of said corporation either directly
3 by purchase, or indirectly through ownership of stock, to
4 take water from Adams pond, in the town of Boothbay,
5 sufficient for all domestic, sanitary, municipal and com-

6 mercial purposes, and to take and convey the same through
7 the towns of Boothbay and Boothbay Harbor.

SECT. 3. For the purpose of carrying out the provisions
2 of this act, said town of Boothbay Harbor shall have the
3 power and is hereby authorized to survey for, locate, lay,
4 erect and maintain suitable dams, reservoirs, aqueducts,
5 pipes, hydrants and fixtures, to enter upon any land to
6 make surveys and locations, to pass over, excavate and flow
7 any lands, and to take and hold by purchase or otherwise,
8 any real estate, rights of way or of water.

SECT. 4. Said town shall file in the registry of deeds
2 for the county of Lincoln, plans and description of the
3 location of all the lands and water rights taken under the
4 provisions of this act, and no entry shall be made upon any
5 land, except to make surveys, until the expiration of ten
6 days from such filing, and with such plan said town may
7 file a statement of the damages it is willing to pay to any
8 person for any property or property rights so taken; and
9 if the amount finally awarded does not exceed that sum,
10 the town shall recover costs against said person, otherwise
11 such person shall recover costs against said town. Within
12 thirty days after the filing of said plans and description
13 the town shall publish notice of such taking and filing, in
14 some newspaper in said county, such publication to be
15 continued three weeks successively.

SECT. 5. Said town shall be held liable to pay all legal
2 damages that shall be sustained by any person by the tak-
3 ing of his land, water rights or other property, or by
4 flowage, or by excavating through any land for the pur-
5 pose of laying down pipes and aqueducts, building dams
6 and reservoirs; and if any person sustaining damages as
7 aforesaid and said town are unable to agree upon the sum

8 to be paid therefor, such person or said town may within
9 twelve months after the filing of said plans and location
10 apply to the commissioners of the county of Lincoln who
11 shall cause such damages to be assessed in the same man-
12 ner and under the same conditions, restrictions, limitations
13 and rights of appeal as are by law prescribed in the case
14 of damages for the laying out of highways, so far as such
15 law is consistent with the provisions of this act. A fail-
16 ure to make such application within said twelve months
17 shall be held to be a waiver of all right to claim damages
18 therefor.

SECT. 6. Said town is further authorized and empow-
2 ered to enter into contracts with any duly organized water
3 company for the sale or lease to said water company of any
4 system of water works owned by said town on such terms
5 and subject to such conditions as a majority of the voters
6 of said town at a legal meeting called therefor may pre-
7 scribe.

SECT. 7. Said town is hereby authorized to elect by
2 ballot a board of water commissioners consisting of three
3 persons, the three first chosen to serve one for one year,
4 one for two years, and one for three years, and thereafter-
5 wards one commissioner shall be elected annually in the
6 month of March to serve for a term of three years. Said
7 commissioners are authorized to fix the water rates and
8 determine the conditions and manner of the water supply,
9 and shall have the general control and management of the
10 water system owned by the town. They shall receive
11 such compensation for their services as may be fixed by
12 the town.

SECT. 8. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 8, 1895.

Reported by Mr. SAVAGE, from Committee on the Judiciary and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.