

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

HOUSE.

No. 138.

STATE OF MAINE.

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

AN ACT relating to the Hallowell Water Company.

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

Section 1. The Hallowell Water Company is hereby
2 authorized for all domestic and municipal purposes to main-
3 tain and continue its system of water works in said city as
4 now maintained, including all things used or necessary
5 therefor, and to take, hold and convey into, about and
6 through said city water from the Vaughan brook, so called,
7 and its tributaries, from the Kennebec river, from natural
8 springs and from such artesian wells as it may construct
9 or develope; and said company within the limits of the
10 rights above granted may flow, take and hold, by purchase
11 or otherwise, on making proper compensation therefor as

12 hereinafter provided, any lands and land or water rights
13 in the city of Hallowell for laying and maintaining pipes
14 for conducting, discharging, disposing of and distributing
15 water, and for constructing, and maintaining reservoirs,
16 standpipes, dams and such other works as may be deemed
17 necessary or proper for raising, forcing, retaining, distribut-
18 ing, discharging or disposing of said water, and for the
19 erection of any works for said purposes.

Sect. 2. Said company may lay and maintain pipes from
2 any or all of its sources of supply, to, into, through and
3 about said city and secure and maintain the same by any
4 suitable works therefor; may regulate the use of said water
5 within said city, and establish, receive and collect the rates
6 to be paid therefor; and said company may, for the purpose
7 aforesaid, carry, conduct and maintain any pipes or other
8 works by it to be made, laid down, or conducted over, under,
9 through or across any water course, stream, bridge, railroad,
10 highway or other way in such manner as not to obstruct the
11 travel thereof; may enter upon and dig up any such road,
12 street or way for the purpose of laying down pipes beneath
13 the surface thereof and for maintaining and repairing the
14 same; and in general, may do any other acts and things
15 necessary or convenient and proper for carrying out the pur-
16 poses of this act.

Sect. 3. Said company shall file in the registry of deeds for
2 the county of Kennebec, plans and descriptions of the loca-
3 tion of all lands and water rights taken under the provisions
4 of this act, and no entry shall be made upon any land except

5 to make surveys, until the expiration of twenty days from
6 such filing; and with such plan the corporation may file a
7 statement of the damages it is willing to pay to any person
8 for any property so taken, and if the amount finally awarded
9 does not exceed the sum offered, said company shall recover
10 costs against such person; otherwise such person shall
11 recover costs against said company.

Sect. 4. Said company shall be held liable to pay all dam-
2 ages that shall be sustained by any person by reason of the
3 taking of any land or other property as aforesaid, or by flow-
4 age, or by excavating through any land or other property
5 for the purpose of surveying for, locating, maintaining, lay-
6 ing or building dams, reservoirs, standpipes, pipes, hydrants
7 or other necessary structures or fixtures, by taking and hold-
8 ing any lands necessary for flowage, and for any other inju-
9 ries resulting from the exercise of any of the powers granted
10 by this act; and if any person sustaining damages as afore-
11 said shall not agree with said company upon the sum to be
12 paid, either party, upon petition to the county commission-
13 ers, may have the same determined by said commissioners
14 in the same manner that damages are determined in the case
15 of land taken by railroad companies.

Sect. 5. Said company is hereby authorized to make con-
2 tracts with said city of Hallowell, and with corporations,
3 associations and individuals for the purpose of supplying
4 them with water, and is also authorized to purchase water,
5 for the purposes aforesaid, of corporations, associations and
6 individuals.

Sect. 6. For all purposes of extension and improvement
2 of its existing plant said Hallowell Water Company is
3 hereby authorized to issue its corporate bonds and secure
4 the same by mortgage of all, or any part of, its property and
5 franchises, such bonds and mortgages to be on such times,
6 terms and conditions as the corporation shall vote, but not
7 to exceed in amount the amount expended on said plant,
8 its improvements and extensions.

Sect. 7. Nothing in this act shall affect the proceedings
2 now pending before a commission appointed by the supreme
3 judicial court sitting for the county of Kennebec under the
4 provisions of chapter 280 of the Private and Special Laws
5 of 1895.

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

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,
February 24, 1897.

Reported by Mr. FOGLER of Rockland, from Committee on Judiciary,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*