

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Ninth Legislature.

HOUSE.

No. 294.

STATE OF MAINE.

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

AN ACT to authorize the City of Lewiston to take Water for
Municipal and Domestic Purposes.

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

Section 1. The city of Lewiston is hereby authorized and
2 empowered to take water from Lake Auburn, or any pond in
3 Androscoggin county, sufficient for all municipal, public and
4 domestic purposes in said city, including a sufficient quan-
5 tity for extinguishing fires, supplying hotels, livery stables
6 and laundries, for sprinkling streets, for running elevators
7 and for motors, providing that such motors shall not be used
8 for manufacturing purposes; and the said city of Lewiston is
9 further authorized and empowered to take and convey the

10 water of Lake Auburn, or any pond as aforesaid, through any
11 or all the towns of said county, as may be necessary and
12 across the Androscoggin river by an aqueduct or pipe sunk
13 to any depth desirable for the purpose, and may also take and
14 hold, by purchase or otherwise, any land necessary for laying
15 and maintaining said aqueduct or pipe line, with all necessary
16 locks, gates, dams or other structures, necessary to convey
17 the water from Lake Auburn, or any pond as aforesaid, to
18 the pumping station of said city of Lewiston, provided that
19 such taking of land shall not interfere with any existing sys-
20 tem of municipal water supply.

Sect. 2. Said city of Lewiston is hereby authorized to lay
2 down and maintain in and through the streets and ways and
3 under any steam railroad within the limits of the county of
4 Androscoggin and to take up, replace and repair all such pipe,
5 aqueduct, gates and fixtures, as may be necessary for convey-
6 ing the water taken under the provisions of this act to the
7 pumping station of the city of Lewiston, under such reason-
8 able restrictions as may be imposed by the municipal officers
9 of any town or city within their respective limits, provided
10 that in the case of any crossing of steam railroad within the
11 county of Androscoggin, unless said city of Lewiston shall
12 agree with the company owning and operating said railroad,
13 as to the place, manner and conditions of crossing, the rail-
14 road commissioners shall determine the place, manner and
15 condition of such crossing, and all work within the limits of
16 said railroad location shall be done under the supervision and
17 to the satisfaction of the officers of said railroad company,
18 but at the expense of said city of Lewiston, and said city of
19 Lewiston shall be responsible for all damages to any streets
20 or ways, and to persons or property occasioned by such use
21 of said streets and ways, and shall further be liable to pay
22 to any town or city all sums of money recovered against said

23 town or city for damages from obstructions or defects in
24 said streets or ways caused by said city of Lewiston.

Sect. 3. The board of water commissioners of said city
2 of Lewiston may enter upon any land within the limits of
3 Androscoggin county not occupied for the maintenance of
4 and system of municipal water supply, for locating the neces-
5 sary aqueducts, pipes, locks or other structures, doing no
6 unnecessary damage, and said city of Lewiston may take and
7 hold the quantity of land necessary in the opinion of said
8 water commissioners for any of the purposes above named;
9 and within thirty days after determining the quantity of
10 land and the boundaries thereof to be taken and held, said
11 city of Lewiston shall file in the registry of deeds for the
12 county of Androscoggin, notice of said taking, together with
13 plans and descriptions of said land, with the purposes for
14 which it is taken, signed by the aforesaid water commission-
15 ers, and after filing said plans and descriptions and purposes,
16 may enter upon, take and hold the land included in said
17 descriptions for the purposes designated therein, and may use
18 any portion of the land so taken and held, with any materials
19 thereon, in the erection of any structure, making any grade,
20 fill or embankment, the damages therefor to be assessed as
21 provided in section four of this act, and whenever said city
22 of Lewiston shall, under the provisions of this act, take water
23 from any of the sources therein named, it shall file in the
24 registry of deeds in said county of Androscoggin, a notice of
25 said taking, describing the size, location and depth of the
26 pipe or pipes through which water is to be taken from said
27 sources.

Sect. 4. The city of Lewiston shall be liable for the dam-
2 ages sustained by any persons or corporations in their prop-
3 erty by the taking of any land for pipes, aqueducts, gates,
4 dams or other structures used by said city in conveying the

5 water as aforesaid, and shall be liable for damages for any
6 land taken under the provisions of this act, and said city of
7 Lewiston shall also be liable for all legal damages sustained
8 by any persons or corporations by the taking of any water,
9 water sources, water rights, privileges or easements by said
10 city under any of the provisions of this act.

Should said city of Lewiston be unable to agree upon the
12 damages to be paid for said location, taking and holding,
13 with any person or corporation claiming damages by reason
14 of the taking of any land, water, water source, water right,
15 privilege or easement under the provisions of this act, any
16 such person or corporation or said city of Lewiston may,
17 within twelve months after the filing of said notices, plans and
18 description, apply to the commissioners of the county of
19 Androscoggin, who shall cause such damages to be assessed
20 in the same manner and under the same restrictions, con-
21 ditions, limitations and rights of appeal, as are by law pre-
22 scribed in the case of damages for the laying out of high-
23 ways, so far as such law is consistent with the provisions of
24 this act.

Sect. 5. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 8, 1899.

Reported by Mr. GARCELON of Lewiston, from Committee on Interior
Waters, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*